

RESOLUTION ANALYSIS

H.J.R. 138
By: Alders
Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to the U.S. Energy Information Administration, Texas is the national leader in the oil and gas industry, having produced more than two-fifths of the crude oil produced in the United States in 2023, as an example. Amid the continued oil and gas production in Texas over the past decades, a number of European countries have implemented carbon taxes or emissions trading systems, as reported by Tax Foundation Europe. Although Texas does not currently impose a carbon tax, such a tax in the future could deter the oil and gas industry from producing as much as it has in Texas. H.J.R. 138 seeks to prevent the imposition of such a tax by proposing a constitutional amendment prohibiting the legislature from imposing a tax on the carbon content of a fuel or on the emission of carbon dioxide or other greenhouse gas that results from the use, production, or consumption of any good or service.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this resolution 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 resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.J.R. 138 proposes an amendment to the Texas Constitution to prohibit the legislature from imposing a tax on the carbon content of a fuel or on the emission of carbon dioxide or other greenhouse gas that results from the use, production, or consumption of any good or service.

ELECTION DATE

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 4, 2025.