

1-1 By: Estes S.B. No. 1422
 1-2 (In the Senate - Filed March 7, 2017; March 16, 2017, read
 1-3 first time and referred to Committee on Natural Resources &
 1-4 Economic Development; March 30, 2017, reported favorably by the
 1-5 following vote: Yeas 9, Nays 0; March 30, 2017, 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 protection and use of intellectual property by the
 1-22 Railroad Commission of Texas.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-24 SECTION 1. Subchapter B, Chapter 81, Natural Resources
 1-25 Code, is amended by adding Section 81.021 to read as follows:

1-26 Sec. 81.021. INTELLECTUAL PROPERTY. (a) The commission
 1-27 may:

1-28 (1) apply for, register, secure, hold, and protect
 1-29 under the laws of the United States or any state or nation:

1-30 (A) a patent for the invention, discovery, or
 1-31 improvement of any process, machine, manufacture, or composition of
 1-32 matter;

1-33 (B) a copyright for an original work of
 1-34 authorship fixed in any tangible medium of expression, known or
 1-35 later developed, from which it can be perceived, reproduced, or
 1-36 otherwise communicated, either directly or with the aid of a
 1-37 machine or device;

1-38 (C) a trademark, service mark, collective mark,
 1-39 or certification mark for a word, name, symbol, device, or slogan
 1-40 that the commission uses to identify and distinguish the
 1-41 commission's goods and services from other goods and services; or

1-42 (D) other evidence of protection or exclusivity
 1-43 issued for intellectual property;

1-44 (2) contract with a person for the sale, lease,
 1-45 marketing, or other distribution of the commission's intellectual
 1-46 property;

1-47 (3) obtain under a contract described in Subdivision
 1-48 (2) a royalty, license right, or other appropriate means of
 1-49 securing reasonable compensation for the development or purchase of
 1-50 the commission's intellectual property; and

1-51 (4) waive or reduce the amount of compensation secured
 1-52 by contract under Subdivision (3) if the commission determines that
 1-53 the waiver or reduction will:

1-54 (A) further a goal or mission of the commission;
 1-55 and

1-56 (B) result in a net benefit to the state.

1-57 (b) Money paid to the commission under this section shall be
 1-58 deposited to the credit of the oil and gas regulation and cleanup
 1-59 fund as provided by Section 81.067.

1-60 SECTION 2. Section 81.067(c), Natural Resources Code, is
 1-61 amended to read as follows:

- 2-1 (c) The fund consists of:
- 2-2 (1) proceeds from bonds and other financial security
- 2-3 required by this chapter and benefits under well-specific plugging
- 2-4 insurance policies described by Section 91.104(c) that are paid to
- 2-5 the state as contingent beneficiary of the policies, subject to the
- 2-6 refund provisions of Section 91.1091, if applicable;
- 2-7 (2) private contributions, including contributions
- 2-8 made under Section 89.084;
- 2-9 (3) expenses collected under Section 89.083;
- 2-10 (4) fees imposed under Section 85.2021;
- 2-11 (5) costs recovered under Section 91.457 or 91.459;
- 2-12 (6) proceeds collected under Sections 89.085 and
- 2-13 91.115;
- 2-14 (7) interest earned on the funds deposited in the
- 2-15 fund;
- 2-16 (8) oil and gas waste hauler permit application fees
- 2-17 collected under Section 29.015, Water Code;
- 2-18 (9) costs recovered under Section 91.113(f);
- 2-19 (10) hazardous oil and gas waste generation fees
- 2-20 collected under Section 91.605;
- 2-21 (11) oil-field cleanup regulatory fees on oil
- 2-22 collected under Section 81.116;
- 2-23 (12) oil-field cleanup regulatory fees on gas
- 2-24 collected under Section 81.117;
- 2-25 (13) fees for a reissued certificate collected under
- 2-26 Section 91.707;
- 2-27 (14) fees collected under Section 91.1013;
- 2-28 (15) fees collected under Section 89.088;
- 2-29 (16) fees collected under Section 91.142;
- 2-30 (17) fees collected under Section 91.654;
- 2-31 (18) costs recovered under Sections 91.656 and 91.657;
- 2-32 (19) fees collected under Section 81.0521;
- 2-33 (20) fees collected under Sections 89.024 and 89.026;
- 2-34 (21) legislative appropriations;
- 2-35 (22) any surcharges collected under Section 81.070;
- 2-36 (23) fees collected under Section 91.0115;
- 2-37 (24) ~~money deposited to the credit of the fund under~~
- 2-38 ~~Section 81.112,~~
- 2-39 ~~[(25)]~~ fees collected under Subchapter E, Chapter 121,
- 2-40 Utilities Code; ~~and~~
- 2-41 (25) ~~[(26)]~~ fees collected under Section 27.0321,
- 2-42 Water Code; and
- 2-43 (26) money collected under Section 81.021.

2-44 SECTION 3. To the extent of any conflict, this Act prevails

2-45 over another Act of the 85th Legislature, Regular Session, 2017,

2-46 relating to nonsubstantive additions to and corrections in enacted

2-47 codes.

2-48 SECTION 4. This Act takes effect immediately if it receives

2-49 a vote of two-thirds of all the members elected to each house, as

2-50 provided by Section 39, Article III, Texas Constitution. If this

2-51 Act does not receive the vote necessary for immediate effect, this

2-52 Act takes effect September 1, 2017.

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