

## ***Super Preemption and H.B. 2127 Litigation Update***

Robert F. Brown  
Brown & Hofmeister, L.L.P.

The University of Texas School of  
Law 28th Annual Land Use Planning  
Conference

1

## ***HB 2127***

- **Enacted by 88th Texas Legislature, became effective on September 1, 2024.**
- **"Death Star" bill or "Super Preemption" law.**
- **"Texas Regulatory Consistency Act."**

2

## ***Legislative History***

**Complaints that home-rule cities had “begun to regulate far beyond the bounds of their historical roles,” creating “a confusing and complex patchwork of requirements” across a variety of areas.**

3

## ***Legislative History***

**“Lack of consistency,” businesses and trade groups lamented, is “especially burdensome for [entities] that operate in multiple jurisdictions and must navigate compliance with potentially contradictory regulatory schemes.”**

4

## **Legislative History**

**"Impede economic growth and job creation, especially for small businesses."**

5

## **Legislative History**

**Although the State "has historically been the exclusive regulator of many aspects of commerce and trade" in Texas, HB 2127 found that "in recent years, several local jurisdictions have sought to establish their own regulations of commerce" that differ from state law, "le[ading] to a patchwork of regulations that apply inconsistently across this state."**

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Super Preemption and H.B. 2127 Litigation Update

Also available as part of the eCourse

[2024 Land Use Case Law and Legislative Updates](#)

First appeared as part of the conference materials for the  
28<sup>th</sup> Annual Land Use Conference session

"Super Preemption and H.B. 2127 Litigation Update"