



Legislative UPDATE

October 25, 2019
Number 40

Cities Not Out of the Woods, Not Even Close

On Tuesday of this week, Texas House Speaker Dennis Bonnen – who was recorded saying he was determined to see cities have terrible 2019 and 2021 legislative sessions – announced his retirement. But city and county officials should not assume that all is now well at the Capitol.

A key committee chairman, Rep. Dustin Burrows (R-Lubbock), said on the recording that “we hate cities and counties.” He also revealed his plan for the state to steal cities’ two pennies of local sales taxes to lower school property taxes. This brazen plan to raid city revenues must be strenuously resisted.

Many House members have yet to weigh in on the abusive comments revealed last week. How do those members feel about the notion that mayors are “dumbasses” (the Speaker’s actual words) who don’t even deserve to be heard when they travel to Austin? Legislators must be called upon to clearly declare where they stand going into 2020 elections and the 2021 session.

For cities with questions about whether their state representative stands with them or against them, there’s one easy way they can find out—they can pick up the phone and ask. City officials deserve an answer, one way or the other. If local officials are not satisfied with the responses they get from their representative and senator, the upcoming election is the best means for holding legislators accountable.

This week's good news was due in no small part to mayors and councilmembers who've become fed up with wanton city bashing by some state leaders. It is time to turn that outrage into action and forge a new era of mutual respect and cooperation between local and state elected leaders.

House Bill 2840 Update: Public Comments

As reported in a previous edition of the *Legislative Update*, [House Bill 2840](#) by Representative Terry Canales (D – Edinburg) passed during the Eighty-Sixth Regular Legislative Session. It became effective on September 1, 2019. The bill, codified at Texas Government Code Section 551.007, amends the Texas Open Meetings Act to address public testimony at open meetings. What seemed like a simple bill has prompted many questions.

An October 4, 2019, Dallas Morning News “Watchdog” [editorial](#) titled “*A cool new Texas law you never heard of means they can't shut you up at government meetings anymore*” has re-focused attention on the bill, and the interpretations therein have many city officials asking for clarification.

The editorial appears to assert that members of the public, rather than a governing body, now control discussion at open meetings. Texas cities support Representative Canales' efforts to allow more citizen participation, but the “Watchdog” has misinterpreted the bill's requirements.

To clarify the law, the League's attorneys have updated a previously-prepared [Q&A](#) on the bill's requirements. Thank you to Representative Canales and his staff for sharing their intent and insight into the application of the bill.

TML member cities may use the material herein for any purpose. No other person or entity may reproduce, duplicate, or distribute any part of this document without the written authorization of the Texas Municipal League.