

**BILL ANALYSIS**

S.B. 1860  
By: Hughes  
State Affairs  
Committee Report (Unamended)

**BACKGROUND AND PURPOSE**

The City of El Paso recently held a referendum election on a climate charter that, if passed, would have required the city to take action to achieve the goal of using 100 percent clean renewable energy within the city by 2045. Local business leaders have raised concerns that this type of municipal charter has the potential for negative economic consequences for the state and local communities, such as increased electric bills or job losses. S.B. 1860 seeks to address this issue by requiring legislative approval of a proposed municipal climate charter before the municipality may hold an election on the charter.

**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. 1860 amends the Local Government Code to prohibit a home-rule municipality from holding an election for voter approval of a proposed climate charter unless the legislature adopts a resolution approving the proposed charter. The bill defines "climate charter" as a charter provision or charter amendment establishing a comprehensive rule or policy statement that purports to address climate change or the municipality's environmental impact, including water and energy use and air pollution.

S.B. 1860 establishes that a climate charter adopted by a municipality before the bill's effective date remains valid and enforceable until January 1, 2026. The bill requires a municipality that adopted a climate charter before the bill's effective date to comply with the legislative approval requirement not later than January 1, 2025.

**EFFECTIVE DATE**

September 1, 2023.