

By: Toth

H.B. No. 3955

A BILL TO BE ENTITLED

AN ACT

relating to the identification of and prohibited cooperation by state and local entities with certain federal acts that violate the United States Constitution.

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

SECTION 1. Title 7, Government Code, is amended by adding Chapter 793 to read as follows:

CHAPTER 793. IDENTIFICATION OF AND PROHIBITED COOPERATION WITH CERTAIN UNCONSTITUTIONAL ACTS OF FEDERAL GOVERNMENT

Sec. 793.001. DEFINITIONS. In this chapter:

(1) "Political subdivision" has the meaning assigned by Section 791.003.

(2) "State agency" has the meaning assigned by Section 751.001.

Sec. 793.002. REVIEW OF EXECUTIVE ORDERS. (a) On the last day of each month, the attorney general shall provide a written report to the governor, lieutenant governor, speaker of the house of representatives, and each member of the legislature that:

(1) identifies each rule adopted by a federal government agency during the previous month that:

(A) relates to:

(i) pandemics or other health emergencies;

(ii) the regulation of natural resources, including coal and oil;

1 (iii) the regulation of the agriculture
2 industry;

3 (iv) the use of land;

4 (v) the regulation of the financial sector
5 as it relates to environmental, social, or governance standards; or

6 (vi) the regulation of the constitutional
7 right to keep and bear arms;

8 (B) was adopted in response to an executive order
9 by the president of the United States; and

10 (C) violates the rights guaranteed to the
11 citizens of the United States by the United States Constitution;
12 and

13 (2) provides the status of any lawsuit filed against
14 the federal government relating to a rule identified by any report
15 prepared under this section.

16 (b) The attorney general shall publish any report prepared
17 under this section on the attorney general's website and in the
18 Texas Register.

19 Sec. 793.003. COOPERATION WITH UNCONSTITUTIONAL ACTS.
20 Notwithstanding any other provision of law, a state agency or
21 political subdivision may not cooperate with a federal government
22 agency in implementing an agency rule that a report published under
23 Section 793.002 indicates is a violation the rights guaranteed to
24 the citizens of the United States by the United States
25 Constitution.

26 SECTION 2. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2021.