

By: Landgraf

H.B. No. 2211

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  
17 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, 2023.