

## **BILL ANALYSIS**

C.S.H.B. 143  
By: King  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

In April 2024, the Investigative Committee on the Panhandle Wildfires heard three days of testimony regarding the more than one million acres that burned in the Texas Panhandle. In its report to the legislature, the committee made note of testimony indicating the need for the Railroad Commission of Texas (RRC) and the Public Utility Commission of Texas (PUC) to work cooperatively to ensure that safety concerns at well sites were handled appropriately. Following the hearings, the RRC and the PUC developed a memorandum of understanding (MOU) for the agencies to work together when a safety concern is noticed at a well site or surface facility. The MOU allowed the agencies to work cooperatively to ensure that electrical power lines that did not meet standards were addressed accordingly. C.S.H.B. 143 seeks to place this MOU into statute to ensure that the agencies have the statutory authority to enforce collaborative efforts when addressing safety concerns.

### **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. 143 amends the Natural Resources Code to require an operator that is a utility, as defined by the Public Utility Regulatory Act, and engaged in the maintenance of an electronic transmission and distribution system to comply with Texas Administrative Code rules relating to electric utility infrastructure storm hardening, vegetation management, and annual reports on infrastructure improvement and maintenance, as those rules existed on September 1, 2025, when constructing, operating, and maintaining an electrical power line serving a well site or other surface facility employed in operations incident to oil and gas development and production.

C.S.H.B. 143 sets out procedures that apply if, during an inspection by the Railroad Commission of Texas (RRC) of a well site or surface facility employed in operations incident to oil and gas development and production or on the receipt of a written notice submitted by a landowner or lessee, the RRC discovers a condition involving an electrical power line, pole, or any other related electrical equipment that does not meet the applicable standards for construction, operation, and maintenance of an electrical power line serving such a site or facility and poses a risk of causing a fire or injury to a person. The bill requires the RRC to notify the Public Utility Commission of Texas (PUC) and the applicable operator not later than three days after the discovery of the condition and requires that notification to include a description of the condition and whether the well is abandoned. The bill requires the RRC and the PUC, in collaboration not

later than 10 days after the PUC receives notice from the RRC, to notify the landowner of the condition, inform the landowner of the actions the RRC and the PUC will take to resolve the condition, and do the following:

- request that the state fire marshal or a local government authority inspect the condition at the well site or surface facility and require the operator to mitigate any dangerous conditions identified by the state fire marshal or local government authority;
- request that the electric utility that provides electric service to the well site or surface facility investigate the condition and disconnect electric service to the site or facility, if necessary; or
- take any other action the RRC and the PUC consider necessary and appropriate to resolve the condition.

The bill requires an electric utility that disconnects electric service pursuant to such a request to restore electric service to the well site or surface facility on receipt of notice by the RRC that the condition has been resolved.

C.S.H.B. 143 applies to an inspection that occurs on or after the bill's effective date.

### **EFFECTIVE DATE**

September 1, 2025.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 143 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a requirement absent from the introduced for an operator that is a utility and engaged in the maintenance of an electronic transmission and distribution system to comply with certain Texas Administrative Code rules when constructing, operating, and maintaining an electrical power line serving a well site or other surface facility employed in operations incident to oil and gas development and production.

The substitute makes the following revisions to the introduced version's requirement for the RRC to notify the PUC of a condition involving an electrical power line that does not meet applicable standards that the RRC discovers during an inspection of a well site or surface facility employed in operations incident to oil and gas development and production:

- changes the type of condition for which notification must be provided to a condition involving an electrical power line, pole, or any other related electrical equipment that does not meet the applicable standards and poses a risk causing a fire or injury to a person;
- includes receipt of a written notice submitted by a landowner or lessee as a way in which the RRC may discover a condition for which it must provide notification;
- includes a deadline for providing the notification of not later than three days after the discovery of the condition;
- includes the applicable operator as an additional recipient of the notification; and
- includes a requirement that the notification include a description of the condition and whether the well is abandoned.

Both the introduced and the substitute require the RRC and the PUC to take action to resolve the condition but the substitute revises the list of actions those agencies may take to satisfy that requirement in the following ways:

- for the action that involves requesting an inspection from the state fire marshal or a local government authority, the substitute specifies that it is an inspection of the condition at the site or facility, whereas the introduced specified that it is an inspection of the site or facility itself; and

- with respect to the disconnection of electric service:
  - the substitute does not include the action, which appears in the introduced, of notifying the applicable electric utility providing electric power to the site or facility of the condition and requiring the electric utility to make a determination regarding whether electric power should be disconnected from the site or facility; and
  - the substitute replaces the introduced version's action of issuing notice to the applicable electric utility to investigate the condition and disconnect electric service, if necessary, with the action of requesting that the electric utility do so.

The substitute also includes in the list any other action considered necessary and appropriate to resolve the condition, whereas the introduced did not.

The substitute includes the following provisions not present in the introduced:

- a requirement for the RRC and the PUC to notify the landowner of the condition and inform the landowner of the actions the RRC and the PUC will take to resolve the condition;
- a deadline for the RRC and the PUC to make that notification and take applicable action of not later than 10 days after the PUC receives notice from the RRC; and

a requirement for an electric utility that disconnects electric service to the site or facility pursuant to a request from the RRC and the PUC to restore electric service to the site or facility on receipt of notice by the RRC that the condition has been resolved.