



# Legislative UPDATE

July 24, 2020  
Number 29

## **DOL Seeks Public Input on FMLA Regulations**

On July 17, the federal Department of Labor published a [Request for Information](#) (RFI) seeking input from the public by September 15 regarding the regulations implementing the Family and Medical Leave Act (FMLA).

The purpose of the RFI is to gather information concerning the effectiveness of the current regulations and to aid the Department in its administration of the FMLA, as well as to identify topics for which additional compliance assistance could be helpful.

Although not an exhaustive list of issues, the Department is specifically seeking input on: (1) what, if any, challenges have employers and employees experienced in applying the regulatory definition of a “serious health condition” that they believe the statute does not cover; (2) what, if any, specific challenges or impacts do employers and employees experience when an employee takes FMLA leave on an intermittent basis or on a reduced leave schedule; (3) what, if any, specific challenges do employers and employees experience when employees request leave or notify their employers of their need for leave; (4) what, if any, challenges employers and employees have experienced with the medical certification process; (5) whether it would be helpful for the Department to provide additional guidance regarding the interpretation in any of the seven opinion letters it has issued since 2018 through the regulatory process; and (6) any specific information and any available data regarding other specific challenges that employers may experience in administering FMLA leave or that employees experience in taking or attempting to take FMLA leave.

## **Human Trafficking Data Collection**

[House Bill 3800](#), codified at Article [2.305](#) of the Code of Criminal Procedure, requires city police departments in a county with a population of more than 500,000 to report data on human trafficking investigations and prosecutions to the Office of the Attorney General (OAG) beginning August 1, 2020. The same requirement applies to city police departments located in a county with a population of 500,000 or less beginning August 1, 2021.

Most of the information that must be reported under Article 2.305 is currently being collected by the Computerized Criminal History (CCH) and Uniform Crime Reporting (UCR) data systems through the Texas Department of Public Safety. If your police department submits the required information to both the CCH and UCR data systems, you will not need to resubmit the data to the OAG.

For additional details, visit the [Human Trafficking Data Collection](#) page, or contact Assistant Attorney General Emily Landon at [Emily.landon@oag.texas.gov](mailto:Emily.landon@oag.texas.gov) or (512) 936-0700.

## **TWDB: Still Seeking Flood Planning Volunteers**

The League [previously reported](#) that the Texas Water Development Board (TWDB) sought applications for each of the [fifteen flood planning regions](#).

TWDB is still seeking applications from water utility representatives for a few regions. The deadline to apply has closed, but the TWDB will still take applications for Region 4 (Sabine) and Region 13 (Nueces). Additionally, the TWDB is still accepting applications from electricity-generating utilities from all regions.

Officials from utilities interested in additional information regarding this solicitation and submission instructions may review the [regional flood planning group member solicitation document](#) and use the [online member nomination form](#).

## **Resolutions for the 2020 TML Annual Conference**

[Correction: The deadline shown in last week's version of the article below was incorrect. The deadline is actually August 31, 2020, which is five days later than the incorrect date.]

The TML Constitution states that resolutions for consideration at the annual conference must be submitted to the TML headquarters 45 calendar days prior to the first day of the Annual Conference. For 2020, this provision means that resolutions from any member city, TML region, or TML affiliate must arrive at the TML headquarters no later than 5:00 p.m. on August 31, 2020.

For details on the submission process, go to:

[https://www.tml.org/DocumentCenter/View/1999/Memo-for-Cities-2020-05312020\\_corrected](https://www.tml.org/DocumentCenter/View/1999/Memo-for-Cities-2020-05312020_corrected).

To learn more about how resolutions fit within the League’s Legislative Policy Development Process, go to:

<https://www.tml.org/DocumentCenter/View/1859/2019-2020-Policy-Process-53120>.

## **Coronavirus (COVID-19) Updates**

The Texas Municipal League is open for business. The building is closed to all but essential personnel and most staff is working remotely, but the League remains open for business and is fully ready to serve. Cities are encouraged to call or email for legal assistance, help with ordinances, or for general advice or assistance. Let us know how we can assist you and your city.

Call TML staff at 512-231-7400, or email Scott Houston for legal assistance at [SHouston@tml.org](mailto:SHouston@tml.org); Rachael Pitts for membership support at [RPitts@tml.org](mailto:RPitts@tml.org); and the training team for questions about conferences and workshops at [training@tml.org](mailto:training@tml.org).

The League has prepared a coronavirus clearinghouse [web page](#) to keep cities updated. In addition, everyone who receives the *Legislative Update* should receive a daily email update each afternoon with information on new developments. The daily email updates will be our primary means of communication during the pandemic. Those emails are being archived [chronologically](#) as well as by [subject matter](#).

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