

Texas law restricts local laws regarding oil and gas

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Texas governor Greg Abbott signed TX HB 40 into law on May 19 in an effort to create continuity in oil and gas restrictions across the state. The law prohibits cities and municipalities in Texas from restricting oil and gas drilling in “commercially reasonable” areas; only the state will be able to regulate oil and gas operations. As a result of this bill, communities across Texas cannot restrict or ban hydraulic fracturing among other drilling techniques.

The law passed with more than two-thirds approval in the Texas legislature, so it will go into effect immediately, as mandated by the Texan Constitution.

The law directly impacts towns like Denton, Texas. Citizens of Denton banned hydraulic fracturing in their town in a November 2014 referendum; however, the new law would overturn Denton’s ban. Oil and gas companies also challenged the Denton ban in Texas courts to ease restrictions on their activities in the area.

On June 17, the Denton City council repealed its ban citing both a legal challenge by oil and gas companies and H.B. 40. City Council members characterized this as a tactical move to allow for statewide challenges.

Sources: Denton Record Chronicle, E&E News

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