

By: Birdwell

S.B. No. 1261

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the exclusive jurisdiction of the state to regulate
3 greenhouse gas emissions in this state and the express preemption
4 of local regulation of those emissions.

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

6 SECTION 1. Subchapter A, Chapter 382, Health and Safety
7 Code, is amended by adding Section 382.005 to read as follows:

8 Sec. 382.005. EXCLUSIVE JURISDICTION TO REGULATE
9 GREENHOUSE GAS EMISSIONS AND EXPRESS PREEMPTION OF LOCAL
10 REGULATIONS. (a) In this section, "greenhouse gas emissions" has
11 the meaning assigned by Section 382.05102.

12 (b) To the extent not preempted by federal law, the state
13 has exclusive jurisdiction over the regulation of greenhouse gas
14 emissions in this state.

15 (c) A municipality or other political subdivision may not
16 enact or enforce an ordinance or other measure that directly or
17 indirectly regulates greenhouse gas emissions.

18 SECTION 2. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2021.