

By: Birdwell, et al.
(Landgraf)

S.B. No. 1261

A BILL TO BE ENTITLED

AN ACT

relating to the exclusive jurisdiction of the state to regulate greenhouse gas emissions in this state and the express preemption of local regulation of those emissions.

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

SECTION 1. Subchapter A, Chapter 382, Health and Safety Code, is amended by adding Section 382.005 to read as follows:

Sec. 382.005. EXCLUSIVE JURISDICTION TO REGULATE GREENHOUSE GAS EMISSIONS AND EXPRESS PREEMPTION OF LOCAL REGULATIONS. (a) In this section, "greenhouse gas emissions" has the meaning assigned by Section 382.05102.

(b) To the extent not preempted by federal law, the state has exclusive jurisdiction over the regulation of greenhouse gas emissions in this state.

(c) A municipality or other political subdivision may not enact or enforce an ordinance or other measure that directly regulates greenhouse gas emissions.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.