

By: Dean

H.B. No. 3619

A BILL TO BE ENTITLED

AN ACT

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.

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

SECTION 1. Section 89.043, Natural Resources Code, is amended by adding Subsection (g) to read as follows:

(g) If the commission plugs or replugs a well under this section, the commission shall 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. Section 89.044, Natural Resources Code, is amended by adding Subsection (c) to read as follows:

(c) Except as necessary to prevent injury to the public health, a person authorized to enter land under this section may not take an action that would prevent the owner of the surface estate of the land from accessing the land.

SECTION 3. Section 89.045, Natural Resources Code, is amended to read as follows:

Sec. 89.045. LIABILITY FOR DAMAGES. (a) The commission and its employees and agents, the operator, and the nonoperator are not liable for any damages that may occur as a result of acts done or omitted to be done by them or each of them in a good-faith effort to carry out this chapter.

1        (b) The owner of the surface estate of the tract of land on  
2 which a well is located is not liable for any damages that may occur  
3 as a result of acts done or omitted to be done in carrying out this  
4 chapter by the commission, an employee or agent of the commission,  
5 or any other person authorized under this chapter to enter the land.

6        SECTION 4. Section 89.043(g), Natural Resources Code, as  
7 added by this Act, applies only to a well that is plugged or  
8 replugged on or after the effective date of this Act.

9        SECTION 5. This Act takes effect September 1, 2025.