

By: Gutierrez

H.B. No. 3537

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the treatment and reuse or discharge of fluid produced  
3 from oil or gas wells on which a hydraulic fracturing treatment has  
4 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. TREATMENT AND REUSE OR DISCHARGE OF FLUID  
9 PRODUCED FROM HYDRAULICALLY FRACTURED WELL. The commission shall  
10 adopt rules requiring that, to the extent practicable, flowback and  
11 produced water from an oil or gas well on which a hydraulic  
12 fracturing treatment has been performed be treated to a degree that  
13 would allow the fluid to be:

14 (1) used to perform a hydraulic fracturing treatment  
15 on another well;

16 (2) used for another beneficial purpose; or

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

18 SECTION 2. The Railroad Commission of Texas shall adopt  
19 rules under Section 91.1016, Natural Resources Code, as added by  
20 this Act, not later than December 1, 2013.

21 SECTION 3. Section 91.1016, Natural Resources Code, as  
22 added by this Act, applies only to fluid produced from an oil or gas  
23 well that is hydraulically fractured on or after the date the rules  
24 adopted by the Railroad Commission of Texas under that section take

1 effect. Fluid produced from an oil or gas well that is  
2 hydraulically fractured before the date the rules adopted by the  
3 Railroad Commission of Texas under that section take effect is  
4 governed by the law as it existed immediately before the effective  
5 date of this Act, and that law is continued in effect for that  
6 purpose.

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