

## **BILL ANALYSIS**

C.S.H.B. 2819  
By: Darby  
Energy Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties note the need to codify the TexNet Technical Advisory Committee. C.S.H.B. 2819 seeks to provide for such codification.

### **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**

C.S.H.B. 2819 amends the Education Code to establish the TexNet Technical Advisory Committee as an advisory committee within The University of Texas Bureau of Economic Geology consisting of nine members appointed by the governor with certain member qualifications. The bill provides for appointment of the chair of the advisory committee and the ex officio membership of the director of the bureau. The bill requires the advisory committee to develop, in coordination with the bureau, recommendations for a program of work to assist the TexNet seismic monitoring program and any research efforts affiliated with the program in accomplishing the goals of the program; review and approve or reject expenditures made in connection with the program; prepare and approve an annual budget for the use of any funds appropriated for the program by the legislature; provide oversight and input on the acquisition, deployment, and operation of new and existing program equipment; ensure that there is a monthly transmission of the data collected by seismic equipment operated under the program to the Incorporated Research Institutions for Seismology database; and solicit from the bureau quarterly updates regarding the progress of the program, expenditures made in connection with the program, and any other information related to the program that the advisory committee finds necessary. The bill requires the advisory committee, not later than December 1 of each even-numbered year, to prepare and submit to the governor, the lieutenant governor, and the speaker of the house of representatives a report that includes a review of the use of any funds appropriated for the program by the legislature, a complete listing and accounting of all research funded through the program, and recommendations related to the ongoing operations and requirements of the program. The bill's provisions relating to the advisory committee expire September 1, 2019.

### **EFFECTIVE DATE**

September 1, 2017.

## COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2819 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

### INTRODUCED

SECTION 1. Add new Chapter 157 to the Education Code to read as follows:

#### CHAPTER 157. TexNet Seismic Monitoring Advisory Committee

Sec. 157.001 DEFINITION. In this Chapter, the "TexNet Seismic Monitoring Program" means the program administered by the Texas Bureau of Economic Geology which oversees an array of equipment for a seismic network to study seismic events in Texas.

Sec. 157.002 TexNet Advisory Committee.

(1) For as long as the TexNet Seismic Monitoring Program receives funds from the State of Texas, there shall be a TexNet Advisory Committee composed of ten members, three to be appointed by the Governor, three to be appointed by the Lieutenant Governor, three to be appointed by the Speaker of the House, and one to be an employee of the Texas Railroad Commission who specializes in seismology, geomechanical engineering, reservoir engineering or another related field and is appointed by the Executive Director of the Texas Railroad Commission.

At least one appointment each from the Governor, Lieutenant Governor, and Speaker must be from the oil and gas industry.

No person affiliated with or under contract for services under this program with the Bureau of Economic Geology may serve as a voting member of the Advisory Committee.

### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Chapter 67, Education Code, is amended by adding Subchapter E to read as follows:

#### SUBCHAPTER E. THE UNIVERSITY OF TEXAS BUREAU OF ECONOMIC GEOLOGY

Sec. 67.71. DEFINITION. In this subchapter, "bureau" means The University of Texas Bureau of Economic Geology.

Sec. 67.72. TEXNET TECHNICAL ADVISORY COMMITTEE. (a) In this section, "program" means the TexNet seismic monitoring program administered by the bureau.

(b) The TexNet Technical Advisory Committee is established as an advisory committee within the bureau.

(c) The advisory committee consists of nine members appointed by the governor, including:

(1) one representative of the Railroad Commission of Texas who specializes in seismology, geomechanical engineering, reservoir engineering, or another related field recommended to the governor by the executive director of the Railroad Commission of Texas; and

(2) at least three representatives from the oil and gas industry, not to include the representative appointed under Subdivision (1).

(d) The governor shall designate a member of the advisory committee as the chair of the advisory committee to serve in that capacity at the pleasure of the governor.

(e) A person affiliated with the bureau or under contract for services with the bureau may not serve as a voting member of the advisory committee.

(f) The director of the bureau shall serve, ex officio, as a nonvoting member of the advisory committee.

(2) The TexNet Economic Advisory Committee shall:

(a) Develop in consultation with Bureau of Economic Geology staff a program of work for the TexNet program and any affiliated research efforts to include acquisition and deployment of equipment,

contracting with vendors,  
determine scope of research program and

any other use of funds appropriated by the Legislature for the TexNet Seismic Monitoring Program and any associated research.

(b) Approve an annual budget for the use of funds appropriated by the Legislature to the TexNet Seismic Monitoring Program;

(c) provide oversight and input on the acquisition, deployment and operation of new and existing Program equipment;

(d) Prepare a biennial report to be delivered to the House Energy Committee and the Senate Natural Resources and Economic Development Committees on or before December 1 of even numbered years regarding the use of the funds, a complete listing and accounting of all research funded through the program including a listing of contractors, itemized budget for each program element, complete listing of geographic coverage of the Program, important research undertaken and any findings or progress of the research for the Program, and recommendations related to the ongoing operations and requirements of the Program;

(e) Ensure that there is a monthly transmission of the data collected by the seismic equipment to the Incorporated Research Institutes for Seismology database; and

(f) Receive quarterly updates from the Bureau of Economic Geology regarding the progress of the program, expenditures made in connection with the Program as approved by the TexNet Advisory Committee, and any other information related to the program

(g) The advisory committee shall:

(1) in coordination with the bureau, develop recommendations for a program of work to assist the program and any research efforts affiliated with the program in accomplishing the goals of the program, including recommendations regarding:

(A) the acquisition and deployment of equipment;

(B) contracting with vendors;

(C) determining the scope of research programs associated with the program; and

(D) determining the scope of any use of funds appropriated by the legislature for the program or associated research;

(2) review and approve or reject expenditures made in connection with the program;

(3) prepare and approve an annual budget for the use of any funds appropriated for the program by the legislature;

(4) provide oversight and input on the acquisition, deployment, and operation of new and existing program equipment;

*(See Sec. 67.72(h), below.)*

(5) ensure that there is a monthly transmission of the data collected by seismic equipment operated under the program to the Incorporated Research Institutions for Seismology database; and

(6) solicit from the bureau quarterly updates regarding the progress of the program, expenditures made in connection with the program, and any other information related to the program that the advisory committee finds necessary.

requested of the Bureau of Economic Geology.

*(See Sec. 157.002(2)(d), above.)*

(h) Not later than December 1 of each even-numbered year, the advisory committee shall prepare and submit to the governor, the lieutenant governor, and the speaker of the house of representatives a report that includes:

(1) a review of the use of any funds appropriated for the program by the legislature;

(2) a complete listing and accounting of all research funded through the program, including:

(A) a list of contractors employed under the program;

(B) an itemized budget for each program element; and

(C) a list of the geographic coverage of the program; and

(3) recommendations related to the ongoing operations and requirements of the program.

(i) This section expires September 1, 2019.

SECTION 2. This Act takes effect September 1, 2017.

SECTION 2. Same as introduced version.