

## **BILL ANALYSIS**

S.B. 784  
By: Birdwell  
Environmental Regulation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Multiple cities in Texas have enacted their own climate action plans, resulting in a patchwork system of differing greenhouse gas regulations across the state. This situation can lead to confusion, inefficiencies, and potential conflicts among various stakeholders. S.B. 784 seeks to address this issue and to simplify and streamline the regulatory framework by establishing that the state has exclusive jurisdiction over the regulation of greenhouse gas emissions, to the extent not preempted by federal law, and expressly prohibiting local regulations. This approach is intended to provide a unified and coherent system for addressing climate change and regulating greenhouse gas emissions in Texas, facilitating better coordination, oversight, and effectiveness in managing environmental concerns.

### **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**

S.B. 784 amends the Health and Safety Code to clarify that the state has exclusive jurisdiction over the regulation of greenhouse gas emissions in Texas, to the extent not preempted by federal law. The bill prohibits a municipality or other political subdivision from enacting or enforcing an ordinance or other measure that directly regulates greenhouse gas emissions. For purposes of these provisions, "greenhouse gas emissions" means emissions of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

### **EFFECTIVE DATE**

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