

December 13, 2021

Dear Members of the Pennsylvania House:

The undersigned group of community leaders and members representing environmental, conservation, clean energy, and faith groups across the state urge your **OPPOSITION to Senate Bill 275** (P.N. 1163) **and House Bill 1947** (P.N. 2223). SB 275 passed the state Senate on October 27th and was referred to the House Local Government Committee on October 28. This followed after HB 1947 was reported out of the same committee on October 26.

These companion bills have identical language, blocking local governments from adopting any policy that would have the “effect of” limiting gas use in buildings. In other words, this legislation would strip local control and block any municipal effort to improve public health and combat climate change by cleaning up residential and commercial buildings. The bills are written to be overbroad, so that municipal attempts to improve energy efficiency or offer incentives for cleaner appliances would be open to a legal challenge in state court.

Pennsylvania’s municipal officials are responsible for the health and safety of their residents, and must continue to exercise their authority to enact policies in the best interest of their communities. Plainly stated, SB 275 and HB 1947 would usurp this local authority. Local elected officials represent the level of government closest to the people they govern. They focus on the critical issues that matter most to local people, and these priorities differ widely across the Commonwealth. As residents in some parts of Pennsylvania are becoming increasingly aware of the climate, health, and safety risks of burning methane in our buildings, they are looking for alternatives to protect their health and our environment.

In 2019, residential and commercial buildings [accounted for 27%](#) of total U.S. gas consumption. The scientific community has been clear: in order to meet our climate goals, we must decarbonize our entire economy. Stripping away control from local officials to incentivize any alternatives to gas infrastructure will make meeting that goal harder to achieve and more expensive. It is estimated that, if passed, SB 275 and HB 1947 would prevent Pennsylvania from tackling [13.7 million metric tons of CO2](#) over the next 30 years, hamstringing local communities from reducing their climate pollution.

It is [already cheaper](#) to build new homes with electric-only appliances, to say nothing of the cost of future retrofits. Furthermore, the expansion of gas distribution infrastructure is fiscally irresponsible as it will likely lead to significant stranded assets, a cost that will inevitably be borne by ratepayers.

Ensuring that local officials have authority to implement policies promoting cleaner energy alternatives is also important for protecting public health. Burning methane emits pollutants. The resulting mix of nitrogen dioxide (NO₂), fine particulates, formaldehyde, and other pollutants can have serious health ramifications such as increased risk of asthma, aggravated respiratory and cardiovascular symptoms, and neurological conditions.

Research also suggests that long-term average NO₂ exposure can increase the risk of diabetes, cancer, and premature mortality. A [UCLA study](#) found that gas stoves and ovens lead to indoor air pollution levels that exceed state and federal standards for acute *outdoor* air pollution in 90% of homes after just one hour of use. As a consequence, children who grow up in a home with a gas stove are 42% more likely to [develop asthma](#) than those who don't.

A recent study from the Harvard TH Chan [School of Public Health](#) examined the health impacts of combustion of all fuels for various end uses and found that in 2017:

- Pennsylvania ranked second among all states in premature deaths attributable to fuel combustion in buildings (over 1,500 people);
- Nearly a quarter of those deaths were attributable to burning methane; and
- The cost of negative health impacts of burning gas in buildings in Pennsylvania was over \$4.2 billion per year.

Explosions and fires are also concerns that stem from the use of gas, such as the explosion in [South Philadelphia](#) that killed two people in late 2019. It is estimated that local fire departments respond to an average of 340 gas leaks per day (a number that is increasing as infrastructure ages), and that methane ignition is the cause of 4,200 structure fires and 40 deaths per year.¹

Moreover, these bills are likely unconstitutional. Pennsylvania courts have a history of striking down a wide variety of state laws that preempted local governments, including [Act 192 of 2014](#) (gun control) and [Act 13 of 2012](#) (regulating oil and gas development).

¹ National Fire Protection Association, 2018, National Gas and Propane Fires, explosions, and Leaks Estimates and Incident Descriptions.

Language slipped into a recent budget that prohibits municipal bans or taxes on plastic bags or packaging is currently being challenged in [Commonwealth Court](#). Specifically, given the climate and health risks posed by gas burning and infrastructure, these bills likely violate Article I, Section 27 of the Pennsylvania Constitution, which establishes a trustee obligation for the Commonwealth to preserve and maintain our public natural resources, including clean air. If the state prevents municipalities from protecting air quality (as these bills would do), it violates this responsibility.

SB 275 and HB 1947 are part of a coordinated, national effort by the fossil fuel industry to strip control away from local leaders. In 2019, cities in states [outside Pennsylvania](#) began taking steps to limit gas connections in new construction. In response, the American Gas Association, a trade organization “representing energy companies that deliver natural gas,” has been pushing state legislatures across the country to pass laws prohibiting these local policies. So far, [over 20 states](#) have adopted legislation to preempt local governments and similar legislation has been introduced in many others, including SB 275 and HB 1947 here in Pennsylvania.

Given this, we ask that you vote **NO on SB 275 and HB 1947**. Thank you very much for your consideration.

Sincerely,

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