

TML LEGISLATIVE UPDATE



September 29, 2023
Number 39

Next Week: Resolutions to be Considered at the 2023 Annual Conference

Several cities submitted legislative resolutions for consideration at the 2023 TML Annual Conference in Dallas. The topics relate, among other things, to:

1. Emergency Service Districts
2. Rural Water Supply Corporations
3. TxDOT Toll Road Improvement Projects
4. Legal Notices
5. TML Member Services Fees

The full resolutions packet can be found [here](#). The resolutions will be debated at the TML business meeting on October 5 at 3:30 p.m. An additional resolution relating to the TML Constitution may be added to the packet after a Tuesday TML Board meeting at the Conference.

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

can sign up electronically [here](#) prior to the meeting or sign up in person at a table outside of the meeting room. Cities are encouraged to sign up their delegate early using the link above.

All city officials are welcome to attend the meeting, whether or not they are a voting delegate.

TWDB Seeking Comments for Clean Water & Drinking Water State Revolving Fund Intended Use Plans

The Texas Water and Development Board (TWDB) is seeking public comments for its draft 2024 State Revolving Fund (SRF) Intended Use Plans (IUPs). The State SRF IUPs provide local governments and other eligible entities with annual and supplemental federal funding for clean water and drinking water project “general activities.”

Cities can find more information about the state clean water and drinking water SRF IUPs at:

- [Draft SFY 2024 Clean Water SRF IUP](#)
- [2024 Clean Water Project Rating Report](#)
- [Draft SFY 2024 Drinking Water SRF IUP](#)
- [2024 Drinking Water Project Rating Report](#)

Cities wishing to submit written comments about the Clean Water SRF IUP may email their comments to CWSRF@twdb.texas.gov.

All comments must be received by **Tuesday, October 3, 2023**.

TWDB Opens Applications for Assets Management Program

The Texas Water Development Board (TWDB) has opened applications for the Asset Management Program for Small Systems. This program is to assist small water and wastewater systems by creating a comprehensive plan for managing the systems in a financial and technical sustainable manner. The program helps take a thorough inventory of assets, determine the condition and criticality of each asset, help in planning for capital improvement projects, ensure adequate maintenances is being planned and conducted, and prepare the water or wastewater system for accessing the State Revolving Programs.

Applications are open until November 2, 2023. More information on the program and how to apply can be found on the [TWDB website](#).

TDLR Propose Changes to Dog or Cat Breeder Licensing Program

[S.B. 876](#), passed this past legislative session, made several changes to the state dog or cat breeder licensing program. The bill amended [Chapter 802 of the Occupations Code](#) by: (1) lowering the minimum number of intact adult female cats and dogs that a person may possess before obtaining a permit; (2) eliminating the animal sale threshold requirement necessary to obtain a permit; (3) expanding exemptions for hunting dogs and dogs used for agricultural purposes; and (4) adding a new exemption for dogs bred for organized performance events.

The Texas Department of Licensing and Regulation (TDLR) is considering amendments to [Chapter 91 of the Texas Administrative Code](#), updating the state dog or cat breeder licensing program and certain licensing fees and requirements.

Specifically, TDLR proposes changes regarding:

- The definitions for “the Act,” “dog or cat breeder,” “licensee,” and “representative”;
- Who must obtain a dog or cat breeder license;
- License terms and initial and renewal fee provisions;
- Organized performance events, hunting dog, and agricultural purposes exemptions;
- Inspection, violation, corrective action, and citation processes and protocols;
- Animal inventory allowances and recordkeeping requirements;
- Indoor, outdoor, and sheltered housing requirements;
- Primary enclosure and transportation requirements; and
- Feeding and veterinary care requirements.

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

Cities wishing to submit written comments may submit their comments by mail to Monica M. Nuñez, Legal Assistant, Texas Department of Licensing and Regulation, P.O. Box 12157, Austin, Texas 78711, through [TDLR’s website](#), or by fax to (512) 475-3032.

All comments must be received by **Sunday, October 22, 2023**.

DOE Opens Clean Energy Technical Assistance to Communities

The U.S. Department of Energy’s [Clean Energy to Communities \(C2C\) program](#) is now accepting applications for its next round of Peer-Learning Cohorts. C2C convenes groups of up to fifteen communities to exchange strategies and best practices, learn in a collaborative environment, and workshop policy or program proposals, action plans, or strategies to overcome challenges and provide expertise on upcoming opportunities. This round of Peer-learning Cohorts will focus on three different energy challenges: evaluating city buildings for energy efficiency and

decarbonization; enhancing energy resilience of critical facilities; and developing community-driven approaches to transportation electrification.

Interested cities can learn more about Peer-Learning Cohort topics and eligibility requirements on the [C2C Cohorts website](#). Applications are open until October 31, 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.

United States Department of Agriculture (USDA)

The USDA is accepting rolling applications for its [Rural Economic Development Loan and Grant program \(REDLG\)](#). The REDLG program provides zero-interest loans to local utilities to create revolving loan funds (RLFs) for local businesses (ultimate recipients) to create and retain rural employment opportunities. The ultimate recipients directly repay lending utility entities. The lending utility entities, in turn, repay the USDA.

Ultimate recipients will submit local projects to the local utilities. The local utilities will apply to the USDA for funding support. Eligible USDA-funded projects include:

- Business incubators
- Job-related community development assistance
- Rural resident business facility and equipment training
- Rural resident medical care facility and equipment training
- Start-up venture costs
- Business expansion; and
- Technical assistance.

Accepted local utility entities will receive a \$300,000 grant to establish their RLF and may borrow up to \$2 million from the USDA.

Local utilities must repay USDA loans within ten (10) years at zero percent interest. Ultimate recipient loans are also at zero percent interest. Local utilities may defer ultimate recipient repayments for up to two years.

The REDLG is open to public and not-for-profit rural electric or telecommunication utility service providers. Eligible projects must be located in rural areas or towns with a population below 50,000. Interested applicants can visit the [USDA's REDLG Eligibility Mapping Tool](#) to search for eligible rural areas.

City officials can find more information about the REDLG program [here](#).

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