

**FORTY-SEVENTH LEGISLATURE
FIRST SESSION, 2005**

March 14, 2005

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred
HOUSE BILL 1015

has had it under consideration and reports same with
recommendation that it **DO PASS**, amended as follows:

1. On page 2, line 11, after "holds" insert "legal or".
2. On page 2, line 12, after "title" insert ", as shown in the records of the county clerk,".
3. On page 3, line 10, after "record" strike the remainder of the line, strike line 11 up to "shown" and insert in lieu thereof "at the address".
4. On page 3, line 12, after the period insert:

"If legal title and equitable title are not held by the same person, notice shall be given to the person that currently occupies the surface of the land. If neither currently occupies the surface of the land, notice shall be give to the holder of legal title and to the holder of equitable title.".
5. On page 6, line 22, strike "treble".
6. On page 7, line 8, after "owner" strike the remainder of the line, strike line 9 in its entirety and strike line 10 up to the comma.
7. On page 7, between lines 21 and 22, insert the following new section to read:

"Section 8. TEMPORARY PROVISIONS--APPLICABILITY.--The provisions of the Surface Owners' Protection Act apply to all oil and gas operations commenced on or after July 1, 2005 except:

A. maintenance and ongoing production activities related to an oil or gas well producing or capable of producing oil or gas on June 30, 2005; and

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B. oil and gas operations conducted within the scope of an agreement, entered into prior to July 1, 2005, between a surface owner and a producer that sets forth the rights and obligations of the parties in respect to surface activities conducted by the producer.".

Respectfully submitted,

Joseph Cervantes, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 10 For 0 Against
Yes: 10
No: 0
Excused: Youngberg
Absent: None

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