

SECOND REGULAR SESSION

HOUSE BILL NO. 1602

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES FUNDERBURK (Sponsor), PARKINSON, JONES (89), DAY,
FISHER (125), RUESTMAN, BURLISON, NIEVES AND KOENIG (Co-sponsors).

3351L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 21, RSMo, by adding thereto one new section relating to the Missouri energy freedom act.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 21, RSMo, is amended by adding thereto one new section, to be
2 known as section 21.900, to read as follows:

**21.900. 1. This section shall be called and may be cited as the "Missouri Energy
2 Freedom Act".**

3 2. The general assembly declares that the authority for this section is the following:

**4 (1) Amendment X of the Constitution of the United States guarantees to the states
5 and their people all powers not granted to the federal government elsewhere in the
6 Constitution and reserves to the state and people of Missouri certain powers as they were
7 understood at the time that Missouri was admitted to statehood. The guarantee of those
8 powers is a matter of contract between the state and people of Missouri and the United
9 States as of the time that the compact with the United States was agreed upon and adopted
10 by Missouri and the United States;**

**11 (2) Amendment IX of the Constitution of the United States guarantees to the people
12 rights not granted in the Constitution and reserves to the people of Missouri certain rights
13 as they were understood at the time that Missouri was admitted to statehood. The
14 guarantee of those rights is a matter of contract between the state and people of Missouri
15 and the United States as of the time that the compact with the United States was agreed
16 upon and adopted by Missouri and the United States;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **(3) The regulation of intrastate commerce is vested in the states under Amendments**
18 **IX and X of the Constitution of the United States, particularly if not expressly preempted**
19 **by federal law. Congress has not expressly preempted state regulation of intrastate**
20 **commerce pertaining to energy produced in the state of Missouri;**
21 **3. Any energy produced in Missouri and that remains within the borders of**
22 **Missouri shall not be subject to federal law or federal regulation.**

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