

By: Averitt

S.B. No. 1666

A BILL TO BE ENTITLED

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AN ACT

relating to the authority of the Railroad Commission of Texas to file a lien on certain land adversely affected by past mining practices and reclaimed by the commission.

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

SECTION 1. Subsection (c), Section 134.150, Natural Resources Code, is amended to read as follows:

(c) A lien may not be filed under this section against the property of a person who[+]

~~[(1) owned the surface before May 2, 1977, and~~

~~[(2)]~~ did not consent to, participate in, or exercise control over the mining operation that necessitated the reclamation performed under this chapter.

SECTION 2. The change in law made by this Act applies only to a project to reclaim privately owned land under Subchapter G, Chapter 134, Natural Resources Code, that is completed on or after December 20, 2006. A project to reclaim privately owned land under Subchapter G, Chapter 134, Natural Resources Code, that was completed before December 20, 2006, is governed by the law in effect on the date the project to reclaim the privately owned land was completed, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2007.