

## **BILL ANALYSIS**

Senate Research Center  
88R1231 JXC-D

H.B. 33  
By: Landgraf et al. (Springer)  
Natural Resources & Economic Development  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 33 would protect the state's energy fields and jobs by preventing the implementation of any new overreaching federal regulations on oil and gas production in Texas. Texas's oil and gas industry provides billions of dollars in state revenue, representing a large percentage of the nation's total oil production. Texas regulators, notably the Railroad Commission and the Texas Commission on Environmental Quality, hold the industry accountable for preventing the waste of natural resources and protecting the environment. H.B. 33 would defend that responsibility and delegation of authority.

Specifically, H.B. 33 prohibits a state agency or person employed by a state agency from contracting with or in any other manner assisting a federal agency or official regarding the enforcement of a federal statute, order, rule, or regulation purporting to regulate oil and gas operations if the decree, order, rule, or regulation imposed a prohibition, restriction, or other regulation that did not exist under state law.

H.B. 33 amends current law relating to the enforcement of certain federal laws regulating oil and gas operations within the State of Texas.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subtitle A, Title 3, Natural Resources Code, by adding Chapter 82, as follows:

#### **CHAPTER 82. ENFORCEMENT OF FEDERAL LAWS**

Sec. 82.0101. DEFINITION. Defines "oil and gas operation."

Sec. 82.0102. ENFORCEMENT OF CERTAIN FEDERAL LAWS REGULATING OIL AND GAS OPERATIONS. (a) Prohibits an agency of this state or a person employed by an agency of this state 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 if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation that does not exist under the laws of this state.

(b) Requires the attorney general to defend any agency of this state that the federal government attempts to sue for an action or omission consistent with the requirements of this section.

(c) Provides that this section does not prohibit a state agency from entering into a memorandum of agreement with a federal agency to implement a federal law if otherwise authorized by state law, including a memorandum of agreement that

authorizes the state agency to execute authority delegated to that state agency by the federal agency.

SECTION 2. Effective date: upon passage or September 1, 2023.