

1-1 By: Birdwell S.B. No. 1759
1-2 (In the Senate - Filed February 28, 2025; March 13, 2025,
1-3 read first time and referred to Committee on Natural Resources;
1-4 April 7, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 7, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Birdwell	X			
1-10	Zaffirini	X			
1-11	Alvarado	X			
1-12	Blanco	X			
1-13	Flores	X			
1-14	Hancock	X			
1-15	Hughes	X			
1-16	Parker	X			
1-17	Sparks	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1759 By: Birdwell

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the declaration of an oil or gas emergency by the
1-22 Railroad Commission of Texas and the liability of a person for
1-23 assistance, advice, or resources provided in relation to an oil or
1-24 gas emergency.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-26 SECTION 1. Chapter 91, Natural Resources Code, is amended
1-27 by adding Subchapter U to read as follows:

1-28 SUBCHAPTER U. OIL OR GAS EMERGENCIES
1-29 Sec. 91.951. DEFINITION. In this subchapter, "oil or gas
1-30 emergency" means an emergency related to an oil and gas operation,
1-31 as defined by Section 81.0523, including the uncontrolled release
1-32 of oil, gas, or produced water from an oil or gas well or other type
1-33 of well regulated by the commission.

1-34 Sec. 91.952. EMERGENCY DECLARATION. (a) The executive
1-35 director of the commission by proclamation may declare an oil or gas
1-36 emergency if the executive director finds that an oil or gas
1-37 emergency has occurred. A proclamation issued under this section
1-38 must:

- 1-39 (1) be in writing;
1-40 (2) be signed by the executive director; and
1-41 (3) include:
1-42 (A) a description of the nature of the oil or gas
1-43 emergency; and
1-44 (B) a designation of the area threatened by the
1-45 oil or gas emergency.

1-46 (b) An emergency proclamation issued under Subsection (a)
1-47 may not continue for more than 30 days unless renewed as provided by
1-48 this subsection. The executive director of the commission may
1-49 renew a proclamation in the same manner as the executive director
1-50 may issue a proclamation under Subsection (a) for an additional 30
1-51 days. If the commission determines that the emergency is likely to
1-52 continue beyond the 60th day after the date the emergency was
1-53 declared under Subsection (a), the commission may renew the
1-54 proclamation for additional 60-day periods as necessary for public
1-55 health and safety until the emergency no longer exists.

1-56 (c) If the commission determines that an oil or gas
1-57 emergency no longer exists, the commission may terminate the
1-58 proclamation issued under Subsection (a) or allow the proclamation
1-59 to expire.

1-60 Sec. 91.953. EMERGENCY ASSISTANCE. (a) Except in the case

of gross negligence, recklessness, or intentional misconduct, a person is immune from civil liability for an act or omission that occurs in giving assistance, advice, or resources, including the use of the person's assets, employees, or contractors, with respect to the response to an oil or gas emergency:

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

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

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

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

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