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HPBA Government Affairs Update: October 2026

Featuring Jason Tolleson
With Tim Reed

Tim Reed: *Joining me once again is Jason Tolleson, senior director of government affairs at the HPBA. Jason, how are you doing?*

Jason Tolleson: Great. Thanks for having me on.

TR: *I'm excited to chat again. I want to ask you what's new, but I feel like there's always something new. Maybe we can start with where you've been lately. I know you've been on the road.*

JT: Absolutely. I actually just returned from a short trip up to Ottawa for joint meetings with

our sister organization in Canada, HPBAC, and with government officials there. From the industry side, we had manufacturers and retailers: a united presence showing what our industry offers and how our chain of commerce works. We had informative meetings on the industry itself, some of the current political issues, and opportunities for growth, and we conveyed the message that our industry doesn't just provide an essential service in heat and comfort. It also creates jobs through manufacturing, through retail, and through the service side. It was really a chance to educate officials up there.

TR: *It's got to be a roller coaster for the Canadian companies right now. How are they feeling?*

JT: They're adapting to change. There is a lot going on. As we put out messages on issues such as tariffs, we say that quick resolution will be important for companies on both sides of the border, so they aren't caught up in back-and-forth retaliatory tariffs or counter-tariffs. Again, it's the jobs that are impacted, from the manufacturers to the retailers, and then ultimately the consumers as they go to make these purchases. So we keep urging governments to provide predictable solutions that work for all.

TR: *I totally agree. I see it all over the place in my day-to-day life: There's a real tax on consumers and on businesses now, and it works its way up the food chain. A month or two ago, a manufacturer told me, "If we passed on every increase we've had due to the tariff situation, our cost of goods would go up 40%. No one would be able to afford this." So I appreciate the work you're doing to speak up and bring resolution as soon as possible.*

JT: I appreciate that. I also want to thank my counterpart, Mike McNeice, HPBAC's director of public affairs. We've spent a lot of time on Teams chats and calls, searching through tariff codes and announcements. It's really been a collaborative effort from both organizations.

TR: *Well, we need to start with fuel choice. We've been monitoring this for a long time. To recap our last conversation, we have two paths toward fuel choice. I think one is making its way through the House of Representatives, and another one is starting to make its way through the Senate. Where are we at with fuel choice?*

JT: Certainly. On the House side, it's H.R. 3699 from Congressman Langworthy of New York, the one we've been talking about for some time. We know there were negotiations going on during the August recess, and when they came

back, we were hoping to see some activity. Well, the House wrapped up early. We've got the election on November 3, and a lot of House seats are very competitive, so leadership basically made the decision: Everyone, go back home, work on your campaigns, and try to get re-elected. A lot of the committee and legislative action came to a standstill. There are still conversations with staff, and there are still opportunities to fine-tune the bill. I believe that's going on, and I think leadership is taking a little more of an active approach on it as well. It was unfortunate they couldn't get to it before they left for the election. I think there was a real affordability conversation to have there. But I assume that will pick up as soon as they get back.

Now, the second avenue, which we touched on briefly in the last podcast, is a bill introduced by Senator Mike Lee of Utah that deals with appliance efficiency standards. Typically, that does not include hearth products; that's your ovens, your refrigerators, your water heaters. But there's language in his Senate bill, S. 5338, that would basically take the Berkeley decision from California and put it into federal law.

TR: *Can you explain what the Berkeley decision was?*

JT: Absolutely. Appliance standards are under the purview of the federal government, the U.S. Department of Energy. What the decision basically says is that since the appliance is regulated by the federal government, a state should not regulate the fuel that is used to get to that appliance. So it's an indirect way to a fuel choice bill: If the appliance is regulated by the feds, nothing should impede the fuel that is used to make that appliance work. If that were codified into federal statute, which in some ways it already is, through the fact that these appliances are regulated by the Department of Energy, it would take things one step further by putting that language into law. So it's not the

same pathway as the Langworthy bill with fuel choice. It's option B, and we want to look at it as well.

TR: *With all the re-election activity going on, where's that one sitting now?*

JT: They had a hearing about a week and a half ago on that bill. There were actually 24 bills up that day for consideration, and this one probably got about half of the airtime, a lot of the questions and comments from the committee members. It was just an informative hearing. As a matter of fact, the only person who testified was an official from the Department of Energy, who provided broad analysis and interpretation of some of these bills, as well as the administration's position, which we know from prior statements by the president and the Department of Energy: They are taking a very hard look at some of the gas appliance restrictions and regulations that were put in under the last administration. So I don't think there's a concern there. There were objections raised by some of the committee members on the Democratic side about what they perceive to be decreasing some of the efficiency standards or changing how those are made. But again, our very particular interest in that bill is getting that federal preemption language into law. As for next steps, I believe they're having another hearing this week, but I don't believe that bill is on the agenda. It may not get further consideration until they get back from the election. We'll have to see what the chambers look like at that time.

TR: *I know we've talked about this before, but for people just tuning in, this has been in the works for quite a while, at least on the House side. Correct me if I'm wrong, but if it doesn't pass by the end of the year, we have to start completely over with an entirely new bill, right?*

JT: Correct. This is the second year of a two-year Congress, so they'll be back in 2027 and 2028 for another two-year cycle. Unlike the states, where you see really rapid activity (some state legislatures only meet for two or three months, so their sessions are very quick), passing laws in Congress takes time. There's much more of a process involved, because you have so many more stakeholders, either for or against legislation. So I'm not trying to be overly optimistic or defeatist in this analysis of where we're at, because I believe there's strong consensus on doing this—and again, there's bipartisan support on the House side. Some Democrats have signed on. Affordability is still such a front-of-mind conversation, and tying that to energy costs has only magnified in recent months compared to where we started on this bill maybe a year ago. So again, it's in leadership's hands on the House side, and we'll have to see what things look like when they come back from the election.

TR: *As we record this in late September, there's about a three-month window to get this thing resolved. Are you nervous?*

JT: I don't know if I'm nervous. I'm pushing toward finding those areas of common support. There's a lot of coalition support behind this from multiple organizations. On the fuel choice bill, I think the lines are a little clearer. On the appliance efficiency standards, I think you have more competing opinions and positions, so that one may be a little more difficult. Now, I will say that EPCA (the appliance efficiency standards bill) already passed on the House side. It still needs to be considered by the Senate, and they still need to reconcile some differences. But this is a process. And again, we still have two more years of the Trump administration as well, and its moves in protecting fuel as a whole, and energy as a whole, have been very positive for the industry.

"It's unfortunate the court overturned the will of the voters in that state."

TR: *So that's where we are on the national fuel choice conversation. What else has been going on that we need to talk about?*

JT: We're watching the state activity really closely. Again, most state legislatures are done, and this is where we're watching decisions that have been made, decisions that are being implemented, or, of course, what's on the post-election horizon in November. There are a couple of key takeaways. One is in Washington state, where, unfortunately, the state Supreme Court overturned the ballot initiative to prevent localities from banning natural gas. That was a difficult decision to deal with.

TR: *I was on a hike a week and a half ago with a friend who has a business in Washington, and he informed me. That was the first I'd heard about it, and he just felt crushed.*

JT: I think it's really important to understand the ruling and what the court based its decision on. In Washington state, ballot initiatives have to be on a single issue. There was a lot of back-and-forth on the actual ballot language to keep it a single issue, and the proponents of the initiative actually worked with the state to get that language signed off on before it went to the ballot. The challenge was brought after the voters passed it, and I think that's an important distinction. The voters decided to protect access to natural gas. But the opponents, if they couldn't win on the merits of the fuel itself, went to the process part.

TR: *The technicality.*

JT: They said that it was more than one issue: It covered a little bit of this, and it covered a little bit of that, and therefore it was more than a single issue. That was their appeal, first to the King County court at the county level, and then to the state Supreme Court, which, I'm sorry, took a very long time to come down with its ruling—a ridiculous amount of time. And again, it was on this technicality, the formality of the language, not a ruling on the fuel itself. I think that still speaks volumes, because you had such strong favorability from citizens, through polling and through the actual ballot itself. So I don't think the process is done. It could be another ballot issue, or it could be legislative language. But it's unfortunate the court overturned the will of the voters in that state.

TR: *So what else do we have besides Washington?*

JT: There's actually another ballot initiative out there in Colorado. This one is Amendment 82, an amendment to the state's constitution that would protect the use of natural gas in the state. So again, the favorability of people wanting to have that option, to make that choice, is there. I think it gets a little complicated when you put it on a ballot and you're amending the state constitution. That's a big lift when people look at that document as the constitution. But at the same time, if it needs that kind of a marker to show how serious this issue is, then that's another argument there.

This one will be on the ballot in just over a month, and we'll see what happens. In that process, they had to finalize the language and assign it a number, and that didn't happen until really just a few weeks ago. So there's a ramp-

up period now that they have an amendment number, and I think you're going to see a lot more of a flurry of activity there. The details of the ballot text are going to be important to sort through, and we'll work closely with our Rocky Mountain affiliate on how we get the word out on that one.

TR: *What I hear as we talk about all of this is that if you're a retailer, a distributor, or a manufacturer, we've got to start building more inroads. I know you've talked about the affiliates' lobby days, but I would make it a punch-list item every quarter to have someone in your company reach out to your state senators and representatives and try to get them into your store or schedule a meeting with them. All these things we're talking about: This is how we speak up for our industry and inform people about what's actually going on. So instead of a coin toss, or "I'm just going to go with my gut on this," there's actually some information behind these decisions.*

JT: Absolutely. As a matter of fact, I just wrapped up a call with our Pacific affiliate, and we were discussing the agenda for next year: legislative plans, strategies, and the lobby day. That's just part of the game plan now. In a state like California, where you have term limits, you're guaranteed natural turnover in the legislative body, and there's a governor's election going on as well. What a great opportunity to go and reintroduce yourself, or, for those who are brand new (and a lot of that chamber will cycle through because of term limits), to go and say hello for the first time and then educate them on our industry.

TR: *This is a bigger conversation than we can have here, but I'm thinking HPBA should almost have an opt-in for retailers. In the same way you can send prescribed letters to your representatives, there should be a quarterly opt-in where we automatically send a prescribed letter to all of our representatives and senators: "This is such-and-such company.*

We'd love to invite you in to see what we do and talk with us about issues." We should make that an automation. I just got this vision for it as you were talking.

JT: Excellent. Thanks for sharing the vision. Any approach, any tool, we'll take it. And I think that's an interesting thing as we go into the 2027 legislative window. I know we're months out, but I always have to be thinking ahead. All 50 states will be in session next year, and you have a few that only meet every other year, like Nevada, Texas, Montana, and North Dakota. So, again, it's about telling our story and what's changed since their last session. The Texas legislature hasn't met since 2025, and it's only going to meet for five months, from January to May of 2027. You've got this window to go in and talk to them. Virginia, for example, only meets for two months, from January to the end of February. So that window of outreach is really tight during the legislative season. Make sure you're doing that throughout the calendar year, but in that very tight window, you've got to make sure our voices are heard.

TR: *Well, maybe we can end here. In our last conversation, you announced the new HPBA Leaders Academy, a name change from GALA, the Government Affairs Leadership Academy. I think this is awesome, because my experience at the Government Affairs Academy a number of years ago really was a leaders academy. Can you talk a little bit about that to close us out?*

JT: Absolutely. As a matter of fact, our next GALA session is tomorrow, and I'll share the update with them as well about the name change and what we're doing to continue to expand and grow the program. They're part of it. Through these sessions, and in the time I've been with the organization, we've looked to foster, grow, and develop not just advocates but leaders: ways in which they can raise their hand, at the affiliate level or through different

opportunities, committees, and boards, to step up and do more than just advocate. Advocacy is a natural part of it. Don't get me wrong: As someone who's in the advocacy business, I want those champions out there. But let's continue to grow leaders in the industry.

Then, there are the different tools. In the first half of the year, we talk about advocacy. We talk about the people and the processes involved in making laws, and we get into some of the nuts and bolts of regulations and codes and standards because those matter to our business as well. But we also cover how to be an effective communicator: How do you deliver that succinct message in an effective way? That's actually tomorrow's session. Then, we get into profiles and leadership across the industry. So all of that is coming under the HPBA Leaders Academy: sharing that content with this group and future groups, driving a spotlight onto their progression as leaders, and bringing the incoming class together. And of course, we'll do another fly-in next year to get our message to Capitol Hill. All of that culminates in what we see as the HPBA Leaders Academy.

TR: That's awesome. When are registrations going to be open for that?

JT: That will be open in early October. We'll make an announcement through our Hot News publication and on the website, and there will be direct outreach to our affiliate executive directors. If there's a retailer out there who's interested in participating, reach out to your affiliate executive director. Share your interest, and ask about the affiliate's initiatives and programs. I know there are sponsorship opportunities with some of them to offset the cost of participating in the Leaders Academy. So I would encourage you to make that outreach, and again, we'll make sure it's well publicized once the application window is open.

TR: I love that. So, everybody reading this, take a look at the next Hot News. I can't say this enough: If you're looking to grow in your leadership in the industry, or if you have someone young in your company whom you think is an aspiring leader, this is the place. Let's get that person signed up for the application. Jason, thanks again for the conversation. I appreciate all the work that you, the HPBA, and HPBAC are doing.

JT: Awesome. Thank you very much.

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