

SENATE AMENDMENTS

2nd Printing

By: Landgraf, Morales of Maverick, Metcalf,
Manuel

H.B. No. 33

A BILL TO BE ENTITLED

AN ACT

relating to the enforcement of certain federal laws regulating oil
and gas operations within the State of Texas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 3, Natural Resources Code, is
amended by adding Chapter 82 to read as follows:

CHAPTER 82. ENFORCEMENT OF FEDERAL LAWS

Sec. 82.0101. DEFINITION. In this chapter, "oil and gas
operation" has the meaning assigned by Section 81.0523.

Sec. 82.0102. ENFORCEMENT OF CERTAIN FEDERAL LAWS
REGULATING OIL AND GAS OPERATIONS. (a) An agency of this state or a
person employed by an agency of this state may not contract with or
in any other manner provide 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 if the statute, order, rule, or regulation imposes a
prohibition, restriction, or other regulation that does not exist
under the laws of this state.

(b) The attorney general shall defend any agency of this
state that the federal government attempts to sue for an action or
omission consistent with the requirements of this section.

(c) This section 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,

1 including a memorandum of agreement that authorizes the state
2 agency to execute authority delegated to that state agency by the
3 federal agency.

4 SECTION 2. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2023.

ADOPTED

MAY 21 2023

By:

Substitute the following for H.B. No.

H.B. No. 33

By:

C.S.H.B. No. 33

A BILL TO BE ENTITLED

AN ACT

relating to the enforcement of certain federal laws regulating oil and gas operations within the State of Texas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 3, Natural Resources Code, is amended by adding Chapter 82 to read as follows:

CHAPTER 82. ENFORCEMENT OF FEDERAL LAWS

Sec. 82.0101. DEFINITION. In this chapter, "oil and gas operation" has the meaning assigned by Section 81.0523.

Sec. 82.0102. ENFORCEMENT OF CERTAIN FEDERAL LAWS REGULATING OIL AND GAS OPERATIONS. (a) An agency of this state or a person employed by an agency of this state may not contract with or in any other manner provide 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 if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation that does not exist under the laws of this state.

(b) The attorney general shall defend any agency of this state that the federal government attempts to sue for an action or omission consistent with the requirements of this section.

(c) This section does not prohibit a state agency from:

(1) implementing a federal law by executing authority delegated to the state agency by a federal agency; or

1 (2) entering into a memorandum of understanding with a
2 federal agency to implement a federal law, if otherwise authorized
3 by state law.

4 SECTION 2. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2023.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 22, 2023

TO: Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB33 by Landgraf (Relating to the enforcement of certain federal laws regulating oil and gas operations within the State of Texas.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

Based on information provided by Railroad Commission, the Commission on Environmental Quality, and the Office of Attorney General, is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 455 Railroad Commission, 582 Commission on Environmental Quality

LBB Staff: JMc, SD, MOc, EJ, AF, MW, JPa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 19, 2023

TO: Honorable Brian Birdwell, Chair, Senate Committee on Natural Resources & Economic Development

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB33 by Landgraf (relating to the enforcement of certain federal laws regulating oil and gas operations within the State of Texas.), **Committee Report 2nd House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
--

Based on information provided by Railroad Commission, the Commission on Environmental Quality, and the Office of Attorney General, is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 455 Railroad Commission, 582 Commission on Environmental Quality

LBB Staff: JMc, MOc, EJ, AF, MW, JPa

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 15, 2023

TO: Honorable Brian Birdwell, Chair, Senate Committee on Natural Resources & Economic Development

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB33 by Landgraf (Relating to the enforcement of certain federal laws regulating oil and gas operations within the State of Texas.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

Based on information provided by Railroad Commission, the Commission on Environmental Quality, and the Office of Attorney General, is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 455 Railroad Commission, 582 Commission on Environmental Quality

LBB Staff: JMc, MOc, AF, MW, EJ, JPa

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

March 26, 2023

TO: Honorable Craig Goldman, Chair, House Committee on Energy Resources

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB33 by Landgraf (Relating to the enforcement of certain federal laws regulating oil and gas operations within the State of Texas.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
--

Based on information provided by Railroad Commission, the Commission on Environmental Quality, and the Office of Attorney General, is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 455 Railroad Commission, 582 Commission on Environmental Quality

LBB Staff: JMc, AF, MW, EJ, JPa