

BILL ANALYSIS

S.B. 1261
By: Birdwell
Environmental Regulation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been argued that regulation of greenhouse gas emissions should not be piecemeal or political in Texas as businesses need regulatory certainty to optimally function. S.B. 1261 seeks to address this issue by granting the state exclusive jurisdiction over the regulation of greenhouse gas emissions in Texas, to the extent not preempted by federal law.

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. 1261 amends the Health and Safety Code to clarify that the state has exclusive jurisdiction over the regulation of greenhouse gas emissions in Texas, to the extent not preempted by federal law. The bill prohibits a municipality or other political subdivision from enacting or enforcing an ordinance or other measure that directly regulates greenhouse gas emissions. For purposes of these provisions, "greenhouse gas emissions" means emissions of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.