

1-1 By: Averitt S.B. No. 1666  
1-2 (In the Senate - Filed March 8, 2007; March 21, 2007, read  
1-3 first time and referred to Committee on Natural Resources;  
1-4 April 4, 2007, reported favorably by the following vote: Yeas 11,  
1-5 Nays 0; April 4, 2007, sent to printer.)

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

1-8 relating to the authority of the Railroad Commission of Texas to  
1-9 file a lien on certain land adversely affected by past mining  
1-10 practices and reclaimed by the commission.

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

1-12 SECTION 1. Subsection (c), Section 134.150, Natural  
1-13 Resources Code, is amended to read as follows:

1-14 (c) A lien may not be filed under this section against the  
1-15 property of a person who[+]

1-16 [~~(1) owned the surface before May 2, 1977, and~~

1-17 [~~(2)~~] did not consent to, participate in, or exercise  
1-18 control over the mining operation that necessitated the reclamation  
1-19 performed under this chapter.

1-20 SECTION 2. The change in law made by this Act applies only  
1-21 to a project to reclaim privately owned land under Subchapter G,  
1-22 Chapter 134, Natural Resources Code, that is completed on or after  
1-23 December 20, 2006. A project to reclaim privately owned land under  
1-24 Subchapter G, Chapter 134, Natural Resources Code, that was  
1-25 completed before December 20, 2006, is governed by the law in effect  
1-26 on the date the project to reclaim the privately owned land was  
1-27 completed, and the former law is continued in effect for that  
1-28 purpose.

1-29 SECTION 3. This Act takes effect immediately if it receives  
1-30 a vote of two-thirds of all the members elected to each house, as  
1-31 provided by Section 39, Article III, Texas Constitution. If this  
1-32 Act does not receive the vote necessary for immediate effect, this  
1-33 Act takes effect September 1, 2007.

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