

By: Anchia

H.B. No. 868

A BILL TO BE ENTITLED

AN ACT

1
2 relating to gas pipeline operator disclosure of the location of
3 pipeline leaks; clarifying changes to related administrative
4 penalties.

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

6 SECTION 1. Sections 121.206(a) and (d), Utilities Code, are
7 amended to read as follows:

8 (a) The railroad commission may assess an administrative
9 penalty against a person who violates Section 121.201 or a safety
10 standard or other rule prescribed or adopted under this subchapter
11 [~~that section~~].

12 (d) The railroad commission by rule shall adopt guidelines
13 to be used in determining the amount of a penalty under this
14 subchapter. The guidelines shall include a penalty calculation
15 worksheet that specifies the typical penalty for certain
16 violations, circumstances justifying enhancement of a penalty and
17 the amount of the enhancement, and circumstances justifying a
18 reduction in a penalty and the amount of the reduction. The
19 guidelines shall take into account:

20 (1) the person's history of previous violations of
21 Section 121.201 or a safety standard or other rule prescribed or
22 adopted under this subchapter [~~that section~~], including the number
23 of previous violations;

24 (2) the seriousness of the violation and of any

1 pollution resulting from the violation;

2 (3) any hazard to the health or safety of the public;

3 (4) the degree of culpability;

4 (5) the demonstrated good faith of the person charged;

5 and

6 (6) any other factor the commission considers
7 relevant.

8 SECTION 2. Subchapter E, Chapter 121, Utilities Code, is
9 amended by adding Section 121.218 to read as follows:

10 Sec. 121.218. DISCLOSURE OF LEAK LOCATIONS. The railroad
11 commission by rule shall require a distribution gas pipeline
12 facility operator to:

13 (1) report to the commission gas leaks from the
14 operator's pipeline facilities and any other information the
15 commission requires by rule; and

16 (2) publish on the operator's public Internet website
17 the location of each leak reported under Subdivision (1), including
18 the exact street address and the location of each leak on a map.

19 SECTION 3. The Railroad Commission of Texas shall adopt the
20 rules required by Section 121.218, Utilities Code, as added by this
21 Act, not later than December 31, 2019.

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