

BILL ANALYSIS

C.S.H.B. 1683
By: Landgraf
Energy Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The energy industry plays a vital role in the Texas economy. There are concerns that the federal government may enact regulations on oil and natural gas production that could threaten jobs and the livelihoods of thousands of Texans. C.S.H.B. 1683 seeks to protect the energy industry in Texas by prohibiting enforcement at the state level of a federal statute, order, rule, or regulation regulating oil and gas operations that is not already in state law.

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. 1683 amends the Natural Resources Code to prohibit a state agency or a person employed by a state agency from contracting with or in any other manner providing assistance to a federal agency or official with respect to the enforcement of a federal statute, order, rule, or regulation purporting to regulate oil and gas operations that imposes a prohibition, restriction, or other regulation that does not exist under state law. The bill requires the attorney general to defend any state agency that the federal government attempts to sue for an action or omission consistent with the bill's requirements.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1683 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.

Whereas the original applied the prohibition on enforcing certain federal laws regulating oil and gas operations both to state agencies and political subdivisions of the state, as well as to any law enforcement officer or other employee of an agency or political subdivision, the substitute narrows the scope of the original's provisions to apply the original's prohibition only to state agencies and their employees. The substitute does not apply, as the original does, to a law enforcement officer employed by a state agency