

119TH CONGRESS
2D SESSION

S. 3839

To protect the reliability of the electric grid by preempting certain State climate mandates, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 2026

Mr. COTTON introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To protect the reliability of the electric grid by preempting certain State climate mandates, and for other purposes.

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 “Ratepayer Afford-
5 ability and Transparency in Energy Act of 2026”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to safeguard the reliability
8 of the electric grid by preempting State climate mandates,
9 including renewable portfolio standards, that obstruct or

1 distort energy infrastructure planning, inflate electricity
2 costs, or otherwise imperil grid reliability.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) STATE LAW.—The term “State law” in-
6 cludes any constitution, statute, regulation, rule, or-
7 dinance, charter, order, or other authority of—

8 (A) a State; or

9 (B) any political subdivision of a State.

10 (2) STATE.—The term “State” means—

11 (A) a State;

12 (B) the District of Columbia;

13 (C) the Commonwealth of Puerto Rico;

14 and

15 (D) any other territory or possession of the
16 United States.

17 **SEC. 4. PREEMPTION OF CERTAIN CLIMATE MANDATES.**

18 (a) IN GENERAL.—Notwithstanding any other provi-
19 sion of law, no State, political subdivision of a State, or
20 regulatory authority may establish, enforce, or continue in
21 effect any requirement, standard, mandate, or program
22 that—

23 (1) requires electricity generation, retail elec-
24 tricity sales, or electricity procurement to include a
25 specified percentage or quantity of electricity derived

1 from renewable, zero-emission, or carbon-free energy
2 resources; or

3 (2) conditions participation in wholesale or re-
4 tail electricity markets, cost recovery, or utility regu-
5 lation on compliance with a requirement described in
6 paragraph (1).

7 (b) VOIDNESS OF INCONSISTENT LAWS.—Any State
8 law or other requirement that is inconsistent with sub-
9 section (a) is hereby preempted and shall have no force
10 or effect.

11 (c) SAVINGS PROVISION.—Nothing in this section
12 prohibits a State, political subdivision of a State, or regu-
13 latory authority, as applicable, from owning or operating
14 generation facilities that use renewable, zero-emission, or
15 carbon-free energy resources.

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