



Legislative UPDATE

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Tax Reform One Step Closer to the Finish Line

Congress is one step closer to finally passing H.R. 1, The Tax Cuts and Jobs Act, as the bill now goes to a conference committee to work out the differences between the House and Senate. House Conferees have been named and include two members from Texas. Representative Kevin Brady (R-The Woodlands), who is the House author of the bill, and Congressman Lloyd Doggett (D- Austin) will be responsible for negotiating on behalf of the House. The Senate named its conferees on Wednesday night which include Senator John Cornyn (R- Texas).

Both versions of the bill preserve the tax exemption for municipal bonds. However, the House eliminated the authority of cities to issue Private Activity Bonds (PABs) while the Senate preserves current authority to issue PABs. PABs are a critical funding tool used to fund upgrades to airports, water treatment facilities, transportation systems, and other critical components of city infrastructure. Both versions also eliminate advance refunding bonds which allow cities to do a one-time refinance on bonds to achieve lower rates and cost savings for taxpayers.

City officials across Texas should contact Congressman Brady and Doggett, as well as Senator Cornyn, urging them to (1) support the preservation of the tax exemption on municipal bonds; (2) concur with the Senate version on PABs; and, (3) reinstate the ability of cities to use advance refunding bonds.

Texas Officials Hold Key NLC Leadership Positions

National League of Cities (NLC) President Mark Stodola, the mayor of Little Rock, Arkansas, appointed Fort Worth Councilmember Gyna Bivens and Waco Councilmember John Kinnaird to chair 2018 federal advocacy committees: Community and Economic Development and Finance, Administration, and Intergovernmental Relations, respectively.

NLC has seven federal advocacy committees that play a central role in shaping the organization's advocacy program. Each committee is comprised of local officials from its more than 1,900 member cities and towns across the country.

Councilmember Gyna Bivens was elected to the Fort Worth City Council in 2013. She served as the chair of two 2016 TML legislative policy committees: General Government and Annexation and Regulation of Development.

Councilmember John Kinnaird was first elected to the Waco City Council in 2012. He served on TML's 2016 General Government Committee and Revenue and Finance Committee.

As chairs of federal advocacy committees, Bivens and Kinnaird will also serve a one-year term on the NLC Board of Directors. They will join four other Texans who were elected to the Board: Houston Councilmember Larry Green, Forest Hill Councilmember Carlie Jones, Fort Worth Councilmember Jungus Jordan, and North Richland Hills Councilmember Tito Rodriguez.

Forest Hill Councilmember Carlie Jones was elected to her first two-year term on the NLC Board of Directors at the NLC City Summit in Charlotte, North Carolina, in November. She was elected to the Forest Hill City Council in 2016 and earned her Certified Municipal Official designation from the Texas Municipal League Institute (TMLI) this year.

Fort Worth Councilmember Jungus Jordan and North Richland Hills Councilmember Tito Rodriguez were both elected to second, two-year terms on the Board at the NLC City Summit. Jordan has served on the Fort Worth City Council since 2005 and is a past president of TML. Rodriguez was first elected to the North Richland Hills City Council in 2011 and served on TML's 2016 General Government Committee and Revenue and Finance Committee.

Houston Councilmember Larry Green was elected to a two-year term on the NLC Board in 2016. He has served on the Houston City Council since 2012 and is a member of the TML Board of Directors.

For additional information on NLC and how your city can get involved, contact Katrina Amos Washington, the program manager for the southern region, at 877-827-2385 or washington@nlc.org.

Don't Forget:
Mandatory Eminent Domain Reporting

Senate Bill 1812, passed during the 2015 legislative session, requires cities to annually fill out a [web-based form](#) with the comptroller relating to each city's statutory eminent domain authority. (The failure to fill out the form could result in a \$1,000 penalty against a city.)

The first annual entry was due last February. The next reporting period is open now and the second annual entry is due by February 1, 2018. The 2018 entry is, for almost every city, just 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.

Of course, any city that never filled out the form as required should do so now. Detailed instructions on doing so are available in this [previous article](#).

Don't Forget:
Curfew Ordinances Need Review

[Section 370.002 of the Local Government Code](#) requires that after a city adopts a juvenile curfew ordinance, the city must review and readopt the ordinance *every three years*. The statute requires that a city:

1. review the ordinance's effects on the community and on problems the ordinance was intended to remedy;
2. conduct public hearings on the need to continue the ordinance; and
3. abolish, continue, or modify the ordinance.

A juvenile curfew ordinance expires if a city does not review and readopt it every three years.

For more information on this issue, please contact the TML Legal Department at (512) 231-7400 or legalinfo@tml.org.

Don't Forget:
Open Government Training

The Texas Open Meetings Act and Public Information Act require each elected or appointed public official who is a subject to those Acts to complete training addressing their responsibilities.

The public official must complete the training not later than the 90th day after taking the oath of office, if required to take an oath to assume duties as a member of the governmental body, or after the public official otherwise assumes these duties if the oath is not required.

A public official (for example, a member of a municipal government body) may designate a public information coordinator to satisfy the open records training requirement.

The League provides the training at various workshops throughout the year. For example, the training will be available at the [TML Newly Elected City Officials Workshop](#) in San Antonio on January 19, 2018. Another way to satisfy the requirement is by viewing the attorney general's [online training videos](#).

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