



Legislative UPDATE

October 30, 2020
Number 43

Short Survey on 2020 City Property Tax Rates

TML needs your help gathering 2020 tax rate information for the legislature.

The House Committee on Ways and Means [has requested information](#) on the following interim charge:

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.

If you have not already done so, we ask that your city complete a [one-question survey](#) to help with TML efforts. It should take just a couple of minutes to complete.

Please complete the survey by November 6, 2020. If you have any questions, please contact either Bill Longley at bill@tml.org or JJ Rocha at jj@tml.org.

TCEQ Proposes Rule Requiring Connections to Neighboring Utilities for Safe Drinking Water Violations

The Texas Commission on Environmental Quality (TCEQ) is [proposing rules](#) that would allow TCEQ to require utilities that are out of compliance with safe drinking water standards to incur costs for an emergency connection to a neighboring utility. The rule is in response to [Senate Bill \(S.B.\) 700](#). S.B. 700 allows TCEQ to issue an emergency order requiring a water or sewer utility with a certificate of convenience and necessity (CCN) to connect to a neighboring utility to ensure safe drinking water and environmental protection. According to S.B. 700, the emergency order may be issued with or without notice or a hearing.

TCEQ estimates that its rules would affect 329 local-government-owned utilities that also have a CCN. These utilities will have no fiscal impact so long as they comply with safe drinking water laws and regulations. However, an order requiring a non-compliant utility to interconnect with a neighboring retail public utility would likely require a one-time cost to the utility.

Cities interested in commenting on the rules must submit comments by **November 17, 2020**. Comments may be addressed to Ms. Gwen Ricco, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to fax4808@tceq.texas.gov. Electronic comments may be submitted at: <https://www6.tceq.texas.gov/rules/ecomments/>. All comments should reference Rule Project Number 2020-011-291-OW. The [Texas Register](#) has more information.

House Members File Paperwork for Speaker

As early voting comes to a close today, all eyes are on next Tuesday, November 3. Texans from across the state have come out to the polls in record numbers this year to make their voices heard on federal, state, and local races.

One of the more interesting questions to be answered on Tuesday will be which party will control the Texas House of Representatives. Currently, Republicans hold a nine-seat majority with many contested races across the state. The make-up of the 150-member body will determine who they trust to lead the chamber through the legislative session. As of today, Representative Senfronia Thompson (D-Houston), Representative Trey Martinez Fischer (D-San Antonio), Representative Chris Paddie (R-Marshall), Representative Trent Ashby (R-Lufkin), Representative John Cyrier (R-Lockhart), Representative Oscar Longoria (D-Mission) and Representative Geanie Morrison (R-Victoria) have filed their paperwork to become candidates for Speaker. Look for more candidates to enter the race in the days ahead as members begin to coalesce around someone they feel can reach the 76 votes needed to secure the position.

Updated: 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 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 5, 2020 – [House Criminal Jurisprudence Committee](#)

- **Interim Charge 2:** Study current practices and enforcement of criminal laws for non-violent Class C Misdemeanors. Examine the benefits of citations in lieu of arrests and fine-only offenses, the nexus between recidivism and "debtors' prisons," and all programs within the criminal justice system that levy fines, fees, and related penalties.

November 10, 2020 – [House Defense and Veterans' Affairs Committee](#)

- **Interim Charge 2:** Study the mental health treatment options available for all Texas veterans, including efforts to fill gaps left by federal government. Make recommendations for future legislation streamlining mental health treatment coordination among federal, state, and local agencies.
- **Interim Charge 3:** Study the potential impact of eliminating Regional Military Sustainability Commissions as an ineffective tool in assisting Texas military installations and their host defense communities with protecting the missions, operations, readiness, and resiliency of military installations. Identify new and enhanced strategies to replace the

Commissions with land use limitations or restrictions, regulatory strategies, annexation powers, contractual agreements, or other tools to preserve military use areas inside and outside municipal boundaries.

- **Interim Charge 4:** Examine gaps in services and assess efforts to connect justice-involved veterans, senior citizens, and homeless populations to services while incarcerated and after release at both the local and state levels. Specifically, the committee should evaluate training and technical assistance provided by the Texas Veterans Commission to criminal justice agencies.

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 Bill Longley for legal assistance at bill@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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