

AN ACT

relating to the jurisdiction of the Railroad Commission of Texas over and a study of the production, pipeline transportation, and storage of hydrogen.

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

SECTION 1. Section 81.051(a), Natural Resources Code, is amended to read as follows:

(a) The commission has jurisdiction over all:

(1) common carrier pipelines defined in Section 111.002 of this code in Texas;

(2) oil and gas wells in Texas;

(3) persons owning or operating pipelines in Texas;

~~and~~

(4) persons owning or engaged in drilling or operating oil or gas wells in Texas; and

(5) pipeline transportation and underground storage of hydrogen.

SECTION 2. Subchapter C, Chapter 81, Natural Resources Code, is amended by adding Section 81.075 to read as follows:

Sec. 81.075. TEXAS HYDROGEN PRODUCTION POLICY COUNCIL. (a) In this section, "council" means the Texas hydrogen production policy council.

(b) The Texas hydrogen production policy council is established within the commission to study and make recommendations

1 relating to the commission's policy framework for hydrogen energy
2 development.

3 (c) The council is composed of:

4 (1) the chair of the commission or the chair's
5 designee; and

6 (2) not more than 11 members appointed by the
7 commission to represent as many different types of participants as
8 possible, including at least three but not more than five
9 representatives from the hydrogen industry.

10 (d) The commissioner or the commissioner's designee is the
11 chair of the council.

12 (e) A member of the council is not entitled to compensation
13 or reimbursement of expenses for service on the council.

14 (f) The council:

15 (1) shall study the development of hydrogen industries
16 in this state, including the development of facilities for the
17 production, pipeline transportation, and storage of hydrogen;

18 (2) shall monitor regional efforts for the application
19 and development of a regional clean hydrogen hub authorized under
20 the Infrastructure Investment and Jobs Act (Pub. L. No. 117-58) or
21 another federal act;

22 (3) may coordinate actions with other state agencies
23 in supporting an application for a regional clean hydrogen hub
24 described by Subdivision (2); and

25 (4) shall develop a state plan for hydrogen production
26 oversight by the commission.

27 (g) The council shall make recommendations to the

1 legislature relating to legislative changes needed for the
2 oversight and regulation of production, pipeline transportation,
3 and storage of hydrogen.

4 (h) The council is abolished and this section expires on
5 January 1, 2030.

6 SECTION 3. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 2847 was passed by the House on May 4, 2023, by the following vote: Yeas 141, Nays 1, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2847 on May 25, 2023, by the following vote: Yeas 135, Nays 5, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2847 was passed by the Senate, with amendments, on May 21, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor