

By: Anchia

H.B. No. 3853

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the promotion of Texas energy products, services and
3 technologies in the global marketplace.

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

5 SECTION 1. Section 81.0531, Natural Resources Code, is
6 amended to read as follows:

7 Sec. 81.0531. ADMINISTRATIVE PENALTY. (a) If a person
8 violates provisions of this title which pertain to safety or the
9 prevention or control of pollution or the provisions of a rule,
10 order, license, permit, or certificate which pertain to safety or
11 the prevention or control of pollution and are issued under this
12 title, the person may be assessed a civil penalty by the commission.

13 (b) The penalty may not exceed \$10,000 a day for each
14 violation. Each day a violation continues may be considered a
15 separate violation for purposes of penalty assessments.

16 (c) In determining the amount of the penalty, the commission
17 shall consider the permittee's history of previous violations, the
18 seriousness of the violation, any hazard to the health or safety of
19 the public, and the demonstrated good faith of the person charged.
20 In determining the amount of the penalty for a violation of a
21 provision of this title or a rule, order, license, permit, or
22 certificate that relates to pipeline safety, the commission shall
23 consider the guidelines adopted under Subsection (d).

24 (d) The commission by rule shall adopt guidelines to be used

1 in determining the amount of the penalty for a violation of a
2 provision of this title or a rule, order, license, permit, or
3 certificate that relates to pipeline safety. The guidelines shall
4 include a penalty calculation worksheet that specifies the typical
5 penalty for certain violations, circumstances justifying
6 enhancement of a penalty and the amount of the enhancement, and
7 circumstances justifying a reduction in a penalty and the amount of
8 the reduction. The guidelines shall take into account:

9 (1) the permittee's history of previous violations,
10 including the number of previous violations;

11 (2) the seriousness of the violation and of any
12 pollution resulting from the violation;

13 (3) any hazard to the health or safety of the public;

14 (4) the degree of culpability;

15 (5) the demonstrated good faith of the person charged;

16 and

17 (6) any other factor the commission considers
18 relevant.

19 (e) A penalty collected under this section shall be
20 deposited to the credit of the oil-field cleanup fund.

21 (f) The commission shall establish an office of energy
22 technology exports and investment, to be funded from the oil-field
23 cleanup fund, to promote the export of energy-related commodities,
24 goods and services in the international marketplace and the
25 promotion and development of infrastructure to support those
26 exports.

27 SECTION 2. Subchapter B, Chapter 81, Natural Resources

1 Code, is amended by adding section 81.021 to read as follows:

2 Section 81.021. GLOBAL ENERGY CAPITAL TASK FORCE. (a) In this
3 section, "task force" means the Texas Global Energy Capital Task
4 Force.

5 (b) An interagency task force is created to:

6 (1) develop or update a process to allow agencies to
7 work together to study and identify the top foreign markets for
8 Texas' natural gas and other energy resources, potential new
9 investment in Texas' natural gas and other energy resources, and
10 new or expanded businesses active in the energy sector, including
11 but not limited to those which generate a significant volume of
12 patents and other intellectual property, and recommend an
13 integrated, interagency strategy to collaborate with industry,
14 small business, academia, and other key stakeholders, to formulate
15 a strategy to promote Texas energy products, technologies and
16 expertise in the global marketplace;

17 (2) consult with local governments, educational
18 institutions, economic development and metropolitan planning
19 organizations, workforce development agencies, small business
20 agencies, chambers of commerce, trade associations, and other
21 stakeholders, to elicit recommendations on a statewide strategy to
22 promote energy inventors and entrepreneurs in the international
23 marketplace;

24 (3) consult with Texas' maritime, air, and other
25 international ports of entry and transportation agencies,
26 regarding infrastructure improvements potentially needed to
27 maximize the trade in natural resources, energy-related products

1 and equipment, and carriers through Texas' statewide intermodal
2 transportation system;

3 (4) within 90 days of creation, the task force shall
4 receive testimony from current and prospective exporters of
5 liquefied natural gas exports, and related expert testimony, gather
6 recommendations for an action plan for the expeditious development
7 of Texas' LNG export infrastructure, including any needed
8 investments in adjacent or supporting infrastructure; and

9 (5) develop regulatory and legislative
10 recommendations to eliminate duplication and combine program
11 services.

12 (c) The task force is composed of the heads of the following
13 agencies or their designees, and other state and local entities to
14 be designated as necessary or appropriate:

- 15 (1) the Texas Railroad Commission;
16 (2) the Texas Department of Transportation;
17 (3) the Texas Workforce Commission;
18 (4) the General Land Office;
19 (5) the Texas Economic Development and Tourism Office;
20 (6) the Office of State-Federal Relations;
21 (7) the Texas Higher Education Coordinating Board;
22 (8) the secretary of state's office;
23 (9) the Texas Commission on Environmental Quality.

24 (d) The task force shall be staffed and administered by the
25 office of energy trade and investment of the commission.

26 (e) The task force shall meet at least once quarterly to
27 report on results of their studies, to invite successful

1 international businesses to share insight into their workforce
2 development needs, to conduct public consultations on key workforce
3 development challenges and opportunities, and to showcase best
4 practices and case studies from other states, provinces and
5 nations.

6 (f) No later than December 31, 2014, the Task Force shall
7 publish its findings and strategic recommendations, including
8 selected case studies from other nations, and a strategic plan to
9 boost jobs related to exports and foreign direct investment in
10 energy-related small businesses by 20% by the year 2025.

11 (g) In fulfilling its duties, the task force shall consider
12 opportunities to collaborate with the federal government,
13 including trade promotion and finance programs of the U.S.
14 Department of Commerce, U.S. Department of Energy, U.S.
15 Environmental Protection Agency and other federal government
16 departments, and the effect of federal policies, including trade
17 agreements, upon Texas' energy business opportunities in the global
18 marketplace.

19 SECTION 3. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2013.