

By: Goodwin

H.B. No. 4835

A BILL TO BE ENTITLED

AN ACT

relating to the pipeline transport and geologic storage of certain substances under the jurisdiction of the Railroad Commission of Texas.

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

SECTION 1. Section 117.012, Natural Resources Code, is amended by adding Subsection (j) to read as follows:

(j) If a facility response plan described by Subsection (d) or (e), a discharge prevention and response plan described by Subsection (f), or a community liaison activity conducted with fire, police, or other public emergency response officials for a hazardous liquid or carbon dioxide pipeline facility indicates that the appropriate emergency response officials are inadequately equipped to satisfactorily respond to a worst case discharge from the facility of hazardous liquids or carbon dioxide or to a substantial threat of such a discharge from the facility that could reasonably be expected to cause substantial harm to the environment, the commission shall require the operator of the facility to pay to each appropriate emergency response entity an amount necessary to enable the entity to satisfactorily respond to such a discharge or threat of discharge from the facility. A payment made under this subsection:

(1) shall be deposited to a restricted fund under the control of the governing body that is responsible for the budget of

1 the emergency response entity; and

2 (2) may be used only to obtain equipment or training
3 necessary for the emergency response entity to satisfactorily
4 respond to a discharge or threat described by this subsection.

5 SECTION 2. Subchapter C-1, Chapter 27, Water Code, is
6 amended by adding Section 27.0445 to read as follows:

7 Sec. 27.0445. FACILITY RESPONSE PLAN; FEE. (a) An
8 applicant for a permit under this subchapter shall prepare and
9 submit for railroad commission approval a facility response plan
10 that includes plans for responding, to the maximum extent
11 practicable, to a worst case failure at the well or facility and to
12 a substantial threat of a discharge of anthropogenic carbon dioxide
13 that could reasonably be expected to cause substantial harm to the
14 environment.

15 (b) In preparing the plan described by Subsection (a), the
16 applicant shall communicate and conduct liaison activities with
17 fire, police, and other appropriate public emergency response
18 officials in the area where the well or facility is proposed to be
19 located to assess the officials' preparedness to respond to a
20 discharge or threat described by Subsection (a).

21 (c) If a facility response plan described by Subsection (a)
22 or a community liaison activity described by Subsection (b)
23 indicates that the appropriate emergency response officials are
24 inadequately equipped to satisfactorily respond to a discharge or
25 threat described by Subsection (a), the railroad commission shall
26 require the applicant to pay to each appropriate emergency response
27 entity an amount necessary to enable the entity to satisfactorily

1 respond to a discharge or threat described by Subsection (a). A
2 payment made under this subsection:

3 (1) shall be deposited to a restricted fund under the
4 control of the governing body that is responsible for the budget of
5 the emergency response entity; and

6 (2) may be used only to obtain equipment or training
7 necessary for the emergency response entity to satisfactorily
8 respond to a discharge or threat described by Subsection (a).

9 SECTION 3. (a) Not later than March 1, 2026, the Railroad
10 Commission of Texas shall adopt any rules necessary to implement
11 Section 117.012(j), Natural Resources Code, and Section 27.0445,
12 Water Code, as added by this Act.

13 (b) Section 27.0445, Water Code, as added by this Act,
14 applies only to a permit application submitted to the Railroad
15 Commission of Texas on or after the effective date of the applicable
16 rules adopted under Subsection (a) of this section. A permit
17 application submitted before the effective date of the applicable
18 rules adopted under Subsection (a) of this section is governed by
19 the law in effect when the permit application was submitted, and the
20 former law is continued in effect for that purpose.

21 SECTION 4. This Act takes effect September 1, 2025.