

By: Davis

S.B. No. 772

A BILL TO BE ENTITLED

AN ACT

relating to the use of a tracer substance in performing a hydraulic fracturing treatment operation.

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

SECTION 1. Subchapter B, Chapter 91, Natural Resources Code, is amended by adding Section 91.021 to read as follows:

Sec. 91.021. HYDRAULIC FRACTURING FLUID TRACER. (a) In this section, "hydraulic fracturing treatment" means the stimulation of a well by the application of a base stimulation fluid containing a proppant with force in order to create artificial fractures in a formation for the purpose of improving the well's capacity to produce hydrocarbons.

(b) The commission shall adopt rules requiring a person who performs a hydraulic fracturing treatment operation on a well to include a tracer substance in the base stimulation fluid used to perform the operation.

(c) Rules adopted under this section may specify the type of tracer substance a person is required to use in performing a hydraulic fracturing treatment operation, such as an isotope tracer or a color tracer, provided that:

(1) the tracer substance is traceable to a specific person after the tracer substance is used in a hydraulic fracturing treatment operation; and

(2) the commission has determined that the use of the

1 tracer substance in a hydraulic fracturing treatment operation will
2 not endanger the public health.

3 SECTION 2. The Railroad Commission of Texas shall adopt
4 rules under Section 91.021, Natural Resources Code, as added by
5 this Act, not later than February 1, 2012.

6 SECTION 3. This Act takes effect September 1, 2011.