

1-1 By: Darby, Morales of Maverick H.B. No. 2847  
 1-2 (Senate Sponsor - Sparks)  
 1-3 (In the Senate - Received from the House May 5, 2023;  
 1-4 May 9, 2023, read first time and referred to Committee on Natural  
 1-5 Resources & Economic Development; May 19, 2023, reported  
 1-6 adversely, with favorable Committee Substitute by the following  
 1-7 vote: Yeas 8, Nays 0; May 19, 2023, sent to printer.)

1-8 COMMITTEE VOTE

|      | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-9  |     |     |        |     |
| 1-10 | X   |     |        |     |
| 1-11 | X   |     |        |     |
| 1-12 | X   |     |        |     |
| 1-13 | X   |     |        |     |
| 1-14 | X   |     |        |     |
| 1-15 | X   |     |        |     |
| 1-16 |     |     | X      |     |
| 1-17 | X   |     |        |     |
| 1-18 | X   |     |        |     |

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 2847 By: Sparks

1-20 A BILL TO BE ENTITLED  
 1-21 AN ACT

1-22 relating to the jurisdiction of the Railroad Commission of Texas  
 1-23 over and a study of the production, pipeline transportation, and  
 1-24 storage of hydrogen.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 81.051(a), Natural Resources Code, is  
 1-27 amended to read as follows:

1-28 (a) The commission has jurisdiction over all:

1-29 (1) common carrier pipelines defined in Section  
 1-30 111.002 of this code in Texas;

1-31 (2) oil and gas wells in Texas;

1-32 (3) persons owning or operating pipelines in Texas;

1-33 [~~and~~]

1-34 (4) persons owning or engaged in drilling or operating  
 1-35 oil or gas wells in Texas; and

1-36 (5) pipeline transportation and underground storage  
 1-37 of hydrogen.

1-38 SECTION 2. Subchapter C, Chapter 81, Natural Resources  
 1-39 Code, is amended by adding Section 81.075 to read as follows:

1-40 Sec. 81.075. TEXAS HYDROGEN PRODUCTION POLICY COUNCIL. (a)  
 1-41 In this section, "council" means the Texas hydrogen production  
 1-42 policy council.

1-43 (b) The Texas hydrogen production policy council is  
 1-44 established within the commission to study and make recommendations  
 1-45 relating to the commission's policy framework for hydrogen energy  
 1-46 development.

1-47 (c) The council is composed of:

1-48 (1) the chair of the commission or the chair's  
 1-49 designee; and

1-50 (2) not more than 11 members appointed by the  
 1-51 commission to represent as many different types of participants as  
 1-52 possible, including at least three but not more than five  
 1-53 representatives from the hydrogen industry.

1-54 (d) The commissioner or the commissioner's designee is the  
 1-55 chair of the council.

1-56 (e) A member of the council is not entitled to compensation  
 1-57 or reimbursement of expenses for service on the council.

1-58 (f) The council:

1-59 (1) shall study the development of hydrogen industries  
 1-60 in this state, including the development of facilities for the

2-1 production, pipeline transportation, and storage of hydrogen;  
2-2 (2) shall monitor regional efforts for the application  
2-3 and development of a regional clean hydrogen hub authorized under  
2-4 the Infrastructure Investment and Jobs Act (Pub. L. No. 117-58) or  
2-5 another federal act;  
2-6 (3) may coordinate actions with other state agencies  
2-7 in supporting an application for a regional clean hydrogen hub  
2-8 described by Subdivision (2); and  
2-9 (4) shall develop a state plan for hydrogen production  
2-10 oversight by the commission.  
2-11 (g) The council shall make recommendations to the  
2-12 legislature relating to legislative changes needed for the  
2-13 oversight and regulation of production, pipeline transportation,  
2-14 and storage of hydrogen.  
2-15 (h) The council is abolished and this section expires on  
2-16 January 1, 2030.  
2-17 SECTION 3. This Act takes effect September 1, 2023.

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