

House Bill 2521
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 52.025, Natural Resources Code, is amended to read as follows:

Sec. 52.025. DISPOSITION OF LEASE PAYMENTS. (a) Except as provided by Subsection (b), the [The] comptroller shall credit the permanent school fund with amounts received from unsurveyed school land and with two-thirds of the amount received from other areas and shall credit the General Revenue Fund with the remaining one-third of the payments for the other areas.

(b) To the extent permissible under the Texas Constitution, the comptroller shall remit to a county the amount received from land owned in fee simple by the county. Money remitted to a county under this section shall be deposited to the credit of the county road and bridge fund of the county and may be used by the county only for road maintenance purposes.

No equivalent provision.

No equivalent provision.

SENATE VERSION (CS)

No equivalent provision. *(But see SECTION 4 below.)*

SECTION 1. The heading to Section 32.201, Natural Resources Code, is amended to read as follows:

Sec. 32.201. PREFERENTIAL RIGHT TO LEASE CERTAIN LAND BY ADJOINING MINERAL OWNER; ALLOCATION AND USE OF PAYMENTS RECEIVED FROM LEASING OF LAND OWNED FOR COUNTY ROAD.

SECTION 2. Section 32.201, Natural Resources Code, is amended by adding Subsections (i) and (j) to read as follows:

(i) Subject to Subsection (j), any payment received from the leasing of oil and gas under lands owned by the state that were or may be acquired by a county to construct a county road shall be deposited to the credit of the county road oil and gas fund as provided by Section 32.2015.

(j) Notwithstanding any other provision of law, a lease of oil

CONFERENCE

House Bill 2521
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

and gas under land described by Subsection (i) that is entered into on or after September 1, 2017, must require any payment under the lease to be made directly to the county treasurer, or officer performing the function of that office, in the county in which the land is located, as determined by the commissioner and described in the lease, for deposit to the credit of the county road and bridge fund of the county to be used for the purposes described by Section 32.2015(d). A lessee's obligation to make a payment under this subsection is satisfied by making that payment to the county described in the lease. This subsection does not create a cause of action for a county to pursue remedies under a lease described by this subsection, and a county is not considered to be a party to such a lease for the purpose of asserting a right granted by the lease or under this subsection.

No equivalent provision.

SECTION 3. Subchapter F, Chapter 32, Natural Resources Code, is amended by adding Section 32.2015 to read as follows:

Sec. 32.2015. FUND. (a) The county road oil and gas fund is a trust fund outside the state treasury to be held and administered by the comptroller as trustee for the payment, without appropriation, to counties of money received from the leasing of oil and gas under lands owned by the state that were or may be acquired by a county to construct a county road.

(b) The land office shall deposit to the credit of the fund money received under Section 32.201(i) from the leasing of oil and gas under lands owned by the state that were or may be acquired by a county to construct a county road.

(c) Interest or other income from investment of the fund shall be deposited to the credit of the fund.

(d) Money in the fund received from the leasing of oil and

House Bill 2521
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

gas under lands described by Subsection (b) located in a county, together with the interest or other income from investment of that money deposited to the credit of the fund, shall be disbursed at least twice each fiscal year, without appropriation, to the county treasurer or officer performing the function of that office. The county treasurer or officer shall deposit amounts received under this subsection to the credit of the county road and bridge fund of the county. Money deposited to the credit of that fund under this subsection may be used by the county only for road maintenance purposes.

No equivalent provision. *(But see SECTION 1 above.)*

SECTION 4. Section 52.025, Natural Resources Code, is repealed.

SECTION 2. This Act takes effect September 1, 2015.

SECTION 5. This Act takes effect September 1, 2017.