

BILL ANALYSIS

H.B. 3619
By: Dean
Energy Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee 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. The bill author has further informed the committee that in some cases contractors hired by the 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 seeks to address this issue by providing certain landowner protections in order to offer landowners greater legal protection with respect to abandoned well plugging operations.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3619 amends the Natural Resources Code to do the following with respect to statutory provisions relating to abandoned wells:

- exempt the owner of the surface estate of the tract of land on which a well is located from liability for any damages that may occur as a result of acts done or omitted to be done in carrying out such provisions by the Railroad Commission of Texas (RRC), an RRC employee or agent, or any other person authorized under those provisions to enter the land;
- prohibit a person authorized to enter land for the purpose of plugging or replugging a well that has not been properly plugged, 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; and
- require the RRC, if it plugs or replugs a well under applicable state law, 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.

This requirement for the RRC applies only to a well that is plugged or replugged on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2025.