

BILL ANALYSIS

Senate Research Center

S.B. 1860
By: Hughes
Natural Resources & Economic Development
6/14/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Since 2023, activist groups outside of Texas have been successful in proposing local referendum campaigns to the detriment of Texas and our local communities.

These outside activist groups are proposing local referendums for climate charters. The most current example is being proposed in El Paso, Texas. The proposed local referendum will have catastrophic economic consequences in El Paso, mandating the adoption of 100 percent green energy and policies within the city by 2045.

Purpose:

C.S.S.B. 1860 strives to protect Texas and our communities from interests contrary to Texas by enabling the Texas Legislature to review and approve a proposed climate charter or amendment to a climate charter.

S.B. 1860 amends current law relating to the adoption of a climate policy in a municipal charter.

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 Chapter 9, Local Government Code, by adding Section 9.0015, as follows:

Sec. 9.0015. DEFINITION. Defines "climate charter."

SECTION 2. Amends Section 9.003(a), Local Government Code, to create an exception under Section 9.0045.

SECTION 3. Amends Section 9.004(a), Local Government Code, to create an exception under Section 9.0045.

SECTION 4. Amends Chapter 9, Local Government Code, by adding Section 9.0045, as follows:

Sec. 9.0045. APPROVAL OF CLIMATE CHARTER OR AMENDMENT TO CHARTER BY LEGISLATURE REQUIRED. Prohibits a municipality from holding an election for voter approval of a proposed climate charter unless the legislature adopts a resolution approving the proposed climate charter.

SECTION 5. Provides that a climate charter adopted by a municipality before the effective date of this Act remains valid and enforceable until January 1, 2026. Requires a municipality that adopted a climate charter before the effective date of this Act to comply with the approval requirement under Section 9.0045, Local Government Code, as added by this Act, not later than September 1, 2025.

SECTION 6. Effective date: September 1, 2023.