

1-1 By: Ogden S.B. No. 1484
1-2 (In the Senate - Filed March 13, 2003; March 20, 2003, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 7, 2003, reported favorably by the following vote: Yeas 10,
1-5 Nays 0; April 7, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the acceptance of organization reports and permit
1-9 applications and approval of certificates of compliance by the
1-10 Railroad Commission of Texas.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subsection (a), Section 91.114, Natural
1-13 Resources Code, is amended to read as follows:

1-14 (a) Except as provided by Subsection (d), the commission may
1-15 not accept an organization report required under Section 91.142 or
1-16 an application for a permit under this Chapter, Chapter 85, or
1-17 Chapter 26, 27, or 29, Water Code, or approve a certificate of
1-18 compliance under Section 85.161 if:

1-19 (1) the organization that submitted the report,
1-20 application, or certificate violated a statute or commission rule,
1-21 order, license, certificate, or permit that relates to safety or
1-22 the prevention or control of pollution; or

1-23 (2) a person who holds a position of ownership or
1-24 control in the organization has, within the seven [~~five~~] years
1-25 preceding the date on which the report, application, or certificate
1-26 is filed, held a position of ownership or control in another
1-27 organization and during that period of ownership or control the
1-28 other organization violated a statute or commission rule, order,
1-29 license, permit, or certificate that relates to safety or the
1-30 prevention or control of pollution.

1-31 SECTION 2. (a) This Act takes effect immediately if it
1-32 receives a vote of two-thirds of all the members elected to each
1-33 house, as provided by Section 39, Article III, Texas Constitution.
1-34 If this Act does not receive the vote necessary for immediate
1-35 effect, this Act takes effect September 1, 2003.

1-36 (b) The change in law made by this Act applies only to an
1-37 organization report, permit application, or request for
1-38 certificate of compliance that is filed with the Railroad
1-39 Commission of Texas on or after the effective date of this Act.

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