

By: Miller

H.B. No. 521

A BILL TO BE ENTITLED

AN ACT

relating to notice of an application for a permit to dispose of oil and gas waste in a commercial disposal well; creating an offense.

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

SECTION 1. Section 27.034, Water Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) In connection with an application for a permit to dispose of oil and gas waste in a commercial disposal well, as defined by the railroad commission, the rules adopted under Subsection (a) must, at a minimum:

(1) require the applicant to give notice to each owner of record of each surface tract that adjoins the tract on which the well is proposed to be located;

(2) require each owner of record of a surface tract who receives notice under Subdivision (1) to give notice to each surface lessee or purchaser under a contract for deed, executory contract, or other executory conveyance of the tract; and

(3) provide each person who receives notice under this subsection an opportunity to request a public hearing on the application.

SECTION 2. Section 27.105, Water Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a) Except as provided by Subsection (a-1), a [A] person who

1 knowingly or intentionally violates a provision of this chapter
2 under the jurisdiction of the railroad commission, a rule of the
3 railroad commission, or a term, condition, or provision of a permit
4 issued by the railroad commission under this chapter is subject to a
5 fine of not more than \$5,000 for each violation and for each day of
6 violation.

7 (a-1) A person commits an offense if the person knowingly
8 violates a rule of the railroad commission adopted under Section
9 27.034(a-1)(2). An offense under this subsection is a Class C
10 misdemeanor.

11 (a-2) A violation under the jurisdiction of the commission
12 is enforceable under Section 7.157.

13 SECTION 3. This Act takes effect September 1, 2007.