

By: Zaffirini

S.B. No. 1868

A BILL TO BE ENTITLED

AN ACT

relating to the requirement of a public hearing on certain applications for a permit to drill an oil or gas well.

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

SECTION 1. Subchapter D, Chapter 91, Natural Resources Code, is amended by adding Section 91.118 to read as follows:

Sec. 91.118. PUBLIC HEARING ON CERTAIN DRILLING PERMIT APPLICATIONS. (a) In this section:

(1) "Child-care facility" has the meaning assigned by Section 42.002, Human Resources Code.

(2) "Private school" means a private school, including a parochial school, that:

(A) offers a course of instruction for students in one or more grades from kindergarten through grade 12; and

(B) has more than 100 students enrolled and attending courses at a single location.

(b) The commission by rule shall require an applicant for a permit to drill a new oil or gas well to indicate on the application whether the proposed well site is located within 1,500 feet of the property line of a child-care facility, private school, or primary or secondary public school.

(c) The commission may not grant an application for a permit to drill a new oil or gas well if the proposed well site is located within 1,500 feet of the property line of a child-care facility,

1 private school, or primary or secondary public school unless:

2 (1) the commission holds a public hearing in the  
3 county in which the proposed well site is located to receive public  
4 comments on whether granting the permit application is in the  
5 public interest; and

6 (2) the commission considers the comments received  
7 when determining whether to grant the application.

8 SECTION 2. The change in law made by this Act applies only  
9 to a permit application submitted to the Railroad Commission of  
10 Texas on or after the effective date of the rules adopted under  
11 Section 91.118, Natural Resources Code, as added by this Act. A  
12 permit application submitted before the effective date of the rules  
13 adopted under Section 91.118, Natural Resources Code, as added by  
14 this Act, is governed by the law in effect when the permit  
15 application was submitted, and the former law is continued in  
16 effect for that purpose.

17 SECTION 3. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2017.