

House Bill 3619
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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.

(b) 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 this chapter by the commission, an employee or agent of the commission, or any other person authorized under this

SENATE VERSION (CS)

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, unless the owner of the surface estate of the tract of land declines to have the surface restored, restore the surface of the tract of land on which the well is located by contouring the surface to the topography that existed before the plugging or replugging operations began in a manner intended to promote the natural revegetation of the tract and in accordance with applicable commission rules.

SECTION 2. Same as House version.

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.

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

CONFERENCE

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HOUSE VERSION	SENATE VERSION (CS)	CONFERENCE
<u>chapter to enter the land.</u>	<u>authorized under this chapter to enter the land.</u>	
SECTION 4. Section 89.043(g), Natural Resources Code, as added by this Act, applies only to a well that is plugged or replugged on or after the effective date of this Act.	SECTION 4. Same as House version.	
SECTION 5. This Act takes effect September 1, 2025.	SECTION 5. Same as House version.	