



Legislative UPDATE

October 9, 2020
Number 40

FEMA Opens Grant Application Process for Flood Mitigation Assistance and Building Resilience Infrastructure and Communities (BRIC) Grants

FEMA has opened applications for two hazard mitigation grant programs totaling \$660 million. The [Building Resilient Infrastructure and Communities](#) (BRIC) grant will provide funds to states, local communities, tribes and territories for eligible mitigation activities. The new BRIC grant is intended for pre-disaster mitigation activities and replaces FEMA's existing Pre-Disaster Mitigation program. These grants will provide \$500 million communities as they design and begin new infrastructure projects that will reduce future disaster recovery costs. The program will also provide incentives to local governments to adopt and enforce modern building codes. This will be the first time FEMA has offered the BRIC grant since the passage of the Disaster Recovery Reform Act of 2018, providing for a stable funding source to fund mitigation projects annually.

FEMA has also opened the application period for [Flood Mitigation Assistance](#) grants and will make available \$160 million in flood mitigation grants with \$70 million set aside for community flood mitigation projects. These grants will be used for projects that reduce or eliminate the risk of repetitive flood damage to buildings that are insured by the National Flood Insurance Program.

Both grant applications will be open until January 21, 2021. Eligible applicants must apply for funding using the new [FEMA Grants Outcome](#) (FEMA GO).

House Releases Responses on Interim Committee Charges

Over the past two months, the League and individual cities have submitted comments to legislative committees in response to “requests for information” (RFIs) for committee interim charges. The two RFIs that have garnered the most city-interest thus far were those for the House Land and Resource Management Committee and House Ways and Means Committee. The Land and Resource Management Committee received public feedback on interim charges related to city annexation authority and eminent domain, among other topics. The Ways and Means received input on hotel occupancy taxes, sales taxes, and property taxes. Full responses to both committees’ RFIs can be found [here](#) and [here](#), respectively.

RFI responses for all House committees will be posted to [this webpage](#).

Comptroller’s Office Posts City Reporting Requirement Checklist

Over the last few legislative sessions, the legislature has passed reporting requirements for Texas cities and other local governments. For cities, these include eminent domain reporting, local hotel occupancy tax reporting, and local debt reporting.

The comptroller’s website consolidates all local government reporting information on [one webpage](#), which includes this helpful reminder [flyer](#) for cities, a [spreadsheet](#) containing all required reports with statutory citations and deadlines, and links to more detailed information about each specific reporting requirement and how to submit reports. City officials can also access information about [special district reporting requirements](#) that generally apply to city-related entities like crime control and prevention districts, municipal development districts, municipal management districts, public improvement districts, and sports and community venue districts.

Office of the Attorney General to Host Open Government Webinars

The Office of the Attorney General is hosting several Open Government webinars in December for interested parties. Please see the OAG’s website for registration information.

Last Call! **Choose Your City’s 2020 TML Business Meeting Delegate**

At the 2020 TML Annual Conference, the membership will consider [several resolutions](#) related to legislative issues and the League’s constitution. Three of this year’s resolutions, if passed, will form the basis of TML’s 2021-2022 Legislative Program, and two relate to amending the [TML Constitution](#) to accurately reflect affiliate organization names. To learn more about the League’s

policy development process, check out the introductory section of the resolutions packet linked above.

The resolutions will go directly to the membership at the [TML Business Meeting](#), which will meet using Zoom technology on October 14, 2020, at 3:30 p.m.

Each city is entitled to one delegate at the business meeting. Cities are encouraged to sign up their delegate early [here](#). The delegate isn't required to have any special expertise, and an elected official representative is encouraged but not required. The delegate must sign up electronically prior to 5:00 p.m. on October 9, 2020, for planning purposes.

Legislative Committees Request Information on Interim Charges

Due to the ongoing pandemic and the uncertainty as to scheduling interim hearings, several legislative committees have issued notices of formal “requests for information” (“RFIs”) to which the public, including cities, may respond. The following is a non-exhaustive list of RFIs on city-relevant interim charges, sorted by the deadline for submitting comments. Interested city officials may follow the links associated with each committee for more details about the procedure to submit comments:

October 16, 2020 – [House Mass Violence and Community Safety Select Committee](#)

- Duty 1: examine options for strengthening enforcement measures for current laws that prevent the transfer of firearms to felons and other persons prohibited by current law from possessing firearms;
- Duty 2: examine impediments and challenges to the timely reporting of relevant criminal history information and other threat indicators to state and federal databases;
- Duty 3: examine the role of digital media and technology in threat detection, assessment, reporting, and prevention, including the collaboration between digital media and law enforcement;
- Duty 4: evaluate the ongoing and long-term workforce needs of the state related to cybersecurity, mental health, law enforcement, and related professionals; and
- Duty 5: evaluate current protocols and extreme risk indicators used to identify potential threats and consider options for improving the dissemination of information between federal, state, and local entities and timely and appropriate intervention of mental health professionals.

October 30, 2020 – [House Licensing and Administrative Procedures Committee](#)

- **Interim Charge 1:** Monitor the agencies and programs under the Committee's jurisdiction and oversee the implementation of relevant legislation passed by the 86th Legislature. Conduct active oversight of all associated rulemaking and other governmental actions taken to ensure intended legislative outcome of all legislation, including the following:
 - HB 892, which relates to county regulation of game rooms. Monitor the status of counties statewide who have chosen to regulate game rooms and implement their own regulatory structure to combat illegal gambling activity via registration and permitting requirements, fees, disclosure of ownership, inspection schemes, and civil and criminal penalties.
 - HB 1545, which is the sunset legislation for the Texas Alcoholic Beverage Commission. Monitor the implementation of the legislation and the agency's progress in the consolidation, repeal, and creation of certain licenses and permits and the adoption of new fees.

November 13, 2020 – [House Ways and Means Committee](#)

- **Interim Charge 1.1:** Monitor the agencies and programs under the Committee's jurisdiction and oversee the implementation of relevant legislation passed by the 86th Legislature. Conduct active oversight of all associated rulemaking and other governmental actions taken to ensure intended legislative outcome of all legislation, including the following:
 - S.B. 2, which is the Texas Property Tax Reform and Transparency Act of 2019. Monitor the implementation of the legislation, including a review of the tax rates adopted by taxing units in 2019 and 2020, the appraisal review board survey system, and progress in onboarding the tax rate notices and websites. Make recommendations for modifications as necessary and appropriate.

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; Rachael Pitts for membership support at RPitts@tml.org; and the training team for questions about conferences and workshops at 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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