

By: Birdwell

S.B. No. 1759

A BILL TO BE ENTITLED

AN ACT

relating to the declaration of an oil or gas emergency by the Railroad Commission of Texas and the liability of a person for assistance, advice, or resources provided in relation to an oil or gas emergency.

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

SECTION 1. Chapter 91, Natural Resources Code, is amended by adding Subchapter U to read as follows:

SUBCHAPTER U. OIL OR GAS EMERGENCIES

Sec. 91.951. DEFINITION. In this subchapter, "oil or gas emergency" means an emergency related to the production, storage, or transportation of oil or gas, including the uncontrolled release of oil, gas, or water from an oil or gas well.

Sec. 91.952. EMERGENCY DECLARATION. (a) The commission by proclamation may declare an oil or gas emergency if the commission finds that an oil or gas emergency has occurred. A proclamation issued under this section must include:

(1) a description of the nature of the oil or gas emergency; and

(2) a designation of the area threatened by the oil or gas emergency.

(b) An emergency proclamation issued under Subsection (a) may not continue for more than 30 days unless renewed by the commission.

1       Sec. 91.953. EMERGENCY ASSISTANCE. (a) Except in the case  
2 of gross negligence, recklessness, or intentional misconduct, a  
3 person is immune from civil liability for an act or omission that  
4 occurs in giving assistance, advice, or resources, including the  
5 use of the person's assets, employees, or contractors, with respect  
6 to the management of an oil or gas emergency:

7               (1) that is declared by the commission under Section  
8 91.952; and

9               (2) in which the assistance, advice, or resources are  
10 provided at the request of an authorized representative of a state,  
11 local, or federal agency.

12       (b) The immunities provided by this section are in addition  
13 to any other immunity or limitations of liability provided by law.

14       SECTION 2. Subchapter U, Chapter 91, Natural Resources  
15 Code, as added by this Act, does not apply to a cause of action that  
16 accrued before the effective date of this Act.

17       SECTION 3. This Act takes effect September 1, 2025.