

BILL ANALYSIS

Senate Research Center

C.S.H.B. 1302
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Natural Resources & Economic Development
5/19/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, the Railroad Commission of Texas (RRC) is permitted to use unmanned aircrafts to take pictures at the location of a hazardous material spill or suspected spill in relation to oil pipeline safety and rig protection. There are, however, concerns about the lack of clear and explicit authority for RRC pipeline and surface inspectors to use unmanned aircraft for inspection purposes.

C.S.H.B. 1302 would authorize RRC to use unmanned aircraft to capture images in connection with the inspection and examination of an oil or gas site or facility, including a well, tank, or disposal or injection site, a pipeline facility, or a surface mining site. What's more, the bill would require RRC to provide notice to the operator and instruct the operator to make a good faith effort to notify the owner of the property.

C.S.H.B. 1302 amends current law relating to inspections and examinations by the Railroad Commission of Texas of certain sites and facilities conducted using unmanned aircraft.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 423.002(a), Government Code, as follows:

(a) Provides that it is lawful to capture an image using an unmanned aircraft in this state:

(1)-(19) makes no changes to these subdivisions;

(20)-(21) makes nonsubstantive changes to these subdivisions; or

(22) if the image is captured by the Railroad Commission of Texas (RRC) or an agent, servant, or employee of RRC in connection with the inspection and examination of:

(A) an oil or gas site or facility, including a well, tank, or disposal or injection site;

(B) a pipeline facility; or

(C) a surface mining site.

SECTION 2. Amends Section 88.091, Natural Resources Code, as follows:

Sec. 88.091. ACCESS TO PROPERTY AND RECORDS. Requires the governmental agency (RRC) to have access at all times to certain items, including the oil property of all persons for inspection and examination, including for inspection and examination by unmanned aircraft.

(b) Requires RRC to provide notice to the operator of the property before RRC uses unmanned aircraft for the inspection and examination of the property. Requires the operator of the property, on receiving the notice, to make a good faith effort to provide notice to the owner of the property, if applicable.

SECTION 3. Effective date: upon passage or September 1, 2023.