

BILL ANALYSIS

Senate Research Center
78R10454 MTB-F

H.B. 2846
By: Farabee (Fraser)
Natural Resources
5/21/2003
Engrossed

DIGEST AND PURPOSE

In 2001, the 77th Texas Legislature, at the suggestion of the Sunset Commission, set statutes that required all gas utility contested cases to be heard by the State Office of Administrative Hearings (SOAH). The legislature appropriated \$494,100 for the Fiscal Year 2002-2003 biennium to the Railroad Commission of Texas (RRC) to pay SOAH for this hearings service. As a cost savings measure for RRC, some believe that the RRC staff needs to resume the hearings function within RRC. H.B. 2846 returns the duty of hearing gas utility cases back to RRC, which eliminates this function for full appropriation. This bill also repeals the law requiring SOAH to hear gas utility contested cases and returns that function to RRC.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Repealer: Section 102.006 (Powers and Duties of State Office of Administrative Hearings), Utilities Code, and Section 2003.0491 (Railroad Commission Hearings), Government Code.

SECTION 2. (a) Effective date: upon passage or September 1, 2003.

(b) Provides that this Act applies to a hearing pending before the State Office of Administrative Hearings (SOAH) on the effective date of this Act under Section 102.006, Utilities Code, as that section existed immediately before the effective date of this Act. Provides that a hearing pending before SOAH on the effective date of this Act under Section 102.006, Utilities Code, is transferred to the Railroad Commission of Texas on that date.