

By: Burnam, Truitt, Veasey

H.B. No. 1533

A BILL TO BE ENTITLED

AN ACT

relating to notice of applications for permits to drill certain gas wells.

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

SECTION 1. Subchapter C, Chapter 86, Natural Resources Code, is amended by adding Section 86.044 to read as follows:

Sec. 86.044. NOTICE OF CERTAIN GAS WELL PERMIT APPLICATIONS. (a) This section applies only to a gas well proposed to be located in a county that:

(1) has a population of more than 50,000; and

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

(b) Except as provided by Subsection (c), on receipt of the first application for a permit to drill a gas well at a drill site, the commission must provide electronic notice of the application and, on request, by first class mail to:

(1) the state senator and representative who represent the area in which the well is proposed to be located; and

(2) the following, as applicable:

(A) if the well is proposed to be located outside the corporate limits or extraterritorial jurisdiction of a municipality:

1 (i) the member of the commissioners court
2 who represents the county commissioner precinct in which the well
3 is proposed to be located; and

4 (ii) the county judge of the county in which
5 the well is proposed to be located;

6 (B) if the well is proposed to be located in the
7 corporate limits of a municipality, each member of the governing
8 body of the municipality who represents the area in which the well
9 is proposed to be located; or

10 (C) if the well is proposed to be located in the
11 extraterritorial jurisdiction of a municipality, each member of the
12 governing body of the municipality.

13 (c) The commission is not required to provide notice under
14 this section to a person described by Subsection (b) if the person
15 has waived in writing the right to notice under this section.

16 (d) Notice provided to a public official under this section
17 does not create additional legal standing to contest a permit to
18 drill a gas well.

19 SECTION 2. This Act applies only to an application for a
20 permit to drill a gas well that is filed with the Railroad
21 Commission of Texas on or after the effective date of this Act. An
22 application for a permit to drill a gas well that is filed with the
23 commission before the effective date of this Act is governed by the
24 law as it existed immediately before the effective date of this Act,
25 and that law is continued in effect for that purpose.

26 SECTION 3. This Act takes effect September 1, 2009.