

BILL ANALYSIS

C.S.H.B. 1501
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State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that natural gas is a vital part of the Texas economy and that nearly half of Texas homes use natural gas or propane for heating, cooking, and powering other home appliances and achieve annual savings in doing so. However, a growing number of cities across the country have begun restricting or outright banning natural gas or propane hookups for appliances in new buildings and construction. This trend has reached Texas, where the City of Austin, among others, has considered proposals to phase out the use of hookups fueled by certain fossil fuels as part of a revision of the city's climate plan. There have been calls for the state to pass legislation preempting local measures restricting or banning the use of an appliance or other system or component that is fueled by natural gas or propane in order to preserve customer choice and allow all Texas homeowners, builders, and businesses to decide how to meet their own energy needs. C.S.H.B. 1501 seeks to provide for such preemption.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1501 amends the Government Code to prohibit an applicable governmental entity from adopting or enforcing a rule, charter provision, ordinance, order, or other regulation that prohibits or restricts, directly or indirectly, the use of an appliance or other system or component that is fueled by natural gas or propane in the construction, renovation, maintenance, or alteration of a residential or commercial building. The bill voids a rule, charter provision, ordinance, order, or other regulation adopted by such an entity that conflicts with that prohibition.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1501 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute narrows the scope of the prohibition set out in the original so that it applies with respect to prohibiting or restricting the use of an appliance or other system or component that is fueled by natural gas or propane, whereas the original's prohibition applied with respect to the use of natural gas or propane generally or the connection to any utility provider lawfully operating in Texas. The substitute provides that the prohibition applies with respect to residential and commercial buildings, rather than residential and commercial structures as in the original.