

Super Preemption and H.B. 2127 Litigation Update

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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."

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