

## **BILL ANALYSIS**

Senate Research Center  
87R6092 JRR-D

S.B. 1261  
By: Birdwell  
Natural Resources & Economic Development  
3/22/2021  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 1261 simply provides that, to the extent not preempted by federal law, the state has exclusive jurisdiction over the regulation of greenhouse gas emissions in the state of Texas. The bill further clarifies that a municipality or other political subdivision may not enact or enforce an ordinance or other measure that directly or indirectly regulates greenhouse gas emissions.

As proposed, S.B. 1261 amends current law relating to the exclusive jurisdiction of the state to regulate greenhouse gas emissions in this state and the express preemption of local regulation of those emissions.

### **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 Subchapter A, Chapter 382, Health and Safety Code, by adding Section 382.005, as follows:

Sec. 382.005. EXCLUSIVE JURISDICTION TO REGULATE GREENHOUSE GAS EMISSIONS AND EXPRESS PREEMPTION OF LOCAL REGULATIONS. (a) Defines "greenhouse gas emissions."

(b) Provides that, to the extent not preempted by federal law, the state has exclusive jurisdiction over the regulation of greenhouse gas emissions in Texas.

(c) Prohibits a municipality or other political subdivision from enacting or enforcing an ordinance or other measure that directly or indirectly regulates greenhouse gas emissions.

SECTION 2. Effective date: upon passage or September 1, 2021.