A BILL TO BE ENTITLED
AN ACT
relating to written disclosure of gas pipeline leaks to gas
distribution customers; clarifying changes to related
administrative penalties.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. Sections 121.206(a) and (d), Utilities Code, are
amended to read as follows:
(a) The railroad commission may assess an administrative
penalty against a person who violates Section 121.201 or a safety
standard or other rule prescribed or adopted under this subchapter
[that section].
(d) The railroad commission by rule shall adopt guidelines
to be used in determining the amount of a penalty under this
subchapter. The guidelines shall include a penalty calculation
worksheet that specifies the typical penalty for certain
violations, circumstances justifying enhancement of a penalty and
the amount of the enhancement, and circumstances justifying a
reduction in a penalty and the amount of the reduction. The
guidelines shall take into account:
(1) the person's history of previous violations of
Section 121.201 or a safety standard or other rule prescribed or
adopted under this subchapter [that section], including the number
of previous violations;
(2) the seriousness of the violation and of any
pollution resulting from the violation;
(3) any hazard to the health or safety of the public;
(4) the degree of culpability;
(5) the demonstrated good faith of the person charged;
and
(6) any other factor the commission considers relevant.

SECTION 2. Subchapter E, Chapter 121, Utilities Code, is amended by adding Section 121.217 to read as follows:

Sec. 121.217. WRITTEN NOTICE OF LEAK REQUIRED. (a) The railroad commission by rule shall require a distribution gas pipeline facility operator to mail written notice of a leak not later than 72 hours after the leak is discovered to each customer whose billed property is located less than one-quarter mile from where the leak occurred.

(b) The written notice must be printed in both English and Spanish.

SECTION 3. The Railroad Commission of Texas shall adopt the rules required by Section 121.217, Utilities Code, as added by this Act, not later than December 31, 2019.

SECTION 4. This Act takes effect September 1, 2019.