By: Birdwell S.B. No. 784

## A BILL TO BE ENTITLED

AN ACT

greenhouse gas emissions in this state and the express preemption

- 2 relating to the exclusive jurisdiction of the state to regulate
- 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 <u>emissions in this state.</u>

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- 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.
- 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.