

BILL ANALYSIS

S.B. 1484
By: Ogden
Energy Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Railroad Commission of Texas is prohibited from accepting an organizational report or approving a permit application or certificate compliance if a person in a position of ownership or control of an organization has, within the past five years, held such a position with another organization which violated certain items relating to safety or prevention on control of pollution. As proposed Senate Bill 1484 allow the Railroad Commission of Texas to require more organizations operating in Texas to become complaint with the Railroad Commission of Texas rules and to settle outstanding violators and fines before being permitted to operate and prevents operators with known histories of non-compliance from taking over wells and lease operations for an additional two years.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Subsection (a), Section 91.114, Natural Resources Code.

(a) Except as provided by Subsection (d), the commission may not accept an organizational report required under Section 91.142 or an application for a permit under this Chapter, Chapter 85, or Chapter 26, 27, or 29, Water Code, or approve a certificate of compliance under Section 85.161 if:

(1) the organization that submitted the report, application, or certificate violated a statute or commission rule, order, license, certificate, or permit that relates to safety or the prevention or control of pollution; or

(2) a person who holds a position of ownership or control in the organization has, within the seven years preceding the date on which the report, application, or certificate is filed, held a position of ownership or control in another organizational and during that period of ownership or control in another organization violated a statute or commission rule, order, license, permit, or certificate that relates to safety or the prevention or control pollution.

SECTION 2. (a) This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

(b) The change in law made by this Act applies only to an organizational report, permit application, or request for certificate of compliance that is filed with the Railroad Commission of Texas on or after the effective date of this Act.

EFFECTIVE DATE

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