

BILL ANALYSIS

H.B. 33
By: Landgraf
Energy Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to the comptroller of public accounts, in state fiscal year 2022 oil and natural gas production taxes generated more than \$10.8 billion in revenue for the state. Revenue from these taxes is used to construct highways and bridges all over Texas, put into the Rainy Day Fund, and used to help support public education, while also paying for many other state services. As such, protecting Texas' oil and gas industry is important in safeguarding the livelihoods of Texas families and businesses and in ensuring the state can properly fund the services it provides. H.B. 33 seeks to prohibit Texas state agencies and officials from assisting any federal agency or official with the enforcement of any federal act that purports to regulate oil and gas operations and imposes a regulation that does not exist under 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

H.B. 33 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. The bill expressly 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.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.