

TML LEGISLATIVE UPDATE



July 21, 2023
Number 29

Don't Forget: Resolutions for the 2023 TML Annual Conference **Due August 21**

Resolutions for consideration at the Annual Conference are due no later than **5:00 p.m. on August 21, 2023**. The TML Constitution provides that resolutions must be submitted by any member city, TML region, or TML affiliate to the TML headquarters 45 calendar days prior to the first day of the Annual Conference.

The TML Board of Directors has adopted several procedures governing the resolutions process. Please review the following items carefully and thoroughly.

1. No resolution may be considered at the annual TML business meeting unless it has prior approval of: (a) the governing body of a TML member city; (b) the governing body or membership of a TML affiliate, or (c) the membership of a TML region at a regional meeting.
2. TML member cities, regions, and affiliates that wish to submit a resolution **must** complete a resolution cover sheet. The cover sheet is available [here](#).

3. It is recommended that any resolution state one of four categories to better direct League staff. Those categories are:
 - **Seek Introduction and Passage** means that the League will attempt to find a sponsor, will provide testimony, and will otherwise actively pursue passage. Bills in this category are known as “TML bills.”
 - **Support** means the League will attempt to obtain passage of the initiative if it is introduced by a city or some other entity.
 - **Oppose.**
 - **Take No Position.**
4. Resolutions submitted will be thoroughly discussed at the TML Annual Conference. Each city is asked to provide one delegate to serve as its liaison at the annual business meeting at which resolutions will be considered. The delegate isn’t required to have any special expertise, and an elected official representative is encouraged but not required. The delegate must sign up electronically [here](#) prior to the meeting or can sign up in person at a table outside of the meeting room. Cities are encouraged to sign up their delegate early.
5. The city, region, or affiliate that submits a resolution is encouraged to send a representative to the business meeting to explain the resolution. The business meeting will meet at 3:30 p.m. on Thursday, October 5, 2023, at the Kay Bailey Hutchison Convention Center in Dallas.

If your city is interested in submitting a resolution, details can be found [here](#). Resolutions can be emailed to JJ Rocha, TML Grassroots and Legislative Services Manager, at jj@tml.org.

Interested city officials can learn how the resolutions process fits within the League’s Legislative Policy Process [here](#).

Post-Session Update: Juvenile Curfew Ordinances

Effective September 1, 2023, [H.B. 1819](#) will prohibit cities and counties from adopting or enforcing an order, ordinance, or other measure that imposes a curfew on juveniles (persons younger than 18 years of age).

This means that juvenile curfew ordinances will no longer be enforceable beginning on September 1, 2023. The bill also clarifies that if a criminal or civil action is pending for a violation of a juvenile curfew ordinance on September 1, the action must be dismissed on this date. However, final convictions or adjudications for violations of a juvenile curfew ordinance that existed prior to September 1, 2023, will not be affected.

While a city will no longer be permitted to adopt or enforce a juvenile curfew on or after September 1, the bill preserves a city's ability to impose a curfew applicable to all city residents for emergency management purposes under the Texas Disaster Act of 1975 ([Chapter 418 of the Government Code](#)).

TCEQ Proposes Rules on Public Water Supply Emergency Operations

In 2021, the Texas Legislature passed [S.B. 3](#), requiring certain water service providers to take steps to ensure continued emergency operations during extended power outages. These steps included creating an emergency preparedness plan, maintaining certain water pressure levels during power outages lasting longer than 24 hours, and allowing for Texas Commission on Environmental Quality (TCEQ) inspections for compliance with these requirements. Following widespread drinking water outages following Winter Storm Uri, TCEQ organized an after-action review to evaluate the factors contributing to these outages and identify ways to improve public water drinking systems statewide.

TCEQ's proposed rule changes include the following:

- Revising definitions and general provisions;
- Updating water source, treatment, storage, and distribution protocols and requirements;
- Modifying minimum acceptable operating practices for public water systems, including weatherization and fuel storage capacity changes; and
- Amending emergency operational standards.

Interested city officials can find more information on these specific changes [here](#).

TCEQ estimates implementing these rule changes will increase all publicly and privately-owned public water systems' weatherization and fuel storage capacity costs over the next five years. Additionally, TCEQ believes that after incurring these initial costs, affected utilities could experience long-term savings related to critical water treatment, storage, and distribution costs following severe weather events.

TCEQ will hold a hybrid virtual/in-person public hearing on these proposed rules on **Friday, August 11, 2023**, at **10:00 AM** at TCEQ's central office at 12100 Park 35 Circle, Building E, Room 201S, Austin, TX 78753. Anyone wishing to participate virtually and comment during the meeting must register with TCEQ by August 9 by emailing Rules@tceq.texas.gov and providing the following information: name, affiliation, email address, and phone number. Any written comments must be submitted by **August 13, 2023** to the TCEQ Public Comments system at <https://tceq.commentinput.com/comment/search>. All submitted comments should reference Rule Project Number 2023-125-290-OW.

TCOLE Accepting Advisory Committee Applications Through August 18

On July 17, the Texas Commission on Law Enforcement (TCOLE) began accepting applications to serve on certain TCOLE advisory committees. [Senate Bill 1445](#), the TCOLE sunset bill, among other things, established several advisory committees to work with TCOLE to address specific law enforcement profession issues.

TCOLE is currently accepting positions to serve on three advisory committees related to:

- Minimum law enforcement agency standards;
- Licensee examinations; and
- Misconduct investigation and hiring procedures.

You can find advisory committee applications [here](#). Completed applications and resumes should be submitted to advisory@tcole.texas.gov. TCOLE will not consider applications without a resume.

Applications must be submitted by **August 18, 2023**.

Federal Infrastructure Bill Update

In November 2021, the federal Infrastructure Investment and Jobs Act (IIJA) was signed into law. The IIJA is altogether a \$1.2 trillion bill that will invest in the nation's core infrastructure priorities including roads, bridges, rail, transit, airports, ports, energy transmission, water systems, and broadband.

The League will monitor state and federal agencies and work with the National League of Cities (NLC) to access the latest information relating to the IIJA. We will provide periodic updates in the Legislative Update on resources for Texas cities on how to access IIJA funding for local infrastructure projects.

U.S. Department of Transportation (USDOT)

The USDOT [announced](#) the availability of over \$5.5 billion in grant funding through its Multimodal Project Discretionary Grant (MPDG) program. The MPDG is funded through the Infrastructure Investment and Jobs Act and seeks to support surface transportation projects nationwide. USDOT will award MPDG funding through three discretionary grant programs:

- [National Infrastructure Project Assistance \(NIPA\) program](#) (\$1.8 billion)

The NIPA program provides funding for large, complex transportation projects that are difficult to fund by other means and are likely to generate national or regional economic, mobility, or safety benefits. Eligible projects include nationally or regionally significant

highway, bridge, freight, port, passenger rail, and public transportation projects. USDOT has earmarked 50 percent of NIPA funding for projects over \$500 million and 50 percent for projects between \$100 million and \$500 million.

- [Infrastructure for Rebuilding America \(INFRA\) program \(\\$3.1 billion\)](#)

The INFRA program provides funding for multimodal freight and highway projects of national or regional significance to improve the safety, accessibility, efficiency, and reliability of moving freight and people across the country. Eligible projects will improve safety, generate economic benefits, reduce congestion, enhance resiliency, and hold the greatest promise to eliminate supply chain issues and improve critical freight movement in rural and urban areas across the country.

- [Rural Surface Transportation Grant \(RSTG\) program \(\\$675 million\)](#)

The RSTG program provides funding for projects designed to improve and expand surface transportation infrastructure in rural areas to increase connectivity, improve freight movement safety and reliability, generate regional economic growth, and improve quality of life. Eligible projects include highway, bridge, and tunnel projects to improve freight safety and provide or increase access to agricultural, commercial, energy, or transportation facilities that support rural economies. USDOT will award 90 percent of RSTG funds in awards of \$25 million or more.

Eligible applicants include states, local governments, regional transportation or metropolitan planning organizations, political subdivisions, special purpose districts, and Tribal governments.

City officials can find more information about these programs [here](#).

Applications must be submitted by **10:59 pm CDT on August 21, 2023**.

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