

By: Lewis

H.B. No. 3241

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of the location of oil and gas wells by a county in certain areas.

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

SECTION 1. Chapter 250, Local Government Code, is amended by adding Section 250.007 to read as follows:

Sec. 250.007. PERMIT REQUIRED FOR OIL AND GAS WELLS IN CERTAIN AREAS. (a) This section applies only to a well for oil or gas located in a county:

(1) with a population of at least 115,000 but not more than 150,000; and

(2) in which at least one census-designated place, which is not an incorporated municipality, with a population of at least 200 is located.

(b) The commissioners court of a county by order may regulate by permit the drilling of a well for oil or gas, at a location in the census-designated place within the county, that is less than 400 feet from a residence.

(c) A person may not drill a well for oil or gas at a location described by Subsection (b) unless the person obtains:

(1) any permit required by the Railroad Commission of Texas; and

(2) a permit from the county in which the well is located if the well is located in the census-designated place in an

1 unincorporated area of the county.

2 SECTION 2. The change in law made by this Act applies only
3 to a well for which the Railroad Commission of Texas issues a
4 drilling permit on or after the effective date of this Act. A well
5 for which the Railroad Commission of Texas issues a drilling permit
6 before the effective date of this Act is subject to the law in
7 effect on the date the permit is issued, and that law is continued
8 in effect for that purpose.

9 SECTION 3. This Act takes effect September 1, 2011.