

Amend **HB 4300** (House Committee Printing) as follows:

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

SECTION _____. Subchapter E, Chapter 121, Utilities Code, is amended by adding Section 121.2017 to read as follows:

Sec. 121.2017. SAFETY REQUIREMENTS FOR CERTAIN PORTIONS OF PIPELINES IN CERTAIN POPULOUS COUNTIES. (a) This section applies only to that portion of a gas pipeline that is located or proposed to be located in:

(1) a Class 3 or 4 location as defined by 49 C.F.R. Section 192.5; and

(2) a county that is located wholly or partly above a hydrocarbon-producing geological formation in which during the preceding year the railroad commission issued more than 1,500 drilling permits authorizing gas wells to be completed.

(b) A gathering pipeline may not be constructed within 30 feet of an established permanent structure that is used by human beings on a regular basis unless:

(1) the owner of the structure consents in writing to the construction of the pipeline; or

(2) the pipeline meets enhanced safety requirements in its design, construction, and operation as determined by the railroad commission.

(c) A transmission pipeline may not be constructed within 50 feet of an established permanent structure that is used by human beings on a regular basis unless:

(1) the owner of the structure consents in writing to the construction of the pipeline; or

(2) the pipeline meets enhanced safety requirements in its design, construction, and operation as determined by the railroad commission.

(d) A gathering pipeline must use advanced leak detection measures as determined by the railroad commission.

(e) The pipe used in a gathering or transmission pipeline must be constructed of materials that meet the requirements of 49 C.F.R. Part 192.

(f) A gathering or transmission pipeline must be protected from external corrosion in the manner required by 49 C.F.R. Part 192.

(g) A pipeline integrity assessment by in-line inspection, a pressure test, or a direct assessment as defined by railroad commission rules of a gathering pipeline must be conducted every five years.

(h) The railroad commission shall adopt rules to implement this section.

(i) This section and railroad commission rules adopted to implement this section shall be enforced in the same manner as Section 121.201 and safety standards or other rules prescribed or adopted under that section.

SECTION _____. (a) As soon as practicable after January 1, 2010, the Railroad Commission of Texas shall adopt rules to implement Section 121.2017, Utilities Code, as added by this Act.

(b) Sections 121.2017(b)-(e), Utilities Code, as added by this Act, apply only to a pipeline constructed on or after January 1, 2010.

(c) A pipeline subject to this Act that is in existence on January 1, 2010, is not required to be brought into compliance with Sections 121.2017(f) and (g), Utilities Code, as added by this Act, until February 4, 2012.

(2) On page 2, strike line 4 and substitute the following:

SECTION 2. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2009.

(b) Section 121.2017, Utilities Code, as added by this Act, takes effect January 1, 2010.