

BILL ANALYSIS

C.S.H.B. 1231
By: Farabee
Energy Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

H.J.R. 62, 81st Legislature, Regular Session, 2009, proposes a constitutional amendment to provide that the Railroad Commission of Texas be governed by a single elected commissioner instead of by an elected three-member commission. The constitutional amendment also changes the term of office for an elected commissioner from six years to four years. Contingent on the passage of the resolution by Texas voters, enabling legislation is necessary to make corrections in statute.

C.S.H.B. 1231 revises language in the statutes to reflect the changes made by the constitutional amendment proposed by H.J.R. 62.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1231 amends the Revised Statutes to redefine "commissioner" to mean the railroad commissioner, rather than a member of the railroad commission. The bill provides that a reference to the commissioners or to the members of the Commission is considered to be a reference to the railroad commissioner and that, in any state statute, a reference to the railroad commissioners or to the members of the Railroad Commission of Texas is considered to be a reference to the railroad commissioner.

C.S.H.B. 1231 amends the Revised Statutes to establish that the Railroad Commission of Texas is governed by the railroad commissioner, who is required to be elected at a general election for a term of four years. The bill removes the provision that specifies the Railroad Commission of Texas is required to be composed of three members, and makes conforming changes.

C.S.H.B. 1231 amends the Natural Resources Code to establish that "commissioner" or a reference in law to the chair or presiding officer of the Railroad Commission of Texas or to a member of the Railroad Commission of Texas means the railroad commissioner, and makes conforming changes.

EFFECTIVE DATE

January 1, 2013, if the constitutional amendment providing that the Railroad Commission of Texas will be governed by a single elected railroad commissioner instead of by an elected three-member commission is approved by the voters.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1231 differs from the original by providing for the substitute to take effect January 1, 2013, contingent on the approval of the voters of a certain proposed constitutional amendment, rather than January 1, 2011, contingent on such approval.