

110TH CONGRESS  
1ST SESSION

# H. R. 1574

To amend the Homeland Security Act of 2002 to preserve State authority  
to ensure the security of chemical facilities.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2007

Mr. SMITH of New Jersey introduced the following bill; which was referred  
to the Committee on Energy and Commerce

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## A BILL

To amend the Homeland Security Act of 2002 to preserve  
State authority to ensure the security of chemical facilities.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Facilities Act”.

5 **SEC. 2. PRESERVATION OF STATE AUTHORITY TO ENSURE**  
6 **SECURITY OF CHEMICAL FACILITIES.**

7 (a) IN GENERAL.—Title II of the Homeland Security  
8 Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding  
9 at the end the following:

1       **“Subtitle E—Chemical Facility**  
2                                   **Security**

3       **“SEC. 241. PRESERVATION OF STATE LAWS AND REGULA-**  
4                                   **TIONS.**

5           “Nothing in Federal law or regulation, and no Fed-  
6       eral agency action, preempts any State law or regulation  
7       relating to security of chemical facilities that is more strin-  
8       gent than such Federal law, regulation, or agency action,  
9       including any such State law or regulation that takes ef-  
10      fect after the date of the enactment of the Safe Facilities  
11      Act.”.

12           (b) CLERICAL AMENDMENT.—The table of contents  
13      in section 1(b) of such Act is amended by adding at the  
14      end of the items relating to title II the following:

                                  “Subtitle E—Chemical Facility Security

                                  “Sec. 241. Preservation of State laws and regulations.”.

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