

By: Chisum

H.B. No. 2663

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the effect of rules and standards adopted by the
3 Railroad Commission of Texas relating to the liquefied petroleum
4 gas industry on ordinances, orders, or rules adopted by political
5 subdivisions relating to that industry.

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

7 SECTION 1. Subchapter C, Chapter 113, Natural Resources
8 Code, is amended by adding Section 113.054 to read as follows:

9 Sec. 113.054. EFFECT ON OTHER LAW. (a) The rules and
10 standards promulgated and adopted by the commission under Section
11 113.051 preempt and supersede any ordinance, order, or rule adopted
12 by a political subdivision of this state relating to any aspect or
13 phase of the LPG industry, to the extent that the rules and
14 standards are more protective of the health, welfare, and safety of
15 the general public than the ordinance, order, or rule.

16 (b) Notwithstanding Subsection (a), on approval of the
17 commission, a political subdivision may adopt or enforce an
18 ordinance, order, or rule relating to any aspect or phase of the LPG
19 industry that would otherwise be preempted and superseded by a rule
20 or standard promulgated and adopted by the commission.

21 SECTION 2. This Act takes effect September 1, 2011.