



Legislative UPDATE

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Sex Offender Residency Lawsuit Dismissed

On April 6, the Texas Supreme Court dismissed yet another case challenging a general law city's sex offender residency restriction ordinance. This case is styled *Texas Voices for Reason and Justice, Inc. v. City of Westworth Village*; No. 17-0527.

In 2007, the City of Westworth Village adopted an ordinance prohibiting any person required to register as a sex offender from establishing a residence within 1,000 feet of any location where children commonly gather. The Texas nonprofit corporation known as the Texas Voices for Reason and Justice, Inc. (TVRJ) sued the city on behalf of its members (registered sex offenders, among others), claiming the ordinance violates the Texas Constitution.

Texas law provides that, in certain circumstances, an association may have standing to sue on behalf of its members. In this case, the city argued that TVRJ did not meet the standing requirements. The Fort Worth Court of Appeals agreed with the city, and on May 18, 2017, decided in favor of the city. TVRJ appealed to the Texas Supreme Court.

While the lawsuit was pending, the Texas Legislature passed [H.B. 1111](#), a TML priority bill. The bill became effective September 1, 2017, and expressly authorizes general law cities to adopt sex offender residency restriction ordinances.

As a result of the passage of H.B. 1111, the City of Westworth Village argued that the case was moot. TVRJ refused to drop the case, filing arguments with the court as recently as February 2018. Despite TVRJ's efforts, the Texas Supreme Court dismissed the case as moot, as it has done in [previous cases](#).

BUILD Transportation Program: **U.S. DOT Announces \$1.5 Billion Funding Opportunity**

The U.S. Department of Transportation (DOT) today published a Notice of Funding Opportunity (NOFO) to apply for \$1.5 billion in discretionary grant funding through the Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grants program.

BUILD Transportation grants will replace the pre-existing Transportation Investment Generating Economic Recovery (TIGER) grant program. As the Administration looks to enhance America's infrastructure, fiscal year 2018 BUILD Transportation Grants are for investments in surface transportation infrastructure and are to be awarded on a competitive basis for projects that will have a significant local or regional impact. BUILD funding can support roads, bridges, transit, rail, ports, or intermodal transportation.

Projects for BUILD will be evaluated based on merit criteria that include safety, economic competitiveness, quality of life, environmental protection, state of good repair, innovation, partnership, and additional non-federal revenue for future transportation infrastructure investments.

To reflect the Administration's infrastructure initiative, DOT intends to award a greater share of BUILD Transportation Grant funding to projects located in rural areas that align well with the selection criteria, rather than to projects in urban areas. The notice highlights rural needs in several of the evaluation criteria, including support for rural broadband deployment when it is part of an eligible transportation project.

The Consolidated Appropriations Act of 2018 made available \$1.5 billion BUILD Transportation Discretionary Grants through September 30, 2020. For this round, the maximum grant award is \$25 million, and no more than \$150 million can be awarded to a single state. At least 30 percent of funds must be awarded to projects located in rural areas.

To provide technical assistance to a broad array of stakeholders, DOT is hosting a series of webinars during the grant application process. Webinars on how to compete for BUILD Transportation Grants are as follows:

May 24: All applicants – basic information.

May 29: Rural and tribal applicants.

May 31: All applicants – how to prepare a benefit cost analysis for a BUILD application.

All webinars will take place from 2:00-4:00 p.m. EDT. Details and registration information is available at www.transportation.gov/BUILDgrants. The deadline to submit an application for the FY 2018 BUILD Transportation Discretionary Grants program is July 19, 2018.

For more information: www.transportation.gov/BUILDgrants.

Fact sheet: www.transportation.gov/sites/dot.gov/files/docs/...

NOFO: www.transportation.gov/sites/dot.gov/files/docs/...

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GLO Seeking Comments on CDBG Housing Disaster Funds

The Texas General Land Office Community Development and Revitalization division (CDR) recently published for public comment the Housing Guidelines for recovery activities associated with Community Development Block Grant for Disaster Recovery (CDBG-DR) funds.

The guidelines detail how to design, implement, and close a CDBG-DR Housing Program. They will assist impacted communities in effectively utilizing CDBG-DR funds to further local housing recovery.

The GLO encourages local leaders and the public to participate in this process as communities continue to recover from 2015 and 2016 floods and Hurricane Harvey. Public comments should be submitted to CDR@glo.texas.gov by 5:00 pm on Tuesday, May 8, 2018.

To view the Housing Guidelines and provide comments please visit:

<http://www.glo.texas.gov/the-glo/public-information/notices/notices/notice-and-opportunity-to-comment-glo-housing-guidelines-for-cdbg-dr-funds.html>

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