

By: Reynolds

H.B. No. 5003

A BILL TO BE ENTITLED

AN ACT

relating to notice and hearing requirements for applications for permits for certain commercial oil and gas waste disposal facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 91.116, Natural Resources Code, is amended to read as follows:

Sec. 91.116. NOTICE OF AND HEARING ON COMMERCIAL SURFACE DISPOSAL FACILITY PERMIT APPLICATION.

SECTION 2. Section 91.116, Natural Resources Code, is amended by amending Subsections (b) and (d) and adding Subsections (e), (f), and (g) to read as follows:

(b) A person who files an application for a permit for a commercial surface disposal facility shall provide ~~[publish]~~ notice of the application in accordance with this section.

(d) The notice must be:

(1) published:

(A) ~~[(1)]~~ at least once each week for two consecutive weeks with the first publication occurring not earlier than the date the application is filed and not later than the 30th day after the date on which the application is filed; and

(B) ~~[(2)]~~ in a newspaper of general circulation in the county in which the proposed disposal would occur; and

(2) mailed, at the time of filing of the application

1 and on the commission's determination that the application is
2 administratively complete, to:

3 (A) each person who resides on or owns land
4 located within one kilometer of the proposed facility; and

5 (B) the governing body of each county,
6 municipality, and groundwater conservation district, if
7 applicable, located within five miles of the proposed facility.

8 (e) A person entitled to receive notice under Subsection (d)
9 is entitled to request a contested case hearing regarding an
10 application for a permit for a facility to which this section
11 applies.

12 (f) At a hearing regarding an application for a facility to
13 which this section applies, other than a contested case hearing,
14 the commission shall:

15 (1) allow participation by the public; and

16 (2) ensure that an employee of the commission is
17 present to respond to questions and concerns of the attendees of the
18 hearing.

19 (g) The commission shall provide an e-mail list service
20 through which a person may receive notice about applications for
21 permits for commercial surface disposal facilities. The list
22 service must allow a person to choose to receive notices about
23 facilities located only in certain commission oil and gas division
24 districts.

25 SECTION 3. Section 91.116, Natural Resources Code, as
26 amended by this Act, applies only to an application for a commercial
27 surface disposal facility permit that is filed with the Railroad

1 Commission of Texas on or after the effective date of this Act. An
2 application for a permit filed with the commission before the
3 effective date of this Act is governed by the law in effect on the
4 date of filing, and that law is continued in effect for that
5 purpose.

6 SECTION 4. This Act takes effect September 1, 2025.