

By: Goldman

H.B. No. 3856

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a political subdivision to regulate the use or sale of a product for the purpose of reducing greenhouse gas emissions or conserving natural resources.

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

SECTION 1. Chapter 250, Local Government Code, is amended by adding Section 250.014 to read as follows:

Sec. 250.014. REGULATION OF PRODUCTS FOR EMISSIONS REDUCTION PROHIBITED. (a) In this section, "greenhouse gas emissions" has the meaning assigned by Section 382.05102, Health and Safety Code.

(b) Notwithstanding any other law, a political subdivision, for the purpose of reducing greenhouse gas emissions or conserving natural resources, may not:

(1) adopt or enforce an ordinance, order, regulation, or other measure that prohibits or restricts the use or sale of a product that is otherwise permitted by state and federal law; or

(2) enter into a contract that directly or indirectly prohibits the use or sale of any product that is otherwise permitted by state and federal law.

SECTION 2. Section 250.014(b)(2), Local Government Code, as added by this Act, applies only to a contract entered into on or after the effective date of this Act. A contract entered into before the effective date of this Act is governed by the law in

1 effect on the date the contract was entered into, and the former law  
2 is continued in effect for that purpose.

3 SECTION 3. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2023.