

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HM 517 Foreign Polluters

SPONSOR(S): Overdorf and others

TIED BILLS: **IDEN./SIM. BILLS:** SM 800

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Agriculture, Conservation & Resiliency Subcommittee	14 Y, 0 N	Gawin	Moore
2) Infrastructure Strategies Committee	24 Y, 0 N	Gawin	Harrington

SUMMARY ANALYSIS

Greenhouse gases are gases that trap heat in the atmosphere. Greenhouse gases include carbon dioxide (CO₂), methane, nitrous oxide, and fluorinated gases. CO₂ is naturally present in the atmosphere as part of the Earth's carbon cycle, but additional carbon enters the atmosphere through burning fossil fuels, solid waste, trees, and other biological materials and accounts for most of the greenhouse gases released into the atmosphere by human activity.

In 2015, 195 parties signed the Paris Agreement, an international treaty that provides a framework for the global reduction of greenhouse gases. Under the agreement, each signatory is required to establish an emissions target known as a nationally determined contribution, which must be updated every five years. Currently, the People's Republic of China accounts for 30 percent of all greenhouse gas emissions, the United States accounts for 11 percent, the European Union accounts for 7 percent, India accounts for 7 percent, and the Russian Federation accounts for 5 percent.

Legislative memorials are not subject to the Governor's veto powers and are not presented to the Governor for review. Memorials have no force of law, as they are mechanisms for formally petitioning the federal government to act on a particular subject.

The memorial urges the U.S. Congress to support solutions that examine the pollution differential between U.S. production and other countries and that hold foreign polluters accountable for their pollution.

The memorial does not have a fiscal impact on the state or local governments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Greenhouse Gases

Greenhouse gases are gases that trap heat in the atmosphere. Greenhouse gasses include carbon dioxide (CO₂), methane, nitrous oxide, and fluorinated gases.¹ Greenhouse gas concentrations are measured in parts per million, parts per billion, and even parts per trillion. One part per million is equivalent to one drop of water diluted into about 13 gallons of liquid.² CO₂ is naturally present in the atmosphere as part of the Earth's carbon cycle, but additional carbon enters the atmosphere through burning fossil fuels, solid waste, trees, and other biological materials and accounts for most of the greenhouse gasses released into the atmosphere by human activity.³ Increases of CO₂ released into the atmosphere can intensify concentrations of CO₂ for thousands of years due to the persistent nature of CO₂ in the atmosphere.⁴

Global Emissions Goals

In 2015, 195 parties⁵ signed the Paris Agreement (Agreement), an international treaty that provides a framework for the global reduction of greenhouse gases.⁶ The Agreement aims to substantially reduce global greenhouse gas emissions in order to hold the global temperature increase to less than 2 degrees Celsius (°C) above pre-industrial levels and pursue efforts to limit it to 1.5°C above pre-industrial levels.⁷ Under the Agreement, each signatory is required to establish an emissions target known as a nationally determined contribution (NDC),⁸ which must be updated every five years.⁹

Since 2015, the United Nations (UN) has published an annual Emissions Gap Report to track the gap between where global emissions are heading with current country commitments and where they should be.¹⁰ According to the 2023 Emissions Gap Report, global greenhouse gas emissions reached a record high in 2022, with atmospheric CO₂ concentrations growing to 417.9 parts per million.¹¹ The United States has historically made significant contributions to greenhouse gas emissions, but reached its emissions peak and has reduced its absolute emissions for more than 10 years.¹² Currently, the People's Republic of China (China) accounts for 30 percent of all greenhouse gas emissions, the U.S. accounts for 11 percent, the European Union accounts for 7 percent, India accounts for 7 percent, and the Russian Federation accounts for 5 percent.¹³ The U.S. set an NDC aiming for an economy-wide

¹ United States Environmental Protection Agency (EPA), *Overview of Greenhouse Gases*, <https://www.epa.gov/ghgemissions/overview-greenhouse-gases> (last visited Jan. 2, 2024).

² *Id.*

³ *Id.*

⁴ EPA, *Understanding Global Warming Potentials*, <https://www.epa.gov/ghgemissions/understanding-global-warming-potentials> (last visited Jan. 2, 2024).

⁵ The European Union is one party, representing 27 member states. United Nations (UN) Treaty Collection, Paris Agreement, 7.d *Paris Agreement*, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-7-d&chapter=27&clang=_en&_gl=1*1cvnxd*__ga*MTI4NTEzNDU2Ny4xNzAwNTA2ODQx*_ga_TK9BQL5X7Z*MTcwMTQ0NDA0NC4zLjAuMTcwMTQ0NDA0NC4wLjAuMA..#EndDec (last visited Jan. 2, 2024).

⁶ UN, *The Paris Agreement*, <https://www.un.org/en/climatechange/paris-agreement> (last visited Jan. 2, 2024).

⁷ *Id.*

⁸ NDCs are targets set by a country to mitigate greenhouse gas emissions that cause climate change and for adapting to climate impacts. UN, *All About NDCs*, <https://www.un.org/en/climatechange/all-about-ndcs#countries> (last visited Jan. 2, 2024).

⁹ UN Environment Programme, *Emissions Gap Report 2023: Broken Record – Temperatures hit new highs, yet world fails to cut emissions (again)* (2023), 1, available at <https://doi.org/10.59117/20.500.11822/43922> (last visited Jan. 2, 2024).

¹⁰ UN, *Emissions Gap Report 2023*, <https://www.unep.org/resources/emissions-gap-report-2023> (last visited Jan. 2, 2024).

¹¹ UN Environment Programme, *Emissions Gap Report 2023: Broken Record – Temperatures hit new highs, yet world fails to cut emissions (again)* (2023), 4, available at <https://doi.org/10.59117/20.500.11822/43922> (last visited Jan. 2, 2024).

¹² *Id.* at 7-8.

¹³ *Id.* at 8.

target of reducing its net greenhouse gas emissions by 50 to 52 percent below 2005 levels by 2030.¹⁴ China's updated NDC goals include having CO₂ emissions peak before 2030, achieving carbon neutrality before 2060, and lowering CO₂ emissions per unit of gross domestic product by over 65 percent from the 2005 level.¹⁵ According to the UN, current country NDCs fall short of what is required to reach the 1.5°C goal specified in the Agreement.¹⁶

Legislative Memorials

Legislative memorials are not subject to the Governor's veto powers and are not presented to the Governor for review. Memorials have no force of law, as they are mechanisms for formally petitioning the federal government to act on a particular subject.

Effect of the Memorial

The memorial urges the U.S. Congress to support solutions that examine the pollution differential between U.S. production and other countries and that hold foreign polluters accountable for their pollution.

The memorial calls for copies of the memorial to be dispatched to the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, and each member of the Florida delegation to the U.S. Congress.

B. SECTION DIRECTORY:

Not applicable.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

¹⁴ UN Framework Convention on Climate Change, *The United States of America Nationally Determined Contribution* (2021), 1, available at <https://unfccc.int/sites/default/files/NDC/2022-06/United%20States%20NDC%20April%2021%202021%20Final.pdf> (last visited Jan. 2, 2024).

¹⁵ UN Framework Convention on Climate Change, *China's Achievements, New Goals and New Measures for Nationally Determined Contributions*, 2, available at <https://unfccc.int/sites/default/files/NDC/2022-06/China%E2%80%99s%20Achievements%2C%20New%20Goals%20and%20New%20Measures%20for%20Nationally%20Determined%20Contributions.pdf> (last visited Jan. 2, 2024).

¹⁶ *Id.* at 1.

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The memorial does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The memorial neither authorizes nor requires executive branch rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.