

By: Anchia

H.B. No. 1042

A BILL TO BE ENTITLED

AN ACT

relating to the name and governance of the Railroad Commission of Texas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Chapter 81, Natural Resources Code, is amended to read as follows:

CHAPTER 81. TEXAS ENERGY RESOURCES [~~RAILROAD~~] COMMISSION [~~OF TEXAS~~]

SECTION 2. Section 81.001, Natural Resources Code, is amended to read as follows:

Sec. 81.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Texas Energy Resources [~~Railroad~~] Commission [~~of Texas~~].

(2) "Commissioner" means any member of the Texas Energy Resources [~~Railroad~~] Commission [~~of Texas~~].

SECTION 3. Subchapter A, Chapter 81, Natural Resources Code, is amended by adding Section 81.003 to read as follows:

Sec. 81.003. TEXAS ENERGY RESOURCES COMMISSION. (a) The Railroad Commission of Texas is renamed the Texas Energy Resources Commission.

(b) A reference in law to:

(1) the Railroad Commission of Texas means the Texas Energy Resources Commission; and

(2) a railroad commissioner or a member of the Railroad Commission of Texas means a member of the Texas Energy

1 Resources Commission.

2 SECTION 4. Section 81.01001, Natural Resources Code, is
3 amended to read as follows:

4 Sec. 81.01001. SUNSET PROVISION. (a) The Texas Energy
5 Resources [~~Railroad~~] Commission [~~of Texas~~] is subject to Chapter
6 325, Government Code (Texas Sunset Act). Unless continued in
7 existence as provided by that chapter, the commission is abolished
8 September 1, 2029.

9 (b) The Texas Energy Resources [~~Railroad~~] Commission [~~of~~
10 ~~Texas~~] shall pay the costs incurred by the Sunset Advisory
11 Commission in performing a review of the commission under this
12 section. The Sunset Advisory Commission shall determine the
13 costs, and the commission shall pay the amount of those costs
14 promptly on receipt of a statement from the Sunset Advisory
15 Commission detailing the costs.

16 SECTION 5. Subchapter B, Chapter 81, Natural Resources
17 Code, is amended by adding Section 81.010015 to read as follows:

18 Sec. 81.010015. ELECTION AND TERMS OF COMMISSIONERS;
19 VACANCIES. (a) The commission is composed of three commissioners
20 elected at the general election for state and county officers.

21 (b) Commissioners serve staggered terms of six years, with
22 the term of one commissioner expiring December 31 of each
23 even-numbered year.

24 (c) The governor shall appoint a person to fill a vacancy on
25 the commission until the next general election.

26 SECTION 6. Section 81.01005, Natural Resources Code, is
27 amended to read as follows:

1 Sec. 81.01005. NAME AND SEAL. (a) The commissioners are
2 known collectively as the "Texas Energy Resources [~~Railroad~~]
3 Commission [~~of Texas~~]."

4 (b) The seal of the commission contains a star of five
5 points with the words "Texas Energy Resources [~~Railroad~~] Commission
6 [~~of Texas~~]" engraved on it.

7 SECTION 7. The heading to Section 81.0521, Natural
8 Resources Code, is amended to read as follows:

9 Sec. 81.0521. FEE FOR APPLICATION FOR EXCEPTION TO
10 [~~RAILROAD~~] COMMISSION RULE.

11 SECTION 8. Section 52.092(c), Election Code, is amended to
12 read as follows:

13 (c) Statewide offices of the state government shall be
14 listed in the following order:

- 15 (1) governor;
- 16 (2) lieutenant governor;
- 17 (3) attorney general;
- 18 (4) comptroller of public accounts;
- 19 (5) commissioner of the General Land Office;
- 20 (6) commissioner of agriculture;
- 21 (7) energy resources [~~railroad~~] commissioner;
- 22 (8) chief justice, supreme court;
- 23 (9) justice, supreme court;
- 24 (10) presiding judge, court of criminal appeals;
- 25 (11) judge, court of criminal appeals.

26 SECTION 9. On the effective date of this Act, the name of
27 the Railroad Commission of Texas is changed to the Texas Energy

1 Resources Commission. The change of the agency's name does not
2 affect:

3 (1) the agency's powers, duties, rights, or
4 obligations;

5 (2) the agency's personnel, equipment, data,
6 documents, facilities, contracts, items, other property,
7 appropriations, rules, or decisions;

8 (3) a proceeding of or involving the agency under the
9 name of the Railroad Commission of Texas; or

10 (4) the terms of the chairman or other members of the
11 governing body of the agency.

12 SECTION 10. This Act takes effect September 1, 2021.