School
Cotulla High School

Senate Committee
Agriculture & Natural Resources

Senate Author
Arelie Ramirez

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Texas Oil & Gas Freedom Act

HB 12 – SB 19

Bill Analysis

BACKGROUND & PURPOSE

Texas' oil and gas industry provides billions of dollars in state revenue, representing a large percentage of the nation's total oil production. The bill protects the State's energy fields and jobs by preventing the implementation of any new overreaching federal regulations on oil and gas production in Texas. The bill would defend the responsibility and delegation of authority of Texas regulators, notably the Railroad Commission and Texas Commission on Environmental Quality, to hold the industry accountable for preventing the waste of natural resources and protecting the environment.

Specifically, the bill prohibits a state agency or person employed by a state agency from contracting with or in any other manner assisting a federal agency or official regarding the enforcement of a federal statute, order, rule, or regulation purporting to regulate oil and gas operations if the decree, order, rule, or regulation imposed a prohibition, restriction, or other regulation that did not exist under state law.

This bill amends current law relating to the enforcement of certain federal laws regulating oil and gas operations within the State of Texas.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Subtitle A, Title 3, Natural Resources Code, by adding Chapter 82, as follows:

CHAPTER 82. ENFORCEMENT OF FEDERAL LAWS

Sec. 82.0101. DEFINITION. Defines "oil and gas operation."

Sec. 82.0102. ENFORCEMENT OF CERTAIN FEDERAL LAWS REGULATING OIL AND GAS OPERATIONS. (a) Prohibits an agency of this state or a person employed by an agency of this state from contracting with or in any other manner providing 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

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the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation that does not exist under the laws of this state.

(b) Requires the attorney general to 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) Provides that 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 SRC-AJM C.S.H.B. 4 88(R) Page 2 of 2

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

EFFECTIVE DATE
Upon passage or January 1, 2027.