

By: Kolkhorst

H.B. No. 3647

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a study by the attorney general of the effects on state
3 law and authority of certain international and other agreements and
4 bodies.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. (a) The attorney general shall conduct a study
7 to determine whether the law of this state or the legislative
8 authority of the Texas Legislature is or may be restricted,
9 nullified, superseded, preempted, or otherwise directly affected
10 by:

11 (1) any existing or proposed compact, agreement, or
12 other arrangement between the United States, this state, or a
13 political subdivision of this state and a foreign governmental
14 entity, including a foreign state or local governmental entity;

15 (2) any international organization, including a
16 nonprofit corporation, consisting of public or private entities
17 from the United States and any other nation or nations, acting in
18 coordination with a federal, state, or local government, or with a
19 stated purpose of influencing governmental action or public policy;
20 and

21 (3) any foreign or international body acting in
22 connection with or under the authority of a compact, agreement, or
23 other arrangement described by Subdivision (1) of this subsection,
24 through any means including legislative or administrative action,

1 judicial or quasijudicial decision, order, rule, regulation, or
2 other action.

3 (b) In conducting the study, the attorney general shall
4 investigate and report whether any entity described by Subsection
5 (a)(2) or (3) of this section has attempted, formally or
6 informally, to restrict, nullify, supersede, preempt, or otherwise
7 directly affect the law or policy of this state or the authority of
8 any state or local governmental body in this state.

9 (c) In conducting the study, the attorney general shall
10 include consideration of the following:

11 (1) The North American Free Trade Agreement (NAFTA)
12 and any entity created under or in connection with the agreement;

13 (2) the Security and Prosperity Partnership of North
14 America (SPP) and any entity created under or in connection with the
15 agreement, including the North American Competitiveness Council
16 (NACC);

17 (3) the World Trade Organization (WTO) and any
18 associated agreements;

19 (4) the General Agreement on Trade in Services (GATS)
20 and any entity created under or in connection with the agreement;
21 and

22 (5) North America's SuperCorridor Coalition, Inc.
23 (NASCO).

24 (d) At the request of a member of the legislature or other
25 state official, the attorney general may consider in connection
26 with the study any other matter or question related to the matters
27 described by this section.

1 (e) Not later than December 1, 2007, the attorney general
2 shall prepare a report of the findings of the study and provide a
3 copy of the report to each member of the legislature.

4 SECTION 2. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2007.