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### **Four Days Left: Down to the Wire**

Additional detail about bills that pass will be included in future *Legislative Update* articles, and staff will prepare an edition with summaries of every city-related bill that passes. Unless something unforeseen happens, that will be next week's edition.

For additional insight and details, city officials should plan to attend the [Legislative Wrap-Up Seminar](#) on June 30<sup>th</sup> in Austin, where League staff will discuss in detail every bill that passed that would affect Texas cities.

### **“Ridiculous” Numbers on Revenue Caps**

This week, *Politifact Texas* dealt yet another blow to the argument that revenue caps provide meaningful property tax relief. *Politifact's* [analysis](#) was focused on the truthfulness of a revenue cap proponent's statement that revenue cap legislation would “save the average homeowner in Texas \$20,000 a year over the next 20 years or so.” Staff later claimed that what was meant was \$20,000 cumulatively over the next 20 years.

*Politifact* concluded that the statement was not only false, but “ridiculous.” The statement earned the label of “Pants on Fire,” which is reserved for only the most outrageously false claims. According to the article, even the revised statement about cumulative savings contained “major flaws” and is “at best, a wild guess.”

Using faulty data is nothing new for proponents of revenue caps. As reported in a [previous issue](#) of the *Legislative Update*, the *Dallas Morning News* recently picked apart the foundation upon which the supposed need for revenue caps was built – namely that local property taxes have increased three times faster than median household income. Citing an independent economist

who called the comparison “worse than meaningless,” the article also included an objective comparison using federal data showing that median household income has actually outpaced the median property tax bill in Texas.

For many years, the League and its members have refuted the false property tax relief claims of revenue cap supporters. Independent observers are finally recognizing revenue caps for what they are: a false promise of meaningful tax relief, promoted for political purposes, that would limit the ability of cities to provide essential services to their residents.

With only four days left in the 85<sup>th</sup> Legislative Session, property tax reform is still front and center. Last weekend, the House voted to include numerous property tax transparency measures that were present in the House’s version of S.B. 2 in a new vehicle—S.B. 669 by Senator Jane Nelson (R – Flower Mound). Notably absent was any form of a revenue cap, which did not have adequate support amongst members of the House Ways and Means committee or House Calendars committee. S.B. 669 now goes back to the Senate, where the Senate can either concur with the House version of the bill, or choose not to concur, forcing a conference committee negotiation and possibly opening the door to revenue caps once again.

## **General Law Sex Offender Regulation Update**

Last week, two separate courts issued favorable rulings in two separate lawsuits challenging general law sex offender residency ordinances. On May 12, a district court in Fort Bend County threw out a lawsuit against the City of Meadows Place on procedural grounds. On May 18, the Fort Worth Court of Appeals did the same in a lawsuit against Westworth Village.

A December 2016 opinion of the same court of appeals concluded the opposite: that a lawsuit against the City of Krum can move forward. That opinion has been appealed to the Texas Supreme Court, where it is still pending.

All of the lawsuits came about following a November 2015 demand letter from [Texas Voices for Reason and Justice \(TVRJ\)](#), a “statewide criminal-justice advocacy group” that represents sex offenders. The letter asked 46 general law cities to repeal their sex offender residency restriction ordinances (SORROs).

TVRJ followed through with its threat by filing lawsuits against several of the cities that didn’t repeal their SORRO. The substance of the sex offenders’ claims – that general law cities have no authority to enact a SORRO – is largely based on a March 2007 opinion from the Texas attorney general’s office. The petitions allege that, because they are incorporated under the general laws, and no general law expressly delegates the authority to enact a sex offender residency restriction ordinance, the defendant cities are not authorized to enact one.

In the meantime, several bills have been filed this legislative session that would clarify this authority. If any of them passes, the lawsuits should be rendered moot. The 2017-2018 TML Legislative Program places the clarification of this authority in the League’s priority category.

## **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 their 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 the legislative session.

- Ben Harris, Deputy Mayor Pro Tem, City of Plano
- Bill Kelly, Director of Governmental Affairs, City of Houston
- Brad Neighbor, City Attorney, City of Garland
- Brandon Ferguson, Battalion Chief, City of University Park
- Carl Alsbrook, City Manager, City of Royse City
- Carl Coan, Assistant Chief, Garland Fire Department
- Cobby Caputo, Councilmember, City of Cedar Park
- Debbie Kimberly, Vice President of Customer Energy Solutions, Austin Energy
- Hope Wells, Water Resources Counsel, San Antonio Water System
- Hugh Walker, Deputy City Manager, City of Bryan
- Jason Day, City Attorney, City of Royse City
- Jeffrey Giles, Assistant City Attorney, City of Houston
- Jessica Anderson, Lieutenant, Houston Police Department
- Jim Pruitt, Mayor, City of Rockwall
- Joe Chesser, Director of Parks & Recreation, City of Sugar Land
- Joseph Crawford, Assistant City Attorney, City of Houston
- Karen Guz, Conservation Director, San Antonio Water System
- Michael Kovacs, City Manager, City of Fate
- Mike Rawlings, Mayor, City of Dallas
- Olin Lane, Jr., Mayor, City of University Park
- Ramiro Gonzalez, Government Affairs Liaison, City of Brownsville
- Randy Howell, Fire Chief, City of University Park
- Randy Zamora, Assistant City Attorney, City of Houston
- Robert Corder, City Manager, City of University Park
- Scott Oliver, Corporate Counsel, San Antonio Water System
- Steve Adler, Mayor, City of Austin
- Steve Kosub, Senior Water Resource Attorney, San Antonio Water System
- William “Doug” Fowler, Fire Chief, City of South Padre Island

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