



**RESOLUTIONS SUBMITTED
TO THE MEMBERSHIP OF
THE TEXAS MUNICIPAL LEAGUE**

October 7, 2021

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The primary function of the Texas Municipal League is advocating on behalf of its member cities. That's the way it has been since the League's formation in 1913 because many significant decisions affecting Texas cities are made by the Texas Legislature, not by municipal officials. Now, just as they did over a century ago, newly elected mayors and councilmembers quickly realize the legislature can address virtually any aspect of city government.

This fact is vividly demonstrated during each legislative session. For example, during the 2021 session, almost 7,000 bills or significant resolutions were introduced; more than 2,000 of them would have affected Texas cities in some substantial way. In the end, over 1,400 bills or resolutions passed and were signed into law; over 200 of them impacted cities.

The number of city related bills as a percentage of total bills filed rises every year. Twenty years ago, around 17 percent of bills filed affected cities in some way. By 2021, that percentage has increased to almost 31 percent. In other words, more than a quarter of the legislature's work is directed at cities, and much of that work aims to limit municipal authority.

Based on a legislative program that is developed by member cities and adopted by the TML board of directors, the League, through its grassroots, advocates against or for those efforts. The program is essential to the legitimacy of the League's advocacy efforts. To develop the program, city officials provide input in primarily two ways.

First, a member city, TML region, or TML affiliate may submit a resolution for consideration at the business meeting of each year's annual conference. Each city is asked to provide one delegate to serve as its liaison at the meeting. The delegates will be briefed on the content of the resolutions and given a chance to vote on whether they merit inclusion in the legislative program. The resolutions form the basis of a fixed legislative program, under which – each session – modifications to the program will only be considered at a future Municipal Policy Summit (see next paragraphs), business meeting, or TML board meeting.

Second, member city officials participate in the League's Municipal Policy Summit during the summer of each even-numbered interim year. The summit participants are appointed by the TML President based on volunteers and others chosen to balance the demographics of the TML membership at large.

The 2022 Summit will be an intensive, two-day virtual workshop which League staff will brief the participants on the issues faced by cities. Most are issues that arise each session, but several consist

of solicited or unsolicited issues brought by city officials. After relevant subject-matter briefing, the participants will make concise recommendations on any changes. Those recommendations are placed into resolution form and submitted to the League’s annual business meeting, discussed above.

The somewhat complex policy development process is necessary to ensure that the League advocates as directed by its members. The League is nothing without the involvement and expertise of its members, and participation in the process is an invaluable part of protecting municipal authority.

At the 2021 TML Annual Conference, resolutions will go directly to the membership at the TML Business Meeting, which will meet on October 7, 2021, at 3:30 p.m.

Each city is entitled to one delegate at the business meeting. The delegate isn’t required to have any special expertise, and an elected official representative is encouraged but not required.

Cities are encouraged to sign up their delegate early. The delegate must sign up electronically at www.tml.org. Hover over “Policy” at the top of the page, then click on “Legislative Information,” and finally “Policy Committees.” The “2021 Business Meeting” link on that page will allow the delegate to sign up prior to the deadline.

The TML Legislative Philosophy

The TML approach to the 2023 session will undoubtedly be guided by principles that spring from a deeply rooted TML legislative philosophy:

- The League will vigorously oppose any legislation that would erode the authority of Texas city officials to govern municipal affairs.
- Cities represent the level of government closest to the people. They bear primary responsibility for the provision of capital infrastructure and for ensuring our citizens’ health and safety. Thus, cities must be assured of a predictable and sufficient level of revenue and must resist efforts to diminish that revenue.
- The League will oppose limitations on the ability of cities (and TML) to advocate for local decision-making in their communities.

TML Legislative Policy Process Schedule

The League’s 2021-2022 legislative policy development schedule is roughly as follows:

October 2021 – the TML membership will consider resolutions at the 2021 Annual Conference at the annual business meeting.

June 2022 – the chair, vice-chairs, board representative, and delegates of the League’s Municipal Policy Summit will be appointed by the TML President.

July 2022 – Municipal Policy Summit materials will be distributed to the officers and delegates.

August 2022 – the Municipal Policy Summit, a two-day policy briefing at which the members will make recommendations for the League’s 2021-2022 legislative program, will met.

October 2022 – the report of the Municipal Policy Summit, along with any other resolutions, will go forward to the annual business meeting at the 2022 Annual Conference.

December 2022 – the TML Board will finalize the League’s 2023-2024 legislative program based on resolutions passed in both 2021 and 2022.

Suggestions for City Officials

City officials can significantly impact the outcome of the 2023 legislative session. When making recommendations for the League’s Legislative Program, they should keep in mind the following:

1. **There is a practical limit to what the League – or any group, for that matter – can accomplish in any legislative session.** It is obvious that all resources – human, financial, and political – are limited, and no group can hope to achieve all its legislative objectives. The most powerful interest groups in the state sometimes come away from a legislative session bruised and battered. On occasion, the best that can be expected is that damage be mitigated.
2. **TML will expend the vast majority of its resources killing bad bills.** This has always been so and will probably always be the case. At one point during the 2021 regular session, the League was monitoring more than 2,000 bills or resolutions, many of which were bad for cities. The League’s legislative philosophy has traditionally been, first and foremost, to defeat bad legislation and, secondarily, to seek passage of beneficial legislation as time, resources, and political realities permit.
3. **It is unlikely that any other interest group in the state monitors and opposes as many bills as does the Texas Municipal League.** During recent legislative sessions, the League took steps to oppose bad legislation dealing with everything from annexation to zoning and from autonomous vehicles to tree preservation. The breadth of the League’s legislative focus becomes obvious each year when TML completes and submits its state-mandated lobbyist registration form. One schedule of the form asks which of 83 subject matters are of interest to the organization. All 83 fall within the League’s areas of interest.

4. **Unfortunately, the number of bad city-related bills grows almost every year. (Please see the chart on the next page.)** As a result, the League has been forced to expend an ever-greater percentage of its resources simply fending off bad ideas.
5. **Given the League’s finite resources, and because vast amounts of those resources are necessarily expended in defeating bad legislation, the League must very carefully select bills that it will support or for which it will attempt to seek passage.** A sharply focused legislative program is more likely to lead to success than is a very large and wide-ranging program. In addition, supporting a bill that has a low probability of passage requires a large amount of time and political resources that can be used more productively in other ways. **Thus, it is important to advocate only those initiatives that are truly important and that have a realistic chance of passage.**

<u>Year</u>	<u>Total Bills Introduced *</u>	<u>Total Bills Passed</u>	<u>City-Related Bills Introduced</u>	<u>City-Related Bills Passed</u>
2001	5,712	1,621	1,200+	150+
2003	5,754	1,403	1,200+	110+
2005	5,369	1,397	1,200+	105+
2007	6,374	1,495	1,200+	120+
2009	7,609	1,468	1,500+	120+
2011	6,303	1,410	1,500+	160+
2013	6,061	1,437	1,700+	220+
2015	6,476	1,329	1,600+	220+
2017	6,800	1,220	2,000+	290+
2019	7,500	1,400	2,000+	300+
2021	6,927	1,073	2,000+	240+

* Includes bills and proposed Constitutional amendments; regular session only.

6. How can city officials identify initiatives that are truly significant and that merit a place in the TML legislative program? They may wish to ask the following questions about each discussion item:
- ◆ **Does the initiative have wide applicability to a broad range of cities of various sizes (both large and small) and in various parts of the state?**

- ◆ **Does the initiative address a core municipal issue, such as erosion of local control and preservation or enhancement of municipal revenue?**
- ◆ **Will the initiative be vigorously opposed by strong interest groups and, if so, will member cities commit to contributing the time and effort necessary to overcome that opposition?**
- ◆ **Is this initiative, when compared to others, important enough to be part of TML’s list of priorities?**
- ◆ **Is this initiative one that city officials, more than any other group, should and do care about?**

The foregoing suggestions are not meant to imply that TML can’t pass good, solid legislation. It can, it has in the past, and it will again. The suggestions are meant merely to emphasize the fact that any group, to succeed, must use its resources and its political strength wisely and selectively.

Categories of Legislative Positions

Legislative positions should reflect one of four categories that will direct League staff. Keep in mind that there is a difference between “seek introduction and passage” and “support.”

- **Seek Introduction and Passage** means that the League can attempt to find a sponsor, will provide testimony, and will otherwise actively pursue passage. Bills in this category are known as “TML bills.” **These bills require an enormous amount of time and resources, and the committee should be very cautious about putting items in this category.**
- **Support** means the League will attempt to obtain passage of the initiative if it is introduced by some other entity.

With very few exceptions, any item that makes its way into the 2023-2024 TML Legislative Program should be categorized by the two terms above, or by a recommendation that TML “**oppose**” or “**take no position.**”

League staff will, based upon the foregoing principles and its knowledge of current legislative realities, determine the amount of time and resources devoted to any item in the program. City officials serving throughout the process is an essential part of protecting municipal authority. The League is nothing without the involvement and expertise of its members.

Have questions or comments? Contact Bill Longley, TML General Counsel, or JJ Rocha, TML Grassroots and Legislative Services Manager, at 512-231-7400.

2021
TML RESOLUTION COVER SHEET

Sponsoring Entity: TML Region 14

Brief Background: Under current law, cities are required to publish most legal notices in a newspaper published in the city. Often, the cost of the legal notices is high, and the notices may not reach their intended audiences.

What the Resolution is Intended to Accomplish: The resolution is intended to provide efficient, newer, and more modern methods of providing legal notices to constituents and interested parties.

How the Resolution is City-Related/How it addresses a Municipal Issue: Every city is required to publish legal notices, sometimes at great expense to the city's taxpayers.

Statewide Importance: Having options available to save money while getting the message to its intended audience would benefit all cities.

Submitted By: **Name:** Joe Garcia, Mayor, City of Pattison
 TML Region: Region 14
 Contact: joe.garcia@pattison.texas.gov

1.

A RESOLUTION TO SEEK INTRODUCTION AND PASSAGE OF LEGISLATION THAT
WOULD INCREASE TRANSPARENCY OF AND ACCESSIBILITY TO LEGAL NOTICES
BY PROVIDING OPTIONS IN THE METHOD OF THEIR DISTRIBUTION

WHEREAS, state law requires that most legal notices, such as those related to procurement, tax rate, budget, and numerous other items, be published in a newspaper;

WHEREAS, newspapers continue to play an important role in the distribution of notice to the public;

WHEREAS, newer and more modern methods have arisen in recent years that can supplement newspapers and target additional audiences;

WHEREAS, those methods include Internet website posting, social media, listing services, mailing inserts, and more;

WHEREAS, those methods can reach many more citizens than posting notice solely in a print newspaper;

WHEREAS, those methods can provide a more efficient, less expensive, and well-organized means of publication of required notices;

NOW, THEREFORE, BE IT RESOLVED by the Texas Municipal League Region 14 that the Texas Municipal League is directed to seek introduction and passage of legislation that would allow cities additional methods for publications of legal notices.

PASSED AND APPROVED by the membership of the Texas Municipal League on this 7th day of October, 2021.

APPROVED;

Martha Castex-Tatum,
TML President

ATTEST:

Bennett Sandlin,
Executive Director