

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **Senate Bill 680**

BY SENATORS SYPOLT AND BOSO

[Introduced March 20, 2017; Referred  
to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto two new  
 2 sections, designated §22C-9-6a and §22C-9-7a, all relating to permitting surface owners  
 3 to seek damages resulting from oil and gas operations through the Oil and Gas  
 4 Conservation Commission; permitting leaseholders to unitize drilling interests regardless  
 5 of the type of well to be drilled; and requiring rulemaking.

*Be it enacted by the Legislature of West Virginia:*

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto two  
 2 new sections, designated §22C-9-6a and §22C-9-7a, all to read as follows:

**ARTICLE 9. OIL AND GAS CONSERVATION.**

**§22C-9-6a. Relief sought by surface owners; rule-making.**

1 Surface owners of property, regardless of the amount of interest he or she holds, where  
 2 oil and gas wells are drilled may, in addition to other remedies available to them, seek damages  
 3 through a negotiation and mediation process developed by the commission. The director shall  
 4 propose rules for legislative approval in accordance with article three, chapter twenty-nine-a of  
 5 the code to implement this section.

**§22C-9-7a. Unitization same for all wells.**

1 Notwithstanding any provision of this code to the contrary, there is no difference between  
 2 or among wells drilled to different depths or formations, whether they be shallow wells or deep  
 3 wells insofar as the unitization of leasehold or ownership interests are concerned.

NOTE: The purpose of this bill is to permit surface owners to seek damages resulting from oil and gas operations through the Oil and Gas Conservation Commission. The bill permits leaseholders to unitize drilling interests regardless of the type of well to be drilled. The bill requires rule-making.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.