

By: Farabee, Swinford, Smithee, Strama,
Crownover, et al.

H.B. No. 1231

Substitute the following for H.B. No. 1231:

By: Farabee

C.S.H.B. No. 1231

A BILL TO BE ENTITLED

1 AN ACT
2 relating to providing that the Railroad Commission of Texas is
3 governed by a single railroad commissioner.

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

5 SECTION 1. Article 6444, Revised Statutes, is amended to
6 read as follows:

7 Art. 6444. TERMS DEFINED; REFERENCES IN LAW. (a) The
8 term "Commission" as used in this title means the Railroad
9 Commission of Texas, and the term "commissioner" [~~"Commissioners"~~]
10 means the railroad commissioner [~~members of the Railroad Commission~~
11 ~~of Texas~~].

12 (b) In this title, a reference to the commissioners or to
13 the members of the Commission is considered to be a reference to the
14 railroad commissioner. In any state statute, a reference to the
15 railroad commissioners or to the members of the Railroad Commission
16 of Texas is considered to be a reference to the railroad
17 commissioner.

18 SECTION 2. Article 6447, Revised Statutes, is amended to
19 read as follows:

20 Art. 6447. THE COMMISSIONER [~~COMMISSION~~]. (a)
21 Election.--The Railroad Commission of Texas is governed by the
22 railroad commissioner, who shall be [~~composed of three members, one~~
23 ~~of whom shall be~~] elected [~~biennially~~] at a each general election
24 for a term of four [~~six~~] years.

1 **(b) Qualifications.**--The commissioner [~~members~~] shall be a
2 resident citizen [~~citizens~~] of this State, and a qualified voter
3 [~~voters~~] under the Constitution and laws, and not less than
4 twenty-five years of age. The commissioner is [~~members are~~]
5 subject to the provisions of Chapter 572, Government Code, that
6 apply to elected officers, including the requirements governing
7 personal financial statements, standards of conduct, and conflicts
8 of interest.

9 **(c) Oath, etc.**--Before entering upon the duties of [~~his~~]
10 office, the [~~each~~] commissioner shall take and subscribe to the
11 official oath and shall in addition thereto swear that the
12 commissioner [~~he~~] will to the best of the commissioner's [~~his~~]
13 ability faithfully and justly execute and enforce the provisions of
14 this title and all laws of this State under the jurisdiction of the
15 Commission [~~concerning railroads~~], which oath shall be filed with
16 the Secretary of State.

17 **(d) Seal** [~~Organization~~].--The commissioner [~~commissioners~~]
18 ~~shall elect one of their number chairman. They may make all rules~~
19 ~~necessary for their government and proceedings. They~~] shall be
20 known [~~collectively~~] as the "railroad commissioner" [~~"Railroad~~
21 ~~Commission of Texas,"~~] and shall have a seal, a star of five points
22 with the words "Railroad Commission of Texas" engraved thereon.
23 The commissioner [~~They~~] shall be furnished necessary furniture,
24 stationery, supplies and all necessary expenses, to be paid for on
25 the order of the Governor.

26 **(e) Expenses.**--The commissioner [~~Commissioners~~] shall
27 receive from the State [~~their~~] necessary traveling expenses while

1 traveling on the business of the Commission, which shall include
2 the cost only of transportation while traveling on business for the
3 Commission, upon an itemized statement thereof, sworn to by the
4 commissioner [~~party who incurred the expense, and approved by the~~
5 ~~Commission~~]. Employees of the Commission are entitled to
6 reimbursement for expenses incurred in traveling on the business of
7 the Commission as provided by the General Appropriations Act.

8 [~~Sessions.--The Commission may hold its sessions at any place~~
9 ~~in this State when deemed necessary.~~]

10 SECTION 3. Section 81.001(2), Natural Resources Code, is
11 amended to read as follows:

12 (2) "Commissioner" means [~~any member of~~] the railroad
13 commissioner [~~Railroad Commission of Texas~~].

14 SECTION 4. Subchapter A, Chapter 81, Natural Resources
15 Code, is amended by adding Section 81.002 to read as follows:

16 Sec. 81.002. REFERENCES IN LAW. A reference in law to the
17 chair or presiding officer of the Railroad Commission of Texas or to
18 a member of the Railroad Commission of Texas means the
19 commissioner.

20 SECTION 5. This Act takes effect January 1, 2013, but only
21 if the constitutional amendment proposed by the 81st Legislature,
22 Regular Session, 2009, providing that the Railroad Commission of
23 Texas will be governed by a single elected railroad commissioner
24 instead of by an elected three-member commission is approved by the
25 voters. If that amendment is not approved by the voters, this Act
26 has no effect.