

**TRAVIS COUNTY SUPPLEMENTAL DECLARATION OF DISASTER  
REGARDING PRICE GOUGING IN RESPONSE TO DECLARATIONS OF  
DISASTER CAUSED BY SEVERE WEATHER**

**Recitals**

WHEREAS, as of February 12, 2021, Governor Greg Abbott a issued disaster proclamation certifying that severe winter weather poses an imminent threat of widespread and severe property damage, injury and loss of life due to prolonged freezing temperatures, heavy snow, and freezing statewide and declaring a state of disaster in all 254 Texas counties pursuant to §418.017 of the Texas Government Code; and,

WHEREAS, Travis County Judge Andy Brown issued a Declaration of Disaster on February 14, 2021 pursuant to his authority under Texas Government Code Chapter 418, Section 418.108; and,

WHEREAS, due to record low temperatures, the Texas power system is currently facing an unprecedented peak in demand for electricity and, at times this record demand has exceeded the electric generation available to serve the grid; and,

WHEREAS, in response, the Electric Reliability Council of Texas (ERCOT) has requested utilities across the state to implement controlled power outages to reduce high demand and protect the integrity of the electric grid, and the length of these controlled outages has been significantly extended beyond normal due to the current emergency grid conditions and severe cold weather; and,

WHEREAS, many Travis County citizens are without power with no certainty of when it will be restored; and,

WHEREAS, section 17.46 of the Texas Deceptive Trade Practices-Consumer Protection Act provides that is a false, misleading or deceptive act or practice to take advantage of a disaster declared under Chapter 418 of the Texas Government Code by:

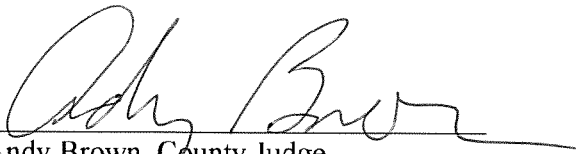
1. Selling or leasing fuel, food, medicine or another necessity at an exorbitant or excessive price; or
2. Demanding an exorbitant or excessive price in connection with eh sale or lease of fuel, food, food, medicine or another necessity; and,

WHEREAS, the Office of the Attorney General has authority to prosecute any business that engages in price gouging after a natural disaster has been declared by the Governor;

**NOW, THEREFORE, IT IS ORDERED BY THE COUNTY JUDGE OF THE COUNTY OF TRAVIS PURSUANT TO HIS AUTHORITY UNDER CHAPTER 418 OF THE TEXAS GOVERNMENT CODE:**

1. Businesses may not demand, sell or lease at an exorbitant or excessive price goods or services such as:
  - a. groceries, beverages, toilet articles, and ice;
  - b. restaurant, cafeteria, or boarding-house meals;
  - c. medicine, pharmaceutical and medical equipment, and supplies;
  - d. hotel rooms, motel rooms, or any other temporary lodging available to the public; and
  - e. transportation provision.
  
2. Such actions are prohibited and enforced under the Texas Deceptive Trade Practices-Consumer Protection Act through a temporary restraining order, permanent injunction assessment of civil penalties of (1) not more than \$10,000 per violation and, (2) if the act or practice subject to the proceeding was calculated to acquire or deprive money or other property from a consumer who was 65 years of age or older when the act or practice occurred, an additional amount of not more than \$250,000.
  
3. All manufacturing, industrial, and commercial businesses that use electricity in their operations/processes are ordered to minimize non-essential processes and operations to the greatest extent possible. All athletic facilities, stadiums and other businesses shall not use exterior lighting unless it is necessary to provide essential services or it is necessary to provide for the public's health or safety.
  
4. This Order does not apply to businesses that provide essential services or any manufacturing or industrial processes or operations that must remain engaged to prevent damage to facilities or equipment or to otherwise maintain the integrity of those processes or operations.
  
5. All residents and businesses in Travis County are advised to set their thermostats to no more than 68 degrees.
  
6. This declaration is effective from the date of the Texas Governor's Disaster Declaration of February 12, 2021 through the end of the declared declaration.

ORDERED this 16<sup>th</sup> day of February, 2021.

  
Andy Brown, County Judge  
County of Travis, Texas

Filed with the Clerk of Travis County:

DocuSigned by:  
*Dana DeBeauvoir*  
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Dana DeBeauvoir, County Clerk

2/16/2021  
Date: \_\_\_\_\_