

AN ACT

relating to the declaration of an oil or gas emergency by the Railroad Commission of Texas and the liability of a person for assistance, advice, or resources provided in relation to an oil or gas emergency.

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

SECTION 1. Chapter 91, Natural Resources Code, is amended by adding Subchapter U to read as follows:

SUBCHAPTER U. OIL OR GAS EMERGENCIES

Sec. 91.951. DEFINITION. In this subchapter, "oil or gas emergency" means an emergency related to an oil and gas operation, as defined by Section 81.0523, including the uncontrolled release of oil, gas, or produced water from an oil or gas well or other type of well regulated by the commission.

Sec. 91.952. EMERGENCY DECLARATION. (a) The executive director of the commission may declare an oil or gas emergency if the executive director finds that an oil or gas emergency has occurred. A declaration issued under this section must:

(1) be in writing;

(2) be authorized by the executive director; and

(3) include:

(A) a description of the nature of the oil or gas emergency; and

(B) a designation of the area threatened by the

1 oil or gas emergency.

2 (b) An emergency declaration issued under Subsection (a)
3 may not continue for more than 30 days unless renewed as provided by
4 this subsection. If the commission determines that the emergency
5 is likely to continue beyond the 30th day after the date the
6 emergency was declared under Subsection (a), the commission may
7 renew the declaration for additional 30-day periods as necessary
8 for public health and safety until the emergency no longer exists.

9 (c) If the commission determines that an oil or gas
10 emergency no longer exists, the commission may terminate the
11 declaration issued under Subsection (a) or allow the declaration to
12 expire.

13 Sec. 91.953. EMERGENCY ASSISTANCE. (a) Except in the case
14 of gross negligence, recklessness, or intentional misconduct, a
15 person is immune from civil liability for an act or omission that
16 occurs in giving assistance, advice, or resources, including the
17 use of the person's assets, employees, or contractors, with respect
18 to the response to an oil or gas emergency:

19 (1) that is declared under Section 91.952; and
20 (2) in which the assistance, advice, or resources are
21 provided at the request of an authorized representative of a state,
22 local, or federal agency.

23 (b) The immunities provided by this section are in addition
24 to any other immunity or limitations of liability provided by law.

25 SECTION 2. Subchapter U, Chapter 91, Natural Resources
26 Code, as added by this Act, does not apply to a cause of action that
27 accrued before the effective date of this Act.

1 SECTION 3. This Act takes effect September 1, 2025.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1759 passed the Senate on April 16, 2025, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 12, 2025, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1759 passed the House, with amendments, on May 6, 2025, by the following vote: Yeas 147, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor