

By: Turner of Tarrant

H.B. No. 2814

A BILL TO BE ENTITLED

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

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

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

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

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

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

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

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

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

22 (c) The commission may not grant an application for a permit
23 to drill a new oil or gas well if the proposed well site is located
24 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 (d) This section does not affect the authority of a
9 political subdivision to enact, amend, or enforce an ordinance or
10 other measure related to the drilling of new oil or gas wells.

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

20 SECTION 3. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2021.