

By: Anchia

H.B. No. 857

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 Railroad Commission of Texas means a member of the Texas Energy

1 Resources Commission.

2 SECTION 4. Sections 81.01001(a) and (b), Natural Resources  
3 Code, are amended to read as follows:

4 (a) The Texas Energy Resources [~~Railroad~~] Commission [~~of~~  
5 ~~Texas~~] is subject to Chapter 325, Government Code (Texas Sunset  
6 Act). Unless continued in existence as provided by that chapter,  
7 the commission is abolished September 1, 2029.

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

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

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

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

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

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

27 Sec. 81.01005. NAME AND SEAL. (a) The commissioners are

1 known collectively as the "Texas Energy Resources [~~Railroad~~  
2 Commission [~~of Texas~~]."

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

6 SECTION 7. The heading to Section [81.0521](#), Natural  
7 Resources Code, is amended to read as follows:

8 Sec. 81.0521. FEE FOR APPLICATION FOR EXCEPTION TO  
9 [~~RAILROAD~~] COMMISSION RULE.

10 SECTION 8. Section [52.092](#)(c), Election Code, is amended to  
11 read as follows:

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

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

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

1 affect:

2           (1) the agency's powers, duties, rights, or  
3 obligations;

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

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

9           (4) the terms of the chairman or other members of the  
10 governing body of the agency.

11           SECTION 10. This Act takes effect September 1, 2019.