

1-1 By: Crossover, Keffer (Senate Sponsor - Estes) H.B. No. 878
 1-2 (In the Senate - Received from the House April 22, 2013;
 1-3 April 24, 2013, read first time and referred to Committee on
 1-4 Natural Resources; May 8, 2013, reported favorably by the
 1-5 following vote: Yeas 10, Nays 0; May 8, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the filing with the state of electric logs by operators
 1-22 of oil-related or gas-related wells; providing a penalty.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 91.552, Natural Resources Code, is
 1-25 amended to read as follows:

1-26 Sec. 91.552. ELECTRIC LOGS REQUIRED TO BE FILED; CRITERIA.

1-27 (a) Except as otherwise provided by this subchapter, not later than
 1-28 the 90th day after the date a drilling operation is completed, the
 1-29 operator shall file with the commission a copy of each electric log,
 1-30 including each borehole section of the log at all depths, [a basic
 1-31 electric log] run after September 1, 2013 ~~[September 1, 1985]~~, in
 1-32 conjunction with the drilling or deepening of the well that meets
 1-33 basic criteria established by the commission. Each electric log
 1-34 must be filed with the commission electronically in a manner
 1-35 acceptable to the commission if the commission has the
 1-36 technological capability to receive the electronic filing.

1-37 (b) The commission by rule shall establish criteria for
 1-38 ~~[basic]~~ electric logs to be filed with the commission.

1-39 (c) Not later than the deadline prescribed by Subsection (a)
 1-40 for the filing of each electric log, an operator shall file with the
 1-41 commission a copy of a cased hole log run after September 1, 2013,
 1-42 in conjunction with the drilling or deepening of a well in lieu of
 1-43 an electric log run after that date if:

1-44 (1) a cased hole log was run; and

1-45 (2) an electric log was not run.

1-46 (d) Nothing in this subchapter requires an operator to run
 1-47 an electric log in conjunction with the drilling or deepening of a
 1-48 well.

1-49 SECTION 2. Sections 91.553(b), (e), and (f), Natural
 1-50 Resources Code, are amended to read as follows:

1-51 (b) Not later than the date by which an electric log is
 1-52 required to be filed with the commission under Section 91.552, the
 1-53 operator may file a written request with the commission asking that
 1-54 the electric log remain confidential and not be made available as
 1-55 public information. On filing this request, the electric log or
 1-56 copy of the electric log required to be filed with the commission
 1-57 may be retained by the operator, and the electric log may remain in
 1-58 the possession of the operator for the period of confidentiality
 1-59 ~~[and any extensions of that period]~~. On filing of the request for
 1-60 confidentiality, the electric log becomes confidential and remains
 1-61 confidential for a period of:

1-62 (1) three years ~~[one year]~~ after the date that the

2-1 drilling operation was completed, if the well is an onshore well; or
 2-2 (2) five years after the date that the drilling
 2-3 operation was completed, if the well is a bay or offshore well.

2-4 (e) An operator required to file an electric log under this
 2-5 section who has held the log during a period of confidentiality [~~or~~
 2-6 ~~any extensions of that period~~] shall file the log with the
 2-7 commission within 30 days after the conclusion of the period of
 2-8 confidentiality [~~or the period of the last extension~~].

2-9 (f) An operator who fails to timely file with the commission
 2-10 a written request under Subsection (b) that an electric log remain
 2-11 confidential and not be made available as public information [~~or a~~
 2-12 ~~written request under Subsection (c) or (d) for an extension of the~~
 2-13 ~~period of confidentiality~~] shall file the log with the commission
 2-14 immediately after the conclusion of the period for filing the
 2-15 request.

2-16 SECTION 3. Section 91.556, Natural Resources Code, is
 2-17 amended to read as follows:

2-18 Sec. 91.556. ENFORCEMENT [~~DENIAL OF ALLOWABLE~~]. If an
 2-19 operator fails to file an electric log as required by this
 2-20 subchapter, the commission may:

2-21 (1) if the well is completed as a producing well,
 2-22 refuse to assign an allowable or a change in allowable for
 2-23 production from the well for which the electric log is required
 2-24 until the operator files the electric log with the commission; or

2-25 (2) impose an administrative penalty on the operator
 2-26 in the manner provided by Sections 81.0531-81.0534 for each well
 2-27 for which the operator failed to file an electric log.

2-28 SECTION 4. Section 552.113(c)(2), Government Code, is
 2-29 amended to read as follows:

2-30 (2) "Electric [~~Basic electric~~] logs" has the same
 2-31 meaning as it has in Chapter 91, Natural Resources Code.

2-32 SECTION 5. Sections 552.113(d), (e), and (f), Government
 2-33 Code, are amended to read as follows:

2-34 (d) Confidential material, except [~~basic~~] electric logs,
 2-35 filed in the General Land Office on or after September 1, 1985, is
 2-36 public information and is available to the public under Section
 2-37 552.021 on and after the later of:

2-38 (1) five years from the filing date of the
 2-39 confidential material; or

2-40 (2) one year from the expiration, termination, or
 2-41 forfeiture of the lease in connection with which the confidential
 2-42 material was filed.

2-43 (e) Electric [~~Basic electric~~] logs filed in the General Land
 2-44 Office on or after September 1, 1985, are either public information
 2-45 or confidential material to the same extent and for the same periods
 2-46 provided for the same logs by Chapter 91, Natural Resources Code. A
 2-47 person may request that an [~~a basic~~] electric log that has been
 2-48 filed in the General Land Office be made confidential by filing with
 2-49 the land office a copy of the written request for confidentiality
 2-50 made to the Railroad Commission of Texas for the same log.

2-51 (f) The following are public information:

2-52 (1) [~~basic~~] electric logs filed in the General Land
 2-53 Office before September 1, 1985; and

2-54 (2) confidential material, except [~~basic~~] electric
 2-55 logs, filed in the General Land Office before September 1, 1985,
 2-56 provided, that Subsection (d) governs the disclosure of that
 2-57 confidential material filed in connection with a lease that is a
 2-58 valid and subsisting lease on September 1, 1995.

2-59 SECTION 6. Sections 91.553(c) and (d), Natural Resources
 2-60 Code, are repealed.

2-61 SECTION 7. The changes in law made by this Act apply only to
 2-62 a drilling operation that is completed on or after the effective
 2-63 date of this Act. A drilling operation that is completed before the
 2-64 effective date of this Act is subject to the law in effect on the
 2-65 date of completion, and that law is continued in effect for that
 2-66 purpose.

2-67 SECTION 8. This Act takes effect September 1, 2013.