

By: King of Zavala

H.B. No. 2992

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the reuse, discharge, or disposal of fluid produced
3 from certain oil or gas wells on which a hydraulic fracturing
4 treatment has been performed.

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

6 SECTION 1. Subchapter D, Chapter 91, Natural Resources
7 Code, is amended by adding Section 91.1016 to read as follows:

8 Sec. 91.1016. REUSE, DISCHARGE, OR DISPOSAL OF FLUID
9 PRODUCED FROM HYDRAULICALLY FRACTURED WELL. (a) Flowback and
10 produced water from an oil or gas well on which a hydraulic
11 fracturing treatment has been performed using groundwater may not
12 be disposed of in an oil and gas waste disposal well unless the
13 fluid is incapable of being treated to a degree that would allow the
14 fluid to be:

15 (1) used to perform a hydraulic fracturing treatment
16 on another oil or gas well;

17 (2) used for another beneficial purpose; or

18 (3) discharged into or adjacent to water in the state.

19 (b) The commission shall adopt rules establishing standards
20 for determining whether flowback and produced water described by
21 this section may be disposed of in an oil and gas waste disposal
22 well.

23 SECTION 2. The Railroad Commission of Texas shall adopt
24 rules under Section 91.1016, Natural Resources Code, as added by

1 this Act, not later than December 1, 2013.

2 SECTION 3. Section 91.1016, Natural Resources Code, as
3 added by this Act, applies only to the disposal of flowback and
4 produced water in an oil and gas waste disposal well on or after the
5 date the rules adopted by the Railroad Commission of Texas under
6 that section take effect. The disposal of flowback and produced
7 water in an oil and gas waste disposal well before the date the
8 rules take effect is governed by the law as it existed immediately
9 before the effective date of this Act, and that law is continued in
10 effect for that purpose.

11 SECTION 4. This Act takes effect September 1, 2013.