

1-1 By: Dean (Senate Sponsor - Zaffirini) H.B. No. 3619  
1-2 (In the Senate - Received from the House May 12, 2025;  
1-3 May 13, 2025, read first time and referred to Committee on Natural  
1-4 Resources; May 22, 2025, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
1-6 May 22, 2025, sent to printer.)

1-7 COMMITTEE VOTE

1-8		Yea	Nay	Absent	PNV
1-9	Birdwell	X			
1-10	Zaffirini	X			
1-11	Alvarado	X			
1-12	Blanco	X			
1-13	Flores	X			
1-14	Hancock	X			
1-15	Hughes	X			
1-16	Parker	X			
1-17	Sparks	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3619 By: Zaffirini

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to the rights and liabilities of the owner of the surface  
1-22 estate of the tract of land on which a well to be plugged or  
1-23 replugged by the Railroad Commission of Texas is located.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 89.043, Natural Resources Code, is  
1-26 amended by adding Subsection (g) to read as follows:

1-27 (g) If the commission plugs or replugs a well under this  
1-28 section, the commission shall, unless the owner of the surface  
1-29 estate of the tract of land declines to have the surface restored,  
1-30 restore the surface of the tract of land on which the well is  
1-31 located by contouring the surface to the topography that existed  
1-32 before the plugging or replugging operations began in a manner  
1-33 intended to promote the natural revegetation of the tract and in  
1-34 accordance with applicable commission rules.

1-35 SECTION 2. Section 89.044, Natural Resources Code, is  
1-36 amended by adding Subsection (c) to read as follows:

1-37 (c) Except as necessary to prevent injury to the public  
1-38 health, a person authorized to enter land under this section may  
1-39 not take an action that would prevent the owner of the surface  
1-40 estate of the land from accessing the land.

1-41 SECTION 3. Section 89.045, Natural Resources Code, is  
1-42 amended to read as follows:

1-43 Sec. 89.045. LIABILITY FOR DAMAGES. (a) The commission and  
1-44 its employees and agents, the operator, and the nonoperator are not  
1-45 liable for any damages that may occur as a result of acts done or  
1-46 omitted to be done by them or each of them in a good-faith effort to  
1-47 carry out this chapter.

1-48 (b) The owner of the surface estate of the tract of land on  
1-49 which a well is located is immune from civil liability for any  
1-50 damages that may occur as a result of acts done or omitted to be done  
1-51 in carrying out this chapter by the commission, an employee or agent  
1-52 of the commission, or any other person authorized under this  
1-53 chapter to enter the land.

1-54 SECTION 4. Section 89.043(g), Natural Resources Code, as  
1-55 added by this Act, applies only to a well that is plugged or  
1-56 replugged on or after the effective date of this Act.

1-57 SECTION 5. This Act takes effect September 1, 2025.

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