

AN ACT

relating to the filing with the state of electric logs by operators of oil-related or gas-related wells; providing a penalty.

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

SECTION 1. Section 91.552, Natural Resources Code, is amended to read as follows:

Sec. 91.552. ELECTRIC LOGS REQUIRED TO BE FILED; CRITERIA.

(a) Except as otherwise provided by this subchapter, not later than the 90th day after the date a drilling operation is completed, the operator shall file with the commission a copy of each electric log, including each borehole section of the log at all depths, [a basic electric log] run after September 1, 2013 [~~September 1, 1985~~], in conjunction with the drilling or deepening of the well that meets basic criteria established by the commission. Each electric log must be filed with the commission electronically in a manner acceptable to the commission if the commission has the technological capability to receive the electronic filing.

(b) The commission by rule shall establish criteria for [~~basic~~] electric logs to be filed with the commission.

(c) Not later than the deadline prescribed by Subsection (a) for the filing of each electric log, an operator shall file with the commission a copy of a cased hole log run after September 1, 2013, in conjunction with the drilling or deepening of a well in lieu of an electric log run after that date if:

1 (1) a cased hole log was run; and

2 (2) an electric log was not run.

3 (d) Nothing in this subchapter requires an operator to run
4 an electric log in conjunction with the drilling or deepening of a
5 well.

6 SECTION 2. Sections 91.553(b), (e), and (f), Natural
7 Resources Code, are amended to read as follows:

8 (b) Not later than the date by which an electric log is
9 required to be filed with the commission under Section 91.552, the
10 operator may file a written request with the commission asking that
11 the electric log remain confidential and not be made available as
12 public information. On filing this request, the electric log or
13 copy of the electric log required to be filed with the commission
14 may be retained by the operator, and the electric log may remain in
15 the possession of the operator for the period of confidentiality
16 [~~and any extensions of that period~~]. On filing of the request for
17 confidentiality, the electric log becomes confidential and remains
18 confidential for a period of:

19 (1) three years [~~one year~~] after the date that the
20 drilling operation was completed, if the well is an onshore well; or

21 (2) five years after the date that the drilling
22 operation was completed, if the well is a bay or offshore well.

23 (e) An operator required to file an electric log under this
24 section who has held the log during a period of confidentiality [~~or~~
25 ~~any extensions of that period~~] shall file the log with the
26 commission within 30 days after the conclusion of the period of
27 confidentiality [~~or the period of the last extension~~].

1 (f) An operator who fails to timely file with the commission
2 a written request under Subsection (b) that an electric log remain
3 confidential and not be made available as public information [~~or a~~
4 ~~written request under Subsection (c) or (d) for an extension of the~~
5 ~~period of confidentiality~~] shall file the log with the commission
6 immediately after the conclusion of the period for filing the
7 request.

8 SECTION 3. Section 91.556, Natural Resources Code, is
9 amended to read as follows:

10 Sec. 91.556. ENFORCEMENT [~~DENIAL OF ALLOWABLE~~]. If an
11 operator fails to file an electric log as required by this
12 subchapter, the commission may:

13 (1) if the well is completed as a producing well,
14 refuse to assign an allowable or a change in allowable for
15 production from the well for which the electric log is required
16 until the operator files the electric log with the commission; or

17 (2) impose an administrative penalty on the operator
18 in the manner provided by Sections 81.0531-81.0534 for each well
19 for which the operator failed to file an electric log.

20 SECTION 4. Section 552.113(c)(2), Government Code, is
21 amended to read as follows:

22 (2) "Electric [~~Basic electric~~] logs" has the same
23 meaning as it has in Chapter 91, Natural Resources Code.

24 SECTION 5. Sections 552.113(d), (e), and (f), Government
25 Code, are amended to read as follows:

26 (d) Confidential material, except [~~basic~~] electric logs,
27 filed in the General Land Office on or after September 1, 1985, is

1 public information and is available to the public under Section
2 552.021 on and after the later of:

3 (1) five years from the filing date of the
4 confidential material; or

5 (2) one year from the expiration, termination, or
6 forfeiture of the lease in connection with which the confidential
7 material was filed.

8 (e) Electric [~~Basic electric~~] logs filed in the General Land
9 Office on or after September 1, 1985, are either public information
10 or confidential material to the same extent and for the same periods
11 provided for the same logs by Chapter 91, Natural Resources Code. A
12 person may request that an [~~a basic~~] electric log that has been
13 filed in the General Land Office be made confidential by filing with
14 the land office a copy of the written request for confidentiality
15 made to the Railroad Commission of Texas for the same log.

16 (f) The following are public information:

17 (1) [~~basic~~] electric logs filed in the General Land
18 Office before September 1, 1985; and

19 (2) confidential material, except [~~basic~~] electric
20 logs, filed in the General Land Office before September 1, 1985,
21 provided, that Subsection (d) governs the disclosure of that
22 confidential material filed in connection with a lease that is a
23 valid and subsisting lease on September 1, 1995.

24 SECTION 6. Sections 91.553(c) and (d), Natural Resources
25 Code, are repealed.

26 SECTION 7. The changes in law made by this Act apply only to
27 a drilling operation that is completed on or after the effective

1 date of this Act. A drilling operation that is completed before the
2 effective date of this Act is subject to the law in effect on the
3 date of completion, and that law is continued in effect for that
4 purpose.

5 SECTION 8. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 878 was passed by the House on April 18, 2013, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 878 was passed by the Senate on May 15, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor