

By: Guillen

H.B. No. 224

A BILL TO BE ENTITLED

AN ACT

relating to the name and governance of the Railroad Commission of Texas.

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

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

CHAPTER 81. TEXAS ENERGY RESOURCES [~~RAILROAD~~] COMMISSION [~~OF TEXAS~~]

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

Sec. 81.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Texas Energy Resources [~~Railroad~~] Commission [~~of Texas~~].

(2) "Commissioner" means any member of the Texas Energy Resources [~~Railroad~~] Commission [~~of Texas~~].

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

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

(b) A reference in law to:

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

(2) a railroad commissioner or a member of the

1 Railroad Commission of Texas means a member of the Texas Energy
2 Resources Commission.

3 SECTION 4. Section 81.01001, Natural Resources Code, is
4 amended to read as follows:

5 Sec. 81.01001. SUNSET PROVISION. (a) The Texas Energy
6 Resources [~~Railroad~~] Commission [~~of Texas~~] is subject to Chapter
7 325, Government Code (Texas Sunset Act). Unless continued in
8 existence as provided by that chapter, the commission is abolished
9 September 1, 2017.

10 (a-1) The review of the Texas Energy Resources [~~Railroad~~]
11 Commission [~~of Texas~~] by the Sunset Advisory Commission in
12 preparation for the work of the 85th Legislature in Regular Session
13 is not limited to the appropriateness of recommendations made by
14 the Sunset Advisory Commission to the 83rd Legislature. In the
15 Sunset Advisory Commission's report to the 85th Legislature, the
16 Sunset Advisory Commission may include any recommendations it
17 considers appropriate. The review must include an examination of
18 alternative organizational structures for the Texas Energy
19 Resources [~~Railroad~~] Commission [~~of Texas~~] and alternative methods
20 for performing the commission's responsibilities that would enable
21 the efficient and effective accomplishment of the commission's
22 functions. The examination must include an assessment of existing
23 state agencies that would be able to perform the commission's
24 functions. The review must also include an examination of methods
25 to increase the public's role in decisions of the Texas Energy
26 Resources [~~Railroad~~] Commission [~~of Texas~~] that relate to the
27 effect of the growth of resource extraction. The Sunset Advisory

Commission may contract for assistance in performing the review, including assistance in evaluating, auditing, and forensic auditing, as the Sunset Advisory Commission determines necessary. This subsection expires September 1, 2017.

(b) The Texas Energy Resources [Railroad] Commission [~~of Texas~~] shall pay the costs incurred by the Sunset Advisory Commission in performing a review of the commission under this section. The Sunset Advisory Commission shall determine the costs, and the commission shall pay the amount of those costs promptly on receipt of a statement from the Sunset Advisory Commission detailing the costs.

SECTION 5. Subchapter B, Chapter 81, Natural Resources Code, is amended by adding Section 81.010015 to read as follows:

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

(b) Commissioners serve staggered terms of six years, with the term of one commissioner expiring December 31 of each even-numbered year.

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

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

Sec. 81.01005. NAME AND SEAL. (a) The commissioners are known collectively as the "Texas Energy Resources [Railroad] Commission [~~of Texas~~]."

(b) The seal of the commission contains a star of five

1 points with the words "Texas Energy Resources [~~Railroad~~] Commission
2 [~~of Texas~~]" engraved on it.

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

5 Sec. 81.0521. FEE FOR APPLICATION FOR EXCEPTION TO
6 [~~RAILROAD~~] COMMISSION RULE.

7 SECTION 8. Section 52.092(c), Election Code, is amended to
8 read as follows:

9 (c) Statewide offices of the state government shall be
10 listed in the following order:

- 11 (1) governor;
- 12 (2) lieutenant governor;
- 13 (3) attorney general;
- 14 (4) comptroller of public accounts;
- 15 (5) commissioner of the General Land Office;
- 16 (6) commissioner of agriculture;
- 17 (7) energy resources [~~railroad~~] commissioner;
- 18 (8) chief justice, supreme court;
- 19 (9) justice, supreme court;
- 20 (10) presiding judge, court of criminal appeals;
- 21 (11) judge, court of criminal appeals.

22 SECTION 9. On the effective date of this Act, the name of
23 the Railroad Commission of Texas is changed to the Texas Energy
24 Resources Commission. The change of the agency's name does not
25 affect:

- 26 (1) the agency's powers, duties, rights, or
27 obligations;

1 (2) the agency's personnel, equipment, data,
2 documents, facilities, contracts, items, other property,
3 appropriations, rules, or decisions;

4 (3) a proceeding of or involving the agency under the
5 name of the Railroad Commission of Texas; or

6 (4) the terms of the chairman or other members of the
7 governing body of the agency.

8 SECTION 10. This Act takes effect September 1, 2015.