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Attorney General Marshall Leads 19-State Lawsuit Against California & Others Threatening Energy System

California, Connecticut, Minnesota, New Jersey, and Rhode Island Violate the Constitution by Seeking to Impose Their Climate Policies on the Entire Nation

(Montgomery) – Alabama Attorney General Steve Marshall led a 19-state coalition asking the Supreme Court to declare unconstitutional the efforts of California, Connecticut, Minnesota, New Jersey, and Rhode Island to dictate the future of American energy policy. Those five states have brought unprecedented litigation against the nation’s most vital energy companies for an alleged “climate crisis,” and they demand billions of dollars in damages. As litigation proceeds in their state courts, California and the other states threaten to impose ruinous penalties and coercive remedies that would affect energy and fuel consumption and production across the country. Attorney General Marshall’s coalition raises the grave constitutional problems with California’s extraordinary tactics and asks the Supreme Court to take up a multi-state lawsuit.

Attorney General Marshall stated: “The theory advanced by these states is truly radical: A small gas station in rural Alabama could owe money to the people of Minnesota simply for selling a gallon of gas. The customer might even be liable too. These states are welcome to enforce their preferred policies within their jurisdiction, but they do not have authority to dictate our national energy policy. If the Supreme Court lets them continue, California and its allies will imperil access to affordable energy for every American. That would threaten our national security and harm millions of Americans already struggling to pay for gas and groceries. To protect Alabama citizens and our constitutional order, we had no choice but to sue.”

The Supreme Court will decide whether to hear the 19-state lawsuit against California and the other four proposed defendants. The coalition’s filing includes a motion, complaint, and brief, which argue that traditional energy sources like oil, natural gas, and coal are essential for American prosperity. The states also argue that the matter is of utmost importance because our system of federalism gives each state no more power than any other state.

In April, Alabama led a 20-state amicus brief in the Supreme Court asking the Court to review a lawsuit filed by the City and County of Honolulu, which also seeks to impose billions of dollars in penalties on the energy industry. Honolulu claims that the companies deceived consumers about the emissions created by everyday products like



gasoline. The Supreme Court has not yet ruled on the energy companies' request to hear the case.

The Alabama-led motion was joined by attorneys general in: Alaska, Florida, Georgia, Idaho, Iowa, Kansas, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Dakota, Oklahoma, South Carolina, South Dakota, Utah, West Virginia, and Wyoming.