

BILL ANALYSIS

Senate Research Center
89R9800 JAM-D

H.B. 3619
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Natural Resources
5/19/2025
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

It has been reported that the Railroad Commission of Texas (RRC) is not held liable for damages during its plugging of an abandoned well, which can result in property damage, livestock loss from broken fences, and potential lawsuits from contractor injuries, leaving the landowner responsible for liability claims and damages. In some cases contractors hired by RRC have filed lawsuits against landowners for injuries that occur on their property despite the landowner being unaware of the contractor's presence.

H.B. 3619 would address this issue by providing certain landowner protections with respect to abandoned well plugging operations.

H.B. 3619 amends current law relating to the rights and liabilities of the owner of the surface estate of the tract of land on which a well to be plugged or replugged by the Railroad Commission of Texas is located.

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 89.043, Natural Resources Code, by adding Subsection (g) to require the Railroad Commission of Texas (RRC), if RRC plugs or replugs a well under Section 89.043 (Plugging by Commission), to restore the surface of the tract of land on which the well is located to the condition in which it existed before the plugging or replugging operations began.

SECTION 2. Amends Section 89.044, Natural Resources Code, by adding Subsection (c) to prohibit a person authorized to enter land under Section 89.044 (Right to Enter on Land), except as necessary to prevent injury to the public health, from taking an action that would prevent the owner of the surface estate of the land from accessing the land.

SECTION 3. Amends Section 89.045, Natural Resources Code, as follows:

Sec. 89.045. LIABILITY FOR DAMAGES. (a) Creates this subsection from existing text and makes no further changes.

(b) Provides that the owner of the surface estate of the tract of land on which a well is located is not liable for any damages that may occur as a result of acts done or omitted to be done in carrying out Chapter 89 (Abandoned Wells) by RRC, an employee or agent of RRC, or any other person authorized under this chapter to enter the land.

SECTION 4. Makes application of Section 89.043(g), Natural Resources Code, as added by this Act, prospective.

SECTION 5. Effective date: September 1, 2025.