

By: Sparks

S.B. No. 1811

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the jurisdiction of the Railroad Commission of Texas
3 over and a study of the upstream production, pipeline
4 transportation, and storage of hydrogen.

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

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

8 (a) The commission has jurisdiction over all:

9 (1) common carrier pipelines defined in Section
10 111.002 of this code in Texas;

11 (2) oil and gas wells in Texas;

12 (3) persons owning or operating pipelines in Texas;

13 [~~and~~]

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

16 (5) pipeline transportation and underground storage of
17 hydrogen.

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

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

23 (b) The Texas hydrogen production policy council is
24 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 commissioners; and

5 (2) nine members appointed by the commission to
6 represent as many different types of participants as possible,
7 including at least three representatives from the hydrogen
8 industry.

9 (d) A member of the council is not entitled to compensation
10 or reimbursement of expenses for service on the council.

11 (e) The council:

12 (1) shall study the development of hydrogen industries
13 in this state, including the development of upstream facilities for
14 the production, pipeline transportation, and storage of hydrogen;

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

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

22 (4) shall develop a state plan for hydrogen production
23 oversight and regulation by the commission.

24 (f) The council may make recommendations relating to:

25 (1) commission rules needed for the oversight and
26 regulation of upstream production, pipeline transportation, and
27 storage of hydrogen; and

1 (2) changes in statute needed to clarify the
2 commission's jurisdiction over upstream production, pipeline
3 transportation, and storage of hydrogen.

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

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