

By: Farabee

H.B. No. 2848

A BILL TO BE ENTITLED

1 AN ACT

2 relating to transferring power and authority over railroads from
3 the Railroad Commission of Texas to the Texas Department of
4 Transportation and renaming the Railroad Commission of Texas as the
5 Texas Energy Commission.

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

7 SECTION 1. Article 6445, Revised Statutes, is amended to
8 read as follows:

9 Art. 6445. POWER AND AUTHORITY. (a) Power and authority
10 are hereby conferred upon the Texas Department of Transportation
11 [~~Railroad Commission of Texas~~] over all railroads, and suburban,
12 belt and terminal railroads, and over all public wharves, docks,
13 piers, elevators, warehouses, sheds, tracks and other property used
14 in connection therewith in this State, and over all persons,
15 associations and corporations, private or municipal, owning or
16 operating such railroad, wharf, dock, pier, elevator, warehouse,
17 shed, track or other property to fix, and it is hereby made the duty
18 of the said department [~~Commission~~] to adopt all necessary rates,
19 charges and regulations, to govern and regulate such railroads,
20 persons, associations and corporations, and to correct abuses and
21 prevent unjust discrimination in the rates, charges and tolls of
22 such railroads, persons, associations and corporations, and to fix
23 division of rates, charges and regulations between railroads and
24 other utilities and common carriers where a division is proper and

1 correct, and to prevent any and all other abuses in the conduct of
2 their business and to do and perform such other duties and details
3 in connection therewith as may be provided by law.

4 (b) All powers and duties of the Railroad Commission of
5 Texas that relate to railroads are transferred to the Texas
6 Department of Transportation.

7 (c) All personnel, property, assets, and obligations of the
8 Railroad Commission of Texas that relate to railroads are
9 transferred to the Texas Department of Transportation. The
10 validity of a prior action of the commission that relates to
11 railroads is not affected by the abolishment.

12 (d) All rules of the Railroad Commission of Texas that
13 relate to railroads remain in effect as rules of the Texas
14 Department of Transportation until amended or repealed by the
15 department.

16 (e) A reference in law to the Railroad Commission of Texas
17 that relates to railroads means the Texas Department of
18 Transportation.

19 SECTION 2. Subchapter A, Chapter 81, Natural Resources
20 Code, is amended by adding Section 81.002 to read as follows:

21 Sec. 81.002. TEXAS ENERGY COMMISSION. (a) The Railroad
22 Commission of Texas is renamed the Texas Energy Commission.

23 (b) A reference in law to the Railroad Commission of Texas,
24 other than a reference to the commission's power or authority over
25 railroads, means the Texas Energy Commission.

26 SECTION 3. This Act takes effect September 1, 2003.