

BILL ANALYSIS

Senate Research Center
76R6336 SMH-F

S.B. 815
By: Brown
Natural Resources
3/7/1999
As Filed

DIGEST

Currently, Texas law provides for criminal penalties for falsification of reports submitted to the Railroad Commission (RRC); however, the RRC is not explicitly empowered to impose administrative penalties for such violations. Failure to file certain information with the RRC is a violation of its rules, yet, filing false forms is not as obvious a violation. While the filing of false reports is a criminal offense, local enforcement officials, already overburdened with large criminal caseloads, do not prosecute these offenses. S.B. 815 gives the RRC the authority to impose administrative penalties of up to \$1,000 per violation for falsification of reports or forms required to be filed.

PURPOSE

As proposed, S.B. 815 authorizes the imposition of an administrative penalty by the Railroad Commission of Texas for taking certain actions regarding false applications, reports, and documents and for tampering with gauges.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 91.143, Natural Resources Code, to prohibit a person from making or subscribing any application, report, or other document required or permitted to be filed with the Railroad Commission (RRC). Provides that a person commits an offense if the person violates this section. Provides that an offense under this section is a felony punishable by imprisonment, fine or both. Authorizes the RRC to impose an administrative penalty in the manner provided by Sections 81.0531-81.0534 on a person who violates this section. Prohibits the amount of the penalty from exceeding \$1,000 for each violation.

SECTION 2. Makes application of this Act prospective.

SECTION: Emergency clause.

Effective date: 90 days after adjournment.