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**Texas House Votes to Restrict Rights in Favor of Oil and Gas Development**  
*HB 40 sent to Senate on 122-18 vote*

AUSTIN, Texas – In a shameful display of kowtowing to the power of the oil and gas industry, the Texas House of Representatives voted overwhelmingly to restrict the rights of citizens and cities to protect themselves against pollution and hazardous activities. In a 122-18 final vote, HB 40 now heads to the Senate, where anti-rights legislation is being passed with ease in favor of corporate interests.

In promoting HB 40, which was written in part by the Texas Oil & Gas Association, State Rep. Drew Darby (R-San Angelo), pointed out that the Texas Municipal League, which ostensibly exists to serve the needs and advocate the interests of Texas cities, was not opposing it.

In response to the bill's passage, **Cyrus Reed, Conservation Director of the Sierra Club's Lone Star Chapter**, issued the following statement.

"I really wonder if city mayors and county commissioners know what is in this bill, and how hard HB 40 would make it to act in the best interests of their constituents. Frankly, the Texas Municipal League made a bad deal under duress. Even non-controversial, commonsense amendments, such as cities requiring shut-off valves in case of a hurricane, were shot down under the edict from big oil and gas that this bill be passed as is.

Save but for 18 courageous State Representatives, and additional representatives who offered and voted for commonsense amendments to the bill, the Texas House does not appear to listen to Texans or care about their rights. As this terrible piece of legislation goes to the Senate, I believe people must now appeal to their city mayors and county commissioners. As their duly elected advocates sworn to act in their best interests, maybe they can put pressure on the Legislature to stop this anti-rights bill from becoming law."

Among the commonsense amendments offered to the bill that were defeated included:

- Clarify that cities can protect city parks, libraries, and other city property from oil and gas drilling; (Offered by Sylvester Turner)

- Clarify that cities can inspect and enforce state rules with permission from the Railroad Commission of Texas (Offered by Eddie Lucio III)
- Clarify that coastal communities can require shut-off valves to protect the surface during a hurricane or flooding situations (Offered by Eddie Lucio III)
- Clarify that a city can regulate traffic related to commercial saltwater disposal wells (Offered by Helen Giddings)
- Clarify that a city can require bonding and liability insurance for oil and gas facilities located in its jurisdiction (Offered by Collier)
- Clarify that a five-year old ordinance is truly protected and “grandfathered” under the bill (Offered by Sylvester Turner)
- Clarify that a city does have the right to establish reasonable setbacks (Offered by Mary Gonzalez)
- Clarify that a city does have the right to consider public health when establishing an ordinance. (Offered by Eliot Naishtat)

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