

TML LEGISLATIVE UPDATE



January 27, 2023
Number 4

Lieutenant Governor Announces Senate Committee Appointments

Lieutenant Governor Dan Patrick issued committee assignments this week. A full list of those assignments can be found [here](#). The Lt. Governor made two significant changes this session: (1) the Higher Education committee is now a subcommittee of Education; and (2) Veteran Affairs and Border Security are split into standalone committees.

Get Involved During the Legislative Session: Grassroots Involvement Program

During 88th Legislative Session, Texas cities will face many challenges and opportunities. TML will need to mobilize our membership at key points during session. The Grassroots Involvement Program (GRIP) is one way to do so. Our GRIP survey focuses on a variety of items including your areas of expertise and involvement with other professional organizations. Most importantly, the GRIP survey asks how well you know various state legislators and if you are willing to

communicate with those legislators during the session. TML’s grassroots approach will be crucial to our efforts.

If you have a relationship with your legislator(s) or want to be more involved during session, please take the time to complete the [GRIP survey](#). Past efforts have proven that such participation is a highly effective tool.

We ask that you complete the survey as soon as possible.

2023 SWIFT Application Period Closes February 1

The application period for the 2023 funding cycle of the State Water Implementation Fund for Texas (SWIFT) program closes at **midnight on February 1, 2023**. Applications can be submitted by the [TWDB’s online application system](#) or by [paper copy](#).

Projects must be recommended in the [2022 State Water Plan](#) to be eligible for SWIFT program financial assistance. The SWIFT program helps communities develop and optimize water supplies at cost-effective rates. More information on the program can be found [here](#).

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. Instructions for reporting can be found [here](#). The three-month reporting period began on November 1, 2022, and closes on **February 1, 2023**. However, reports may be updated at any time throughout the year. The failure to fill out the form could result in a maximum \$2,000 penalty against a city.

The entry should be, for almost every city, 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. This was clarified to some degree for certain cities by legislation that passed in 2021. [S.B. 157](#) provided that—for cities under 25,000 population—an annual report must be filed only if the city’s eminent domain authority information has changed from the previous year. If the city’s information has not changed from the previous report, the city must use the comptroller’s reporting tool to confirm the accuracy of the previous information by electronically updating the filed report with the comptroller. Of course, any city that never filled out the form as required should do so now.

City officials with questions about the requirements can contact the comptroller’s transparency team by email at transparency@cpa.texas.gov or (844) 519-5676.

Don’t Forget: Mandatory Hotel Occupancy Tax Reporting

The 50-day window for reporting local hotel occupancy tax information opened January 1, 2023. The reporting deadline is **February 20, 2023**.

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, see the comptroller's hotel occupancy tax reporting [webpage](#) or contact the comptroller's transparency team by email at transparency@cpa.texas.gov or (844) 519-5676.

City-Related Bills Filed

(Editor's Note: You will find all of this session's city-related bill summaries online at <https://www.tml.org/319/Legislative-Information>.)

Property Tax

H.B. 1513 (Vasut) – Elimination of Property Taxes: would, among other things: (1) eliminate property taxes by 2033; and (2) create a joint interim committee to conduct a comprehensive study of alternative methods of taxation to replace local tax revenue that will be lost when property taxes are eliminated.

S.B. 480 (Kolkhorst) – Property Tax Exemptions: would provide that the property tax exemption for property owned by a charitable organization does not apply to real property that consists of rental housing constructed, rehabilitated, or purchased wholly or partly with money awarded through a program administered by the General Land Office.

S.B. 522 (West) – Property Tax Installment Payments: would, among other things, provide that for property taxes imposed by a taxing unit in a tax year on property that is used for residential purposes and has fewer than three living units, a person may pay the taxing unit's property taxes on property that the person owns in eight equal installments without penalty or interest if the person: (1) provides written notice to the taxing unit not later than December 31 of the year for

which the taxes are imposed that the person will pay the taxes in eight equal monthly installments; and (2) pays the first installment before the date on which the taxes become delinquent.

S.B. 539 (Campbell) – Delinquent Tax Roll: would provide that the tax collector for a taxing unit shall indicate on each delinquent tax roll for the taxing unit that a delinquent tax included on the roll is deferred or abated, if applicable.

S.B. 546 (Blanco) – Homestead Exemption: would, among other things, provide that: (1) an individual is entitled to a homestead exemption by a taxing unit other than a school district of a portion of the appraised value of the individual's residence homestead if the exemption is adopted by the governing body of the taxing unit before July 1 in the manner provided by law for official action by the body; (2) the amount of the exemption under (1), above, is \$14,000 of the appraised value of the residence homestead, except that if the average market value of residence homesteads in the taxing unit in the tax year in which the exemption is adopted exceeds \$70,000, the governing body may authorize an exemption in a larger dollar amount not to exceed an amount equal to 20 percent of the average market value of residence homesteads in the taxing unit in the tax year in which the exemption is adopted; (3) for a taxing unit that has ceased granting a percentage-based homestead exemption and adopted an exemption under (1), above, an individual who would have been entitled to a percentage-based residence homestead exemption had the governing body not ceased granting the exemption is entitled to continue to receive the percentage-based exemption in lieu of the dollar-amount homestead exemption if the individual otherwise qualifies for the exemption and the amount of the percentage-based exemption exceeds the amount of the dollar-amount exemption; and (4) the governing body of any taxing unit that adopted a percentage-based exemption for the 2022 tax year may not reduce the amount of or repeal the exemption prior to December 31, 2032, unless the governing body adopts an exemption under (1), above, in an amount greater than \$14,000. (See **S.J.R. 31**, below.)

S.B. 547 (Blanco) – Appraisal Cap: would establish an appraisal cap on the appraised value of residence homestead as the lesser of: (1) ten percent of the appraised value of the property for the preceding tax year; or (2) the product of the inflation rate for the preceding tax year, expressed as a decimal, and the appraised value of the property for the preceding tax year. (See **S.J.R. 34**, below.)

S.J.R. 31 (Blanco) – Homestead Exemption: would amend the Texas Constitution to, among other things, provide that: (1) an individual is entitled to a homestead exemption by a taxing unit other than a school district of a portion of the appraised value of the individual's residence homestead if the exemption is adopted by the governing body of the taxing unit before July 1 in the manner provided by law for official action by the body; (2) the amount of the exemption under (1), above, is \$14,000 of the appraised value of the residence homestead, except that if the average market value of residence homesteads in the taxing unit in the tax year in which the exemption is adopted exceeds \$70,000, the governing body may authorize an exemption in a larger dollar amount not to exceed an amount equal to 20 percent of the average market value of residence homesteads in the taxing unit in the tax year in which the exemption is adopted; and (3) for a taxing unit that has ceased granting a percentage-based homestead exemption and adopted an exemption under (1), above, an individual who would have been entitled to a percentage-based residence homestead exemption had the governing body not ceased granting the exemption is entitled to

continue to receive the percentage-based exemption in lieu of the dollar-amount homestead exemption if the individual otherwise qualifies for the exemption and the amount of the percentage-based exemption exceeds the amount of the dollar-amount exemption. (See **H.B. 546**, above.)

S.J.R. 34 (Blanco) – Appraisal Cap: would amend the Texas Constitution to establish an appraisal cap on a residence homestead of the lesser of 110 percent or a percentage equal to the sum of 100 and the inflation rate for the preceding tax year. (See **H.B. 547**, above.)

Public Safety

H.B. 1354 (Sherman) – Police Department Minimum Salary: would: (1) require cities with a population of less than 5,000 to provide a salary of at least \$55,000 to each eligible member of the police department; (2) provide that to be eligible for the minimum salary, a member of the police department must: (a) be a full-time employee; and (b) annually file with the city an affidavit stating that the member has never been dishonorably discharged by any law enforcement agency and is not currently under investigation for an alleged misconduct for which the member may be dishonorably discharged; (3) provide that a city is entitled to an assistance payment from the state for each city fiscal year to assist the city in paying the minimum salary required by (1), above, in an amount that equals the difference of \$55,000 and the member’s salary as paid by the city; (4) provide that the city may not reduce the portion of a salary paid to a member of the police department by the city as a result of receiving an assistance payment for that member; (5) the city must submit, not later than the 30th day after the first day of the city’s fiscal year, an application and affidavits from (2)(b), above, to the comptroller to receive the assistance payment; and (6) require the comptroller to remit the applicable assistance payment to a city from available state money not later than the 30th day after the date the comptroller receives the city’s completed application.

H.B. 1398 (Moody) – Extreme Risk Protective Orders: would, among other things: (1) provide that, in certain circumstances, courts may issue an extreme risk protective order against a person exhibiting dangerous behavior or conduct as a result of a serious mental illness, including any behavior or conduct related to the person’s use of firearms, requiring the person to relinquish his or her firearms; (2) require local law enforcement agencies to: (a) take possession of a person’s firearms when a court issues an extreme risk protective order against that person and to immediately provide the person a written copy of the receipt for the firearm and written notice of the procedure for return of the firearm; (b) if applicable, notify the court that issued the extreme risk protective order that the person who is the subject of the order has relinquished the firearm not later than seven days after the law enforcement agency receives the firearm; (c) conduct a check of state and national criminal history record information to verify whether the person may lawfully possess a firearm not later than 30 days after receiving notice from the court that the extreme risk protective order has expired; and (d) if the check described in (2)(c), above, verifies that the person may lawfully possess a firearm, provide written notice to the person by certified mail stating that the firearm may be returned to the person if the person submits a written request before the 121st day after the date of the notice; (3) provide that a local law enforcement agency in possession of a firearm relinquished because of an extreme risk protective order may not destroy the firearm but may sell the firearm to a licensed firearms dealer if the check in (2)(c), above,

shows that the person may not lawfully possess a firearm or the person does not submit a written request as required by (2)(d), above; (4) provide that the proceeds from the sale of a firearm in (3), above, shall be paid to the owner of the seized firearm, less the cost of administering the bill with respect to the firearm; and (5) provide that a law enforcement officer or other employee of a law enforcement agency is subject to punishment for contempt of court if the officer or employee violates the bill with the intent to withhold a firearm from a person who, at the time the violation occurred: (a) was the subject of an extreme risk protective order that was rescinded or that expired; and (b) may lawfully possess the firearm.

H.B. 1405 (Geren) – Expunction: would, among other things, provide that a peace officer, firefighter, detention officer, county jailer, or emergency medical services employee is eligible for an expunction of arrest records and files if: (1) such person has completed a public safety employees treatment court program; (2) the person has not previously received an expunction of arrest records and files for completion of a public safety employees treatment court program; and (3) the person submits an affidavit to the court attesting to the fact described in (2), above.

H.B. 1421 (Campos) – Failure to Report Offense: would enhance the penalty for the offense of failure to report that an elderly person or a person with a disability has been abused, neglected, or exploited to a state jail felony if it is shown on the trial of the offense that the actor is a peace officer who encountered the abused, neglected, or exploited person in the course of discharging his or her duties as a peace officer.

H.B. 1454 (Anchia) – Immigration: would repeal certain provisions governing state and local enforcement of immigration laws and other provisions related to immigration law, such as the requirement that a law enforcement agency honor a detainer request. (Companion bill is **S.B. 106** by **Menéndez**.)

H.B. 1479 (Ramos) – Surrender of Firearms: would: (1) provide that, on conviction of a person for certain family violence offenses or issuance of certain protective orders, a court shall provide written notice to the person convicted or subject to the protective order that he/she is: (a) prohibited from acquiring, possessing, or controlling a firearm; and (b) ordered to surrender all firearms the person owns; (2) provide that a person in (1), above, shall surrender a firearm by: (a) selling the firearm to a licensed dealer; or (b) surrendering the firearm to a law enforcement agency for holding or disposition; (3) require a law enforcement agency that takes possession of a firearm under (2)(b), above, to follow certain policies and procedures for collecting, storing, returning, selling, or destroying the firearm; and (4) allow the agency to impose a reasonable fee for storing a firearm.

H.B. 1537 (Howard) – Handle with Care Notice: would, among other things, provide that: (1) a law enforcement agency that determines, in the course of providing law enforcement services, that an individual who is enrolled as a student in a public primary or secondary school has experienced a traumatic event, may submit a handle with care notice (HWCN) to the superintendent or other designated school employee at the school at which the student is enrolled; (2) the HWCN must include, if known: (a) the student's name, age, and grade level; (b) the school at which the student is enrolled; and (c) a brief description of the traumatic event experienced by the student; (3) a law enforcement agency shall submit the HWCN using an electronic system that: (a) stores the number

of notices sent and the zip code from which each notice was sent; and (b) automatically sends a copy of the HWCN to the regional education service center serving the school where the student is enrolled; (4) the Texas Commission on Law Enforcement shall establish and maintain a one-hour training program for peace officers and other employees of law enforcement agencies that provides information on the implementation of procedures relating to HWCNs; and (5) a law enforcement agency must ensure law enforcement officers and other agency employees receive appropriate training regarding a HWCN, including by requiring appropriate agency personnel to attend the training established and maintained under (4), above.

S.B. 496 (Zaffirini) – Emergency Dispatcher Training: would require the Texas Commission on Law Enforcement, in consultation with the Texas A&M Engineering Extension Service, to conduct a study to identify potential improvements to training provided to 9-1-1 emergency service call takers and dispatchers.

S.B. 497 (Zaffirini) – Kratom Products: would impose regulations on the sale of Kratom and Kratom products, including labelling and prohibiting the sale to a minor, and authorize a city attorney, among others, to bring an action to recover a civil penalty for violation of those regulations. (Companion bill is **H.B. 861** by **Lozano**.)

S.B. 521 (West) – Termination Report: would: (1) require the head of a law enforcement agency or the head's designee to: (a) submit a report to the Texas Commission on Law Enforcement (TCOLE) regarding a person licensed by TCOLE who separates from the law enforcement agency for any reason; (b) indicate in the report required under (a), above, whether the license holder was suspected of misconduct, including engaging in criminal conduct, regardless of whether the license holder was arrested for, charged with, or convicted of an offense, even if the license holder was not terminated for misconduct; and (2) repeal the provision that provides that: (a) information related to employment records that are submitted to TCOLE is confidential and is not subject to disclosure under the Texas Public Information Act, unless the person resigned or was terminated due to substantiated incidents of excessive force or violations of the law other than traffic offenses; and (b) a TCOLE member or other person may not release employment records that are submitted to TCOLE.

S.B. 528 (West) – Titling Requirement Exception: would, among other things, provide that: (1) a metal recycler or used automotive parts recycler may purchase a motor vehicle without obtaining a title in certain circumstances; (2) a metal recycler or used automotive parts recycler under (1), above, shall obtain certain information from the seller or seller's agent regarding the vehicle and seller; (3) a metal recycler or used automotive parts recycler under (1), above, shall submit information obtained in (2), above, to the Texas Department of Motor Vehicles (DMV) and the National Motor Vehicle Title Information System not later than 24 hours after the close of business on the day the vehicle was received; (4) not later than 48 hours after receiving information from a recycler under (3), above, the DMV shall notify the recycler whether the vehicle has been reported stolen; (5) if the DMV notifies a recycler under (4), above, that a motor vehicle has been reported stolen, the recycler shall notify the appropriate local law enforcement agency of the current location of the vehicle and identifying information of the person who sold the vehicle; (6) the records required to be maintained by a metal recycler or used automotive parts recycler must be open to inspection by a representative of the DMV or a law enforcement officer during reasonable

business hours; (7) it is a Class C misdemeanor offense for, among other things, failing to obtain or falsifying information required to be obtained or submitted under (2) and (3), above; and (8) money generated from penalties collected for offenses under (7), above, may be used only for enforcement, investigation, prosecution, and training activities related to motor vehicle related offenses.

S.B. 529 (West) – Extreme Risk Protective Orders: would, among other things: (1) provide that, in certain circumstances, courts may issue an extreme risk protective order against a person exhibiting dangerous behavior or conduct as a result of a serious mental illness, including any behavior or conduct related to the person’s use of firearms, requiring the person to relinquish his or her firearms; (2) require local law enforcement agencies to: (a) take possession of a person’s firearms when a court issues an extreme risk protective order against that person and to immediately provide the person a written copy of the receipt for the firearm and written notice of the procedure for return of the firearm; (b) if applicable, notify the court that issued the extreme risk protective order that the person who is the subject of the order has relinquished the firearm not later than seven days after the law enforcement agency receives the firearm; (c) conduct a check of state and national criminal history record information to verify whether the person may lawfully possess a firearm not later than 30 days after receiving notice from the court that the extreme risk protective order has expired; and (d) if the check described in (c), above, verifies that the person may lawfully possess a firearm, provide written notice to the person by certified mail stating that the firearm may be returned to the person if the person submits a written request before the 121st day after the date of the notice; (3) provide that a local law enforcement agency in possession of a firearm relinquished because of an extreme risk protective order may not destroy the firearm but may sell the firearm to a licensed firearms dealer if the check in (2)(c), above, shows that the person may not lawfully possess a firearm or the person does not submit a written request as required by (2)(d), above; and (4) provide that the proceeds from the sale of a firearm in (3), above, shall be paid to the owner of the seized firearm, less the cost of administering this article with respect to the firearm.

S.B. 530 (West) – Law Enforcement Peer Support Network: would: (1) require the Caruth Police Institute located at the University of North Texas at Dallas to develop a peer support network for law enforcement officers; (2) provide that information related to a law enforcement officer’s participation in peer-to-peer support and other peer-to-peer services under the network is confidential and not subject to disclosure under the Texas Public Information Act; and (3) provide that the Texas Commission on Law Enforcement may not: (a) take disciplinary action against an officer based solely on the officer’s participation in peer-to-peer support; or (b) consider the officer’s participation in peer-to-peer support during any disciplinary proceeding.

Sales Tax

H.B. 1465 (Bucy) – Local Sales Tax Sourcing: would provide that: (1) a location that, under the law in effect on August 31, 2019, was a place of business of the retailer for purposes of certain economic development agreements, entered into by a retailer and a city on or before August 31, 2019, remains a place of business of the retailer for the term of the agreement; and (2) during the term of the agreement, the sale of a taxable item is consummated at that place of business if the

sale would have been consummated at that place of business under the law in effect on August 31, 2019. (Companion bill is **S.B. 333** by **Schwertner**.)

Community and Economic Development

H.B. 1381 (**Hernandez**) – **Zoning Hearing**: would require a zoning commission to hold at least one public hearing on a preliminary report related to a proposed change in zoning classification before submitting a final report to the city’s governing body.

H.B. 1384 (**Ordaz Perez**) – **Payday and Auto Title Lending**: would provide that the annual percentage rate of an extension of consumer credit in the form of a deferred presentment transaction that is entered into by a consumer residing in a disaster area and that a credit access business obtains for the consumer or assists the consumer in obtaining may not exceed 30 percent during the designated disaster period.

H.B. 1389 (**Guillen**) – **Nuisance**: would provide that a city requirement relating to the height or maintenance of vegetation does not apply to an agricultural operation.

H.B. 1392 (**Craddick**) – **Texas Grow Fund Grant Program**: would, among other things, establish the Texas Grow Fund Grant Program to award grants to eligible applicants to construct or maintain roads, schools, health care facilities, and other infrastructure in areas the Texas Grow Fund Commission determines to be significantly affected by oil and gas production.

H.B. 1439 (**Hernandez**) – **Graffiti**: would: (1) repeal the requirement that a city offer to remove graffiti from a property owner’s property at no cost; and (2) reduce the number of days that a property owner has to remove graffiti after receiving notice from the city from 15 days to 10 days (Companion bill is **S.B. 368** by **Alvarado**.)

H.B. 1492 (**Ordaz Perez**) – **Real Property for Economic Development**: would, among other things: (1) provide that a city that has entered into an economic development agreement authorized by Chapter 380 of the Local Government Code with an entity may transfer to the entity real property or an interest in real property for consideration if: (a) the agreement requires the entity to use the property in a manner that primarily promotes a public purpose of the city relating to economic development; and (b) the agreement includes provisions under which the city is granted sufficient control to ensure that the public purpose is accomplished and the city receives the return benefit; (2) prohibit the city from transferring for consideration real property or an interest in real property the city owns, holds, or claims as a public square or park; (3) provide that before a city may transfer real property or an interest in real property under an agreement as provided by the bill, the city must provide notice to the public published in a newspaper of general circulation in the county in which the property is located or, if there is no such newspaper, by any means for the city to provide public notice authorized by statute or by ordinance of the city; (4) provide that the notice in (3), above, must: (a) include a description of the property, including its location; (b) be provided within 10 days before the date the property or an interest in the property is transferred; and (c) be published for two separate days within the period prescribed by (4)(b), above, if the notice is published in a newspaper; (5) prohibit the city from may transferring real property for consideration if the property was acquired by the city from the previous owner by the exercise of

eminent domain authority or the threat of the exercise of eminent domain authority; and (6) provide that the prohibition in (5), above, does not apply if: (a) the city offers the previous owner an opportunity to repurchase the property at the current market value and the previous owner declines the offer; or (b) the city cannot locate the previous owner with reasonable effort. (Companion bill is **S.B. 543** by **Blanco**.)

H.B. 1514 (**Holland**) – **Zoning Protest Threshold**: would provide that to be valid, a zoning protest must be written and signed by the owners of at least fifty percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

H.B. 1526 (**Harris**) – **Parkland Dedication**: would provide, among other things, that for a city with a population of more than 800,000: (1) the city must designate every area within the city as either suburban, urban or central business district; (2) the appraisal district must calculate average land values for each district in the city; (3) a city that requires a landowner to dedicate a portion of the landowner's property for parkland use under a development application shall require the landowner to: (a) pay a fee in lieu of land dedication in accordance with a formula based on the average land values calculated in (2), above; (b) dedicate up to ten percent of the land subject to the development application for park use; or (c) require both a fee and a dedication of land in amounts calculated according to a formula, which can result, under certain circumstances, in the city paying money to the landowner; (4) a landowner may make a written request to the city requesting a determination of the dedication amount required by (3), above; and (5) if the city fails to respond to the request from (4), above, within 30 days, the city may not require a parkland dedication or charge a fee-in-lieu of dedication. (Companion bill is **S.B. 558** by **Hughes**.)

H.J.R. 81 (**Schofield**) - **Eminent Domain**: would amend the Texas Constitution to provide that “public use” does not include the taking of property for transfer to a private entity. (Note: the current constitutional provision provides that property may not be taken to transfer to a private entity “for the primary purpose of economic development or enhancement of tax revenues.”)

S.B. 472 (**Hughes**) - **Land Use Regulation of Schools**: would provide, among other things, that: (1) cities shall consider an open-enrollment charter school a school district for purposes of, among other things, zoning, permitting, platting, subdivision, construction and site development, land development regulation, application processing and timelines, regulation of architectural features, business licensing, franchises, utility services, signage, the requirements for posting bonds or securities, contract requirements, and fees and assessments; (2) cities may not take any action that prohibits an open-enrollment charter school from operating a public school campus, educational support facility, athletic facility, or administrative office that it could not take against a school district; (3) sections (1) and (2), above, apply to property owned or leased by the charter school; (4) charter schools may be exempt from city ordinances and regulations related to municipal drainage utility systems; and (5) charter schools are treated the same as school districts with regard to development agreements between a city and a school located in an area annexed for limited purposes. (Companion bill is **H.B. 983** by **Leo-Wilson**.)

S.B. 491 (**Hughes**) – **Limitation on Building Height Regulation**: would, among other things, provide that a city with a population of more than 725,000 may not adopt or enforce a zoning

regulation that limits the height of a building on a lot based on the lot's proximity to another lot that is located more than 50 feet from the original lot.

S.B. 494 (Hughes) - Plat or Plan Submissions Limitations: would provide, among other things, that a city may not: (1) require a person to fulfill any prerequisites or conditions or obtain any approvals before filing a copy of the plan or plat; (2) delay the starting date for calculating any timeframe to approve or disapprove a plan or plat by not considering the date the plan or plat was filed as the starting date; or (3) refuse to accept, acknowledge, process, or act on a filed copy of the plan or plat. (Companion bill is **H.B. 866** by Oliverson.)

S.B. 511 (Hall) – Abortion and Economic Development: would, among other things, provide that a business entity is ineligible to receive a tax incentive if the entity assists, refers, or otherwise encourages a woman to obtain an abortion.

S.B. 543 (Blanco) – Real Property for Economic Development: would, among other things: (1) provide that a city that has entered into an economic development agreement authorized by Chapter 380 of the Local Government Code with an entity may transfer to the entity real property or an interest in real property for consideration if: (a) the agreement requires the entity to use the property in a manner that primarily promotes a public purpose of the city relating to economic development; and (b) the agreement includes provisions under which the city is granted sufficient control to ensure that the public purpose is accomplished and the city receives the return benefit; (2) prohibit the city from transferring for consideration real property or an interest in real property the city owns, holds, or claims as a public square or park; (3) provide that before a city may transfer real property or an interest in real property under an agreement as provided by the bill, the city must provide notice to the public published in a newspaper of general circulation in the county in which the property is located or, if there is no such newspaper, by any means for the city to provide public notice authorized by statute or by ordinance of the city; (4) provide that the notice in (3), above, must: (a) include a description of the property, including its location; (b) be provided within 10 days before the date the property or an interest in the property is transferred; and (c) be published for two separate days within the period prescribed by (4)(b), above, if the notice is published in a newspaper; (5) prohibit the city from may transferring real property for consideration if the property was acquired by the city from the previous owner by the exercise of eminent domain authority or the threat of the exercise of eminent domain authority; and (6) provide that the prohibition in (5), above, does not apply if: (a) the city offers the previous owner an opportunity to repurchase the property at the current market value and the previous owner declines the offer; or (b) the city cannot locate the previous owner with reasonable effort. (Companion bill is **H.B. 1492** by Ordaz Perez.)

S.B. 558 (Hughes) – Parkland Dedication: would provide, among other things, that for a city with a population of more than 800,000: (1) the city must designate every area within the city as either suburban, urban or central business district; (2) the appraisal district must calculate average land values for each district in the city; (3) a city that requires a landowner to dedicate a portion of the landowner's property for parkland use under a development application shall require the landowner to: (a) pay a fee in lieu of land dedication in accordance with a formula based on the average land values calculated in (2), above; (b) dedicate up to ten percent of the land subject to the development application for park use; or (c) require both a fee and a dedication of land in

amounts calculated according to a formula, which can result, under certain circumstances, in the city paying money to the landowner; (4) a landowner may make a written request to the city requesting a determination of the dedication amount required by (3), above; and (5) if the city fails to respond to the request from (4), above, within 30 days, the city may not require a parkland dedication or charge a fee-in-lieu of dedication. (Companion bill is **H.B. 1526** by **Harris**.)

Elections

H.B. 1356 (**Morales Shaw**) – **Voter Identification**: would provide that a Transportation Worker Identification Credential card issued by the Transportation Security Administration that has not expired or that expired no earlier than four years before the date of presentation is an acceptable form of photo identification for voting

H.B. 1434 (**Buckley**) – **Staggered Terms**: would provide that if the aldermen of the governing body of a Type A general law city are not serving staggered terms of office, the governing body, by majority vote, may establish staggered terms by requiring the aldermen to draw lots.

H.B. 1444 (**Cortez**) – **Overseas Absentee Ballots**: would, among other things, provide that: (1) in addition to any other balloting materials provided to voters who are overseas citizens and members of the US military and who are eligible for early voting by mail, the early voting clerk shall provide the voters with: (a) a runoff election ballot for each office for which the voter is eligible to vote; and (b) a second carrier envelope in which the voter may return the runoff election ballot; (2) a voter described in (1), above, who is eligible for early voting by mail shall receive a runoff election ballot at the same time and in the same manner as the voter's general election ballot; (3) the secretary of state shall prescribe procedures to provide for a runoff election ballot issued to a voter described in (1), above, to use a preferential voting system, which must allow a voter to rank each candidate through a numerical designation from the candidate the voter favors most to the candidate the voter favors least; and (4) if a runoff election for any office voted by the voter occurs, the carrier envelope containing the voter's runoff election ballot shall be opened and the ballot counted, and the voter's vote is assigned to the runoff candidate whom the voter assigned the highest favorable ranking on the runoff election ballot.

H.B. 1448 (**Oliverson**) – **Ballot by Mail**: would, among other things, provide that: (1) the early voting clerk shall include with the ballot by mail materials provided to a voter a card containing a space for the voter to place the voter's right thumbprint and sign the card; (2) after marking the ballot by mail, the voter must place it in the official ballot envelope and then seal the ballot envelope, place the ballot envelope and the completed card described in (1), above, in the official carrier envelope and then seal the carrier envelope, and sign the certificate on the carrier envelope; and (3) the secretary of state shall adopt rules to facilitate the procurement of the right thumbprint of as many registered voters as possible by entering into agreements with the Department of Public Safety and any other state agency the secretary of state deems appropriate.

H.B. 1477 (**Anchia**) – **Voter Identification**: would, among other things, provide that following documentation is an acceptable form of photo identification for purposes of voting: (1) a student identification card issued to the person by a public or private high school or institution of higher education that contains the person's photograph and date of birth; and (2) any other identification

card, form, or certificate containing the person's photograph and date of birth issued by the state, a state agency, a political subdivision, including a city, or the United States.

S.B. 477 (Zaffirini) – Disabled Voters: would provide that: (1) an election officer must accept a person with a mobility problem that impairs an person's ability to ambulate who is offering to vote before accepting others offering to vote at the polling place who arrived before the person; (2) the notice of priority given to persons with a mobility problem that impairs a person's ability to ambulate shall be posted at each entrance to a polling place where it can be read by people waiting to vote; (3) at each polling place two parking spots shall be reserved for voting; (4) that the parking spots described in (3), above: (a) may not be parking spots specifically designated to individuals with disabilities; and (b) must be clearly marked with a sign as being used for a voter who is unable to enter the polling place; (5) the sign described in (4)(b), above, must have a telephone number that a voter may call or text to request assistance from election officials at the polling place; (6) the early voting clerk shall post the official application form for an early voting ballot on the clerk's internet website in a format that allows a person to easily complete the application directly on the website before printing; and (7) the early voting clerk may use the official application form for early voting ballot provided by the secretary of state or the early voting clerk's own application form.

S.B. 512 (Hall) – Electronic Devices: would, among other things, provide that: (1) a signature roster in the form of an electronic device that is used for purposes of capturing a voter's signature next to the voter's name at a polling place may not be used in an election; (2) a poll list in the form of an electronic device for purposes entering each accepted voter's name on the list after the voter signs the signature roster may not be used in an election; (3) a combination form in the form of an electronic device for purposes of combining the poll list, the signature roster, or a list of registered voters may not be used in an election; (4) an election officer at a polling place where an electronic voting system is used must provide a paper ballot to each voter who requests one, and the paper ballot must be printed at the time the request is made; (5) after the paper ballot described in (3), above, is voted by the voter, the ballot must be scanned at the polling place with an optical scanner; and (6) a voting system that consists of a ballot marking device may not be used in an election.

Municipal Courts

H.B. 1366 (Vasut) – Background Checks: would provide that the Department of State Health Services may adopt a policy waiving the fingerprint-based background check requirement for a person serving as a judge or justice of the Texas supreme court, the court of criminal appeals, a court of appeals, a district court, a criminal district court, a constitutional county court, a statutory county court, a justice court, or a municipal court.

H.B. 1394 (Moody) – Drug Court Expansion: would provide, among other things, that unless an attorney representing the state consents, a defendant, including a juvenile defendant, may not participate in a drug court program if their drug-related offense or conduct involved: (1) carrying, possessing, or using a firearm or other dangerous weapon; (2) the use of force against the person of another; or (3) the death of or serious bodily injury to another.

H.B. 1401 (Moody) – Incapacity Findings: would provide that: (1) on motion by the state, the defendant, a defendant's parent or caregiver, or the court, a justice or judge shall determine whether

probable cause exists to believe that a defendant, including a defendant with a mental illness or an intellectual or developmental disability, is unfit to proceed or lacks the capacity to understand the proceedings or assist in their own defense in a criminal proceeding; (2) the court may dismiss the criminal complaint if it finds that the probable cause exists under section (1), above; and (3) a court sentencing a person convicted of a criminal offense shall credit to the term of the person's sentence any period during which the defendant participated in an outpatient competency restoration program.

Open Government

S.B. 509 (Perry) – Mug Shots: would, among other things, provide that: (1) an image taken of an individual during the process of arresting the individual or booking the individual into jail (a “mug shot”) may not be released the public unless: (a) the individual is convicted of a felony, other than an offense for which the conviction has been expunged or the individual has been fully exonerated, based upon the conduct for which the individual is arrested or incarcerated at the time the mug shot was taken; (b) a law enforcement agency releases the mug shot after determining that: (i) the individual is a fugitive or an imminent threat to another individual or to public safety; and (ii) releasing the mug shot will assist in apprehending the individual or reducing or eliminating the threat; or (c) the judge orders the release of the mug shot on a finding that the release is in furtherance of a legitimate law enforcement interest; (2) if an individual was charged with multiple offenses based upon the conduct for which the individual was arrested or incarcerated at the time the mug shot was taken, and the individual was later convicted of one or more of those offenses, the individual's mug shot may be released to the public unless: (a) all of the convictions have been expunged; or (b) the individual has been fully exonerated of all convictions; and (3) the provisions of the bill apply to a mug shot regardless of the date it was created.

Other Finance and Administration

H.B. 1349 (Sherman) – Sale and Marketing of Catfish: would: (1) require a food service establishment that offers a food product for sale to: (a) represent and identify a product as catfish only if the product contains catfish; and (b) conspicuously identify the type of fish contained in the product description on the menu if the item does not contain catfish but a fish similar to catfish; (2) provide that a public health district, the Department of State Health Services, or a county that requires a food service establishment to hold a permit may impose an administrative and/or civil penalty against a food service establishment that violates (1), above; and (3) provide that the attorney general, district or county attorney for the county, or the municipal attorney of the city in which the violation is alleged to have occurred may bring an action to recover a civil penalty.

H.B. 1372 (Harris) – Public Nuisance Actions: would, among other things, provide that: (1) the following claims, actions, or conditions do not give rise to a public nuisance cause of action; (a) an action or condition authorized, approved, or mandated by a court order; (b) an action or condition authorized, approved, or mandated by a statute, ordinance, regulation, permit, order, rule, or other similar measure issued, adopted, promulgated, or approved by the federal government, a federal agency, a state, a state agency, or a political subdivision; (c) a claim that a product endangers the health, safety, or welfare of the public at large or has caused injury to one or more members of the public; (d) a claim based on the manufacturing, distributing, selling,

labeling, or marketing of a product, regardless of whether the product is defective; or (e) any other claim, action, or condition determined by common law to not constitute or give rise to a cause of action cognizable as the tort of public nuisance; (2) a financial expenditure related to the remediation, abatement, or injunction of an unlawful condition does not constitute a sufficient injury to confer standing to file or maintain a public nuisance action; (3) the only remedies available in a public nuisance action brought by the state, a state agency, or a political subdivision are an injunction or other remedy available at law to abate the nuisance; and (4) the limitation in (3), above, may not be construed to limit a governmental entity from obtaining relief provided by other law.

H.B. 1431 (Campos) – Statewide Homeless Management Information System: would require the Texas Interagency Council for the Homeless to: (1) evaluate, encourage, incentivize, and monitor the participation by service providers to the homeless throughout this state in a regional or statewide homeless management information system; and (2) prepare quarterly reports to the Texas Department of Housing and Community Affairs on, among other things: (a) the rate of participation by service providers to the homeless in a homeless management information system, aggregated by region and participation trends throughout Texas; (b) feedback from participating and nonparticipating service providers to the homeless on: (i) the ease of access to participate in a homeless management information system and (ii) the local oversight of homeless management information system administrators; and (c) data-driven scenarios that have improved the provision of services to the homeless throughout Texas.

H.B. 1445 (Cortez) – Food Allergen Awareness: would, among other things: (1) require a food service establishment to display a poster relating to food allergen awareness in an area of the establishment regularly accessible to the establishment’s food service employees; and (2) prohibit a county, city, or public health district from adopting or enforcing an order, ordinance, rule, or other measure that is inconsistent with or exceeds the requirements under (1), above.

H.B. 1447 (Cortez) – Food Allergen Awareness: would, among other things: (1) require a food service establishment to display a poster relating to food allergen awareness in an area of the establishment regularly accessible to the establishment’s food service employees; and (2) prohibit a county, city, or public health district from adopting or enforcing an order, ordinance, rule, or other measure that is inconsistent with or exceeds the requirements under (1), above.

H.B. 1458 (Rosenthal) – Animal Shelter Records: would require each city-operated animal shelter to prepare and maintain monthly records on the intake and disposition of animals and provide for how such records shall be made available to the public.

H.B. 1476 (Harrison) – City Officer and Employee Salaries: would, among other things, provide that a city officer’s or employee’s salary may not exceed the governor’s salary, as set by the Legislature.

H.B. 1489 (Tepper) – Certificates of Obligation: would, among other things:

1. limit the purposes for which a certificate of obligation may be authorized to only a public work, which would include: (a) streets, roads, highways, bridges, sidewalks, parks,

landfills, parking structures, or airports; (b) telecommunications, wireless communications, information technology systems, applications, hardware, or software; (c) cybersecurity; or (d) as part of any utility system, water supply project, water plant, wastewater plant, water and wastewater distribution or conveyance facility, wharf, dock, or flood control and drainage project;

2. provide that the governing body of an issuer of a certificate of obligation may authorize only the necessary certificates to pay a contractual obligation to be incurred for the construction, renovation, repair, or improvement of a public work: (a) to comply with a state or federal law, rule, or regulation if the political subdivision has been officially notified of noncompliance with the law, rule, or regulation; (b) if the governing body believes the construction, renovation, repair, or improvement of a public work is necessary to mitigate the impact of a public health emergency that poses an imminent danger to a resident's physical health or safety or a natural disaster, and: (i) the governor declares or renews a disaster declaration in that fiscal year, and the governor's designation of the area threatened includes all or part of the geographic territory of the local government; or (ii) the presiding officer of the governing body of a political subdivision declares or renews a declaration of a local state of disaster in that fiscal year, and the presiding officer's designation of the area threatened includes all or part of the geographic territory of the local government; or (c) if a court renders a decision that requires the local government to construct, renovate, repair, or improve a public work;
3. provide that, if necessary, because of change orders, the governing body of an issuer may authorize certificates of obligation in an amount not to exceed 15 percent of a contractual obligation incurred for the construction of public works, but certificates may be delivered only in the amount necessary to discharge contractual obligations;
4. require the governing body of an issuer of a certificate of obligation to enter into a contract or written agreement for the construction, renovation, repair, or improvement of a public work not later than 90 days after the governing body authorizes the certificates;
5. provide that the governing body of an issuer must comply with the requirement to advertise for competitive bids for contractual obligations to be incurred for a purpose for which certificates are to be issued under Number 2, above;
6. provide that a certificate may not mature over a period greater than 30 years from the date of the certificate;
7. prohibit the governing body of an issuer from authorizing a certificate to pay a contractual obligation to be incurred if a bond proposition to authorize the issuance of bonds for the same purpose was submitted to the voters during the preceding five years and failed to be approved; and

8. prohibit a city council from authorizing the issuance of certificates of obligation if the city secretary receives a petition signed by at least two percent of the qualified voters of the issuer protesting the issuance of certificates unless the issuance is approved at an election.

H.B. 1494 (Cain) – Restrictions on Limiting Religious Services: would provide that, in addition to the protections provided under state and federal law, a governmental agency may not enact any ordinance, rule, order, decision, practice, or other exercise that may be construed to affect a prohibition or limitation on religious services, including religious services conducted in churches, congregations, and places of worship, in this state, by a religious organization established to support and serve the propagation of a sincerely held religious belief.

H.B. 1496 (Guerra) – Short-Term Rentals: would, among other things, provide that: (1) a person that facilitates the rental of a short-term rental in Texas, including a short-term rental listing service, must disclose all taxes and fees charged in connection with the short-term rental; and (2) a person that facilitates the rental of a short-term rental in Texas, including a short-term rental listing service, may not charge fees, except a cleaning fee, in connection with the rental of a short-term rental that in total exceed 10 percent of the price of the short-term rental before applicable taxes and fees.

H.B. 1512 (Spiller) – Monuments and Memorials: would, among other things: (1) provide that a monument or memorial located on city property: (a) for at least 25 years may be removed, relocated, or altered only by supermajority vote of the city council; and (b) for less than 25 years may be removed, relocated, or altered only by the city council; (2) provide that an additional monument may be added to the surrounding city property on which a monument or memorial is located to complement or contrast with the monument or memorial; (3) authorize a resident of the city to file a complaint with the attorney general asserting the city violated (1), above, and authorize the attorney general to file a petition for a writ of mandamus or other equitable relief to compel a city to comply with (1), above; and (4) define “monument or memorial” as used in (1), above, to mean a permanent monument, memorial, or other designation, including a statute, portrait, plaque, seal, symbol, cenotaph, building name, bridge name, park name, area name, or street name, that honors an event or person of historic significance.

H.B. 1521 (Ordaz Perez) – Transporting Dogs: would provide that: (1) a person may not operate an open-bed pickup truck or an open flatbed truck or draw an open flatbed trailer in a manner described by (2), below, when a dog is occupying the bed of the truck or trailer unless: (a) the dog occupying the bed of the truck or trailer is secured in a crate, cage, or other closed container; and (b) the container required by (1)(a), above, is securely attached to the walls or bed of the truck or trailer; and (2) the bill only applies to a vehicle being operated or a trailer being drawn: (a) in a county with a population of more than 500,000; and (b) on a highway or street with a speed limit of 30 miles per hour or more.

H.J.R. 85 (Burrows) – Parental Rights: would amend the Texas Constitution to: (1) provide that the liberty of a parent to direct the upbringing of the parent’s child is a fundamental right; (2) provide that the right includes the right to direct the care, custody, control, education, moral and religious training, and medical care of the child; and (3) prohibit the state or a political subdivision of the state from interfering with the rights of a parent as described in (1) and (2), above, unless

the interference is essential to further a compelling governmental interest and narrowly tailored to accomplish that compelling governmental interest.

S.B. 481 (Johnson) – Egg Grading: would, among other things, provide that a state agency or political subdivision may not prohibit certain persons, including a retailer selling eggs to the ultimate consumer of eggs, from purchasing, reselling, or using eggs that are sold by a person selling only ungraded eggs produced by the person’s own flock.

S.B. 560 (Springer) – Building Permits: would provide that: (1) a city may not enter into a written agreement with a building permit applicant to allow for an alternative deadline for granting or denying the permit; and (2) a city may not: (a) deny a building permit solely because the city is unable to comply with the 45-day time period for granting or denying a building permit; or (b) require a building permit applicant to waive the 45-day time period for granting or denying a building permit.

S.B. 561 (Sparks) – Local Debt: would prohibit a political subdivision from issuing a public security to purchase or lease tangible personal property if the expected useful life of the property ends before the maturity date of the public security. (Companion bill is **H.B. 451** by **Schofield**.)

S.B. 569 (Springer) – Responding to Third-Party Subpoenas: would provide that: (1) a city may impose a fee in the same amount and manner as provided by the Public Information Act for a charge for providing a copy of public information to produce a record in response to a subpoena, request for production, or other instrument issued under the authority of a tribunal relating to a civil action to which the city is not a party; and (2) the city custodian of a record who produces records under (1), above, but who is not required to appear in court, is not entitled to a witness fee.

Personnel

H.B. 1467 (Bucy) – Marijuana: would, among other things, provide that: (1) a state agency or a political subdivision, including a city, may not: (a) establish a drug testing policy that requires an employee or independent contractor of the agency or political subdivision, as a condition of employment or contract, to submit to a drug test the intent of which is to screen for the presence of cannabinoids; (b) as a condition of employment or contract with the agency or political subdivision, administer or require the administration of a drug test to the employee or contractor the intent of which is to screen for the presence of cannabinoids; (c) establish for the employee or contractor as a condition of employment or contract a test result that is negative for the presence of cannabinoids; or (d) prohibit an employee or contractor as a condition of employment or contract from: (i) prescribing or obtaining a prescription for low-THC cannabis or using low-THC cannabis in accordance with state law; or (ii) using a consumable hemp product; (2) the following are exempt from the application of the provisions of (1), above: (a) an employee of a state agency or political subdivision who is required to comply with United States Department of Transportation drug testing regulations; and (b) a peace officer elected, employed, or appointed as a peace officer by a state agency or a political subdivision; (3) a state agency or a political subdivision may not question an employee about the employee’s use of low-THC cannabis or hemp and shall comply with all relevant state and federal privacy laws; (4) an aggrieved person may assert an actual or threatened violation of the provisions (1) and (3), above, as a claim or defense in a judicial or

administrative proceeding and obtain: (a) compensatory damages; (b) injunctive relief; (c) declaratory relief; and (d) other appropriate relief, including reasonable attorney's fees; (5) sovereign or governmental immunity, as applicable, is waived and abolished to the extent of liability; (6) the following persons are not subject to arrest, prosecution, or penalty in any manner, or denial of any right or privilege, including any administrative or civil penalty or disciplinary action imposed by a court or state licensing board, for conduct involving authorized medical use of low-THC cannabis: (a) a patient for whom authorized medical use is prescribed under state law, or the parent or caregiver of such patient; (b) a dispensing organization; or (c) a director, manager, or employee of a dispensing organization who is registered with the state; (7) a person described by (6), above, may not be presumed to have engaged in conduct constituting child abuse, neglect, or endangerment solely because the person engaged in conduct involving authorized medical use of low-THC cannabis; (8) property used in the cultivation, research, testing, processing, distribution, transportation, and delivery of low-THC cannabis for authorized medical use is not contraband for purposes of asset forfeiture under state law, and is not subject to seizure or forfeiture solely for the use of the property for the authorized activities; and (9) a person is not subject to arrest, prosecution, or the imposition of any sentence or penalty for the delivery, possession with intent to deliver, or manufacture of any item that meets the definition of drug paraphernalia if that item is delivered, possessed with intent to deliver, or manufactured for the sole purpose of providing that item to: (a) person for whom authorized medical use of low-THC cannabis is prescribed under state law; or (b) licensed dispensing organization.

H.B. 1486 (Gerdes) – Mental Health Leave Policy: would provide that: (1) each law enforcement agency, and each state agency or political subdivision, including a city, that employs a full-time telecommunicator, shall develop and adopt a policy allowing the use of mental health leave by the full-time telecommunicators employed by the agency who experience a traumatic event in the scope of that employment; (2) the mental health leave policy adopted under (1), above, must: (a) provide clear and objective guidelines establishing the circumstances under which a telecommunicator is granted and may use mental health leave; (b) entitle a telecommunicator to mental health leave without a deduction in salary or other compensation; (c) enumerate the number of mental health leave days available to a telecommunicator; and (d) detail the level of anonymity for a telecommunicator who takes mental health leave; and (3) the mental health leave policy adopted under (1), above, may provide a list of mental health services available to telecommunicators in the area of the law enforcement or employing agency.

S.B. 533 (Paxton) – Training: would, among other things, provide that: (1) as part of the minimum curriculum requirements, the Texas Commission on Law Enforcement shall require a peace officer to complete a training program on responding to and investigating child fatalities, the difference between sudden unexpected infant death and sudden infant death syndrome, and the relevant regulations applicable to child-care facilities; and (2) the officer shall complete the training program not later than the second anniversary of the date the officer is licensed unless the officer completes the program as part of the officer's basic training course.

S.B. 563 (Sparks) – Employment Benefits: would provide that: (1) a city may not adopt or enforce an ordinance, order, rule, regulation, or policy requiring any terms of employment that exceed or conflict with federal or state law relating to any form of employment leave, hiring practices, employment benefits, scheduling practices, or other terms of employment; (2) any

provision of an ordinance, order, rule, regulation, or policy that violates (1), above, is void and unenforceable; and (3) the provision in (1), above, does not apply to minimum wage or a contract relating to the terms of employment voluntarily entered into between a private employer or entity and a governmental entity. (Companion bill is **H.B. 121** by **Vasut**.)

Purchasing

H.B. 1440 (**Button**) – **Contract Change Orders**: would: (1) allow a city council in a city with a population of 240,000 or more (previously 300,000 or more) to grant general authority to a city administrative official to approve a change order for a public works contract if it involves a decrease or an increase of \$100,000 or less; and (2) provide generally that the change order procedures apply only to a contract awarded through a competitive procedure.

S.B. 541 (**Campbell**) – **Prohibited Vendors**: would, among other things, provide that a city council shall, by ordinance, order, or other measure, bar a vendor from participating in city contracts if the vendor: (1) is prohibited from participating in federal contracts under Section 889, John S. McCain National Defense Authorization Act for Fiscal Year 2019; (2) contracts with an entity described in (1), above; or (3) is designated as a risk to state security by the governor, with advice from the Homeland Security Council, under rules adopted by the governor.

Transportation

H.B. 1379 (**Ortega**) – **Transportation Projects**: would expand the definition of “transportation project” for purposes of a regional mobility authority to include an urban green space or aesthetic enhancement located above, adjacent to, or connected to an interstate highway, which may include: (1) recreational, bicycle, and pedestrian facilities; (2) an intermodal hub; (3) parking areas; and (4) components that will benefit users of transit, pedestrian, and other transportation modes, and promote economic development in adjacent areas.

H.B. 1460 (**Guillen**) – **Vehicle Weight**: would provide that a vehicle or combination of vehicles that is transporting aggregates may operate at an axle weight that is not heavier than 20,000 pounds for a single axle or 34,000 pounds for a tandem axle plus a tolerance allowance of 15 percent of that allowable weight.

H.B. 1461 (**Guillen**) – **Grants**: would provide that, for a grant awarded by the Texas Department of Transportation for the construction of a transportation project in a county with a population of less than 25,000 or a city with a population of less than 15,000, the department must reimburse a grant recipient for costs incurred by the recipient that exceed the amount of the grant if the project is managed by the department.

H.J.R. 77 (**Walle**) – **Transportation Funding**: would amend the Texas Constitution to provide that dedicated revenue transferred to the state highway fund may be used for constructing, maintaining, and acquiring rights-of-way for: (1) public transportation; (2) public bicycle paths; and (3) public sidewalks.

S.B. 505 (Nichols) – Additional Electric Vehicle Registration Fee: would provide that applicants for registration or renewal of registration for an electric vehicle shall pay an additional fee of \$400 for an initial two-year registration and an additional fee of \$200 for one-year registration or renewals with these fees to be deposited into the state highway fund.

Utilities and Environment

H.B. 1387 (Walle) – Concrete Plant Permitting: would provide that a representative of a school, place of worship, licensed day-care center, hospital, medical facility, or a person residing within 440 yards of a proposed wet batching, dry batching, or central mixing concrete plant may request a public hearing prior to the construction or permitting of the concrete plant.

H.B. 1412 (Schaefer) – Electric Grid Resilience: would, among other things: (1) prohibit a city from enacting or enforcing an ordinance or other measure that bans, limits, or otherwise regulates inside the boundaries of the extraterritorial jurisdiction of the city a micro-grid that is certified by the Texas Grid Security Commission; and (2) require the Texas Grid Security Commission to establish resilience standards for cities. (Companion bill is **S.B. 330** by **Hall**.)

H.B. 1443 (Slawson) – Wind Power Near Airport: would: (1) define “joint-use airport” as an airport: (a) that is owned or operated by a federal defense agency; (b) at which both military and civilian aircraft make shared use of the airfield; and (c) that provides air traffic control for all military and civilian aircraft operating within 60 nautical miles of the airport’s boundaries; (2) provide that a power generation company or other person required by a Public Utility Commission (PUC) rule to register with the PUC before generating electricity may not operate a wind-powered generation facility in the ERCOT power region at a location that is within 65 nautical miles of the boundaries of a joint-use airport located in Texas; and (3) prohibit an electric cooperative or municipally owned utility from operating a wind-powered generation facility in the ERCOT power region at a location that is within 65 nautical miles of the boundaries of a joint-use airport located in Texas.

H.B. 1503 (M. González) – Scrap Tires: would provide that the Texas Commission on Environmental Quality may develop a scrap tire remediation grant program to award grants to counties for the purpose of reducing the number of scrap tires disposed of in inland or coastal water and onto public rights-of-way and other public land.

S.B. 519 (Zaffirini) – Solid Waste Landfill Facilities: would: (1) define “special flood hazard area” as the land in a floodplain subject to not less than one percent chance of flooding in a year as designated by the director or administrator of the Federal Emergency Management Agency (FEMA); (2) provide that the Texas Commission on Environmental Quality (TCEQ) may not issue a permit for a new municipal solid waste landfill facility or a lateral expansion of an existing municipal solid waste landfill facility that is contingent on the removal of the facility from a special flood hazard area; (3) provide that TCEQ may not issue a permit for a new municipal solid waste landfill facility or a lateral expansion of an existing municipal solid waste landfill facility if a part of the facility is or will be located in a special flood hazard area unless the applicant has obtained a letter from FEMA of map change demonstrating the entire facility has been removed from the special flood hazard area; and (4) require that TCEQ coordinate with all applicable regional and

local governments to verify that all required map changes to the Flood Insurance Rate Map have been acquired from FEMA and that all necessary permits have been issued for the facility by the governmental entities or agencies with jurisdiction over the facility.

S.B. 551 (Johnson) – Plastic Bottles at City Golf Courses: would allow cities to prohibit the sale of single-use water bottles at city-owned or operated golf courses, including attached clubhouses and shops. (Companion bill is **H.B. 1174** by Howard.)

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