



Legislative UPDATE

February 14, 2020
Number 7

TCEQ Proposes Amendments to Landscape Irrigation Rules

On January 15, 2020, TCEQ commissioners approved the publication of proposed rule revisions to 30 Texas Administrative Code (TAC) Chapter 344, relating to Landscape Irrigation.

The proposed revisions are in response to two petitions submitted by the Irrigator Advisory Council, which were approved at the October 4, 2017 Commissioner's Agenda. The revisions would incorporate some of the requested changes made by the two rule petitions, as well as amend existing sections and add new sections to be better aligned with statute and other related regulations. These proposed revisions are intended to strengthen the rules and provide for better protection of public health and better water conservation.

Information on cross-connection control and backflow prevention, a link to the current TCEQ rules, and copies of the Commission's decision on the petitions can be found on the [Landscape Irrigation Rule Petition](#) page on TCEQ's website.

The proposed rules were published in the Texas Register on January 31, 2020, which opened the comment period. **The comment period will close on March 3, 2020, by which time all comments are due.** A public hearing is scheduled for February 27, 2020, at 2:00 p.m. at the TCEQ Headquarters in Austin, located at 12100 Park 35 Circle, Building E, Room 201S. The anticipated adoption date is July 1, 2020.

The proposed revisions will be available on TCEQ's [rule proposals](#) webpage.

For more information on providing comments to TCEQ, visit our website at: <https://www6.tceq.texas.gov/rules/ecomments/>.

All comments should reference Rule Project Number 2018-004-344-CE.

If you have any questions, you may contact Al Fuentes, Program Support and Environmental Assistance Division, at Alfonso.Fuentes@tceq.texas.gov or 512-239-0400.

Sales Tax Sourcing Rule Changes: Comptroller Extends Comment Period to April 3, 2020

After receiving several requests from interested parties, the comptroller has extended by 60 days the comment period on [recently-proposed](#) sales tax rule changes that would alter sourcing for internet orders under certain circumstances. Interested cities now have until April 3, 2020 to submit their written comments to the comptroller.

Please contact Bill Longley, TML Legislative Counsel, with questions at bill@tml.org or 512-231-7400.

Don't Forget: Mandatory Hotel Occupancy Tax Reporting

The 50-day window for reporting local hotel occupancy tax information opened January 1, 2020.

Tax Code Section 351.009 requires cities to file an annual report with the comptroller that includes the city's hotel occupancy tax rate, the amount of revenue generated by the tax, and the amount and percentage of the revenue spent for each of the following purposes:

- Convention or information centers.
- Convention delegates registration.
- Advertising to attract tourists.
- Arts promotion and improvement.
- Historical restoration and preservation projects.
- Signage directing the public to sights and attractions.

Cities have two reporting options: (1) use the comptroller's online reporting form to submit all required information; or (2) clearly post and maintain all required information on the city's website and provide the comptroller's office with a link to the information. For cities selecting the second option, the comptroller provides an [optional format template](#) to post on the city's website.

For more information and access to the online reporting form, see the comptroller's hotel occupancy tax reporting [webpage](#). City officials with questions about the new requirements can also contact the comptroller's transparency team by email at transparency@cpa.texas.gov or (844) 519-5676.

Don't Forget: **Mandatory Eminent Domain Reporting**

Legislation passed in 2015 requires cities to annually fill out a [web-based form](#) with the comptroller relating to each city's statutory eminent domain authority. (The failure to fill out the form could result in a \$1,000 per day penalty against a city.)

The entry should be, for almost every city, just an update of previously-filed information, including whether the city exercised its eminent domain authority in the preceding calendar year by filing a condemnation petition under Section 21.012, Property Code.

Of course, any city that never filled out the form as required should do so now. City officials with questions about the new requirements can also contact the comptroller's transparency team by email at transparency@cpa.texas.gov or (844) 519-5676.

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