

TML LEGISLATIVE UPDATE



March 31, 2023
Number 13

Bills on the Move

Significant Committee Action

H.B. 9 (Ashby), creating the Broadband, Equity, Access, and Deployment (BEAD) program and the Broadband Infrastructure Fund. Left pending after hearing in House State Affairs.

H.B. 14 (Cody Harris), allowing for third party review of plats, plans, permits, and inspections under certain circumstances. TML [testified in committee](#). Voted from House Land & Resource Management.

H.B. 471 (Patterson), expanding paid sick leave for first responders and expanded disease presumption. Committee substitute voted from House Calendars. Placed on House calendar on Tuesday, April 4.

H.B. 586 (E. Thompson), allowing a city to annex a road right-of-way to bring a voluntarily requested area into city limits. Left pending after hearing in House Land & Resource Management.

H.B. 640 (Julie Johnson), allowing for an election to reauthorize street maintenance sales tax for a period of eight or ten years instead of four years under certain circumstances. Left pending after hearing in House Ways & Means.

H.B. 866 (Oliverson), modifying the platting shot clock. TML [testified in committee](#). Committee substituted voted from House Land & Resource Management.

H.B. 1312 (Vasut), requiring a regular or special meeting of the board of a municipal utility district to be held at a publicly accessible location not more than five miles outside the territory of the district. Left pending after hearing in House Land & Resource Management.

H.B. 1526 (Cody Harris), limiting parkland dedication and fees in lieu of dedication for cities over 800,000 in population. TML provided [written testimony](#). Committee substitute voted from House Land & Resource Management.

H.B. 1819 (Cook), repealing city juvenile curfew ordinances except for purposes of emergency management. Left pending after hearing in House Select on Youth Health & Safety.

H.B. 1922 (Dutton), requiring a review of building permit fees every ten years. Voted from House Land & Resource Management.

H.B. 2224 (Hernandez), allowing a city to lower a residential speed limit to 25 mph without a traffic study. Left pending after hearing in House Transportation.

H.B. 2239 (Troclair), providing a city may not prohibit the removal of Ashe Juniper trees. Voted from House Land & Resource Management.

H.B. 2266 (Leach), allowing a state license holder to bring legal action against a city if city regulation results in adverse economic impact on the license holder. TML provided [written testimony](#). Left pending after hearing in House Judiciary and Civil Jurisprudence.

H.B. 2367 (Lozano), creating regulations on residential amenity rentals. TML provided [written testimony](#). Left pending after hearing in House Land & Resource Management.

H.B. 2561 (Tepper), requiring an election in November 2023 on the question of disannexation of any area that was annexed by a city between March 3, 2015, and May 24, 2019. TML provided [written testimony](#). Left pending after hearing in House Land & Resource Management.

H.B. 2789 (Holland), allowing an accessory dwelling unit (ADU) in a single-family zoning or unzoned areas by right, and prohibit much of a city's ability to regulate an ADU. TML provided [written testimony](#). Left pending after hearing in House Land & Resource Management.

H.B. 2806 (Canales), allowing billboards to relocate in certain areas if the billboard use is discontinued due to a public construction project and require a city to provide for the relocation by a special exception to any applicable zoning ordinance. TML provided [written testimony](#). Left pending after hearing in House Transportation.

H.B. 2925 (Martinez), automatic civil service for cities over 25,000 in population with a paid fire department or police department. TML provided [written testimony](#). Left pending after hearing in House County Affairs.

H.B. 2970 (Guillen), allowing HUD-code homes in all residential zones under certain circumstances. TML provided [written testimony](#). Voted from House Land & Resource Management.

H.B. 3053 (Dean), requiring election to be held November 7, 2023, on the question of disannexation of any area that was annexed by a city between March 3, 2015, and December 1, 2017. The committee substitute applies to cities over 500,000 in population. TML provided [written testimony](#). Left pending after hearing in House Land & Resource Management.

H.B. 3490 (Rogers), requiring a city to provide written notice containing certain information regarding any proposed zoning change that could result in the creation of a nonconforming use. If a nonconforming use is required by a city to cease operation, the owner or lessee of the property is entitled to receive either payment for costs associated with closing the operation or additional time to engage in the nonconforming use. TML provided [written testimony](#). Left pending after a hearing in House Land Resource & Management.

H.B. 3492 (Stucky), prohibiting cities from using the cost of constructing or improving public infrastructure as a factor in determining certain value-based fees related to engineering, inspection, and subdivision. Left pending after hearing in House Land & Resource Management.

H.B. 3568 (Gates), exempting a public facility cooperation (PFC) from all property taxation for a qualifying multifamily residential development. Left pending after hearing in House Urban Affairs.

H.B. 3826 (Toth), prohibiting a city from denying a building permit solely because the city is unable to comply with the 45-day time period for granting or denying a building permit. Left pending in House Land & Resource Management.

H.B. 4598 (Leach), increasing penalties and punishment for theft of a catalytic converter. Left pending after hearing in House Homeland Security and Public Safety.

S.B. 558 (Hughes), limiting parkland dedication and fees in lieu of dedication for cities over 800,000 in population. TML provided [written testimony](#). Left pending after hearing from Senate Natural Resources and Economic Development.

S.B. 612 (Johnson), allows for an election to reauthorize street maintenance sales tax for a period of eight or ten years instead of four years under certain circumstances. Voted from Senate Local Government.

[S.B. 767](#) (**Parker**), requires a fee schedule of new and increased fees to be on the city's budget's cover page and for cities over 30,000 to establish and maintain an email notification service regarding new or increase fees. Committee substitute voted from Senate Local Government.

[S.B. 929](#) (**Parker**), requiring a city to provide written notice containing certain information regarding any proposed zoning change that could result in the creation of a nonconforming use. If a nonconforming use is required by a city to cease operation, the owner or lessee of the property is entitled to receive either payment for costs associated with closing the operation or additional time to engage in the nonconforming use. TML provided [written testimony](#). Committee substitute voted from Senate Local Government.

[S.B. 946](#) (**Sparks**), requiring an election for bonds or a tax increase to be held on the November uniform election date. TML provided [written testimony](#). Left pending after hearing in Senate State Affairs.

[S.B. 1421](#) (**Perry**), limits city regulation of agricultural operations and vegetation height restrictions within city limits and the extraterritorial jurisdiction. TML provided [written testimony](#). Committee substituted voted after hearing from Senate Water, Agriculture and Rural Affairs.

[S.B. 1601](#) (**Hughes**), prohibiting a city library from receiving state funds if it hosts an event at which a person being dressed as the opposite gender reads a book or story to a minor for entertainment purposes. Voted from Senate State Affairs.

Significant Floor Action

[H.B. 300](#) (**Howard**), permits a sales tax exemption for feminine hygiene products, maternity clothing, and children's diapers. Passed the House.

[S.B. 221](#) (**Bettencourt**), setting a process for the Secretary of State to review ballot language in initiative, referendum, and charter elections for home rule cities and waives governmental immunity. TML provided [written testimony](#). Passed the Senate.

Get Involved at the Legislature: Grassroots Involvement Program

During 88th Legislative Session, Texas cities are facing 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 is 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.

City Officials Testify

When the legislature is in session, nothing compares to the effectiveness of city officials testifying at the Capitol. City officials who take the time to travel to Austin to speak out on important city issues should be applauded by us all. The League extends its thanks to all those who have vigilantly represented cities during this session. If we missed your testimony let us know by an email to alyssa@tml.org, and we'll recognize you in next week's edition.

- Sally Bakko, Director of Policy and Governmental Relations, City of Galveston
- Ken Bennett, Deputy City Attorney, City of Arlington
- Andrew Espinoza, Director/Chief Building Official, City of Dallas
- Nick Fehrenbach, Manager of Regulatory Affairs, City of Dallas
- D.J. Harrell, Director of Development Services, City of Fort Worth
- Cynthia Garza-Reyes, Director of External Affairs, City of Pharr
- David Gill, Chief of Police, City of Mesquite
- Ben Gorzell, Chief Financial Officer, City of San Antonio
- John Jenkins, Parks and Recreation Director, City of Dallas
- Bill Kelly, Director of Governmental Relations, City of Houston
- Mike Land, City Manager, City of Coppell
- Erika Lopez, Assistant City Attorney, City of Austin
- Wes Mays, Mayor, City of Coppell
- Joel McElhany, Assistant Director of Parks and Recreation, City of Fort Worth
- Angela Oglesbee, Councilmember, City of Fairfield
- Jennifer Ostlind, Assistant Director of Community and Regional Planning, City of Houston
- Scott Rubin, Chief of Police, City of Blanco
- James Smith, Sergeant, City of San Antonio Police Department
- Ed Van Eenoo, Chief Financial Officer, City of Austin
- Hope Wells, City of San Antonio Water System
- Vernon Young, Assistant Director of Development Services, City of Dallas
- Richard Zavala, Parks and Recreation Director, City of Fort Worth

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