

The logo for the Texas Municipal League, featuring a green square with a white star in the center. The words "Texas", "Municipal", and "League" are stacked vertically in white text within the square.

Legislative UPDATE

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Number 13

More Hypocrisy: Fingerprints for Driver Ed Instructors but not TNC Drivers

Many state officials have vocalized their belief that city-required fingerprint background checks for transportation network companies (e.g., Uber and Lyft) are overly-burdensome and provide no benefit to public safety. That's interesting, considering that the State of Texas requires over 20 professions to submit fingerprints for criminal background checks.



Those 20 professions include attorneys, realtors, nurses, doctors, chiropractors, architects, and teachers. Even more interesting, the state also imposes the same requirement for *all driver education instructors*. It has decided that fingerprint checks provide parents some comfort when their teenagers will be alone with the instructor.

In other words, the legislature clearly believes that fingerprint-based criminal background checks increase safety for those who will be alone with certain professionals.

Doesn't it seem hypocritical that state leaders believe in fingerprints for driver education instructors, but oppose the same for transportation network company drivers?

If you think so too, please contact your legislator.

Big Businesses Bite the Hand that Feeds Them

Legislative leaders have recently told TML staff that large, industrial businesses are working aggressively behind the scenes in support of S.B. 2 and H.B. 15, bills that would impose state restrictions on the revenue and budgets of every city in the state. These industries are overlooking how heavily they rely on city services and infrastructure in the daily operations of their businesses – everything from police and fire protection for their offices and their employees to the roads they use to provide their services or move their goods. And many large businesses have received tax-related economic development incentives that directly benefit their bottom line.



If the city budget restrictions in S.B. 2 or H.B. 15 become law, they will limit the ability of cities to fund economic development projects, grant tax abatements to businesses, or make transportation improvements that benefit businesses.

City officials should immediately begin to discuss continued participation in economic development incentives, especially tax incentives, in light of the fact that some industries appear to be supporting budget restrictions on cities.

Large industries should also realize that economic development incentives are under direct attack by certain legislators as well. Historically, the League has been aligned with business in support of targeted incentives to create jobs and expand the Texas economy. That cooperation is threatened by business support for restrictions on the property taxes that underlie such incentives.

The threat posed by possible passage of revenue caps by the legislature in the next two months should cause cities to consider placing on hold any action on granting incentives at least until the end of the Legislative session on May 29, 2017.

Any city that passes resolutions, moratoria, or takes other action regarding the granting of incentives in light of industry support for S.B. 2 and H.B. 15 should share those with Bill Longley, TML Legislative Counsel, at bill@tml.org.

Significant Committee Actions

H.B. 53 (Romero), relating to settlement of claims and actions against a governmental unit. Reported from the House Committee on Judiciary and Civil Jurisprudence.

S.B. 91 (Hall), relating to the use of automatic license plate readers by a law enforcement agency. Reported from the Senate Criminal Justice Committee.

S.B. 515 (V. Taylor), relating to the right of certain public officers to access public information, documents, records, and property. Reported from the Senate Business and Commerce Committee.

S.B. 601 (Campbell), relating to authorizing an exemption for open-enrollment charter schools from certain municipal drainage requirements. Reported from the Senate Intergovernmental Relations Committee.

S.B. 622 (Burton), relating to itemizing certain public notice expenditures in political subdivision budgets. Reported from the Senate Intergovernmental Relations Committee.

S.B. 737 (Hancock), relating to requirements for new or increased municipal fees. Reported from the Senate Intergovernmental Relations Committee. As reported, this bill would, among other things: (1) require every city to establish and maintain an email notification service to which any person may electronically subscribe to receive information regarding new or increased city fees, charges, assessments, or similar payments required by the city for a privilege, service authorization, permit, license, registration, certification, filing, or other municipal action or approval; (2) provide that a city's proposed budget that includes estimated revenue from a new fee or the increase of an existing fee must contain a cover page with the following statement in 18-point or larger type: "This budget includes estimated revenue from the following new or increased fees: (include a description of each new or increased fee, the dollar amount of each new fee, and the dollar amount of an percentage of increase of each increased fee); and (3) provide that adoption of a budget that includes estimated revenue from a new fee or the increase of an existing fee requires a separate vote of the governing body to ratify the use of that revenue, and the vote is in addition to and separate from the vote to adopt the budget or a vote to adopt or increase the fee.

Significant Floor Actions

S.B. 5 (Huffman), relating to requiring a voter to present proof of identification. Passed the Senate.

S.B. 312 (Nichols), relating to the continuation and functions of the Texas Department of Transportation. Passed the Senate.

S.B. 407 (Watson), relating to the exception from disclosure under the public information law for information related to competition and bidding. Passed the Senate.

S.B. 408 (Watson), relating to the definition of a governmental body for the purposes of the public information law. Passed the Senate.

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.

- Agustin Garcia, City of Edinburg, Economic Development Corporation
- Arturo Rodriguez, City Attorney, City of Georgetown
- Carl Smith, Police Chief, City of Midlothian
- Curry H. Vogelsang, Jr., Councilmember, Town of Prosper
- Curtis Howard, Police Legal Advisor, City of Plano
- Dan Pope, Mayor, City of Lubbock
- Dominic Saleh, Sergeant, Plano Police Department
- Don Knight, Senior Assistant City Attorney, City of Dallas
- Douglas Wiersig, Director of Transportation and Public Works, City of Fort Worth
- E. Joyce Iyamu, City Attorney, City of Missouri City
- Gary Tittle, Assistant Chief of Police, Dallas Police Department
- Gregario Casar, Council Member, City of Austin
- Harlan Jefferson, Town Manager, Town of Prosper
- Hilary Shine, Public Relations Director, City of Killeen
- James Jones, San Antonio Police Department
- Jeff Coyle, Director of Government and Public Affairs, City of San Antonio
- Jessica Herrera, Economic Development Specialist, City of El Paso
- Jim Briggs, Utilities General Manager, City of Georgetown
- John Clement, Watershed Protection Department, City of Austin
- John Kroll, Councilmember, City of Dripping Springs
- Joseph Chesser, Director of Parks and Recreation, City of Sugar Land
- Keith Mars, City Arborist, City of Austin
- Kyle Halbert, Bryan Police Department
- Maher Maso, Mayor, City of Frisco
- Mark Bird, City Arborist, City of San Antonio
- Matt May, Captain, Houston Police Department
- Megan Howard, Houston Police Department
- Michael Kovacs, City Manager, City of Fate
- Nick Fehrenbach, Manager of Regulatory Affairs, City of Dallas
- Nicole Offerdahl, Plano Police Department
- Pete Vaky, Deputy City Attorney, City of Fort Worth
- Robert Hanna, City Manager, City of Abilene
- Ron Jensen, Mayor, City of Grand Prairie
- Ronald C. Lewis, City Attorney, City of Houston
- Sally Bakko, Legislative Coordinator, City of Galveston
- Sandy Greyson, Council Member, City of Dallas

- Scott Jones, Bryan Police Department
- Sharron Spencer, Council Member, City of Grapevine
- Stephen Santellana, Mayor, City of Wichita Falls
- Steve Adler, Mayor, City of Austin
- Sylvester Turner, Mayor, City of Houston
- T. Kelly Dowe, Director of Finance, City of Houston
- Todd Meier, Mayor, City of Addison
- Tom Tagliabue, Director, Intergovernmental Relations, City of Corpus Christi

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