

## **BILL ANALYSIS**

Senate Research Center  
88R7274 JRR-D

S.B. 784  
By: Birdwell  
Natural Resources & Economic Development  
3/17/2023  
As Filed

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

S.B. 784 simply provides that, to the extent not preempted by federal law, the state has exclusive jurisdiction over the regulation of greenhouse gas emissions in the State of Texas. The bill further clarifies that a municipality or other political subdivision may not enact or enforce an ordinance or other measure that directly regulates greenhouse gas emissions.

As proposed, S.B. 784 amends current law 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.

### **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 Subchapter A, Chapter 382, Health and Safety Code, by adding Section 382.005, as follows:

Sec. 382.005. EXCLUSIVE JURISDICTION TO REGULATE GREENHOUSE GAS EMISSIONS AND EXPRESS PREEMPTION OF LOCAL REGULATIONS. (a) Defines "greenhouse gas emissions."

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

(c) Prohibits a municipality or other political subdivision from enacting or enforcing an ordinance or other measure that directly regulates greenhouse gas emissions.

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