

1-1 By: Nichols, Huffman S.B. No. 212  
 1-2 (In the Senate - Filed March 4, 2013; March 12, 2013, read  
 1-3 first time and referred to Committee on Natural Resources;  
 1-4 April 24, 2013, reported favorably by the following vote: Yeas 9,  
 1-5 Nays 0; April 24, 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 continuation, functions, and name of the Railroad  
 1-22 Commission of Texas; providing for the imposition of fees, the  
 1-23 repeal of provisions for the suspension of the collection of fees,  
 1-24 and the elimination of a fee.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. The heading to Chapter 81, Natural Resources  
 1-27 Code, is amended to read as follows:

1-28 CHAPTER 81. TEXAS ENERGY RESOURCES [RAILROAD] COMMISSION [OF  
 1-29 TEXAS]

1-30 SECTION 2. Section 81.001, Natural Resources Code, is  
 1-31 amended to read as follows:

1-32 Sec. 81.001. DEFINITIONS. In this chapter:

1-33 (1) "Commission" means the Texas Energy Resources  
 1-34 [Railroad] Commission [of Texas].

1-35 (2) "Commissioner" means any member of the Texas  
 1-36 Energy Resources [Railroad] Commission [of Texas].

1-37 SECTION 3. Subchapter A, Chapter 81, Natural Resources  
 1-38 Code, is amended by adding Section 81.003 to read as follows:

1-39 Sec. 81.003. TEXAS ENERGY RESOURCES COMMISSION. (a) The  
 1-40 Railroad Commission of Texas is renamed the Texas Energy Resources  
 1-41 Commission.

1-42 (b) A reference in law to:

1-43 (1) the Railroad Commission of Texas means the Texas  
 1-44 Energy Resources Commission; and

1-45 (2) a railroad commissioner or a member of the  
 1-46 Railroad Commission of Texas means a member of the Texas Energy  
 1-47 Resources Commission.

1-48 SECTION 4. Section 81.01001, Natural Resources Code, is  
 1-49 amended to read as follows:

1-50 Sec. 81.01001. SUNSET PROVISION. The Texas Energy  
 1-51 Resources [Railroad] Commission [of Texas] is subject to Chapter  
 1-52 325, Government Code (Texas Sunset Act). Unless continued in  
 1-53 existence as provided by that chapter, the commission is abolished  
 1-54 September 1, 2023 [2013].

1-55 SECTION 5. Subchapter B, Chapter 81, Natural Resources  
 1-56 Code, is amended by adding Sections 81.010015, 81.010045, and  
 1-57 81.010046 to read as follows:

1-58 Sec. 81.010015. ELECTION AND TERMS OF COMMISSIONERS;  
 1-59 VACANCIES. (a) The commission is composed of three commissioners  
 1-60 elected at the general election for state and county officers.

1-61 (b) Commissioners serve staggered terms of six years, with

2-1 the term of one commissioner expiring December 31 of each  
2-2 even-numbered year.

2-3 (c) The governor shall appoint a person to fill a vacancy on  
2-4 the commission until the next general election.

2-5 Sec. 81.010045. CERTAIN POLITICAL CONTRIBUTIONS  
2-6 RESTRICTED. (a) In this section, "political committee" and  
2-7 "political contribution" have the meanings assigned by Section  
2-8 251.001, Election Code.

2-9 (b) A commissioner may not knowingly accept a political  
2-10 contribution given or offered with the intention that it be used in  
2-11 connection with a campaign for or the holding of any elective  
2-12 office, including the office of commissioner, except during the  
2-13 period:

2-14 (1) beginning 17 months before the date of the next  
2-15 general election at which the commissioner's office is filled; and

2-16 (2) ending on the 30th day after the date of that  
2-17 election.

2-18 (c) A person other than a commissioner may not knowingly  
2-19 accept a political contribution given or offered with the intention  
2-20 that it be used in connection with a campaign for the office of  
2-21 commissioner, except:

2-22 (1) during the period:

2-23 (A) beginning 17 months before the date of the  
2-24 next general election at which any commissioner's office is filled;  
2-25 and

2-26 (B) ending on the 30th day after the date of that  
2-27 election; or

2-28 (2) during the period beginning on the date a vacancy  
2-29 in the office of commissioner occurs and ending on the date that  
2-30 vacancy is filled.

2-31 (d) A commissioner may not knowingly accept a political  
2-32 contribution, and shall refuse a political contribution that is  
2-33 received, from a party in a contested case before the commission or  
2-34 a political committee affiliated with such a party during the  
2-35 period:

2-36 (1) beginning on the date notice of the hearing in the  
2-37 contested case is given; and

2-38 (2) ending on:

2-39 (A) the 30th day after the date the decision in  
2-40 the contested case is rendered; or

2-41 (B) if a request for rehearing is filed:

2-42 (i) the date the request is denied; or

2-43 (ii) the 30th day after the date the  
2-44 decision after rehearing is rendered.

2-45 (e) A commissioner shall return a political contribution  
2-46 that is received and refused under Subsection (d) not later than the  
2-47 30th day after the date the commissioner received the contribution.

2-48 (f) The commission shall adopt all rules necessary to  
2-49 implement Subsections (d) and (e), including rules that:

2-50 (1) direct the commission to maintain a list of the  
2-51 contested cases before the commission and the parties to each case  
2-52 in order to aid the commissioners in complying with those  
2-53 subsections; and

2-54 (2) ensure that each notice of a hearing in a contested  
2-55 case that is issued by the commission or a commissioner contains  
2-56 information about the political contributions prohibited under  
2-57 Subsection (d).

2-58 Sec. 81.010046. AUTOMATIC RESIGNATION. If a person who is a  
2-59 member of the commission announces the person's candidacy, or in  
2-60 fact becomes a candidate, in any general, special, or primary  
2-61 election for any elective office other than the office of  
2-62 commissioner at any time when the unexpired term of the office then  
2-63 held by the person exceeds 18 months, that announcement or that  
2-64 candidacy constitutes an automatic resignation of the office of  
2-65 commissioner.

2-66 SECTION 6. Section 81.01005, Natural Resources Code, is  
2-67 amended to read as follows:

2-68 Sec. 81.01005. NAME AND SEAL. (a) The commissioners are  
2-69 known collectively as the "Texas Energy Resources [Railroad]

3-1 Commission ~~[of Texas]~~."

3-2 (b) The seal of the commission contains a star of five  
3-3 points with the words "Texas Energy Resources [Railroad] Commission  
3-4 ~~[of Texas]~~" engraved on it.

3-5 SECTION 7. The heading to Section 81.0521, Natural  
3-6 Resources Code, is amended to read as follows:

3-7 Sec. 81.0521. FEE FOR APPLICATION FOR EXCEPTION TO  
3-8 ~~[RAILROAD]~~ COMMISSION RULE.

3-9 SECTION 8. Subsections (c) and (d), Section 81.0531,  
3-10 Natural Resources Code, are amended to read as follows:

3-11 (c) In determining the amount of the penalty, the commission  
3-12 shall consider the ~~[permittee's history of previous violations, the~~  
3-13 ~~seriousness of the violation, any hazard to the health or safety of~~  
3-14 ~~the public, and the demonstrated good faith of the person charged.~~  
3-15 ~~In determining the amount of the penalty for a violation of a~~  
3-16 ~~provision of this title or a rule, order, license, permit, or~~  
3-17 ~~certificate that relates to pipeline safety, the commission shall~~  
3-18 ~~consider the] guidelines adopted under Subsection (d).~~

3-19 (d) The commission ~~[by rule]~~ shall adopt guidelines to be  
3-20 used in determining the amount of the penalty. The commission shall  
3-21 provide an opportunity for public input on the guidelines ~~[for a~~  
3-22 ~~violation of a provision of this title or a rule, order, license,~~  
3-23 ~~permit, or certificate that relates to pipeline safety]~~. The  
3-24 guidelines must ~~[shall]~~ include a penalty calculation worksheet  
3-25 that specifies the typical penalty for certain violations,  
3-26 circumstances justifying enhancement of a penalty and the amount of  
3-27 the enhancement, and circumstances justifying a reduction in a  
3-28 penalty and the amount of the reduction. The guidelines must  
3-29 provide for different penalties for different violations based on  
3-30 the seriousness of the violation and any hazard to the health or  
3-31 safety of the public resulting from the violation. The guidelines  
3-32 must ~~[shall]~~ take into account:

3-33 (1) the permittee's history of previous violations,  
3-34 including the number of previous violations;

3-35 (2) the seriousness of the violation and of any  
3-36 pollution resulting from the violation;

3-37 (3) any hazard to the health or safety of the public;

3-38 (4) the degree of culpability;

3-39 (5) the demonstrated good faith of the person charged;

3-40 ~~[and]~~

3-41 (6) the number of times the permittee's certificate of  
3-42 compliance issued under Subchapter P, Chapter 91, has been  
3-43 canceled; and

3-44 (7) any other factor the commission considers  
3-45 relevant.

3-46 SECTION 9. Subchapter C, Chapter 81, Natural Resources  
3-47 Code, is amended by adding Sections 81.0645, 81.065, and 81.066 to  
3-48 read as follows:

3-49 Sec. 81.0645. EX PARTE COMMUNICATIONS. The commission by  
3-50 rule shall develop a policy to prohibit an ex parte communication  
3-51 between a hearings examiner and a commissioner or between a  
3-52 hearings examiner and a member of the technical staff of the  
3-53 commission who has participated in a hearing. The policy must  
3-54 prohibit a commissioner from communicating with a hearings examiner  
3-55 other than in a formal public hearing.

3-56 Sec. 81.065. NEGOTIATED RULEMAKING AND ALTERNATIVE DISPUTE  
3-57 RESOLUTION POLICY. (a) The commission shall develop and implement  
3-58 a policy to encourage the use of:

3-59 (1) negotiated rulemaking procedures under Chapter  
3-60 2008, Government Code, for the adoption of commission rules; and

3-61 (2) appropriate alternative dispute resolution  
3-62 procedures under Chapter 2009, Government Code, to assist in the  
3-63 resolution of internal and external disputes under the commission's  
3-64 jurisdiction.

3-65 (b) The commission's procedures relating to alternative  
3-66 dispute resolution must conform, to the extent possible, to any  
3-67 model guidelines issued by the State Office of Administrative  
3-68 Hearings for the use of alternative dispute resolution by state  
3-69 agencies.

4-1 (c) The commission shall:

4-2 (1) coordinate the implementation of the policy  
4-3 adopted under Subsection (a);

4-4 (2) provide training as needed to implement the  
4-5 procedures for negotiated rulemaking or alternative dispute  
4-6 resolution; and

4-7 (3) collect information concerning the effectiveness  
4-8 of those procedures.

4-9 Sec. 81.066. ENFORCEMENT POLICY. (a) The commission shall  
4-10 adopt an enforcement policy to guide the employees of the  
4-11 commission in evaluating violations of the provisions of this title  
4-12 that pertain to safety or the prevention or control of pollution or  
4-13 the provisions of a rule, order, license, permit, or certificate  
4-14 that pertains to safety or the prevention or control of pollution  
4-15 and is issued under this title.

4-16 (b) The enforcement policy adopted under this section must  
4-17 include:

4-18 (1) a specific process for classifying violations  
4-19 based on:

4-20 (A) the seriousness of any pollution resulting  
4-21 from the violation; and

4-22 (B) any hazard to the health or safety of the  
4-23 public; and

4-24 (2) standards to provide guidance to commission  
4-25 employees on which violations may be dismissed once the permittee  
4-26 comes into compliance and which violations must be forwarded for  
4-27 enforcement.

4-28 (c) The standards adopted under Subsection (b)(2) must  
4-29 require a commission employee to take into account the permittee's  
4-30 history of previous violations in determining whether to dismiss a  
4-31 violation once the permittee comes into compliance or forward the  
4-32 violation for enforcement.

4-33 SECTION 10. Subsections (b) and (c), Section 81.069,  
4-34 Natural Resources Code, are amended to read as follows:

4-35 (b) The commission shall provide to the Legislative Budget  
4-36 Board and post on the commission's Internet website quarterly  
4-37 reports ~~[to the Legislative Budget Board]~~ that include:

4-38 (1) the following information with respect to the  
4-39 period since the last report was provided as well as cumulatively:

4-40 (A) the amount of money deposited in the oil and  
4-41 gas regulation and cleanup fund;

4-42 (B) the amount of money spent from the fund for  
4-43 the purposes described by Subsection (a);

4-44 (C) the balance of the fund; and

4-45 (D) the commission's progress in meeting the  
4-46 quarterly performance goals established under Subsection (a) and,  
4-47 if the number of orphaned wells plugged with state-managed funds,  
4-48 abandoned sites investigated, assessed, or cleaned up with state  
4-49 funds, or surface locations remediated is at least five percent  
4-50 less than the number projected in the applicable goal established  
4-51 under Subsection (a), an explanation of the reason for the  
4-52 variance; and

4-53 (2) any additional information or data requested in  
4-54 writing by the Legislative Budget Board.

4-55 (c) The commission shall submit to the legislature and make  
4-56 available to the public, including by posting on the commission's  
4-57 Internet website, annually, a report that reviews the extent to  
4-58 which money provided under Section 81.067 has enabled the  
4-59 commission to better protect the environment through oil-field  
4-60 cleanup activities. The report must include:

4-61 (1) the performance goals established under  
4-62 Subsection (a) for that state fiscal year, the commission's  
4-63 progress in meeting those performance goals, and, if the number of  
4-64 orphaned wells plugged with state-managed funds, abandoned sites  
4-65 investigated, assessed, or cleaned up with state funds, or surface  
4-66 locations remediated is at least five percent less than the number  
4-67 projected in the applicable goal established under Subsection (a),  
4-68 an explanation of the reason for the variance;

4-69 (2) the number of orphaned wells plugged with

- 5-1 state-managed funds, by region;
- 5-2 (3) the number of wells orphaned, by region;
- 5-3 (4) the number of inactive wells not currently in
- 5-4 compliance with commission rules, by region;
- 5-5 (5) the status of enforcement proceedings for all
- 5-6 wells in violation of commission rules and the period during which
- 5-7 the wells have been in violation, by region in which the wells are
- 5-8 located;
- 5-9 (6) the number of surface locations remediated, by
- 5-10 region;
- 5-11 (7) a detailed accounting of expenditures of money in
- 5-12 the fund for oil-field cleanup activities, including expenditures
- 5-13 for plugging of orphaned wells, investigation, assessment, and
- 5-14 cleaning up of abandoned sites, and remediation of surface
- 5-15 locations;
- 5-16 (8) the method by which the commission sets priorities
- 5-17 by which it determines the order in which orphaned wells are
- 5-18 plugged;
- 5-19 (9) a projection of the amount of money needed for the
- 5-20 next biennium for plugging orphaned wells, investigating,
- 5-21 assessing, and cleaning up abandoned sites, and remediating surface
- 5-22 locations; and
- 5-23 (10) the number of sites successfully remediated under
- 5-24 the voluntary cleanup program under Subchapter O, Chapter 91, by
- 5-25 region.

5-26 SECTION 11. Subchapter C, Chapter 81, Natural Resources

5-27 Code, is amended by adding Section 81.071 to read as follows:

5-28 Sec. 81.071. PIPELINE SAFETY AND REGULATORY FEES. (a) The

5-29 commission by rule may establish pipeline safety and regulatory

5-30 fees to be assessed for permits or registrations for pipelines

5-31 under the jurisdiction of the commission's pipeline safety and

5-32 regulatory program. The fees must be in amounts that in the

5-33 aggregate are sufficient to support all pipeline safety and

5-34 regulatory program costs, including:

- 5-35 (1) permitting or registration costs;
- 5-36 (2) administrative costs; and
- 5-37 (3) costs of employee salaries and benefits.

5-38 (b) The commission by rule must establish the method or

5-39 methods by which the fees will be calculated and assessed so that

5-40 fee amounts will reflect the time spent and costs incurred to

5-41 perform the regulatory work associated with permitting or

5-42 registering pipelines, the effects of required fees on operators of

5-43 all sizes, and other factors the commission determines are

5-44 important to the fair imposition of the fees. The commission may

5-45 base the fees on any factor the commission considers necessary to

5-46 efficiently and fairly recover the pipeline safety and regulatory

5-47 program's costs, including:

- 5-48 (1) the length of the pipeline;
- 5-49 (2) the number of new permits, permit renewals, or
- 5-50 permit amendments; or
- 5-51 (3) the number of pipeline systems.

5-52 (c) The commission by rule may establish a reasonable late

5-53 payment penalty for a fee charged under this section.

5-54 (d) The authority provided by this section is in addition to

5-55 the authority provided by Section 121.211, Utilities Code, and the

5-56 commission shall consider any fees assessed under that section in

5-57 establishing the fees to be assessed under this section.

5-58 SECTION 12. Subsection (d), Section 81.116, Natural

5-59 Resources Code, is amended to read as follows:

5-60 ~~(d) [The comptroller shall suspend collection of the fee in~~

5-61 ~~the manner provided by Section 81.067.]~~ The exemptions and

5-62 reductions set out in Sections 202.052, 202.054, 202.056, 202.057,

5-63 202.059, and 202.060, Tax Code, do not affect the fee imposed by

5-64 this section.

5-65 SECTION 13. Subsection (d), Section 81.117, Natural

5-66 Resources Code, is amended to read as follows:

5-67 ~~(d) [The comptroller shall suspend collection of the fee in~~

5-68 ~~the manner provided by Section 81.067.]~~ The exemptions and

5-69 reductions set out in Sections 201.053, 201.057, 201.058, and

6-1 202.060, Tax Code, do not affect the fee imposed by this section.

6-2 SECTION 14. Subsection (e), Section 91.1135, Natural  
6-3 Resources Code, is transferred to Section 81.069, Natural Resources  
6-4 Code, redesignated as Subsection (d), Section 81.069, Natural  
6-5 Resources Code, and amended to read as follows:

6-6 (d) ~~[(e)]~~ The commission shall provide to the Legislative  
6-7 Budget Board and post on the commission's Internet website  
6-8 quarterly reports [to the committee and the Legislative Budget  
6-9 Board] that include[+]

6-10 ~~[(1)]~~ the following information with respect to the  
6-11 period since the last report was provided as well as cumulatively:

6-12 (1) ~~[(A)]~~ the amount of money deposited in the oil and  
6-13 gas regulation and [oil-field] cleanup fund;

6-14 (2) ~~[(B)]~~ the amount of money spent from the fund;

6-15 (3) ~~[(C)]~~ the balance of the fund;

6-16 (4) ~~[(D)]~~ the number of wells plugged with money from  
6-17 the fund;

6-18 (5) ~~[(E)]~~ the number of sites remediated with money  
6-19 from the fund; and

6-20 (6) ~~[(F)]~~ the number of wells abandoned~~[, and~~

6-21 ~~[(2) any additional information or data requested in~~  
6-22 ~~writing by the committee].~~

6-23 SECTION 15. Subchapter B, Chapter 102, Natural Resources  
6-24 Code, is amended by adding Section 102.0165 to read as follows:

6-25 Sec. 102.0165. LOCATION OF HEARING. (a) At the request of  
6-26 an interested party and with the consent of each interested party,  
6-27 the commission may hold the hearing on the application in person or  
6-28 by telephone at a location in the vicinity of the proposed unit.

6-29 (b) The commission may contract with another state agency to  
6-30 hold hearings on applications for pooling of interests into a unit  
6-31 under the provisions of this chapter in person or by telephone at  
6-32 field offices of that agency.

6-33 SECTION 16. Subsection (a), Section 117.012, Natural  
6-34 Resources Code, is amended to read as follows:

6-35 (a) The commission shall adopt rules that include:

6-36 (1) safety standards for and practices applicable to  
6-37 the intrastate transportation of hazardous liquids or carbon  
6-38 dioxide by pipeline and intrastate hazardous liquid or carbon  
6-39 dioxide pipeline facilities; and

6-40 (2) ~~[, including]~~ safety standards related to the  
6-41 prevention of damage to interstate and intrastate hazardous liquid  
6-42 or carbon dioxide pipeline facilities [such a facility] resulting  
6-43 from the movement of earth by a person in the vicinity of such a  
6-44 [the] facility, other than movement by tillage that does not exceed  
6-45 a depth of 16 inches.

6-46 SECTION 17. Subsection (c), Section 52.092, Election Code,  
6-47 is amended to read as follows:

6-48 (c) Statewide offices of the state government shall be  
6-49 listed in the following order:

6-50 (1) governor;

6-51 (2) lieutenant governor;

6-52 (3) attorney general;

6-53 (4) comptroller of public accounts;

6-54 (5) commissioner of the General Land Office;

6-55 (6) commissioner of agriculture;

6-56 (7) energy resources [railroad] commissioner;

6-57 (8) chief justice, supreme court;

6-58 (9) justice, supreme court;

6-59 (10) presiding judge, court of criminal appeals;

6-60 (11) judge, court of criminal appeals.

6-61 SECTION 18. Section 756.126, Health and Safety Code, is  
6-62 amended to read as follows:

6-63 Sec. 756.126. SAFETY STANDARDS AND BEST PRACTICES. The  
6-64 Texas Energy Resources [Railroad] Commission [of Texas] shall adopt  
6-65 and enforce safety standards and best practices, including those  
6-66 described by 49 U.S.C. Section 6105 et seq., relating to the  
6-67 prevention of damage by a person to a facility, including an  
6-68 interstate or intrastate pipeline facility, under the jurisdiction  
6-69 of the commission.

7-1 SECTION 19. Subsection (a), Section 121.201, Utilities  
7-2 Code, is amended to read as follows:

7-3 (a) The railroad commission may:

7-4 (1) by rule prescribe or adopt safety standards for  
7-5 the transportation of gas and for gas pipeline facilities,  
7-6 including safety standards related to the prevention of damage to  
7-7 an interstate or intrastate gas pipeline [~~such a~~] facility  
7-8 resulting from the movement of earth by a person in the vicinity of  
7-9 the facility, other than movement by tillage that does not exceed a  
7-10 depth of 16 inches;

7-11 (2) by rule require an operator that does not file  
7-12 operator organization information under Section 91.142, Natural  
7-13 Resources Code, to provide the information to the commission in the  
7-14 form of an application;

7-15 (3) by rule require record maintenance and reports;

7-16 (4) inspect records and facilities to determine  
7-17 compliance with safety standards prescribed or adopted under  
7-18 Subdivision (1);

7-19 (5) make certifications and reports from time to time;

7-20 (6) seek designation by the United States secretary of  
7-21 transportation as an agent to conduct safety inspections of  
7-22 interstate gas pipeline facilities located in this state; and

7-23 (7) by rule take any other requisite action in  
7-24 accordance with 49 U.S.C. Section 60101 et seq., or a succeeding  
7-25 law.

7-26 SECTION 20. The following provisions of the Natural  
7-27 Resources Code are repealed:

7-28 (1) Subsection (b), Section 81.067;

7-29 (2) the heading to Section 91.1135;

7-30 (3) Subsections (a), (b), (c), (d), (f), and (g),  
7-31 Section 91.1135; and

7-32 (4) Subchapter I, Chapter 113.

7-33 SECTION 21. (a) On the effective date of this Act:

7-34 (1) the alternative fuels research and education fund  
7-35 is abolished;

7-36 (2) any money remaining in the alternative fuels  
7-37 research and education fund is transferred to the undedicated  
7-38 portion of the general revenue fund;

7-39 (3) any claim against the alternative fuels research  
7-40 and education fund is transferred to the undedicated portion of the  
7-41 general revenue fund; and

7-42 (4) any amount required to be deposited to the credit  
7-43 of the alternative fuels research and education fund shall be  
7-44 deposited to the credit of the undedicated portion of the general  
7-45 revenue fund.

7-46 (b) Any money transferred from the alternative fuels  
7-47 research and education fund to the undedicated portion of the  
7-48 general revenue fund that was deposited in the alternative fuels  
7-49 research and education fund as a gift, grant, or other form of  
7-50 assistance under former Subchapter I, Chapter 113, Natural  
7-51 Resources Code, and is encumbered by the specific terms of the gift,  
7-52 grant, or other form of assistance may be spent only in accordance  
7-53 with the terms of the gift, grant, or other form of assistance.  
7-54 Subchapter I, Chapter 113, Natural Resources Code, is continued in  
7-55 effect for the limited purpose of administering this subsection.

7-56 SECTION 22. On the effective date of this Act, the name of  
7-57 the Railroad Commission of Texas is changed to the Texas Energy  
7-58 Resources Commission. The change of the agency's name does not  
7-59 affect:

7-60 (1) the agency's powers, duties, rights, or  
7-61 obligations;

7-62 (2) the agency's personnel, equipment, data,  
7-63 documents, facilities, contracts, items, other property,  
7-64 appropriations, rules, or decisions;

7-65 (3) a proceeding of or involving the agency under the  
7-66 name of the Railroad Commission of Texas; or

7-67 (4) the terms of the chairman or other members of the  
7-68 governing body of the agency.

8-1 SECTION 23. This Act takes effect September 1, 2013.

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