

Amend CSHB 2259 (House Committee Printing) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, line 6), strike "and (13)" and substitute "(13), and (14)".

(2) In SECTION 1 of the bill, following proposed Section 89.002(a)(13), Natural Resources Code (page 2, following line 18), add the following:

(14) "Responsible party" means any person who assumed responsibility for operating a well before the current operator, as shown by forms filed with the commission, and who was responsible for operating the well within the last 10 years.

(3) Add the following SECTIONS to the bill, appropriately numbered, and renumber the subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 89, Natural Resources Code, is amended by adding Section 89.013 to read as follows:

Sec. 89.013. DUTY OF RESPONSIBLE PARTY. (a) If the operator of a well fails to comply with Section 89.011 and the nonoperators fail to comply with Section 89.012, each responsible party assumes the duty to plug the well in accordance with Section 89.011. If there is more than one responsible party, each responsible party is liable for the cost of plugging the well and for reimbursing the commission for the cost of enforcing this section, provided that each responsible party who bears all or part of the costs of plugging the well and enforcement of this section has a claim against:

(1) the defaulting operator and nonoperators for the entire amount spent by the responsible party; and

(2) the other responsible parties for their proportionate shares of the costs of plugging the well and enforcement of this section.

(b) In lieu of liability for plugging the well in accordance with Subsection (a), a responsible party may elect to submit a supplemental bond, letter of credit, or cash deposit to the commission in the amount necessary for the entire cost of plugging the well and enforcing this section to be covered by current and enforceable bonds, letters of credit, or cash deposits.

(c) The commission may consider the cost of enforcing this

section when determining an operator's proportionate share.

SECTION _____. Section 89.042, Natural Resources Code, is amended by adding Subsection (c) to read as follows:

(c) If the nonoperators cannot be found, or if they lack the assets or refuse to plug the well under Subsection (b), the commission shall order the responsible parties to plug the well according to the rules of the commission in effect at the time the order is issued.

SECTION _____. Section 91.002(a), Natural Resources Code, is amended to read as follows:

(a) A person who wilfully or with criminal negligence violates Section 91.019 or 91.101 [~~of this code~~] or a rule, order, or permit of the commission issued under one of those sections [~~that section~~] commits an offense.

SECTION _____. Subchapter B, Chapter 91, Natural Resources Code, is amended by adding Section 91.019 to read as follows:

Sec. 91.019. ELECTRIC LINES. (a) An operator must ensure that electric lines associated with the operator's oil or gas wells do not present an unreasonable risk of causing a fire.

(b) An operator must ensure that all electric lines associated with the operator's oil or gas wells are properly connected to equipment that requires a source of power. Live electric lines may not at any time be left in contact with the ground while unattached to equipment that requires a source of power.

SECTION _____. Section 89.011(e), Natural Resources Code, is repealed.