

- SUBJECT:** Establishing exclusive state jurisdiction on greenhouse gas emissions
- COMMITTEE:** Environmental Regulation — favorable, without amendment
- VOTE:** 5 ayes — Landgraf, Dean, Kacal, Kuempel, Morrison
4 nays — Dominguez, Goodwin, Morales Shaw, Reynolds
- SENATE VOTE:** On final passage, April 21 — 20-11 (Alvarado, Blanco, Eckhardt, Gutierrez, Johnson, Menéndez, Miles, Powell, West, Whitmire, Zaffirini)
- WITNESSES:** For — Brent Bennett, Texas Public Policy Foundation; (*Registered, but did not testify*: June Deadrick, CenterPoint Energy; William Stevens, Panhandle Producers and Royalty Owners Association; J.D. Hale, Texas Association of Builders; Scott Norman, Texas Association of Builders; Ryan Paylor, Texas Independent Producers and Royalty Owners Association; Jennifer Coffee, Texas Pipeline Association; Jay Brown, Valero Energy Corporation)

Against — Chad West, City of Dallas; Cyrus Reed, Lone Star Chapter, Sierra Club; Adrian Shelley, Public Citizen; Rita Beving; (*Registered, but did not testify*: Brie Franco, City of Austin; Jamaal Smith, City of Houston, Office of the Mayor Sylvester Turner; Christine Wright, City of San Antonio; Ender Reed, Harris County Commissioners Court; Bill Kelly, Mayor's Office, City of Houston; Joshua Houston, Texas Impact; and 12 individuals)

On — (*Registered, but did not testify*: Sam Short, Texas Commission on Environmental Quality)
- BACKGROUND:** Health and Safety Code sec. 382.05102 defines "greenhouse gas emissions" to mean emissions of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

Some suggest that granting the state exclusive jurisdiction over the regulation of greenhouse gases to the extent not preempted by federal law

would help provide regulatory certainty to businesses operating in Texas.

DIGEST: SB 1261 would establish that, to the extent not preempted by federal law, the state would have exclusive jurisdiction over the regulation of greenhouse gas emissions in Texas. The bill would prohibit a municipality or other political subdivision from enacting or enforcing an ordinance or other measure that directly regulated greenhouse gas emissions.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.