



Texas
Solar + Storage
Association

CSSB 819 (Kolkhorst)

Still a Threat to Property Rights, Grid Reliability and the “Texas Miracle”

Despite modifications, CSSB 819 remains fundamentally flawed. It continues to discriminate against renewable energy, undermines private property rights, chills investment, and threatens grid reliability.

Still Targets Renewables and Private Landowners

CSSB 819 singles out wind and solar—requiring only these projects to undergo a subjective, arbitrary review process. It empowers Austin regulators who currently do not review power project installations to determine the highest and best use of private land, creating uncertainty, risk, and higher costs.

Still a Poison Pill for Private Investment

By treating competitive, privately financed renewable projects like monopoly utilities—with intrusive audits and sweeping investigatory powers—CSSB 819 is fundamentally at odds with ERCOT’s successful market model and will stall or halt investment in clean energy.

Still Allows Unlimited Setback Authority

Though the bill reduces wind setbacks from 3,000 to 1,000 feet, it grants the PUCT unchecked power to impose greater setbacks for wind and solar at any time. These setbacks are now fully discretionary and subject to change at the stroke of a pen.

Still Imposes De Facto Requirements Disguised as “Optional”

While claiming to be permissive, CSSB 819 lists application components like local support, national security impact, new fire mitigation plans, and more—effectively making them mandatory as the bill gives the PUCT open-ended authority to demand “any other information.”

Still Mandates Redundant Bonding

Texas already has effective decommissioning and land restoration rules backed by financial assurance that must be acceptable to the landowner which have been a model for other states. Adding duplicative bonding increases costs, limits landowner choice, and offers no environmental benefit—unfairly targeting renewable energy.

We Still Urge You to Vote No on CSSB 819

The bill’s core problems remain:

- Discriminatory review requirements
- Government overreach
- Investment-killing uncertainty
- Erosion of property rights
- Threats to grid reliability and affordability

Legislators should vote NO on CSSB 819.