

## **BILL ANALYSIS**

Senate Research Center

H.B. 2663  
By: Chisum (Seliger)  
Natural Resources  
5/13/2011  
Engrossed

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

Currently, the Railroad Commission of Texas (railroad commission) regulates liquefied petroleum gas (LPG). To that end, the railroad commission adopts nationally recognized standards for the LPG industry in Texas and, if necessary, adjusts those standards to protect the health, welfare, and safety of the general public. Local political subdivisions also regulate the LPG industry within their respective jurisdictions. Interested parties contend that these local regulations are often inconsistent or conflict with the rules adopted by the railroad commission and nationally recognized LPG standards. H.B. 2663 seeks to ensure consistent statewide regulation of the LPG industry.

H.B. 2663 amends current law relating to the effect of rules and standards adopted by the Railroad Commission of Texas relating to the liquefied petroleum gas industry on ordinances, orders, or rules adopted by political subdivisions relating to that industry.

### **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 C, Chapter 113, Natural Resources Code, by adding Section 113.054, as follows:

Sec. 113.054. EFFECT ON OTHER LAW. (a) Provides that the rules and standards promulgated and adopted by the Railroad Commission of Texas (railroad commission) under Section 113.051 (Adoption of Rules and Standards) preempt and supersede any ordinance, order, or rule adopted by a political subdivision of this state relating to any aspect or phase of the liquefied petroleum gas (LPG) industry, to the extent that the rules and standards are more protective of the health, welfare, and safety of the general public than the ordinance, order, or rule.

(b) Authorizes a political subdivision, notwithstanding Subsection (a), on approval of the railroad commission, to adopt or enforce an ordinance, order, or rule relating to any aspect or phase of the LPG industry that would otherwise be preempted and superseded by a rule or standard promulgated and adopted by the railroad commission.

SECTION 2. Effective date: September 1, 2011.