

110TH CONGRESS
1ST SESSION

H. R. 1633

To amend the Homeland Security Act of 2002 to prohibit the Secretary of Homeland Security from prescribing regulations that preempt more stringent State regulations governing chemical facility security.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2007

Mr. ROTHMAN (for himself, Mr. PAYNE, Mr. HINCHEY, Mr. SIRES, Mrs. LOWEY, Mr. BISHOP of New York, and Mrs. MALONEY of New York) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Homeland Security Act of 2002 to prohibit the Secretary of Homeland Security from prescribing regulations that preempt more stringent State regulations governing chemical facility security.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROHIBITION ON FEDERAL PREEMPTION OF**
2 **MORE STRINGENT STATE CHEMICAL FACIL-**
3 **ITY SECURITY REGULATIONS.**

4 Section 877 of the Homeland Security Act of 2002
5 (6 U.S.C. 457) is amended by adding at the end the fol-
6 lowing new subsection:

7 “(c) CHEMICAL FACILITY SECURITY REGULA-
8 TIONS.—Notwithstanding any other provision of law, the
9 Secretary may not prescribe any regulation that precludes
10 or denies any right of any State or political subdivision
11 thereof to adopt or enforce any regulation, requirement,
12 or standard of performance with respect to chemical facil-
13 ity security that is more stringent than a regulation pre-
14 scribed by the Secretary.”.

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