

AN ACT

relating to the filing of electric logs with the Railroad Commission of Texas.

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

SECTION 1. Section 91.551(a), Natural Resources Code, is amended by amending Subdivision (1) and adding Subdivisions (3) and (4) to read as follows:

(1) "Well" means a well [~~being~~] drilled for any purpose related to exploration for or production or storage of oil or gas or both oil and gas, including a well drilled for injection of fluids to enhance hydrocarbon recovery, disposal of produced fluids, disposal of waste from exploration or production activity, or brine mining.

(3) "Drilling operation" means a continuous effort to drill or deepen a well bore for which the commission has issued a permit.

(4) "Operator" means a person who assumes responsibility for the regulatory compliance of a well as shown by a form the person files with the commission and the commission approves.

SECTION 2. Section 91.551(b), Natural Resources Code, is amended to read as follows:

(b) In this subchapter, "operator" ["person"] includes a predecessor or successor operator [~~successor in interest~~].

1 SECTION 3. Section 91.552(a), Natural Resources Code, is
2 amended to read as follows:

3 (a) Except as otherwise provided by this subchapter, not
4 later than the 90th day after the date a drilling operation is
5 completed [~~at the time a person files with the commission a~~
6 ~~completion report for a well or, in the case of a dry hole, an~~
7 ~~application to plug a well~~], the operator [~~person~~] shall [~~also~~]
8 file with the commission a copy of a basic electric log run [~~made~~]
9 after September 1, 1985, in conjunction with the drilling or
10 deepening of the well that meets basic criteria established by the
11 commission.

12 SECTION 4. Section 91.553, Natural Resources Code, is
13 amended by amending Subsections (b)-(e) and adding Subsection (f)
14 to read as follows:

15 (b) Not later than the date by which [~~At the time~~] an
16 electric log is required to be filed with the commission under
17 Section 91.552 [~~of this code~~], the operator [~~person required to~~
18 ~~file the electric log~~] may file a written request with the
19 commission asking that the electric log remain confidential and not
20 be made available as public information. On filing this request,
21 the electric log or copy of the electric log required to be filed
22 with the commission may be retained by the operator [~~person~~
23 ~~required to file the electric log~~], and the electric log may remain
24 in the possession of the operator [~~person~~] for the period of
25 confidentiality and any extensions of that period. On filing of the
26 request for confidentiality, the electric log becomes confidential
27 and remains confidential for a period of one year after the date

1 that the drilling operation was completed [~~electric log is required~~
2 ~~to be filed with the commission~~].

3 (c) If an electric log is made confidential under Subsection
4 (b) [~~of this section~~], the operator [~~person who is required to file~~
5 ~~the electric log~~] is entitled to have the period of confidentiality
6 extended once for an additional period of two years. The commission
7 shall grant the two-year extension on written request of the
8 operator [~~person who is required to file the electric log~~]. The
9 written request must be made to the commission before the one-year
10 period of confidentiality under Subsection (b) [~~of this section~~]
11 expires.

12 (d) If an electric log is made confidential under Subsection
13 (b) [~~of this section~~] and the log was run in a well drilled on land
14 submerged in state water, the operator [~~person who is required to~~
15 ~~file the electric log~~] is entitled to have the period of
16 confidentiality extended for not more than two additional periods
17 of two years each. The commission shall grant the extension or
18 extensions on written request of the operator [~~person who is~~
19 ~~required to file the electric log~~]. The written request must be
20 made to the commission before the expiration of the one-year period
21 of confidentiality under Subsection (b) [~~of this section~~] or the
22 expiration of the first extension granted under this subsection.

23 (e) An operator [~~A person~~] required to file an electric log
24 under this section who has held the log during a period of
25 confidentiality or any extensions of that period shall file the log
26 with the commission within 30 days after the conclusion of the
27 period of confidentiality or the period of the last extension.

1 (f) An operator who fails to timely file with the commission
2 a written request under Subsection (b) that an electric log remain
3 confidential and not be made available as public information or a
4 written request under Subsection (c) or (d) for an extension of the
5 period of confidentiality shall file the log with the commission
6 immediately after the conclusion of the period for filing the
7 request.

8 SECTION 5. Sections 91.554 and 91.556, Natural Resources
9 Code, are amended to read as follows:

10 Sec. 91.554. AVAILABILITY OF CONFIDENTIAL ELECTRIC
11 LOGS. If the commission requires an electric log to be filed
12 before the expiration of a period of confidentiality, the
13 commission shall make that electric log available for inspection
14 during the period of confidentiality only to:

15 (1) a person authorized in writing by the operator
16 [~~person who filed the electric log with the commission~~]; and

17 (2) members of the commission and its employees in the
18 exercise of their powers and duties under this code.

19 Sec. 91.556. DENIAL OF ALLOWABLE. If an operator [~~a~~
20 ~~person~~] fails to file an electric log as required by this
21 subchapter, the commission may refuse to assign an allowable or a
22 change in allowable for production from the well for which the
23 electric log is required until the operator [~~that person~~] files the
24 electric log with the commission.

25 SECTION 6. The changes in law made by this Act apply only to
26 a drilling operation that is completed on or after the effective
27 date of this Act. A drilling operation that is completed before the

1 effective date of this Act is governed by the law in effect on that
2 date, and that law is continued in effect for that purpose.

3 SECTION 7. This Act takes effect September 1, 2005.

H.B. No. 484

President of the Senate

Speaker of the House

I certify that H.B. No. 484 was passed by the House on April 6, 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 484 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor