City-Related Bills Filed

Table of Contents

Property Tax............................................................................................................................... 1
Sales Tax........................................................................................................................................ 43
Purchasing...................................................................................................................................... 49
Elections.......................................................................................................................................... 55
Open Government.......................................................................................................................... 84
Other Finance and Administration................................................................................................ 98
Municipal Courts ........................................................................................................................... 158
Community and Economic Development....................................................................................... 169
Personnel.................................................................................................................................... 203
Public Safety.................................................................................................................................. 220
Transportation.............................................................................................................................. 301
Utilities and Environment............................................................................................................... 313

Property Tax

H.B. 15 (D. Bonnen) – Revenue Cap: this bill, known as the “Property Tax Payer Empowerment Act of 2017,” would make numerous changes to the process for calculating and adopting property tax rates. Of primary importance to cities, the bill would:

1. lower the property tax rollback rate from eight percent to four percent, with an exception for a taxing unit located in an area declared a disaster area by the governor or president of the United States during the current tax year;
2. require a taxing unit to hold a ratification election in order to adopt a tax rate that exceeds the four-percent rollback rate (as opposed to current law, which only requires an election if a petition is received from the citizens);
3. rename the “effective tax rate” and “effective maintenance and operations rate” the “no new taxes tax rate” and “no new taxes maintenance and operations rate,” respectively;
4. require the comptroller to prescribe the form of the worksheets used by the designated officer or employee of each taxing unit in calculating the no new taxes tax rate and rollback tax rate for the taxing unit;
5. provide that the calculation worksheet form must be in an electronic format and be capable of:
   a. being completed electronically;
   b. performing calculations automatically based on the data entered by the designated officer or employee;
c. being certified by the designated officer or employee after completion; and

d. being submitted electronically to the comptroller on completion and certification;

6. require the comptroller to prepare an annual list that includes the total tax rate imposed by each taxing unit in the state for the year in which the list is prepared that shall be sorted alphabetically according to:
   a. the county or counties in which each taxing unit is located; and
   b. the name of each taxing unit;

7. require the comptroller to publish on the comptroller’s Internet website the list required in Section Number 6, above, not later than January 1 of the following year;

8. require the comptroller to create and maintain a property tax database that:
   a. contains information that is provided by designated officers or employees of taxing units in the manner required by the comptroller;
   b. is continuously updated as preliminary and revised data become available to and are provided by the designated officers or employees of the taxing units;
   c. is accessible to the public; and
   d. is searchable by property address;

9. require the comptroller’s property tax database to include, with respect to each property listed on an appraisal roll:
   a. the property’s identification number;
   b. the property’s market value;
   c. the property’s taxable value;
   d. the name of each taxing unit in which the property is located;
   e. for each taxing unit other than a school district in which the property is located:
      i. the no new taxes tax rate; and
      ii. the rollback tax rate;
   f. for each school district in which the property is located:
      i. the rate to maintain the same amount of state and local revenue per weighted student that the district received in the school year beginning in the preceding tax year; and
      ii. the rollback tax rate;
   g. the tax rate proposed by the governing body of each taxing unit in which the property is located;
   h. for each taxing unit other than a school district in which the property is located, the taxes that would be imposed on the property if the unit adopted a tax rate equal to:
      i. the no new taxes tax rate; and
      ii. the proposed tax rate
   i. for each school district in which the property is located, the taxes that would be imposed on the property if the unit adopted a tax rate equal to:
      i. the rate to maintain the same amount of state and local revenue per weighted student that the district received in the school year beginning in the preceding tax year; and
      ii. the proposed tax rate
   j. for each taxing unit other than a school district in which the property is located, the difference between the amount calculated for the no new taxes tax rate and the proposed tax rate;
k. for each school district in which the property is located, the difference between
the amount calculated to maintain the same amount of state and local revenue per
weighted student the district received in the school year beginning in the
preceding year and the proposed tax rate;
1. the date and location of each public hearing, if applicable, on the proposed tax
rate to be held by the governing body of each taxing unit in which the property is
located; and
m. the date and location of the public meeting in which the tax rate will be adopted to
be held by the governing body of each taxing unit in which the property is
located;
10. require the property tax database to provide a link to the tax rate and budget information
required to be posted on a taxing unit’s website (See Section Number 28. of this
summary)
11. require the officer or employee designated by the governing body of each taxing unit to
calculate the no new taxes tax rate and the rollback tax rate for the unit to electronically
submit to the comptroller:
   a. the information described by Section Number 9, above, as the information
      becomes available; and
   b. the property tax rate calculation worksheets prepared at the same time the officer
      or employee submits the tax rates to the governing body of the taxing unit;
12. require the comptroller to deliver by e-mail to the designated officer or employee
confirmation of receipt of the property tax rate calculation worksheets submitted to the
comptroller;
13. require the comptroller to incorporate all tax rate calculation worksheets into the property
tax database and make them available to the public not later than the third day after the
date the comptroller receives them;
14. for the notice of appraised value sent to each property owner by the chief appraiser,
delete the section stating the amount of tax that would be imposed on the property on the
basis of the tax rate for the preceding year if the appraised value is greater than it was in
the preceding year;
15. amend the definition of “debt” for purposes of calculating a property tax rate to mean a
bond, warrant, certificate of obligation, or other evidence of indebtedness owned by a
taxing unit that has been approved at an election and is payable solely from property
taxes in installments over a period of more than one year, not budgeted for payment from
maintenance and operations funds, and secured by a pledge of property taxes, or a
payment made under contract to secure indebtedness of a similar nature issued by another
political subdivision on behalf of the taxing unit;
16. require the designated officer or employee of a taxing unit to use the property tax rate
calculation worksheet forms prescribed by the comptroller in calculating the no new taxes
tax rate and the rollback tax rate;
17. require the designated officer or employee of a taxing unit to submit the property tax rate
calculation worksheet to:
   a. the chief appraiser of the appraisal district in which the taxing unit is located; and
   b. the chief financial officer or the auditor for the taxing unit;
18. provide that the designated officer or employee of a taxing unit other than a school
district may not submit the no new taxes tax rate and the rollback tax rate to the
governing body of the taxing unit and the governing body of the taxing unit may not adopt a tax rate until:

a. the chief appraiser submits to the governing body of the unit a written certification that the values used in the calculations are the same as the values shown in the unit’s appraisal roll; and

b. the chief financial officer or the auditor for the unit submits to the governing body of the unit a written certification that the rollback tax rate has been calculated correctly;

19. require the comptroller to adopt rules governing the form of the certifications required by Section Number 18 of this summary, above, and the manner in which they are required to be submitted;

20. by August 7 or as soon thereafter as practicable, require the chief appraiser of the appraisal district in which the property is located to deliver by regular mail or e-mail to each property owner a notice that the estimated amount of taxes to be imposed on the owner’s property by each taxing unit in which the property is located may be found in the comptroller’s property tax database, and the notice must include:

a. the address of the internet website at which the information may be found;

b. a statement that the property owner may request a written copy of the information from the assessor for each taxing unit in which the property is located; and

c. the address and telephone number of each assessor from whom the written copy may be requested;

21. prohibit the tax assessor from certifying an anticipated collection rate that is lower than the lowest actual collection rate in the preceding three years;

22. provide that the governing body of a taxing unit may not hold a public hearing on a proposed tax rate or a public meeting to adopt a tax rate until the 14th day after the date the officer or employee designated by the governing body of the unit to calculate the no new taxes tax rate and the rollback tax rate for the unit electronically submits to the comptroller the information required for the comptroller’s property tax database;

23. provide that the governing body of a taxing unit other than a school district may not adopt a tax rate until:

a. the comptroller has included the information for the unit’s current tax year in the comptroller’s property tax database; and

b. the chief appraiser of the appraisal district in which the taxing unit participates has delivered the notice required by Section Number 20 of this summary, above;

24. provide that a person who owns taxable property is entitled to an injunction restraining the collection of taxes by a taxing unit in which the property is taxable if the taxing unit has not complied with certain tax rate calculation, publication, and adoption requirements, without regard to whether the failure to comply was in good faith;

25. provide that an action to enjoin the collection of taxes must be filed not later than the 15th date after the date the taxing unit adopts a tax rate;

26. provide that a property owner is not required to pay the taxes imposed by a taxing unit on the owner’s property while an action filed by the property owner to enjoin the collection of taxes imposed by the taxing unit on the owner’s property is pending, and that if the property owner pays the taxes and subsequently prevails in the action, the property owner is entitled to a refund of the taxes paid, together with reasonable attorney’s fees and court costs;
27. require each taxing unit to maintain an Internet website; and
28. require each taxing unit to post on its Internet website the following information in a format prescribed by the comptroller:
   a. the name and official contact information for each member of the governing body of the taxing unit;
   b. the mailing address, e-mail address, and telephone number of the taxing unit;
   c. the taxing unit’s budget for the preceding two years;
   d. the taxing unit’s proposed or adopted budget for the current year;
   e. the change in the amount of the taxing unit’s budget from the preceding year to the current year, by dollar amount and percentage;
   f. for a taxing unit other than a school district, the amount of property tax revenue budgeted for both maintenance and operations and debt service, respectively, for:
      i. the preceding two years; and
      ii. the current year
   g. the tax rate for both maintenance and operations and debt service, respectively, adopted by the taxing unit for the preceding two years;
   h. the tax rate for both maintenance and operations and debt service, respectively, adopted by the taxing unit for current year; and
   i. the most recent financial audit of the taxing unit.

H.B. 27 (Springer) – Property Tax Appraisal: would provide that: (1) for properties other than a residence homestead, a property must have the same highest and best use as the subject property to be considered a comparable property; (2) a use restriction on property that prohibits the continuation of the current use of the property, or prohibits a competitive use of the property, by a subsequent owner may not be considered in the determination of the property’s highest and best use; and (3) for properties other than a residence homestead, the determination of the market value of property must include consideration of whether the highest and best use of the property is the continuation of the current use of the property.

H.B. 44 (Keough) – Appraisal Cap: would reduce the property tax appraisal cap on homesteads from ten to five percent and apply the new appraisal cap to all real property. (See H.J.R. 17, below.)

H.B. 85 (Keough) – Appraisal Districts: would, among other things, require the chief appraiser of an appraisal district to be elected at the general election for state and county officers every two years.

H.B. 102 (Guillen) – Tax Exemptions: would, among other things, provide that: (1) a new business is entitled to a property tax exemption for all real and tangible personal property for up to ten years if: (a) the property is located in a county with a population of 250,00 or less and is reasonably necessary for and used by the person in the operation of the new business; and (b) the exemption is adopted by the governing body of the taxing unit; and (2) the sale to or storage, use, or other consumption by a new business of a taxable item that will be directly used or consumed by the business is exempted from sales and use taxes for up to ten years.
H.B. 139 (Bell) – Appraisal Review Board: would: (1) allow a property owner to request notice of a protest hearing before the appraisal review board to be delivered by certified mail; and (2) allow an appraisal review board to require the property owner to pay the cost of postage.

H.B. 150 (Bell) – Property Tax Exemption: would exempt from property taxes a residence homestead that was donated to a disabled veteran by a charitable organization at some cost to the disabled veteran in the form of a cash payment, a mortgage, or both in an aggregate amount that is not more than 50 percent of the good faith estimate of the market value of the residence homestead made by the charitable organization as of the date the donation is made.

H.B. 167 (Bell) – Appraisal Cap: would reduce the property tax appraisal cap on homesteads from ten to five percent, and apply the new appraisal cap to all real property. (See H.J.R. 26, below.)

H.B. 182 (Bernal) – Sales Price Disclosure: would require the comptroller to conduct a study to examine the impact that requiring disclosure of the sales price of real property would have on the property tax system, property tax revenues, the allocation of property tax burdens among taxpayers, and the cost to the state to fund public education.

H.B. 198 (Bernal) – Property Tax Installment Payments: would provide that any individual who qualifies for a residential homestead exemption may pay off delinquent property taxes in installment payments.

H.B. 217 (Canales) – Deferral of Property Taxes: would allow a disabled veteran to defer or abate the collection of property taxes on the person’s residence homestead.

H.B. 231 (E. Rodriguez) – Property Tax Exemption: would, among other things: (1) require, for purposes of appraisal of qualified open-space land, that a chief appraiser distinguish between the degree of intensity required for various agricultural production methods like organic, sustainable, pastured poultry, rotational grazing, and other uncommon production methods or systems; (2) provide that the production of fruits and vegetables is considered to be an “agricultural use” for purposes of appraisal of qualified open-space land; and (3) require the comptroller to establish appraisal guidelines for uncommon agricultural uses.

H.B. 301 (Larson) – Property Appraisal: would provide that: (1) if the appraised value of property in a tax year is lowered as a result of an agreement between the property owner and the appraisal district or as a result of a protest or appeal, the chief appraiser may not increase the appraised value of the property in the following tax year by an amount that exceeds the sum of five percent of the appraised value of the property in the tax year in which the appraised value of the property is lowered and the market value of all new improvements to the property; and (2) number (1), above, does not apply to an increase in the appraised value of property as a result of: (a) the property no longer being eligible for appraisal as agricultural use or agricultural land, timber land or restricted use timber land, recreational, park, or scenic land, or public access airport property; or (2) the expiration of a ten percent limitation on the appraisal of a residence homestead. (See H.J.R. 30, below.)
H.B. 302 (Goldman) – Property Tax Exemption: would entitle a person to a property tax exemption for a mineral interest the person owns that has a taxable value of less than $2,000.

H.B. 320 (Canales) – Property Tax Exemption: provides that an additional tax imposed on land appraised as qualified open-space land when a change in use of the land occurs is equal to the difference between the taxes imposed on the land for each of the two years preceding the year in which the change of use occurred.

H.B. 345 (Canales) – Revenue Cap: would: (1) lower the property tax rollback rate from eight percent to five percent; (2) require the comptroller to annually determine an inflation rate based on the amount computed by determining the percentage change in the consumer price index for the preceding calendar year as compared to the consumer price index for the calendar year preceding that calendar year; and (3) provide that if the inflation rate exceeds five percent in a given year, the rollback tax rate shall be calculated by a taxing unit using the lower of the inflation rate or eight percent.

H.B. 376 (Metcalf) – Appraisal Cap: would reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See H.J.R. 33, below.)

H.B. 379 (Bernal) – Sales Price Disclosure: would provide that: (1) a person may not have recorded in the county clerk’s office an instrument conveying real property under a contract for sale unless the instrument discloses the sales price of the property; (2) the purchaser of any property for which an instrument is recorded in violation of (1), above, is liable to the state for a civil penalty for each violation in an amount equal to five percent of the sales price of the property; (3) the attorney general or the county or district attorney for the county in which the property is located may bring suit to recover a penalty under (2), above; and (4) an instrument conveying only a mineral interest in real property is not required to include the sales price of the interest.

H.B. 382 (Murphy) – Property Tax Exemption: would exempt from property taxation the real property owned by a person that is leased to an open-enrollment charter school if: (1) the real property is used exclusively by the school for education functions; (2) the real property is reasonably necessary for the operation of the school; (3) the property owner certifies by affidavit to the school that the rent for the lease of the real property will be reduced by a commensurate amount; (4) the property owner provides the school with a disclosure document stating the amount by which the taxes on the real property are reduced due to the exemption and the method to be implemented to ensure that the rent charged reflects the reduction; and (5) the rent charged for the lease of the real property reflects the reduction in the amount of property taxes due to the exemption through a monthly or annual credit against the rent. (See H.J.R. 34, below.)

H.B. 455 (Metcalf) – Appraisal Review Board: would authorize a property owner to participate by telephone in an appraisal review board protest hearing.

H.B. 457 (Holland) – Confidentiality of Property Tax Appraisal Records: would: (1) allow the spouse or surviving spouse and adult children of a peace officer to elect to keep their home address information confidential; and (2) authorize the appraisal district, the state, the
comptroller, and taxing units and political subdivisions to continue to use the information for official purposes.

H.B. 495 (Phelan) – Appraisal District: would, among other things, provide that: (1) an appraisal district is governed by a board of five directors; (2) one director is elected from each of the four commissioners precincts of the county for which the appraisal district is established; (3) the county assessor-collector is a director by virtue of the person’s office; (4) if the county assessor-collector is ineligible to serve pursuant to a contract, the appraisal district is governed by the four directors elected from the commissioners precincts and a director elected from the county at large; and (5) the directors other than the county assessor-collector are elected at the general election for state and county officers and serve two-year terms beginning on January 1 of odd-numbered years.

H.B. 513 (S. Davis) – Property Tax Appraisal: would provide that the chief appraiser of an appraisal district that appraises property for a taxing unit that is located partly or entirely inside an area declared to be a disaster area by the governor shall reappraise all property damaged in the disaster at its market value immediately after the disaster.

H.B. 540 (Metcalf) – Property Tax Appeals: would authorize attorney’s fees of any amount for a property owner who prevails in an appeal if: (1) the appeal is based on excessive or unequal appraisal; (2) the property owner claims the property as the owner’s residence homestead; and (3) in each of the preceding two years, the property owner prevailed in an appeal under (1) and the amount of an award of attorney’s fees to the property owner was subject to a limitation in each of the two preceding years.

H.B. 566 (Keough) – Appraisal Review Boards: would, among other things, provide: (1) that an appraisal review board consists of five members elected by the voters of the county in which the appraisal district is established at the general election for state and county officers; and (2) that the members of the appraisal review board serve two-year terms beginning on January 1st of odd-numbered years.

H.B. 570 (Button) – Property Tax Exemption: would provide: (1) that the surviving spouse of a first responder who is killed or fatally injured in the line of duty is entitled to an exemption from taxation of the total appraised value of the surviving spouse’s residence homestead so long as the surviving spouse has not remarried since the death of the first responder; and (2) that a surviving spouse who receives an exemption under (1) is entitled to receive an exemption from taxation of a property that the surviving spouse subsequently qualifies as the surviving spouse’s residence homestead in an amount equal to the dollar amount of the exemption from taxation of the first property for which the surviving spouse received the exemption in the last year in which the exemption applied so long as the surviving spouse has not remarried since the death of the first responder.

H.B. 586 (Bohac) – Appraisal Cap: would reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See H.J.R. 43, below.)
H.B. 626 (Workman) – Property Tax Exemption: would: (1) require the chief appraiser to accept and approve or deny an application for a residence homestead exemption after the deadline for filing it has passed if it is filed not later than two years after the delinquency date for the taxes on the homestead; and (2) require the chief appraiser to accept an approve or deny an application for a disabled veterans property tax exemption if the application is filed not later than five years after the delinquency date for taxes on the property.

H.B. 643 (Phillips) – Property Tax Appraisal: would define “wildlife management” for purposes of a property tax appraisal as actively using land in specific ways in accordance with standards developed by the Parks and Wildlife Department and the comptroller.

H.B. 758 (Keough) – Property Tax Refunds: would provide that: (1) a religious organization is entitled to receive from the collector for a taxing unit a refund of the taxes paid by the owner of the property on property that is leased to the organization and used primarily as a place of regular religious worship; (2) the collector shall pay the refund from available current tax collections or from funds appropriated by the taxing unit for making refunds; (3) a religious organization claiming the refund must apply for the refund not later than the third anniversary of the date the taxes on the property were paid or the organization waives the right to the refund; (4) an application for a refund must be made using a form prescribed by the comptroller by rule; (5) if the collector for a taxing unit does not respond to an application for a refund on or before the 90th day after the date the application is filed with the collector, the application is presumed to have been denied; (6) not later than the 60th day after the date the collector for a taxing unit denies an application for a refund, the religious organization may file suit against the taxing unit in district court to compel the payment of the refund; and (7) if the religious organization prevails in the suit, the organization may be awarded court costs and reasonable attorney’s fees in an amount not to exceed the greater of: (a) $1,500; or (b) 30 percent of the total amount of the refund determined by the court to be due. (See S.J.R. 49, below.)

H.B. 777 (Ashby) – Property Tax Appraisals: would provide that land owned by a deployed member of the armed services remains eligible for appraisal as qualified open-space land, even if the land ceases to be devoted principally to agricultural use to the degree of intensity generally accepted in the area, if the service member intends to use the land in that manner upon returning to the property. (Companion bill is S.B. 175 by Nichols.)

H.B. 801 (Murphy) – Property Tax on Agricultural Land: would repeal the additional property taxes imposed as a result of certain changes in the use of open-space land appraised as agricultural.

H.B. 845 (Lozano) – Property Tax Exemption: would authorize the governing body of a taxing unit to exempt from property taxes the mineral interests owned by nonprofit corporations organized for the exclusive purpose of generating income for certain charitable nonprofit corporations through the ownership, lease, and management of real property. (See H.J.R. 51, below.)

H.B. 850 (Turner) – Property Tax Exemption: would provide that: (1) a person is entitled to a property tax exemption, expressed as a dollar amount, of the appraised value of real property that
the person owns and that is used as a group home or intermediate care facility for individuals with developmental, physical, or intellectual disabilities; and (2) the amount of the exemption is equal to the costs incurred by the property owner in maintaining, operating, and making improvements to the property during the preceding 12-month period. (See H.J.R. 52, below.)

**H.B. 906 (Elkins) – Tax Exemption**: would, among other things, authorize institutions of higher education to create research technology corporations that would be exempt from both property taxes and sales taxes. (See H.J.R. 54, below.)

**H.B. 934 (Zerwas) – Property Tax System**: would, among other things: (1) require the comptroller to appoint a property tax administration advisory board to make recommendations to the comptroller regarding state administration of property taxation and state oversight of appraisal districts and local tax offices; (2) require an appraisal district to appraise property in accordance with standards, procedures, and methodology prescribed by appraisal manuals prepared and issued by the comptroller; (3) provide that, in order to be eligible to serve on the board of directors of an appraisal district, an individual must be an elected county officer or an elected official of a political subdivision all or part of the territory of which is located in the county; (4) authorize an appraisal district board of directors in a county of 120,000 or more to increase the size of the district’s appraisal review board by resolution to a number of members the board considers appropriate; and (5) require the appraisal review boards located in counties with populations of 120,000 or more to establish special appraisal review board panels for each of the following classifications of property: (a) commercial real and personal property; (b) real and personal property of utilities; (c) industrial and manufacturing real and personal property; and (d) multifamily residential real property.

**H.B. 950 (J. Rodriguez) – Property Tax Appraisals**: would provide that land qualifies for appraisal as qualified open-space land if: (1) the land is currently devoted principally to agricultural use to the degree of intensity generally accepted in the area; (2) the land was devoted principally to agricultural use or to production of timber or forest products for the preceding year; and (3) the land is owned or managed by: (a) a veteran of the United States armed services; or (b) an individual who, at the time the owner filed an initial application for appraisal of the land, was less than 35 years of age and had not served as the principal operator of a farm or ranch for any period of more than 10 consecutive years. (Companion bill is S.B. 330 by Rodriguez.)

**H.B. 969 (Metcalf) – Property Tax Deferral and Abatement**: would, among other things: (1) change the annual interest rate charged during the period when property taxes on the residence homestead of an elderly or disabled person are deferred from eight percent to two percent; (2) authorize an individual to defer collection of a property tax or abate a suit to collect a delinquent property tax imposed on: (a) the portion of the appraised value of property the individual owns and occupies as the individual’s residence homestead that exceeds the sum of 105 percent of the appraised value of the property for the preceding year and the market value of all new improvements to the property; or (b) property the individual owns and occupies as the individual’s residence homestead if the individual has an ownership interest in the property on January 1 of the tax year for which the tax is imposed equal to or greater than ten percent of the market value of the property for that tax year; (3) provide that the annual interest rate during the
deferral and abatement period under (2)(b) is two percent instead of eight percent for each tax year for which the individual has an ownership interest in the property on January 1 of the tax year that is equal to or greater than 50 percent of the market value of the property for that tax year; (5) authorize an individual to defer collection of a property tax or abate a suit to collect a delinquent property tax imposed on a historic family property owned continuously for at least the preceding 100 years by one or more individuals who are members of the same family if the individual: (a) owns the property; and (b) has an ownership interest in the property on January 1 of the tax year for which the tax is imposed equal to or greater than 50 percent of the market value of the property for that tax year; and (6) provide that the annual interest rate during the deferral or abatement period under (5) is eight percent.

H.B. 1017 (Perez) – Rollback Rate: would provide that, if sections of the Tax Code are amended by an act of the 85th Legislature or a subsequent legislature and the effect of the amendment is to reduce the rollback tax rate of a city, the governing body of the city may direct the designated officer or employee to calculate the rollback tax rate of the city in accordance with law as it existed on January 1, 2016.

H.B. 1050 (Swanson) – Property Taxes: would abolish property taxes.

H.B. 1101 (Pickett) – Property Tax Exemption: would provide that the chief appraiser may not require a person receiving a disabled veteran property tax exemption to file a new application to determine the person’s current qualification for the exemption if the person has a permanent total disability as defined by federal law.

H.B. 1144 (S. Davis) – Revenue Cap: would, among other things, require a taxing unit to hold a ratification election in order to adopt a tax rate that exceeds the current rollback rate (as opposed to current law, which requires an election only after receipt of a petition from the citizens).

H.B. 1146 (S. Davis) – Revenue Cap: would, among other things: (1) require the comptroller to annually determine an inflation rate computed by determining the percentage change in the consumer price index for the preceding calendar year as compared to the consumer price index for the calendar year preceding that calendar year; (2) lower the property tax rollback rate from eight percent to a percentage equal to one percent, plus the inflation rate; and (3) require a taxing unit to hold a ratification election in order to adopt a tax rate that exceeds the rollback rate (as opposed to current law, which requires an election only after receipt of a petition from the citizens).

H.B. 1147 (S. Davis) – Revenue Cap: would, among other things: (1) require the comptroller to annually determine an inflation rate computed by determining the percentage change in the consumer price index for the preceding calendar year as compared to the consumer price index for the calendar year preceding that calendar year; and (2) lower the property tax rollback rate from eight percent to a percentage equal to one percent, plus the inflation rate.

H.B. 1165 (Paul) – Revenue Cap: would, among other things: (1) lower the property tax rollback rate from eight percent to six percent; and (2) require a taxing unit to hold a ratification
election in order to adopt a tax rate that exceeds the six-percent rollback rate (as opposed to current law, which requires an election only after receipt of a petition from the citizens).

H.B. 1182 (Button) – Property Tax Exemption: would provide that the owner of tangible personal property consisting of food products exempted from sales tax is entitled to an exemption from property taxes of the appraised value of the property if the property is held by the owner for sale at retail. (See H.J.R. 60, below.)

H.B. 1211 (Phillips) – Property Tax Exemption: would provide that, if a change is made in the use of land appraised as qualified open-space land, an additional tax is imposed on land equal to the difference between the taxes imposed on the land for each of the three years preceding the year in which the change of use occurred, plus interest at an annual rate of five percent calculated from the dates on which the differences would have become due.

H.B. 1248 (Lucio) – Property Tax Appeals: would establish an alternative resolution procedure for property tax lawsuits.

H.B. 1299 (Springer) – Property Tax Appraisal: would provide that, before taking effect, rules developed by the comptroller relating to the appraisal of qualified open-space land and qualified timber land for property tax purposes must be approved by the comptroller with the review and counsel of the Department of Agriculture. (Companion bill is S.B. 594 by Creighton.)

H.B. 1330 (Kuempel) – Property Tax Exemption: would provide that a person is entitled to a property tax exemption for the tangible personal property with a taxable value of less than $2,500 and that is held or used for the production of income.

H.B. 1334 (Isaac) – Property Tax Exemption: would authorize the governing body of a taxing unit to exempt from property taxation the portion of the appraised value of property that is attributable to the installation on the property of a rainwater harvesting system.

H.B. 1471 (Murr) – Property Appraisal: would authorize land used for local predation management activities to be appraised for property tax purposes as qualified open-space land.

H.B. 1473 (Bohac) – Property Tax Exemption: would, among other things: (1) provide that an individual is entitled to an exemption from taxation of the total appraised value of the individual’s residence homestead if: (a) the individual is 80 years of age or older; and (b) the individual has received an exemption under this section for the residence homestead for at least the preceding ten years; and (2) provide that the surviving spouse of an individual who qualified for an exemption under (1) is entitled to an exemption from taxation of the total appraised value of the same property to which the deceased spouse’s exemption applied if: (a) the deceased spouse died in a year in which the deceased spouse qualified for the exemption; (b) the surviving spouse was 55 years of age or older when the deceased spouse died; and (c) the property was the residence homestead of the surviving spouse when the deceased spouse died and remains the residence homestead of the surviving spouse. (See H.J.R. 64, below.)
H.B. 1513 (Isaac) – Property Tax Exemption: would exempt from property taxation property acquired by a charitable organization to provide low-income housing for up to 10 years after the organization acquires the property (current law exempts for five years after acquisition).

H.B. 1548 (Dutton) – Property Tax Exemption: would provide that a person is entitled to an exemption from taxation by a school district of improved and unimproved real property, any part of which is located within a one-mile radius of the center of a campus of that school district that the person owns for the purpose of building low-income and moderate-income housing. (See H.J.R. 66, below.)

H.B. 1564 (Miller) – Property Tax Deferral: would provide that an elderly or disabled individual must obtain the written consent of the holder of a mortgage on property the individual owns and occupies as a residence homestead before filing an affidavit for property tax deferral if: (1) the mortgage balance is equal to at least 60 percent of the appraised value of the property; or (2) a default has occurred with respect to the obligation secured by the mortgage for a reason other than nonpayment of the taxes for which the person is seeking the deferral or abatement.

H.B. 1582 (T. King) – Property Tax Appraisal: would amend the population threshold above which the appraisal review board members must be appointed by the local administrative district judge from counties with populations of 120,000 or more to counties with populations of 350,000 or more.

H.B. 1591 (Bohac) – Property Tax Exemption: would provide that a Purple Heart recipient and the surviving spouse of a Purple Heart recipient are entitled to an exemption from property taxation of the total appraised value of the Purple Heart recipient’s residence homestead. (See H.J.R. 67, below.)

H.B. 1632 (G. Bonnen) – Property Tax Deferral: would provide that: (1) an eligible person serving on active duty in any branch of the United States armed forces, regardless of whether the person is serving during a war or national emergency declared in accordance with federal law, may pay delinquent property taxes on property in which the person owns any interest without penalty or interest no later than the 60th day after the date on which the earliest of the following occurs: (a) the person is discharged from active military service; (b) the person returns to the state for more than 10 days; or (c) the person returns to non-active duty status in the reserves; and (2) a delinquent tax for which a person defers payment under (1) that is not paid on or before the date the deferral period prescribed by (1) expires: (a) accrues interest at a rate of six percent for each year or portion of a year the tax remains unpaid; and (b) does not incur a penalty. (Companion bill is S.B. 771 by Creighton.)

H.B. 1634 (G. Bonnen) – Property Tax Penalties and Interest: would authorize the governing body of a taxing unit to waive penalties and interest on a delinquent tax if: (1) the property for which the tax is owed is subject to a mortgage; (2) the tax bill was mailed or delivered by electronic means to the mortgagor of the property, but the mortgagor failed to mail a copy of the bill to the owner of the property; and (3) the taxpayer paid the tax not later than the 21st day after the date the taxpayer knew or should have known of the delinquency.
H.B. 1660 (Phelan) – Appraisal Review Board: would: (1) authorize the appraisal review board, on motion of the chief appraiser or a property owner, to direct by written order changes in the appraisal roll or related records as provided by (2); and (2) authorize the appraisal review board to order the appraised value of the owner’s property in the current tax year and either of the two preceding tax years to be changed to the sales price of the property in the current tax year if, for each tax year for which the change is to be made: (a) the property qualifies as that owner’s residence homestead; (b) the sales price of the property is at least ten percent less than the appraised value of the property; and (c) the board makes a finding that the sales price reflects the market value of the property.

H.B. 1662 (Phelan) – Property Tax Appraisal: would repeal the additional property taxes imposed as a result of certain changes in the use of agricultural land, open-space land, and timber land. (See H.J.R. 68, below.)

H.B. 1679 (Schofield) – Property Tax Exemption: would provide that an individual is entitled to exemption from taxation by a school district of $25,000 of the appraised value of the individual’s residence homestead or 13 percent of the appraised value of the individual’s residence homestead, whichever is greater. (See H.J.R. 69, below.)

H.B. 1696 (Blanco) – Property Tax Exemption: would, among other things, provide that a disabled veteran is entitled to an exemption from property taxation of the following applicable percentage of the assessed value of a property the veteran owns and designates for the exemption: (1) 7.91 percent for a veteran having a disability rating of at least 10 percent but less than 30 percent; (2) 11.86 percent for a veteran having a disability rating of at least 30 percent but less than 50 percent; (3) 15.82 percent for a veteran having a disability rating of at least 50 percent but less than 70 percent; or (4) 18.98 percent for a veteran having a disability rating of at least 70 percent. (See H.J.R. 70, below.)

H.B. 1719 (E. Thompson) – Tax Assessor-Collector: would require that a county assessor-collector successfully complete at least 40 hours of continuing education courses on the assessment and collection of property taxes, including a course dedicated to Chapter 26 of the Tax Code, not later than the first anniversary of the date on which the county assessor-collector first takes office.

H.B. 1772 (Swanson) – Property Tax Exemption: would: (1) provide that an individual is entitled to an exemption from taxation of the total appraised value of the individual’s residence homestead if the individual is 75 years of age or older; and (2) provide that the surviving spouse of an individual who qualified for an exemption under (1) is entitled to an exemption from taxation of the total appraised value of the same property to which the deceased spouse’s exemption applied if: (a) the deceased spouse died in a year in which the deceased spouse qualified for the exemption; (b) the surviving spouse was 55 years of age or older when the deceased spouse died; and (c) the property was the residence homestead of the surviving spouse when the deceased spouse died and remains the residence homestead of the surviving spouse.

H.B. 1782 (Faircloth) – Property Tax Installments: would provide that: (1) a person may pay a taxing unit’s taxes imposed on property that the person owns in four equal installments without
penalty or interest if the first installment is paid before the delinquency date and is accompanied by notice to the taxing unit that the person will pay the remaining taxes in three equal installments; (2) if the delinquency date is February 1, the second installment must be paid before April 1, the third installment must be paid before June 1, and the fourth installment must be paid before August 1; (3) if the delinquency date is a date other than February 1, the second installment must be paid before the first day of the second month after the delinquency date, the third installment must be paid before the first day of the fourth month after the delinquency date, and the fourth installment must be paid before the first of the sixth month after the delinquency date; and (4) notwithstanding the deadline in (1) for the payment of the first installment, a person may pay the taxes in four equal installments as provided by (1) if the first installment is paid and the required notice is provided before the first day of the first month after the delinquency date.

**H.B. 1783 (Faircloth) – Property Tax Appraisal:** would amend the amount of arbitration deposits and arbitration fees charged in appeals of appraisal review board orders.

**H.B. 1830 (Anchia) – Property Tax Appeals:** would provide that, if the final determination of an appeal occurs pursuant to a settlement agreement filed with a court, the property owner and the chief appraiser may agree to waive: (1) the penalties and interest on the additional tax due to each affected taxing unit as a term of the settlement agreement; and (2) the interest otherwise required on the amount refunded to the property owner as a term of the settlement agreement. (Companion bill is S.B. 931 by Seliger.)

**H.B. 1833 (Dutton) – Property Tax Exemption:** would provide that property is exempt from taxation by a taxing unit during the period of time beginning on the date a judgment foreclosing a tax lien on the property is entered and ending: (1) on the date the property is sold to a purchaser or bid off to a taxing unit at a tax sale conducted under that judgment; or (2) if the property owner pays the amount of the judgment before the property is sold or bid off, on the date the owner pays the judgment.

**H.B. 1880 (Hefner) – Property Tax on Agricultural Land:** would repeal the additional property taxes imposed as a result of certain changes in the use of open-space land appraised as agricultural land. (Companion bill is H.B. 801 by Murphy.)

**H.B. 2028 (Goldman) – Property Tax Deferral and Abatement:** would provide that the chief appraiser may not make a determination that an individual who is 65 years of age or older is no longer entitled to receive a property tax deferral or abatement because the property for which the deferral or abatement was obtained is no longer the individual’s principal residence without first providing written notice to the individual. (Companion bill is S.B. 448 by Burton.)

**H.B. 2133 (R. Anderson) – Property Tax Exemption:** would allow a property tax exemption of more than six years for a tract of land that is contiguous to a tract of land on which a religious organization’s place of regular religious worship is located if the property is to be used for the expansion of the religious organization’s place of regular religious worship or construction of a new place of regular religious worship.
H.B. 2227 (Murphy) – Property Appraisal: would authorize the chief appraiser to change the appraisal roll at any time to correct an erroneous denial or cancellation of: (1) any residence homestead property tax exemption if the applicant or recipient is disabled or is 65 or older; or (2) a residence homestead exemption for a surviving spouse, a residence homestead exemption of a totally disabled veteran, or a property tax exemption for a disabled veteran. (Companion bill is S.B. 945 by Bettencourt.)

H.B. 2228 (Murphy) – Property Tax Deadlines: would, among other things: (1) provide that the chief appraiser shall accept and approve or deny an application for a Freeport property tax exemption after the deadline for filing it has passed if it is filed not later than June 1; and (2) provide that rendition statements and property reports for property located in an appraisal district in which one or more taxing units exempt Freeport property must be delivered to the chief appraiser not later than April 1, and the chief appraiser may extend the filing deadline to not later than May 1 for good cause on written request by the property owner. (Companion bill is S.B. 946 by Bettencourt.)

H.B. 2236 (Murphy) – Property Tax Collection: would provide that the interest rate during a period of deferred collection of taxes on the residence homestead of an elderly or disabled individual is the five-year Constant Maturity Treasury Rate reported by the Federal Reserve as of January 1 of the year in which the deferral or abatement was obtained.

H.B. 2241 (Lozano) – Property Tax Appraisal: would provide that, for purposes of appraising a property, improving the exterior of a replacement structure with higher quality construction and composition than the replaced structure is not considered to be an improvement for a structure that was rendered uninhabitable or unusable by a casualty or by wind or water damage.

H.B. 2253 (Darby) – Property Tax Refund: would provide that the court that makes the final determination of a property tax appeal shall, in its discretion, determine the amount on which interest is to be calculated, provided that the amount is: (1) not greater than the amount refunded; and (2) not less than the difference between the minimum amount the taxpayer was required to pay to preserve the right to appeal and the amount of taxes for which the property owner is liable.

H.B. 2265 (Munoz) – Appraisal District: would, among other things, provide that: (1) an appraisal district is governed by a board of five directors; (2) one director is elected from each of the four commissioners precincts of the county for which the appraisal district is established; (3) the county assessor-collector is a director by virtue of the person’s office; (4) if the county assessor-collector is ineligible to serve pursuant to a contract, the appraisal district is governed by the four directors elected from the commissioners precincts and a director elected from the county at large; and (5) the directors other than the county assessor-collector are elected at the general election for state and county officers and serve two-year terms beginning on January 1 of odd-numbered years. (Companion bill is H.B. 495 by Phelan.)

H.B. 2314 (Murphy) – Appraisal of Agricultural or Open-Space Land: would, among other things, eliminate the requirement that a person pay interest along with additional taxes if land
that has been designated for agricultural use in any year is sold or diverted to a nonagricultural use. (Companion bill is S.B. 629 by Schwertner.)

H.B. 2356 (Cosper) – Military Cities: would provide that, for purposes of the applicability of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of property tax relief to disabled veterans, the term “local government” means a city located wholly or partly in: (1) a county in which a United States military installation is wholly or partly located; or (2) a county adjacent to a county described by (1).

H.B. 2524 (Fallon) – Property Tax Exemption: would provide: (1) that the surviving spouse of a first responder who is killed or fatally injured in the line of duty is entitled to an exemption from taxation of the total appraised value of the surviving spouse’s residence homestead so long as the surviving spouse has not remarried since the death of the first responder; and (2) that a surviving spouse who receives an exemption under (1) is entitled to receive an exemption from taxation of a property that the surviving spouse subsequently qualifies as the surviving spouse’s residence homestead in an amount equal to the dollar amount of the exemption from taxation of the first property for which the surviving spouse received the exemption in the last year in which the exemption applied so long as the surviving spouse has not remarried since the death of the first responder. (See H.J.R 88, below.) (Companion bills are H.B. 570 by Button and S.B. 15 by Huffines.)

H.B. 2532 (R. Anderson) – Property Tax Appraisal: would, among other things: (1) require the chief appraiser to use the income method of appraisal to appraise nonexempt property used for low-income or moderate-income housing, regardless of whether the chief appraiser considers that method to be the most appropriate method of appraising the property; and (2) provide that in using the income method to appraise the property, the chief appraiser shall: (a) use information contained in the most recent annual owner’s compliance report filed by the organization that owns the property with the Texas Department of Housing and Community Affairs to: (i) estimate the property’s gross income potential and operating expenses; and (ii) make projections relating to the property’s future operating expenses; and (b) make projections relating to the property’s future rent or income potential using the maximum amount of rent that is permitted to be charged from the property, as established by the United States Department of Housing and Urban Development.

H.B. 2560 (T. King) – Heavy Equipment Appraisal: would modify the method for appraising certain dealer’s heavy equipment inventory by minimizing the ability to tie the appraised value of the inventory to the lease or rental price.

H.B. 2589 (Button) – Property Tax Appraisal: would modify the way that a retailer’s retail inventory is appraised for property tax purposes.

H.B. 2591 (Herrero) – Tax Exemption: would provide that a navigation district and its property is exempt from all taxes and special assessments imposed by the state or a political subdivision of the state. (Companion bill is S.B. 1133 by Hinojosa.)
H.B. 2635 (Dutton) – Property Tax Installment Payments: would provide that an owner of property who inherited the property from a person who was at the time of the person’s death receiving a deferral from the collection of taxes for the property is entitled to pay the deferred taxes and the interest that accrued on those taxes during the deferral period in installments.

H.B. 2653 (Geren) – Property Tax Appeals: would: (1) authorize a property owner to appeal an order of the appraisal review board determining that the appraisal review board lacks jurisdiction to finally determine a protest by the property owner because the property owner failed to comply with a statutory requirement; (2) provide that a property owner who establishes that the appraisal review board had jurisdiction to issue a final determination of the protest is entitled to a final determination by the court of the protest on any ground, regardless of whether the property owner included the ground in the property owner’s notice of protest; and (3) provide that for certain appeals, if a plea to the jurisdiction is filed in the appeal on the basis that the property owner failed to exhaust the property owner’s administrative remedies, the court may, in lieu of dismissing the appeal for lack of jurisdiction, remand the action to the appraisal review board with instructions to allow the property owner an opportunity to cure the property owner’s failure to exhaust administrative remedies.

H.B. 2714 (Bohac) – Property Tax Exemption: would exempt from property taxes: (1) a motor vehicle leased to the state or a political subdivision of the state; or (2) a motor vehicle: (a) that is leased to an organization that is exempt from federal income taxation as a 501(c)(3); and (b) is used exclusively by the organization for religious, educational, or charitable purposes.

H.B. 2756 (Cook) – Tax Redeterminations and Refunds: would: (1) provide that a person may file a petition for a tax redetermination before the expiration of 60 days after the date the notice of determination is issued; (2) provide that a person claiming a refund of a tax is entitled to a hearing on the claim if the person requests a hearing on or before the 60th day after the date the comptroller issues a letter denying the claim for refund; and (3) authorize a taxpayer who is dissatisfied with the decision on a motion for redetermination or decision on a tax refund claim to file a motion for rehearing in the time provided for filing a motion for rehearing in a contested case.

H.B. 2868 (Hefner) – Appraisal District: would: (1) require the board of directors of an appraisal district to approve a proposed budget before September 15; (2) require the board to submit the proposed budget to each taxing unit entitled to vote on the appointment of board members for final approval; (3) provide that not later than the 30th day after the date the proposed budget is submitted to the taxing units, the governing body of each taxing unit entitled to vote on the appointment of board members shall vote to approve or disapprove the proposed budget; (4) provide that the budget does not take effect unless the governing bodies of a majority of the taxing units entitled to vote on the appointment of board members vote to approve the budget by that date; and (5) provide that if the budget is not approved by that date, the board shall adopt a new proposed budget and submit the proposed budget to each taxing unit entitled to vote on the appointment of board members within 30 days.

H.B. 2877 (Sanford) – Property Tax Exemption: would, among other things, provide that a disabled veteran is entitled to an exemption from property taxation of the following applicable
percentage of the assessed value of a property the veteran owns and designates for the exemption: (1) $10,000 for a veteran having a disability rating of at least 10 percent but less than 30 percent; (2) $15,000 for a veteran having a disability rating of at least 30 percent but less than 50 percent; (3) $20,000 for a veteran having a disability rating of at least 50 percent but less than 70 percent; or (4) $24,000 for a veteran having a disability rating of at least 70 percent. (See H.J.R. 92, below.)

**H.B. 2887 (Thierry) – Property Tax Exemption:** would provide that a veteran of the United States armed services who served in the armed services for at least three years is entitled to an exemption from taxation of $5,000 of the appraised value of the veteran’s residence homestead. (See H.J.R. 93, below.)

**H.B. 2906 (Raymond) – Property Tax Appraisal:** would provide that the appraisal review board, on motion of a property owner, may direct by written order changes in the appraisal roll or related appraisal records for the current tax year and for either of the two preceding tax years to correct an inaccuracy in the appraised value of the owner’s tangible personal property that is the result of an error or omission in a rendition statement or property report filed for the applicable tax year.

**H.B. 2989 (D. Bonnen) – Property Tax Refund:** would provide that if a correction decreases the tax liability of a property owner after the owner has paid the tax, the taxing unit shall refund to the property owner who paid the tax the difference between the tax paid and the tax legally due.

**H.B. 3002 (Miller) – Property Tax Exemption:** would: (1) provide that a disabled veteran who has a disability rating of at least 80 percent but less than 100 percent is entitled to an exemption from taxation of a percentage of the appraised value of the disabled veteran’s residence homestead equal to the disabled veteran’s disability rating; (2) provide that the surviving spouse of a disabled veteran who qualified for an exemption under (1) is entitled to an exemption from taxation of the same percentage of the appraised value of the same property to which the disabled veteran’s exemption applied if: (a) the surviving spouse has not remarried since the death of the disabled veteran; and (b) the property: (i) was the residence homestead of the surviving spouse when the disabled veteran died; and (ii) remains the residence homestead of the surviving spouse; and (3) provide that if a surviving spouse who qualifies for an exemption under (2) subsequently qualifies a different property as the surviving spouse’s residence homestead, the surviving spouse is entitled to an exemption from taxation of the subsequently qualified residence homestead in an amount equal to the dollar amount of the exemption from taxation of the former residence in the last year in which the surviving spouse receive an exemption if the surviving spouse has not remarried since the death of the disabled veteran. (See H.J.R. 97, below.)

**H.B. 3137 (Hefner) – Property Tax Appraisal:** would, among other things: (1) provide that a person is not required to file a new application for appraisal of land because of a change in ownership of the land if the change in ownership results from a transfer of the land from the former owner to a person who is related to the former owner within the second degree by affinity or third degree by consanguinity; and (2) provide that if an appraisal roll is changed due to a
transfer under (1), the property owner must pay to each affected taxing unit a penalty equal to 10 percent of the difference between the amount of tax imposed on the land and the amount of tax that would have been imposed had the land been taxed at market value.

H.B. 3138 (Gutierrez) – Intangible Personal Property: would provide that, for property tax purposes, the definition of intangible personal property includes: (1) the value of: (a) a brand name; (b) a business service; or (c) a business; and (2) income derived from the operation of a business other than income from use of the property.

H.B. 3148 (Uresti) – Installment Payments: would: (1) expand the types of groups who may be able to pay off delinquent property taxes in quarterly installment payments; and (2) for a residence homestead, authorize a person who is disabled or over 65 or disabled veterans and their unmarried surviving spouses to pay off delinquent property taxes in monthly installment payments.

H.B. 3168 (Geren) – Property Tax Appraisal: would, among other things: (1) establish an office of local property tax ombudsman in the office of the comptroller to resolve complaints involving alleged violations of procedural requirements imposed by law, by comptroller rule, or by the rules of procedure established by an appraisal review board regarding the activities of an appraisal district, appraisal review board, chief appraiser, or appraisal review board member; and (2) prohibit a taxing unit from challenging before the appraisal review board the level of appraisals of any category of property in the district.

H.B. 3191 (Uresti) – Property Tax Appraisal: would, among other things: (1) require the comptroller’s binding arbitration form to allow a property owner requesting binding arbitration regarding property located in a county with a population of 120,000 or more to request that the arbitrator be selected only from those arbitrators listed in the comptroller’s registry who reside in that county; and (2) provide that if a property owner request binding arbitration, the parties shall attempt to select an arbitrator only from those arbitrators listed in the comptroller’s registry who reside in the county in which the property that is subject of the appeal is located.

H.B. 3264 (R. Anderson) – Property Tax Exemption: would: (1) entitle a first responder to an exemption from taxation of $10,000 of the appraised value of the responder’s residence homestead if the residence homestead is located in the political subdivision that employs the first responder; (2) provide that if a first responder is employed by the state, the first responder is entitled to receive the exemption regardless of the location of the residence homestead; (3) provide that a first responder who sustains an injury in the performance of that person’s duties as a first responder and presents evidence satisfactory to the chief appraiser that the first responder’s condition is a total disability resulting in permanent incapacity for work and that the total disability has persisted for more than 12 months is entitled to an exemption from taxation of the total appraised value of the first responder’s residence homestead; (4) provide that the surviving spouse of a first responder who qualified for an exemption under (3) is entitled to an exemption from taxation of the total appraised value of the same property to which the first responder’s exemption applied if: (a) the surviving spouse has not remarried; and (b) the property: (i) was the residence homestead of the surviving spouse when the first responder died; and (ii) remains the residence homestead of the surviving spouse; and (5) provide that if a first
responder who qualifies for an exemption under (3) dies while unmarried, the first responder’s surviving children, if any, are entitled to an exemption from taxation of the total appraised value of the same property to which the first responder’s exemption applied if: (a) one or more of the surviving children are younger than 18 years of age and unmarried; and (b) the property: (i) was the principal residence of one or more of the surviving children described by (a) when the first responder died; and (ii) remains the principal residence of one or more of those surviving children who are younger than 18 years of age and unmarried. (See H.J.R. 102, below.)

H.B. 3446 (Y. Davis) – Property Tax Appraisal: would, among other things, provide that a chief appraiser may not: (1) require an applicant for a homestead exemption to provide identification other than a driver’s license or state-issued personal identification certificate, unless the chief appraiser possesses reasonable evidence that the address listed on the identification is not the applicant’s residence homestead; (2) require both spouses of a married couple to sign an application for a residence homestead exemption; and (3) deny or cancel a property tax exemption because an individual’s driver’s license or state-issued personal identification certificate expires after the date the individual applies for or receives the exemption.

H.B. 3466 (T. King) – Heavy Equipment Appraisal: would modify the method for appraising certain dealer’s heavy equipment inventory by minimizing the ability to tie the appraised value of the inventory to the lease or rental price.

H.B. 3498 (White) – Property Tax Exemption: would provide that the surviving spouse of a disabled veteran who qualified for a property tax homestead exemption is entitled to an exemption from property taxation of the total appraised value of the surviving spouse’s residence homestead if the surviving spouse has not remarried since the death of the disabled veteran. (See H.J.R. 105, below.)

H.B. 3557 (Murphy) – Property Tax Appeals: would, among other things: (1) require the comptroller to adopt rules prescribing: (a) the manner and form, including security requirements, in which a person must provide a copy of material the person intends to offer or submit to the appraisal review board at a hearing, which must allow the appraisal review board to retain the material as part of the board’s hearing record; and (b) specifications for the audiovisual equipment provided by an appraisal district for use by a property owner or the property owner’s agent; and (2) impose restrictions on who can be appointed as an arbitrator for a property tax appeal through binding arbitration.

H.B. 3584 (Neave) – Property Tax Limitation: would provide that: (1) for a residence homestead that is located in an area declared by the governor to be a disaster area following a natural disaster and rendered uninhabitable or unusable as a result of the disaster, a taxing unit may not increase the total amount of property taxes the taxing unit imposes on a residence homestead above the amount of the taxes the taxing unit imposed on the residence homestead for the tax year in which the residence homestead was rendered uninhabitable; and (2) the limitation described in (1): (a) takes effect on January 1 of the first tax year following the tax year in which the natural disaster that renders the residence homestead uninhabitable or unusable occurs; and (b) expires on January 1 of the earlier of the first tax year: (i) following the tax year in which the
fifth anniversary of the natural disaster occurs; or (ii) in which the property no longer qualifies as the property owner or surviving spouse’s residence homestead. (See H.J.R. 108, below.)

H.B. 3752 (E. Johnson) – Property Tax Appraisal: would, among other things, provide that, for the purpose of appraising certain nonexempt property used for low-income or moderate-income housing, the chief appraiser shall use the income method of appraisal, regardless of whether the chief appraiser considers that method to be the most appropriate method of appraising the property. (Companion bill is S.B. 1275 by V. Taylor.)

H.B. 3760 (Bell) – Property Tax Protests: would provide that: (1) a rebuttable presumption exists that an appraisal review board failed to provide and deliver notice of a hearing on a protest regarding real property filed by the owner of the property if the owner alleges that the owner did not receive the notice; and (2) the appraisal review board may rebut the presumption by presenting clear and convincing evidence that the notice was sent to the property owner at the correct address.

H.B. 3774 (Darby) – Property Tax Protests: would make changes to the hearing and protest procedures involving property tax determinations before appraisal review boards. (Companion bill is S.B. 1767 by Buckingham.)

H.B. 3831 (Gutierrez) – Property Tax Rate Setting Process: would, for taxing units that do not provide notice of their proposed tax rates pursuant to Local Government Code Section 140.010, provide that: (1) before conducting the first public hearing required for a property tax rate that exceeds the lower of the effective tax rate or rollback tax rate, the governing body of a taxing unit must: (a) adopt a resolution indicating each member of the governing body who is in favor of the proposed tax rate and each member of the governing body who is opposed to the proposed tax rate; and (b) provide written notice to each property owner in the taxing unit of: (i) the total amount of tax revenue raised by the taxing unit in the preceding tax year; (ii) the total amount of tax revenue proposed to be raised by the taxing unit in the current tax year at the proposed tax rate; (iii) the percentage change in the total amount of tax revenue proposed to be raised by the taxing unit from the preceding tax year to the current tax year; and (iv) the name of each member of the governing body of the taxing unit who is in favor of the proposed tax rate and each member of the governing body who is opposed to the proposed tax rate; (2) each taxing unit proposing to adopt a property tax rate exceeding the lower of the effective tax rate or rollback tax rate must mail the notice required by (1)(b) to the owners of property in the taxing unit; and (3) at the request of a taxing unit proposing to adopt a property tax rate exceeding the lower of the effective tax rate or rollback tax rate, an appraisal district in which the taxing unit participates shall mail the notice required by (1)(b) to the owners of property located in the part of the taxing unit that is located in the appraisal district.

H.B. 3908 (Bonnen) – Property Tax Exemption: would provide that an eligible peace officer is entitled to a property tax exemption for the total appraised value of the officer’s residence homestead if the residence homestead is located in a qualified high crime area. (See H.J.R. 115, below.)
H.B. 3918 (Burrows) – Property Tax Appeals: would provide that, in an appeal of certain appraisal review board determinations, the appraisal district has the burden of establishing the value of the property by a preponderance of the evidence presented at the hearing, and that if the appraisal district fails to meet that standard the protest shall be determined in favor of the property owner.

H.B. 3920 (Thierry) – Property Tax Limitation: would authorize the governing body of a taxing unit to adopt a limitation on the total annual amount of property taxes that may be imposed by the taxing unit on the residence homestead of a lower-income individual that is located in a homestead preservation district. (See H.J.R. 116, below.)

H.B. 3928 (Hefner) – Property Tax Appraisal: would, among other things, provide that: (1) a person is not required to file a new application for appraisal of land because of a change in ownership of the land if the change in ownership results from a transfer of the land from the former owner to a person who is related to the former owner within the second degree by affinity or third degree by consanguinity; and (2) if an appraisal roll is changed due to a transfer under (1), the property owner must pay to each affected taxing unit a penalty equal to 10 percent of the difference between the amount of tax imposed on the land and the amount of tax that would have been imposed had the land been taxed at market value.

H.B. 3975 (Ashby) – Property Tax Appraisal: would provide that for purposes of land qualifying for appraisal as timber land for property tax purposes, “land” includes roads, rights of way, buffer areas, fire breaks, property taken through the exercise of eminent domain, and other real property associated with the production of timber or forest products.

H.B. 3999 (Isaac) – Appraisal of Affordable Housing: would provide that, if certain property was sold pursuant to a shared or fixed appreciation affordable housing program established by a certain type of charitable organization the regulations of which provide that for a fixed period of time the organization is entitled to a portion of the appreciation in value of the property, if any, on sale of the property, the chief appraiser: (1) may not take into account the portion of the appreciation in value of the property the organization would be entitled to receive if the property were sold on January 1 of the tax year in which the property is appraised when determining the appraised value of the property in that tax year; and (2) shall take into account when appraising the property the extent to which any regulations, resale restrictions, or conditions applicable to the property established by the organization reduce the market value of the property.

H.B. 4152 (Gutierrez) – Property Tax Appeals: would provide that: (1) in the hearing for certain property tax protests, the appraisal district shall: (a) present as evidence the appraisal method used to appraise the property in the current tax year and the previous tax year and identify the factors when applying that appraisal method to the property; (b) for property appraised using the cost method of appraisal, present evidence of the cost data and the adjustments made to that data to account for physical, functional, or economic obsolescence used to determine the market value of the property in the current tax year and the previous tax year; (c) for property appraised using the income method of appraisal, present evidence of the comparable rental income and operating expense data and the capitalization rate used to determine the market value of the property in the current tax year and the previous tax year; and
(d) for property appraised using the market data method of appraisal, present evidence of the comparable sales data and any adjustments made to that data used to determine the market value of the property in the current tax year and the previous tax year; and (2) the protest shall be determined in favor of the property owner if the appraisal district fails to provide the evidence required in (1).

H.B. 4219 (Perez) – Pollution Control Property Tax Exemption: would, among other things: (1) require the Texas Commission on Environmental Quality (TCEQ) to adopt by rule a list of property that is used wholly as a facility, device, or method for the control of air, water, or land pollution; (2) require TCEQ to consider whether property previously determined by the executive director to be used wholly for the control of air, water, or land pollution continues to be used wholly for that purpose based on changes in the use of the property or changes in environmental regulations; (3) require TCEQ to review the list at least once every five years; (4) provide that the fact that property is included on a list adopted by TCEQ and that the executive director determined in a previous year that the property was used wholly as a facility, device, or method for the control of air, water, or land pollution does not preclude the chief appraiser from canceling the exemption if the chief appraiser determines that the facility, device, or method is no longer installed at the property or is no longer used wholly or partly for pollution control purposes; (5) provide that an exemption other than an exemption for property included on a list adopted by TCEQ under (1) expires at the end of the fifth tax year after the year in which the executive director issues a letter stating the executive director’s determination that the facility, device, or method is used wholly or partly to control pollution; and (6) provide that to continue to receive an exemption described by (5) after the fifth year, the person seeking to renew the exemption must file a new permit application or permit exemption request with the executive director and file a new application for the exemption with the chief appraiser. (Companion bill is S.B. 2028 by Rodriguez.)

H.J.R. 17 (Keough) – Appraisal Cap: would amend the Texas Constitution to reduce the property tax appraisal cap on homesteads from ten to five percent and apply the new appraisal cap to all real property. (See H.B. 44, above.)

H.J.R. 18 (Guillen) – Property Tax Exemption: would amend the Texas Constitution to allow a political subdivision to exempt from property taxation the real and tangible personal property of a business during the first ten years that the business operates in the state if the property is located in a county with a population of 250,000 or less. (See H.B. 102, above.)

H.J.R. 21 (Bell) – Property Tax Exemption: would amend the Texas Constitution to provide that the legislature may provide that a partially disabled veteran is entitled to an exemption from property taxation of a percentage of the market value that is equal to the percentage disability of the disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead. (See H.B. 150, above.)

H.J.R. 26 (Bell) – Appraisal Cap: would amend the Texas Constitution to reduce the property tax appraisal cap on homesteads from ten to five percent and apply the new appraisal cap to all real property. (See H.B. 167, above.)
H.J.R. 30 (Larson) – Property Appraisal: would amend the Texas Constitution to authorize the legislature to limit the maximum appraised value of property for ad valorem tax purposes in a tax year to 105 percent, or a greater percentage, of the appraised value of the property for the preceding tax year if in the preceding tax year the owner of the property disputed the appraisal of the property and the appraised value was lowered as a result. (See H.B. 301, above.)

H.J.R. 33 (Metcalf) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See H.B. 376, above.)

H.J.R. 34 (Murphy) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxation any real property that is leased for use as an open-enrollment charter school for educational purposes. (See H.B. 382, above.)

H.J.R. 35 (Button) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt inventory held for sale at retail from property taxation by one or more political subdivisions of the state.

H.J.R. 43 (Bohac) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See H.B. 586, above.)

H.J.R. 49 (Keough) – Property Tax Refunds: would amend the Texas Constitution to authorize the legislature by general law to provide that a religious organization that leases property for use as an actual place of religious worship is entitled to a refund from each political subdivision that taxes the property of the ad valorem taxes imposed on the property by that political subdivision and collected from the owner of the property. (See H.B. 758, above.)

H.J.R. 51 (Lozano) – Property Tax Exemption: would amend the Texas Constitution to authorize a governing body of a taxing unit to exempt from property taxes the mineral interests owned by nonprofit corporations organized for the exclusive purpose of generating income for certain charitable nonprofit corporations through the ownership, lease, and management of real property. (See H.B. 845, above.)

H.J.R. 52 (Turner) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxes a portion of the assessed value of property used to provide housing to individuals with disabilities in an amount equal to the costs the owner of the property incurs to maintain, operate, and make improvements to the property. (See H.B. 850, above.)

H.J.R. 54 (Elkins) – Tax Exemption: would amend the Texas Constitution to authorize institutions of higher education to create research technology corporations that would be exempt from both property taxes and sales taxes. (See H.B. 906, above.)
H.J.R. 60 (Button) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxation tangible personal property consisting of food or food products held by the owner of the property for sale at retail. (See H.B. 1182, above.)

H.J.R. 64 (Bohac) – Property Tax Exemption: would amend the Texas Constitution to provide that a person, or the person’s surviving spouse under certain circumstances, is entitled to an exemption from property taxation of the total market value of the person’s residence homestead if the person is 80 years of age or older and the person has received an exemption under this section for the residence homestead for at least the preceding ten years.

H.J.R. 66 (Dutton) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxation by one or more political subdivisions property located near a public school that is owned by a person for the purpose of building low-income or moderate-income housing on the property. (See H.B. 1548, above.)

H.J.R. 67 (Bohac) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxation the total appraised value of the residence homestead of a Purple Heart recipient and the surviving spouse of a Purple Heart recipient. (See H.B. 1591, above.)

H.J.R. 68 (Phelan) – Property Tax Appraisal; would amend the Texas Constitution to repeal the provision which subjects land designated for agricultural use to an additional tax when the land is sold or diverted to a purpose other than agricultural use. (See H.B. 1662, above.)

H.J.R. 69 (Schofield) – Property Tax Exemption: would amend the Texas Constitution to provide that an individual is entitled to exemption from taxation by a school district of $25,000 of the appraised value of the individual’s residence homestead or 13 percent of the appraised value of the individual’s residence homestead, whichever is greater. (See H.B. 1679, above.)

H.J.R. 70 (Blanco) – Property Tax Exemption: would amend the Texas Constitution to provide that a disabled veteran is entitled to an exemption from property taxation of the following applicable percentage of the assessed value of a property the veteran owns and designates for the exemption: (1) 7.91 percent for a veteran having a disability rating of at least 10 percent but less than 30 percent; (2) 11.86 percent for a veteran having a disability rating of at least 30 percent but less than 50 percent; (3) 15.82 percent for a veteran having a disability rating of at least 50 percent but less than 70 percent; or (4) 18.98 percent for a veteran having a disability rating of at least 70 percent. (See H.B. 1696, above.)

H.J.R. 71 (Swanson) – Property Tax Exemption: would amend the Texas Constitution to provide that: (1) an individual is entitled to an exemption from taxation of the total appraised value of the individual’s residence homestead if the individual is 75 years of age or older; and (2) the surviving spouse of an individual who qualified for an exemption under (1) is entitled to an exemption from taxation of the total appraised value of the same property to which the deceased spouse’s exemption applied if: (a) the deceased spouse died in a year in which the deceased spouse qualified for the exemption; (b) the surviving spouse was 55 years of age or older when
the deceased spouse died; and (c) the property was the residence homestead of the surviving spouse when the deceased spouse died and remains the residence homestead of the surviving spouse. (See H.B. 1772.)

H.J.R. 86 (Button) – Property Tax Exemption: would amend the Texas Constitution to provide that: (1) that the surviving spouse of a first responder who is killed or fatally injured in the line of duty is entitled to an exemption from taxation of the total appraised value of the surviving spouse’s residence homestead so long as the surviving spouse has not remarried since the death of the first responder; and (2) that a surviving spouse who receives an exemption under (1) is entitled to receive an exemption from taxation of a property that the surviving spouse subsequently qualifies as the surviving spouse’s residence homestead in an amount equal to the dollar amount of the exemption from taxation of the first property for which the surviving spouse received the exemption in the last year in which the exemption applied so long as the surviving spouse has not remarried since the death of the first responder. (Companion bill is S.J.R. 1 by Campbell.)

H.J.R. 88 (Fallon) – Property Tax Exemption: would amend the Texas Constitution to provide that: (1) the surviving spouse of a first responder who is killed or fatally injured in the line of duty is entitled to an exemption from taxation of the total appraised value of the surviving spouse’s residence homestead so long as the surviving spouse has not remarried since the death of the first responder; and (2) a surviving spouse who receives an exemption under (1) is entitled to receive an exemption from taxation of a property that the surviving spouse subsequently qualifies as the surviving spouse’s residence homestead in an amount equal to the dollar amount of the exemption from taxation of the first property for which the surviving spouse received the exemption in the last year in which the exemption applied so long as the surviving spouse has not remarried since the death of the first responder. (See H.B. 2524, above.)

H.J.R. 92 (Sanford) – Property Tax Exemption: would amend the Texas Constitution to provide that a disabled veteran is entitled to an exemption from property taxation of the following applicable percentage of the assessed value of a property the veteran owns and designates for the exemption: (1) $10,000 for a veteran having a disability rating of at least 10 percent but less than 30 percent; (2) $15,000 for a veteran having a disability rating of at least 30 percent but less than 50 percent; (3) $20,000 for a veteran having a disability rating of at least 50 percent but less than 70 percent; or (4) $24,000 for a veteran having a disability rating of at least 70 percent. (See H.B. 2877, above.)

H.J.R. 93 (Thierry) – Property Tax Exemption: would amend the Texas Constitution to provide that a veteran of the United States armed services who served in the armed services for at least three years is entitled to an exemption from taxation of $5,000 of the appraised value of the veteran’s residence homestead. (See H.B. 2887, above.)

H.J.R. 96 (Button) – Property Tax Exemption: would amend the Texas Constitution to provide that the governing body of one or more political subdivisions may exempt from property taxation a person’s inventory held for sale at retail.
H.J.R. 97 (Miller) – Property Tax Exemption: would amend the Texas Constitution to provide that a disabled veteran who has a disability rating of at least 80 percent but less than 100 percent is entitled to an exemption from taxation of a percentage of the appraised value of the disabled veteran’s residence homestead equal to the disabled veteran’s disability rating. (See H.B. 3002, above.)

H.J.R. 102 (R. Anderson) – Property Tax Exemption: would propose an amendment to the Texas Constitution that would: (1) entitle a first responder to an exemption from taxation of $10,000 of the appraised value of the responder’s residence homestead if the residence homestead is located in the political subdivision that employs the first responder; (2) provide that if a first responder is employed by the state, the first responder is entitled to receive the exemption regardless of the location of the residence homestead; (3) provide that a first responder who sustains an injury in the performance of that person’s duties as a first responder and presents evidence satisfactory to the chief appraiser that the first responder’s condition is a total disability resulting in permanent incapacity for work and that the total disability has persisted for more than 12 months is entitled to an exemption from taxation of the total appraised value of the first responder’s residence homestead; (4) provide that the surviving spouse of a first responder who qualified for an exemption under (3) is entitled to an exemption from taxation of the total appraised value of the same property to which the first responder’s exemption applied if: (a) the surviving spouse has not remarried; and (b) the property: (i) was the residence homestead of the surviving spouse when the first responder died; and (ii) remains the residence homestead of the surviving spouse; and (5) provide that if a first responder who qualifies for an exemption under (3) dies while unmarried, the first responder’s surviving children, if any, are entitled to an exemption from taxation of the total appraised value of the same property to which the first responder’s exemption applied if: (a) one or more of the surviving children are younger than 18 years of age and unmarried; and (b) the property: (i) was the principal residence of one or more of the surviving children described by (a) when the first responder died; and (ii) remains the principal residence of one or more of those surviving children who are younger than 18 years of age and unmarried. (See H.B. 3264, above.)

H.J.R 105 (White) – Property Tax Exemption: would amend the Texas Constitution to provide that the surviving spouse of a disabled veteran who qualified for a property tax homestead exemption is entitled to an exemption from property taxation of the total appraised value of the surviving spouse’s residence homestead if the surviving spouse has not remarried since the death of the disabled veteran. (See H.B. 3498, above.)

H.J.R. 108 (Neave) – Property Tax Limitation: would amend the Texas Constitution to provide that for a temporary period following a natural disaster the total amount of property taxes imposed on a residence homestead by a political subdivision may not exceed the amount of taxes the political subdivision imposed on the property in the year in which the property was rendered uninhabitable or unusable as a result of the disaster. (See H.B. 3584, above.)

H.J.R. 113 (Capriglione) – Property Tax Exemption: would amend the Texas Constitution to exempt bullion, specie, and precious metals held by the Texas Bullion Depository from property taxation.
**H.J.R. 115 (D. Bonnen) – Property Tax Exemption:** would amend the Texas Constitution to provide that an eligible peace officer is entitled to a property tax exemption for the total appraised value of the officer’s residence homestead if the residence homestead is located in a qualified high crime area. (See H.B. 3908, above.)

**H.J.R. 116 (Thierry) – Property Tax Limitation:** would amend the Texas Constitution to authorize the governing body of a taxing unit to adopt a limitation on the total annual amount of property taxes that may be imposed by the taxing unit on the residence homestead of a lower-income individual that is located in a homestead preservation district. (See H.B. 3920, above.)

**S.B. 2 (Bettencourt) – Revenue Cap:** of primary importance to cities, the bill would:

1. lower the property tax rollback rate from eight percent to four percent, with an exception for a taxing unit located in an area declared a disaster area by the governor or president of the United States during the current tax year;
2. require a taxing unit to hold a ratification election on the November uniform election date of the applicable year in order to adopt a tax rate that exceeds the four-percent rollback rate (as opposed to current law, which only requires an election if a petition is received from the citizens); and
3. make numerous calendar changes to the property tax appraisal, collection, and rate-setting process in order to have property tax ratification elections on the November uniform election date.

Additionally – and more specifically – the bill would:

1. require the comptroller to appoint a property tax administration advisory board to make recommendations to the comptroller regarding state administration of property taxation and state oversight of appraisal districts and local tax offices;
2. require an appraisal district to appraise property in accordance with standards, procedures, and methodology prescribed by appraisal manuals prepared and issued by the comptroller;
3. provide that, in order to be eligible to serve on the board of directors of an appraisal district, an individual must be an elected county officer or an elected official of a political subdivision all or part of the territory of which is located in the county;
4. authorize an appraisal district board of directors for a district established in a county with a population of 120,000 or more to increase the size of the district’s appraisal review board by resolution to a number of members the board considers appropriate;
5. require the appraisal review boards located in counties with populations of 120,000 or more to establish special appraisal review board panels for each of the following classifications of property: (a) commercial real and personal property; (b) real and personal property of utilities; (c) industrial and manufacturing real and personal property; and (d) multifamily residential real property;
6. provide that a person is entitled to a property tax exemption for the tangible personal property the person owns that is held or used for the production of income if the property has a taxable value of less than $2,500;
7. make numerous calendar changes to the property tax appraisal, collection, and rate-setting process in order to have property tax ratification elections on the November uniform election date, including among others:
   a. requiring the appraisal district to certify the appraisal roll to taxing units by July 10th (instead of July 25th under current law);
   b. requiring the tax assessor/collector to submit the appraisal roll showing the total appraised, assessed, and taxable values of all property and the total taxable value of new property to the governing body of the taxing unit by July 15th, or as soon thereafter as practicable (instead of August 1st under current law); and
   c. requiring taxing units adopting a tax rate exceeding the lowered rollback tax rate to do so before August 15th (instead of September 30th, under current law) (NOTE: this would also require a city that adopts a tax rate exceeding the rollback rate to adopt its budget before August 15th, as state law provides that property taxes may only be levied in accordance with the city budget);
8. lower the property tax rollback rate from eight percent to four percent, with an exception for a taxing unit located in an area declared a disaster area by the governor or president of the United States during the current tax year;
9. require a taxing unit to hold a ratification election on the November uniform election date of the applicable year in order to adopt a tax rate that exceeds the four-percent rollback rate (as opposed to current law, which only requires an election if a petition is received from the citizens).
10. provide that the meeting to adopt a tax rate that exceeds the lower of the rollback tax rate or the effective tax rate may not be earlier than the third day or later than the seventh day after the date of the second public hearing on the tax rate;
11. eliminate the ability of a taxing unit to challenge before the appraisal review board the level of appraisals of any category of property in the appraisal district or in any territory in the appraisal district;
12. require an appraisal review board to provide for hearings on protests on a Saturday or after 5 p.m. on a weekday;
13. provide that an appraisal review board may not schedule: (a) the first hearing on a protest held on a weekday to begin after 7 p.m.; or (b) a hearing on a protest on a Sunday;
14. provide that a property owner is entitled to appeal through binding arbitration an appraisal review board order related to certain protests if the appraised market value of the property as determined by the order is $5 million or less; and
15. amend current law related to the property tax rate notices provided by cities and counties to require cities and counties to use one notice if the proposed tax rate will not exceed the rollback tax rate, and another notice if the proposed tax rate will exceed the rollback tax rate. (Note: under current law, the city or county uses one of the two notices based on whether the proposed rate will exceed the lower of the effective tax rate or the rollback tax rate.)

**S.B. 15 (Huffines) – Property Tax Exemption**: would provide: (1) that the surviving spouse of a first responder who is killed or fatally injured in the line of duty is entitled to an exemption from taxation of the total appraised value of the surviving spouse’s residence homestead so long as the surviving spouse has not remarried since the death of the first responder; and (2) that a surviving spouse who receives an exemption under (1) is entitled to receive an exemption from
taxation of a property that the surviving spouse subsequently qualifies as the surviving spouse’s residence homestead in an amount equal to the dollar amount of the exemption from taxation of the first property for which the surviving spouse received the exemption in the last year in which the exemption applied so long as the surviving spouse has not remarried since the death of the first responder.

S.B. 97 (Hall) – Property Tax Exemption: would, among other things: (1) require the chief appraiser to accept and approve or deny an application for a residence homestead exemption of a 100 percent or totally disabled veteran after the filing deadline if the application is filed not later than one year after the date on which the United States Department of Veterans Affairs or its successor approves the veteran’s disability application; (2) provide that if a late application is approved after approval of the appraisal records for a year for which the exemption is granted, the collector for a taxing unit must deduct from the person’s tax bill the amount of tax imposed on the property for that year and any penalties and interest relating to the tax if the tax and related penalties and interest have not been paid; (3) provide that if a late application is approved after approval of the appraisal records for a year for which the exemption is granted and the person already paid the tax and related penalties and interest, the person is eligible for a refund of the tax, penalties, and interest paid.

S.B. 172 (Nichols) – Appraisal Cap: would: (1) reduce the property tax appraisal cap on homesteads from ten percent to five percent; (2) authorize a county commissioners court to call an election to increase the homestead appraisal cap for all taxing jurisdictions in the county back to some percentage between six and ten; and (3) prohibit a subsequent election from occurring for ten years after such an election is held. (See S.J.R. 19, below.)

S.B. 175 (Nichols) – Property Tax Appraisal: would provide that land owned by a deployed member of the armed services remains eligible for appraisal as qualified open-space land, even if the land ceases to be devoted principally to agricultural use to the degree of intensity generally accepted in the area, if the service member intends to use the land in that manner upon returning to the property.

S.B. 240 (Creighton) – Property Tax Exemption: would exempt from property taxes a residence homestead that was donated to a disabled veteran by a charitable organization at some cost to the disabled veteran in the form of a cash payment, a mortgage, or both in an aggregate amount that is not more than 50 percent of the good faith estimate of the market value of the residence homestead made by the charitable organization as of the date the donation is made. (See S.J.R. 23, below.)

S.B. 290 (Watson) – School Finance: would: (1) provide that it is state policy that the state’s contribution to the financing of public education should not decrease as a result of local property values; and (2) require the legislature to appropriate a guaranteed level of state and local funds per weighted student per cent of tax effort that are sufficient to result in at least a level of state expenditure equal to the state’s expenditure for the preceding biennium.

S.B. 330 (Rodriguez) – Property Tax Appraisal: would provide that land qualifies for appraisal as qualified open-space land if: (1) the land is currently devoted principally to
agricultural use to the degree of intensity generally accepted in the area; (2) the land was devoted principally to agricultural use or to production of timber or forest products for the preceding year; and (3) the land is owned or managed by: (a) a veteran of the United States armed services; or (b) an individual who, at the time the owner filed an initial application for appraisal of the land, was less than 35 years of age and had not served as the principal operator of a farm or ranch for any period of more than 10 consecutive years.

S.B. 376 (Creighton) – Appraisal Cap: would reduce the property tax appraisal cap on residence homesteads from ten percent to the following applicable percentage: (1) three percent if the appraised value of a homestead is $1 million or less; or (2) five percent if the appraised value of a homestead is more than $1 million. (See S.J.R. 28, below.)

S.B. 403 (Kolkhorst) – Property Tax Appraisals: would provide that: (1) the market value of a parcel of commercial or residential real property may not be increased for the first two tax years after the tax year for which the market value of the property was reduced by at least 15 percent: (a) by the appraisal review board and the board’s determination is not overturned on appeal; or (b) as a result of the final determination of an appeal of an order of the appraisal review board; (2) an appraisal under (1) does not prohibit an increase in the market value of a parcel of commercial or residential real property attributable to an improvement to the property made after the most recent appraisal of the property that increases the market value of the property and the value of which is not included in the market value of the property for the preceding tax year; (3) repairs to or ordinary maintenance of an existing structure or the grounds or another feature of property are not considered an improvement to the property for purposes of (2); (4) the market value of a parcel of commercial or residential real property appraised under (1) is considered to be the market value of the property for purposes of state administration of taxes and the determination of school district property values; and (5) a parcel of commercial or residential real property appraised under (1) may not be used as a comparable property or a ratio study sample for purposes of determining whether another property is unequally appraised.

S.B. 418 (Watson) – Property Tax Exemption: would: (1) authorize the governing body of a taxing unit other than a school district to adopt a residence homestead property tax exemption, expressed as a dollar amount, of a portion of an individual’s residence homestead if the exemption is adopted by the governing body before July 1st in the manner provided by law for official action; (2) provide that the amount of the exemption is $5,000 of the appraised value of the residence homestead, except that if the average market value of residence homesteads in the taxing unit in the tax year in which the exemption is adopted exceeds $25,000, the governing body may authorize an exemption in a larger dollar amount not to exceed an amount equal to 20 percent of the average market value of residence homesteads in the taxing unit in the tax year in which the exemption is adopted; (3) provide that a city or county that adopted a percentage-based homestead exemption for the 2014 tax year may repeal the exemption by December 31, 2019, if the governing body adopts an exemption as provided by (1) in an amount greater than $5,000; (4) provide that, for a taxing unit that has ceased granting a percentage-based homestead exemption and adopted an exemption under (1), an individual who would have been entitled to a percentage-based residence homestead exemption had the governing body not ceased granting the exemption is entitled to continue to receive the percentage-based exemption in lieu of the dollar-amount homestead exemption if the individual otherwise qualifies for the exemption and
the amount of the percentage-based exemption exceeds the amount of the dollar-amount exemption; (5) for purposes of calculating the “current total value” for use in adopting a property tax rate, provide that a governing body that has adopted an exemption under (1) generally includes the total dollar amount of the exemptions granted; and (6) provide that an exemption granted under (1) is not included in the term “lost property levy” for purposes of calculating a property tax rate. (See S.J.R. 29, below.)

S.B. 447 (Burton) – Appraisal Districts: would, among other things: (1) require the chief appraiser of an appraisal district to be elected at the general election for state and county officers every two years; and (2) provide that members of the appraisal review board are appointed by the chief appraiser of the appraisal district.

S.B. 448 (Burton) – Property Tax Deferral and Abatement: would provide that the chief appraiser may not make a determination that an individual who is 65 years of age or older is no longer entitled to receive a property tax deferral or abatement because the property for which the deferral or abatement was obtained is no longer the individual’s principal residence without first providing written notice to the individual stating that the chief appraiser believes the property may no longer be the individual’s principal residence.

S.B. 510 (Zaffirini) – Property Tax Records: would make the home address information of a current or former employee of a state judge contained in a property tax record confidential.

S.B. 521 (Creighton) – Property Tax Appeals: would provide that an appraisal district employee may not testify as to the value of real property in certain property tax appeals unless the person is authorized to perform an appraisal of real estate.

S.B. 594 (Creighton) – Property Tax Appraisal: this bill is the same as H.B. 1299, above.

S.B. 595 (Lucio) – Property Tax Installment Payments: would provide that an individual is eligible to pay property taxes imposed on the individual’s residence homestead in installments if the individual’s household income for the household located at the individual’s residence homestead is not more than 80 percent of the applicable area median family income established by the United States Department of Housing and Urban Development.

S.B. 629 (Schwertner) – Appraisal of Agricultural or Open-Space Land: would, among other things, eliminate the requirement that a person pay interest along with additional taxes if land that has been designated for agricultural use in any year is sold or diverted to a nonagricultural use.

S.B. 669 (Nelson) – Property Tax Protests: would make several changes to the system for protesting or appealing certain property tax determinations.

S.B. 700 (Zaffirini) – Property Tax Exemption: would: (1) provide that the production of fruits and vegetables is considered to be an “agricultural use” for purposes of appraisal of qualified open-space land; and (2) require the comptroller to establish appraisal guidelines for uncommon agricultural uses.
S.B. 717 (V. Taylor) – Property Tax Appraisal: would provide that the chief appraiser of an appraisal district that appraises property for a taxing unit that is located partly or entirely inside an area declared to be a disaster area by the governor shall reappraise all property damaged in the disaster at its market value immediately after the disaster. (Companion is H.B. 513 by S. Davis.)

S.B. 730 (Bettencourt) – Property Tax Exemption: would provide that a person is entitled to a property tax exemption for the tangible personal property with a taxable value of less than $2,500 and that is held or used for the production of income. (Companion is H.B. 1330 by Kuempel.)

S.B. 731 (Bettencourt) – Property Tax Appraisal: would: (1) provide that a property owner is entitled to appeal through binding arbitration an appraisal review board order related to certain protests if the appraised market value of the property owner’s residence homestead as determined by the order is $5 million or less; (2) provide that a property owner must file an arbitration deposit in the amount of $1,550 if the property does not qualify as the property owner’s residence homestead and the appraised or market value, as applicable, of the property is more than $3 million but not more than $5 million, as determined by the order; (3) authorize a sales agent to qualify to serve as an arbitrator under certain circumstances; and (4) provide that the arbitration fee may be not more than $1,500 if the property does not qualify as the property owner’s residence homestead and the appraised or market value, as applicable, of the property is more than $3 million but not more than $5 million, as determined by the order.

S.B. 771 (Creighton) – Property Tax Deferral: would provide that: (1) an eligible person serving on active duty in any branch of the United States armed forces, regardless of whether the person is serving during a war or national emergency declared in accordance with federal law, may pay delinquent property taxes on property in which the person owns any interest without penalty or interest no later than the 60th day after the date on which the earliest of the following occurs: (a) the person is discharged from active military service; (b) the person returns to the state for more than 10 days; or (c) the person returns to non-active duty status in the reserves; and (2) a delinquent tax for which a person defers payment under (1) that is not paid on or before the date the deferral period prescribed by (1) expires: (a) accrues interest at a rate of six percent for each year or portion of a year the tax remains unpaid; and (b) does not incur a penalty. (Companion bill is H.B. 1632 by G. Bonnen.)

S.B. 804 (V. Taylor) – Appraisal Review Board: would prohibit an individual from serving on an appraisal review board if the individual is related within the first degree by consanguinity or affinity to a member of the appraisal review board, including an auxiliary appraisal review board member.

S.B. 870 (Bettencourt) – Appraisal Review Board: would prevent an appraisal review board from scheduling a protest hearing on a Sunday.

S.B. 929 (Hughes) – Tax Assessor-Collector: would require that a county assessor-collector successfully complete at least 40 hours of continuing education courses on the assessment and
collection of property taxes, including a course dedicated to Chapter 26 of the Tax Code, not later than nine months after the date on which the county assessor-collector first takes office.

**S.B. 931 (Seliger) – Property Tax Appeals**: this bill is the same as **H.B. 1830**, above.

**S.B. 946 (Bettencourt) – Property Tax Deadlines**: would, among other things, provide that: (1) the chief appraiser shall accept and approve or deny an application for a Freeport property tax exemption after the filing deadline if the application is filed not later than June 1; (2) rendition statements and property reports for property located in an appraisal district in which one or more taxing units exempt Freeport property must be delivered to the chief appraiser not later than April 1; and (3) the chief appraiser may extend the filing deadline in (2) to not later than May 1 for good cause on written request by the property owner.

**S.B. 972 (Zaffirini) – Property Tax Appraisal**: would provide that a property owner may request the chief appraiser of an appraisal district in which real property owned by the property owner is located to reappraise the property if a building located on the property is completely destroyed by a casualty, so long as the request is made in writing not later than the 180th day after the date the casualty occurs.

**S.B. 987 (Buckingham) – Appraisal Review Board**: would: (1) authorize the appraisal review board, on motion of the chief appraiser or a property owner, to direct by written order changes in the appraisal roll or related records as provided by (2); and (2) authorize the appraisal review board to order the appraised value of the owner’s property in the current tax year and either of the two preceding tax years to be changed to the sales price of the property in the current tax year if, for each tax year for which the change is to be made: (a) the property qualifies as that owner’s residence homestead; (b) the sales price of the property is at least ten percent less than the appraised value of the property; and (c) the board makes a finding that the sales price reflects the market value of the property. (Companion bill is **H.B. 1660** by **Phelan**.)

**S.B. 1006 (Nichols) – Property Tax Appraisal**: would provide that land used principally as an ecological laboratory by a public or private college or university does not qualify for appraisal as qualified open-space land unless the land was appraised as qualified open-space land on the basis of that use for the 2017 tax year.

**S.B. 1030 (L. Taylor) – Property Tax Exemption**: would exempt from property taxation the real property owned by a person that is leased to an open-enrollment charter school if: (1) the real property is used exclusively by the school for education functions; (2) the real property is reasonably necessary for the operation of the school; (3) the property owner certifies by affidavit to the school that the rent for the lease of the real property will be reduced by a commensurate amount; (4) the property owner provides the school with a disclosure document stating the amount by which the taxes on the real property are reduced due to the exemption and the method to be implemented to ensure that the rent charged reflects the reduction; and (5) the rent charged for the lease of the real property reflects the reduction in the amount of property taxes due to the exemption through a monthly or annual credit against the rent. (See **S.J.R. 42**, below.) (Companion bill is **H.B. 382** by **Murphy**.)
S.B. 1047 (Creighton) – Property Tax Installments: would provide that: (1) a person may pay a taxing unit’s taxes imposed on property that the person owns in four equal installments without penalty or interest if the first installment is paid before the delinquency date and is accompanied by notice to the taxing unit that the person will pay the remaining taxes in three equal installments; (2) if the delinquency date is February 1, the second installment must be paid before April 1, the third installment must be paid before June 1, and the fourth installment must be paid before August 1; (3) if the delinquency date is a date other than February 1, the second installment must be paid before the first day of the second month after the delinquency date, the third installment must be paid before the first day of the fourth month after the delinquency date, and the fourth installment must be paid before the first of the sixth month after the delinquency date; and (4) notwithstanding the deadline in (1) for the payment of the first installment, a person may pay the taxes in four equal installments as provided by (1) if the first installment is paid and the required notice is provided before the first day of the first month after the delinquency date. (Companion bill is H.B. 1782 by Faircloth.)

S.B. 1133 (Hinojosa) – Tax Exemption: would provide that a navigation district and its property is exempt from all taxes and special assessments imposed by the state or a political subdivision of the state. (Companion bill is H.B. 2591 by Herrero.)

S.B. 1209 (Uresti) – Property Appraisal: would authorize land used for local predation management activities to be appraised for property tax purposes as qualified open-space land. (Companion bill is H.B. 1471 by Murr.)

S.B. 1275 (V. Taylor) – Property Tax Appraisal: would, among other things, provide that for the purpose of appraising certain nonexempt property used for low-income or moderate-income housing, the chief appraiser shall use the income method of appraisal, regardless of whether the chief appraiser considers that method to be the most appropriate method of appraising the property.

S.B. 1286 (Bettencourt) – Property Tax Appeals: would, among other things: (1) require the comptroller to adopt rules prescribing: (a) the manner and form, including security requirements, in which a person must provide a copy of material the person intends to offer or submit to the appraisal review board at a hearing, which must allow the appraisal review board to retain the material as part of the board’s hearing record; and (b) specifications for the audiovisual equipment provided by an appraisal district for use by a property owner or the property owner’s agent; and (2) impose restrictions on who can be appointed as an arbitrator for a property tax appeal through binding arbitration.

S.B. 1345 (Watson) – Property Tax Exemption: would exempt from property taxation property owned by a charitable organization used to provide tax return preparation and other financial services without regard to the beneficiaries’ ability to pay.

S.B. 1360 (Watson) – Property Tax Notice: would, among other things, require the chief appraiser of an appraisal district to provide notice to taxpayers regarding school district tax rates and the amount paid by the school district to the state.
S.B. 1378 (Zaffirini) – Foreclosure of Property Tax Lien: would authorize an individual to abate a sale to foreclose a tax lien if the tax was imposed against the property that the individual owns and occupies as a residence homestead.

S.B. 1426 (Hancock) – Property Tax Rate Calculation: would: (1) for notice purposes only, require a taxing unit to calculate: (a) an “adjusted effective tax rate,” which means the effective tax rate of the taxing unit as otherwise calculated except that new property value is not deducted from the current total value in calculating the tax rate; and (b) an “adjusted rollback tax rate,” which means the rollback tax rate of a taxing unit as otherwise calculated, except that new property value is not deducted from the current total value in calculating the effective maintenance and operations rate; and (2) require the tax rate notice provided by a city or county to include the adjusted effective tax rate and adjusted rollback tax rate of the city or county.

S.B. 1514 (Estes) – Open-Space Appraisal: would provide that the eligibility of land for appraisal as open-space land does not end because a lessee begins conducting oil and gas operation on the land under a lease over which the Railroad Commission of Texas has jurisdiction if the land otherwise continues to qualify for appraisal as open-space land.

S.B. 1749 (Hinojosa) – Property Tax Refund: would provide that the court that makes the final determination of a property tax appeal shall, in its discretion, determine the amount on which interest is to be calculated, provided that the amount is: (1) not greater than the amount refunded; and (2) not less than the difference between the minimum amount the taxpayer was required to pay to preserve the right to appeal and the amount of taxes for which the property owner is liable. (Companion bill is H.B. 2253 by Darby.)

S.B. 1745 (Hinojosa) – Property Tax Lien: would provide that, if the chief appraiser adds property or appraised value that was erroneously exempted in a prior year to the appraisal roll, a tax lien may not be enforced against the property to secure the payment of any taxes, penalties, or interest imposed for that year on the property as a result of the addition of the property or appraised value if at any time after January 1 of that year the property was sold in an arm’s length transaction to a person who was not related to the seller within the first degree by consanguinity or affinity. (See S.J.R. 55, below.)

S.B. 1847 (Bettencourt) – Property Tax Appraisal: would provide that the appraisal review board, on motion of a property owner, may direct by written order changes in the appraisal roll or related appraisal records for the current tax year and for either of the two preceding tax years to correct an inaccuracy in the appraised value of the owner’s tangible personal property that is the result of an error or omission in a rendition statement or property report filed for the applicable tax year.

S.B. 1848 (Bettencourt) – Property Tax Appeals: would increase the maximum amount of attorneys fees to be awarded to property owner who prevails in a judicial appeal of a property tax determination to the greater of: (1) $27,000 or, if applicable, the amount based on a cost of living adjustment; or (2) an amount equal to 20 percent of the total amount by which the property owner’s tax liability is reduced as a result of the appeal, but not to exceed $153,000 or, if applicable, the amount based on a cost of living adjustment.
S.B. 1906 (Bettencourt) – Property Tax Challenges: would eliminate the ability of a taxing unit to challenge before the appraisal review board the level of appraisals of any category of property in the appraisal district or in any territory in the appraisal district.

S.B. 1908 (Bettencourt) – Property Tax Appeals: would provide that, if a property owner proposes an arbitrator, the appraisal district may not reject the arbitrator unless the appraisal district files a complaint with the comptroller objecting to the appointment of the arbitrator on the ground that the arbitrator is not qualified to serve.

S.B. 1979 (Schwertner) – Eminent Domain: would provide that, if additional property taxes are due because land has been diverted to a nonagricultural use as a result of a condemnation, the additional taxes and interest are the personal obligation of the condemning entity and not the property owner from whom the property was taken.

S.B. 2043 (Bettencourt) – Freeport Property Tax Exemption: would extend from 175 to 365 the number of days by which Freeport goods must be transported outside the state in order to be exempt from property taxation.

S.B. 2061 (Kolkhorst) – Correction of Appraisal Roll: would provide that an error in an appraisal roll that resulted in an incorrect appraised value from a property may not be corrected, unless it resulted in an appraised value that exceeds the market value of the property or the median appraised value of a reasonable number of comparable properties appropriately adjusted.

S.B. 2198 (Campbell) – Interest Accrual: would, among other things, provide that for purposes of calculating interest accrual in relation to property taxes, interest accrues during a calendar year at an annual rate equal to the lesser of: (1) 12 percent; or (2) the sum of two percent and the prime rate quoted and published by the Federal Reserve Board on the first business day of the calendar year for which interest is being calculated.

S.B. 2199 (Lucio) – Navigation Districts: would provide that the governing bodies of the respective cities inside each navigation district, may, and on request of the district, shall, levy and have assessed and collected for the maintenance, operation, and upkeep of the district and the improvements constructed by the district an annual tax not to exceed 10 cents on the $100 valuation on all property inside the district.

S.B. 2207 (Hancock) – Property Tax Appeals: would provide that: (1) a property owner may appeal to the court an increase in the appraised value of the owner’s property by the chief appraiser of an appraisal district if the appraised value of the property was lowered in the preceding year under certain circumstances; (2) an appeal under (1) is for the limited purpose of determining whether the chief appraiser is able to meet the substantial evidence burden of proof; and (3) the court may award costs and reasonable attorney’s fees to a property owner who prevails in an appeal under (1).

S.B. 2239 (Bettencourt) – Revenue Cap: this bill would make numerous changes to the process for calculating and adopting property tax rates. Of primary importance to cities, the bill would:
1. lower the property tax rollback rate from eight percent to four percent, and also modify the way in which property tax rates are calculated;
2. rename the “effective tax rate” and “effective maintenance and operations rate” the “no new taxes tax rate” and “no new taxes maintenance and operations rate,” respectively;
3. require the comptroller to prescribe the form of the worksheets used by the designated officer or employee of each taxing unit in calculating the no new taxes tax rate and rollback tax rate for the taxing unit;
4. provide that the calculation worksheet form must be in an electronic format and be capable of:
   a. being completed electronically;
   b. performing calculations automatically based on the data entered by the designated officer or employee;
   c. being certified by the designated officer or employee after completion; and
   d. being submitted electronically to the comptroller on completion and certification;
5. require the comptroller to prepare an annual list that includes the total tax rate imposed by each taxing unit in the state for the year in which the list is prepared that shall be sorted alphabetically according to:
   a. the county or counties in which each taxing unit is located; and
   b. the name of each taxing unit;
6. require the comptroller to publish on the comptroller’s Internet website the list required in Section Number 5, above, not later than January 1 of the following year;
7. require the comptroller to create and maintain a property tax database that:
   a. contains information that is provided by designated officers or employees of taxing units in the manner required by the comptroller;
   b. is continuously updated as preliminary and revised data become available to and are provided by the designated officers or employees of the taxing units;
   c. is accessible to the public; and
   d. is searchable by property address;
8. require the comptroller’s property tax database to include, with respect to each property listed on an appraisal roll:
   a. the property’s identification number;
   b. the property’s market value;
   c. the property’s taxable value;
   d. the name of the each taxing unit in which the property is located;
   e. for each taxing unit other than a school district in which the property is located:
      i. the no new taxes tax rate; and
      ii. the rollback tax rate;
   f. for each school district in which the property is located:
      i. the rate to maintain the same amount of state and local revenue per weighted student that the district received in the school year beginning in the preceding tax year; and
      ii. the rollback tax rate;
   g. the tax rate proposed by the governing body of each taxing unit in which the property is located;
h. for each taxing unit other than a school district in which the property is located, the taxes that would be imposed on the property if the unit adopted a tax rate equal to:
   i. the no new taxes tax rate; and
   ii. the proposed tax rate
i. for each school district in which the property is located, the taxes that would be imposed on the property if the unit adopted a tax rate equal to:
   i. the rate to maintain the same amount of state and local revenue per weighted student that the district received in the school year beginning in the preceding tax year; and
   ii. the proposed tax rate
j. for each taxing unit other than a school district in which the property is located, the difference between the amount calculated for the no new taxes tax rate and the proposed tax rate;
k. for each school district in which the property is located, the difference between the amount calculated to maintain the same amount of state and local revenue per weighted student the district received in the school year beginning in the preceding year and the proposed tax rate;
l. the date and location of each public hearing, if applicable, on the proposed tax rate to be held by the governing body of each taxing unit in which the property is located; and
m. the date and location of the public meeting in which the tax rate will be adopted to be held by the governing body of each taxing unit in which the property is located;
9. require the property tax database to provide a link to the tax rate and budget information required to be posted on a taxing unit’s website (See Section Number 23. of this summary)
10. require the officer or employee designated by the governing body of each taxing unit to calculate the no new taxes tax rate and the rollback tax rate for the unit to electronically submit to the comptroller:
   a. the information described by Section Number 8, above, as the information becomes available; and
   b. the property tax rate calculation worksheets prepared at the same time the officer or employee submits the tax rates to the governing body of the taxing unit;
11. require the comptroller to deliver by e-mail to the designated officer or employee confirmation of receipt of the property tax rate calculation worksheets submitted to the comptroller;
12. for the notice of appraised value sent to each property owner by the chief appraiser, delete the section stating the amount of tax that would be imposed on the property on the basis of the tax rate for the preceding year if the appraised value is greater than it was in the preceding year;
13. amend the definition of “debt” for purposes of calculating a property tax rate to mean a bond, warrant, certificate of obligation, or other evidence of indebtedness owned by a taxing unit that has been approved at an election and is payable solely from property taxes in installments over a period of more than one year, not budgeted for payment from maintenance and operations funds, and secured by a pledge of property taxes, or a
payment made under contract to secure indebtedness of a similar nature issued by another political subdivision on behalf of the taxing unit;

14. require the designated officer or employee of a taxing unit to use the property tax rate calculation worksheet forms prescribed by the comptroller in calculating the no new taxes tax rate and the rollback tax rate;

15. require the designated officer or employee of a taxing unit to submit the property tax rate calculation worksheet to:
   a. the chief appraiser of the appraisal district in which the taxing unit is located; and
   b. the chief financial officer or the auditor for the taxing unit;

16. provide that the designated officer or employee of a taxing unit may not submit the no new taxes tax rate and the rollback tax rate to the governing body of the taxing unit and the governing body of the taxing unit may not adopt a tax rate until:
   a. the chief appraiser submits to the governing body of the unit a written certification that the values used in the calculations are the same as the values shown in the unit’s appraisal roll; and
   b. the chief financial officer or the auditor for the unit submits to the governing body of the unit a written certification that the rollback tax rate has been calculated correctly;

17. require the comptroller to adopt rules governing the form of the certifications required by Section Number 16 of this summary, above, and the manner in which they are required to be submitted;

18. by August 7 or as soon thereafter as practicable, require the chief appraiser of the appraisal district in which the property is located to deliver by regular mail or e-mail to each property owner a notice that the estimated amount of taxes to be imposed on the owner’s property by each taxing unit in which the property is located may be found in the comptroller’s property tax database, and the notice must include:
   a. the address of the internet website at which the information may be found;
   b. a statement that the property owner may request a written copy of the information from the assessor for each taxing unit in which the property is located; and
   c. the address and telephone number of each assessor from whom the written copy may be requested;

19. provide that the governing body of a taxing unit may not hold a public hearing on a proposed tax rate or a public meeting to adopt a tax rate until the 14th day after the date the officer or employee designated by the governing body of the unit to calculate the no new taxes tax rate and the rollback tax rate for the unit electronically submits to the comptroller the information required for the comptroller’s property tax database;

20. provide that the governing body of a taxing unit other than a school district may not adopt a tax rate until:
   a. the comptroller has included the information for the unit’s current tax year in the comptroller’s property tax database; and
   b. the chief appraiser of the appraisal district in which the taxing unit participates has delivered the notice required by Section Number 18 of this summary, above;

21. provide that the governing body of a taxing unit that imposes an additional sales and use tax may not adopt a tax rate until the chief financial officer or the auditor for the unit submits to the governing body of the unit a written certification that the amount of additional sales and use tax revenue that will be used to pay debt service has been
deducted from the total amount published and that any additional sales and use tax revenue in excess of the total amount published has been deducted from the amount needed to fund maintenance and operation expenditures.

22. require each taxing unit to maintain an Internet website; and
23. require each taxing unit to post on its Internet website the following information in a format prescribed by the comptroller:
   a. the name and official contact information for each member of the governing body of the taxing unit;
   b. the mailing address, e-mail address, and telephone number of the taxing unit;
   c. the taxing unit’s budget for the preceding two years;
   d. the taxing unit’s proposed or adopted budget for the current year;
   e. the change in the amount of the taxing unit’s budget from the preceding year to the current year, by dollar amount and percentage;
   f. for a taxing unit other than a school district, the amount of property tax revenue budgeted for both maintenance and operations and debt service, respectively, for:
      i. the preceding two years; and
      ii. the current year
   g. the tax rate for both maintenance and operations and debt service, respectively, adopted by the taxing unit for the preceding two years;
   h. the tax rate for both maintenance and operations and debt service, respectively, adopted by the taxing unit for current year; and
   i. the most recent financial audit of the taxing unit.

S.J.R. 1 (Campbell) – Property Tax Exemption: would amend the Texas Constitution to provide that: (1) that the surviving spouse of a first responder who is killed or fatally injured in the line of duty is entitled to an exemption from taxation of the total appraised value of the surviving spouse’s residence homestead so long as the surviving spouse has not remarried since the death of the first responder; and (2) that a surviving spouse who receives an exemption under (1) is entitled to receive an exemption from taxation of a property that the surviving spouse subsequently qualifies as the surviving spouse’s residence homestead in an amount equal to the dollar amount of the exemption from taxation of the first property for which the surviving spouse received the exemption in the last year in which the exemption applied so long as the surviving spouse has not remarried since the death of the first responder.

S.J.R. 19 (Nichols) – Appraisal Cap: would amend the Texas Constitution to permit the legislature to: (1) reduce the property tax appraisal cap on homesteads from ten percent to five percent; and (2) authorize a county commissioners court to call an election to increase the homestead appraisal cap for all taxing jurisdictions in the county back to some percentage between six and ten. (See S.B. 172, above.)

S.J.R. 23 (Crieghton) – Property Tax Exemption: would amend the Texas Constitution to provide that the legislature may provide that a partially disabled veteran is entitled to an exemption from property taxation of a percentage of the market value that is equal to the percentage disability of the disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead. (See S.B. 240, above.)
S.J.R. 28 (Creighton) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to provide for one percentage to be used when calculating the limitation on the maximum appraised value of a residence homestead with a lesser appraised value and another percentage to be used when calculating that limitation on a residence homestead with a greater appraised value. (See S.B. 376, above.)

S.J.R. 29 (Watson) – Property Tax Exemption: would amend the Texas Constitution to: (1) authorize the governing body of a taxing unit other than a school district to adopt a residence homestead property tax exemption, expressed as a dollar amount, of a portion of an individual’s residence homestead if the exemption is adopted by the governing body in the manner provided by law for official action; (2) provide that the amount of the exemption is $5,000 of the appraised value of the residence homestead, except that if the average market value of residence homesteads in the taxing unit in the tax year in which the exemption is adopted exceeds $25,000, the governing body may authorize an exemption in a larger dollar amount not to exceed an amount equal to 20 percent of the average market value of residence homesteads in the taxing unit in the tax year in which the exemption is adopted; (3) provide that the legislature by general law may prohibit the governing body of a political subdivision that adopts an exemption under (1) from reducing the amount of or repealing the exemption; and (4) provide that, for a taxing unit which has ceased granting a percentage-based homestead exemption and adopted an exemption under (1), an individual who would have been entitled to a percentage-based residence homestead exemption had the governing body not ceased granting the exemption is entitled to continue to receive the percentage-based exemption in lieu of the dollar-amount homestead exemption if the individual otherwise qualifies for the exemption and the amount of the percentage-based exemption exceeds the amount of the dollar-amount exemption. (See S.B. 418, above).

S.J.R. 42 (L. Taylor) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxation any real property that is leased for use as an open-enrollment charter school for educational purposes. (See S.B. 1030, above.)

S.J.R. 51 (Estes) – Open-Space Appraisal: would amend the Texas Constitution to authorize the legislature to provide exceptions to the requirement that open-space land be devoted to a purpose described in the Texas Constitution.

S.J.R. 55 (Hinojosa) – Property Tax Lien: would amend the Texas Constitution to provide that, if the chief appraiser adds property or appraised value that was erroneously exempted in a prior year to the appraisal roll, a tax lien may not be enforced against the property to secure the payment of any taxes, penalties, or interest imposed for that year on the property as a result of the addition of the property or appraised value if at any time after January 1 of that year the property was sold in an arm’s length transaction to a person who was not related to the seller within the first degree by consanguinity or affinity. (See S.B. 1745, above.)

Sales Tax
H.B. 55 (Guillen) – Sales Tax Exemption: would exempt certain feminine hygiene products from the sales tax if the sale takes place during a period beginning at 12:01 a.m. on the Friday before the 15th day preceding the uniform date for the first day of school under the Education Code and ending at 12 midnight on the following Sunday.

H.B. 105 (Metcalf) – Sales Tax Exemption: would exempt internet access service from the sales tax.

H.B. 170 (Lucio) – Sales Tax Exemption: would exempt books purchased, used, or consumed by university and college students from the sales tax if the purchase takes place during a period: (1) beginning at 12:01 a.m. on August 17 and ending at 12 midnight on August 31; or (2) beginning at 12:01 a.m. on January 1 and ending at 12 midnight on January 15.

H.B. 219 (Howard) – Sales Tax Exemption: would exempt certain feminine hygiene products from the sales tax.

H.B. 221 (Howard) – Sales Tax Exemption: would exempt child and adult diapers from the sales tax.

H.B. 232 (Alvarado) – Sales Tax Exemption: would exempt certain feminine hygiene products from the sales tax if the sale takes place during a period beginning at 12:01 a.m. on the Friday before the 15th day preceding the uniform date for the first day of school under the Education Code and ending at 12 midnight on the following Sunday.

H.B. 242 (Hernandez) – Sales Tax Exemption: would exempt the sale, use, or consumption of college textbooks from sales taxes during two seven-day periods, one beginning in August and one beginning in January.

H.B. 343 (Canales) – Sales Tax Exemption: would exempt from sales taxes the sale, lease, or use of an otherwise taxable item sold to, or used by, a disabled veteran or the surviving spouse of a disabled veteran.

H.B. 350 (Canales) – Sales Tax Exemption: would exempt the sale, use, or consumption of college textbooks from sales taxes during two seven-day periods, one beginning in August and one beginning in January.

H.B. 410 (Springer) – Sales Tax Exemption: would exempt certain feminine hygiene products from the sales tax.

H.B. 485 (Fallon) – Sales Tax Exemption: would exempt firearms and hunting supplies from sales taxes during the last full weekend in August.

H.B. 589 (Bohac) – Sales Tax Exemption: would: (1) exempt from sales and use taxes the sale of an article of clothing, footwear, school supply, or school backpack that costs less than $200 and is sold during certain timeframes (current law sets exemption amount at an item less than $100); and (2) exempt the sale or storage, use, or other consumption of an e-reader, personal
computer, or tablet computer from sales and use taxes if the device is purchased during a specified weekend preceding the beginning of the school year and not purchased over the Internet.

**H.B. 592 (Fallon) – Sales Tax Exemption**: would exempt from sales taxes a taxable item sold, leased, or rented within the boundaries of a United States military installation to a person who is a member of the United States armed forces on active duty if the sale, lease, or rental is made by a seller physically located at the installation.

**H.B. 660 (Villalba) – Sales Tax Exemption**: would exempt the sale of the state flag from sales taxes.

**H.B. 716 (Wu) – Sales Tax Exemption**: this bill is identical to **H.B. 410** by Springer, above.

**H.B. 803 (Dale) – Sales Tax Exemption**: would, among other things, provide that the sale to or storage, use, or other consumption of a taxable item by a qualifying space flight entity is exempted from sales taxes.

**H.B. 824 (Turner) – Sales Tax Exemption**: would exempt LED light bulbs from the sales and use tax if the sale takes place during a period beginning at 12:01 a.m. on the Saturday preceding the last Monday in May (Memorial Day) and ending at 11:59 p.m. on the last Saturday in May.

**H.B. 976 (Giddings) – Sales Tax Exemption**: would exempt certain school art supplies from sales tax if the sale takes place during a period beginning at 12:01 a.m. on the Friday before the 15th day preceding the uniform date before which a school district may not begin instruction for the school year, and ending at 12 midnight on the following Sunday.

**H.B. 1164 (Guillen) – Sales Tax Exemption**: would provide that a sale for resale includes the lease or rental of reusable tangible personal property to a caterer if the caterer uses the property in a sale of a taxable item.

**H.B. 1169 (Button) – Sales Tax Exemption**: would provide that the sale of tangible personal property by a small business retailer that has been engaged in business in this state for less than 12 months is exempted from sales taxes if: (1) the sales price of the article is not more than $5,000; and (2) the tangible personal property is sold during a period beginning at 12:01 a.m. on the first Saturday after Thanksgiving and ending at 11:59 p.m. on that day.

**H.B. 1300 (Springer) – Hotel Occupancy Tax**: would provide that: (1) if a city uses hotel occupancy tax (HOT) revenue to create, maintain, operate, or administer an electronic tax administration system, the city shall permit a hotel to withhold not more than one percent of the HOT as reimbursement for the cost of collecting the tax; (2) a city may provide the reimbursement in (1) be forfeited because of failure to pay or file a HOT report to the city; (3) a city may each year spend not more than the lesser of one percent or $75,000 of HOT revenue during that year for the creation, maintenance, operation, and administration of electronic tax administration system; and (4) a city may not use HOT revenue to conduct an audit.
H.B. 1325 (Nevarez) – Sales and Use Tax: would: (1) provide that the surveying of real property is not a taxable service; and (2) repeal the statute excluding certain landman services relating to negotiating or securing land or mineral rights for acquisition or trade from being considered a taxable service.

H.B. 1363 (Villalba) – Sales Tax Exemption: would provide a sales tax exemption for: (1) tangible personal property used to construct or install an eligible pool safety enclosure if sold to a person who is in the business of constructing or installing fences, walls, gates, or similar structures and who will construct or install the enclosure; (2) an eligible pool safety cover if sold to a person who is in the business of installing that type of cover and who will install the cover; and (3) otherwise taxable services used to construct or install the enclosure or cover.

H.B. 1370 (Springer) – Sales Tax Information: would: (1) require the comptroller to provide on request to a city or other local governmental entity that has adopted a sales tax: (a) information relating to the gross sales, taxable sales, and taxable purchases by each person doing business in the city or other local governmental entity by individual outlet as reported to the comptroller on a sales and use tax return; (b) for a city or other local governmental entity with a population less than 150,000 that has adopted a sales tax, information relating to the amount of sales tax paid to the city or other local governmental entity during the preceding or current calendar year by each person doing business in the city or other local governmental entity who annually remits to the comptroller state and local sales tax payments of more than $100; and (c) information relating to the gross sales, taxable sales, and taxable purchases by each person doing business in the county or other local governmental entity by individual outlet as reported to the comptroller on a sales and use tax return; and (2) repeal the statute: (a) requiring the comptroller to provide certain sales tax information as an aggregate total for all persons doing business in the defined area without disclosing individual tax payments; and (b) providing that if a city’s request for certain sales tax information involves not more than three persons doing business in the defined area who remit sales taxes, the comptroller shall refuse to provide the information to the city or other local governmental entity unless the comptroller receives permission from each of the persons allowing the comptroller to provide information to the city or other local governmental entity as requested.

H.B. 1579 (Howard) – Sales Tax Exemption: would exempt condoms from the sales tax.

H.B. 1682 (Bohac) – Sales Tax Exemption: would exempt from sales taxes goods and services related to the repair, remodeling, and maintenance of aircraft.

H.B. 1723 (Leach) – State Sales Tax: would establish a “state sales tax reduction fund” to be used for a state sales tax reduction of at least one-tenth of one percent for a period of not less than two consecutive days each year if sufficient balances in the fund are available.

H.B. 2041 (Neave) – Sales Tax Exemption: would exempt the sale of the United States and state flags from sales taxes.

H.B. 2171 (Guillen) – Sales Tax Overpayment: would require the comptroller to: (1) notify a city, county, or other local taxing entity if the taxing entity’s portion of the tax for which a refund is claimed or a credit is taken is equal to or greater than five percent of the amount of sales and
use taxes received by the taxing entity during the preceding calendar year; and (2) provide the notice not later than the 20th day after the date the refund is claimed or the credit is taken.

**H.B. 2381 (Frullo) – Sales Tax Exemption:** would exempt from sales taxes a service performed by a certified public accountancy firm if less than one percent of the firm’s revenue in the calendar year is from services in Texas that would otherwise constitute insurance service. (Companion bill is S.B. 1083 by Perry.)

**H.B. 2475 (S. Davis) – Sales Tax Exemption:** would exempt certain amusement services from the sales tax.

**H.B. 2562 (Shine) – Sales Tax Exemption:** would exempt from sales taxes: (1) an admission to the championship game of the National Football League; and (2) the sale of an audio master recording by the producer of the master.

**H.B. 2563 (Shine) – Sales Tax Exemption:** would exempt from sales taxes the sale of an audio master recording by the producer of the master.

**H.B. 2751 (Raymond) – Sales Tax:** would provide that, for sales tax purposes, “tangible personal property” includes streaming video provided via the Internet or similar technology, regardless of the type of device used by the purchaser to receive the streaming video.

**H.B. 3046 (Dale) – Sales Tax Ballot Propositions:** would authorize a city to use a combined ballot proposition to lower or repeal any city sales tax and by the same proposition raise or adopt any other city sales tax.

**H.B. 3366 (Bohac) – Sales Tax Exemption:** would modify the application of sales taxes to certain property and services, including coin-operated machines, sale for resale of tangible personal property for the purpose of transferring the property to a governmental or charitable entity, and environment and conservation services. (Companion bill is S.B. 1539 by Watson.)

**H.B. 3462 (Y. Davis) – State Tax Refunds:** would, among other things, provide that, not later than the first anniversary of the date a claim for a state tax refund is filed, the comptroller shall: (1) grant and pay the claim; (2) wholly or partly deny the claim; or (3) execute a settlement agreement with the claimant in an amount not less than 90 percent of the amount claimed for the refund.

**H.B. 3471 (Y. Davis) – Sales Tax Refund:** would provide that a person who files a severance tax report may obtain reimbursement for sales taxes that were overpaid by taking a credit on one or more severance tax reports or by filing a claim for refund with the comptroller.

**H.B. 3549 (Wray) – Sales Tax Exemption:** would exempt certain cleaning services performed for a health care facility from the sales tax.

**H.B. 4052 (Murphy) – Sales Tax Exemption:** would exempt from sales taxes a service performed by an employee of a temporary employment service for an employer to supplement
the employer’s existing work force on a temporary basis, if: (1) the service is normally performed by the employer’s own employees; (2) the employer provides all supplies and equipment necessary to perform the service; (3) the employer does not rent, lease, purchase, or otherwise acquire for use the supplies and equipment described by (2) from the temporary employment service or an entity that is a member of an affiliated group of which the temporary employment service is also a member; (4) the temporary employment service is not a member of the employer’s affiliated group; and (5) the employee of the temporary employment service is under the supervision of the employer to whom the employee of the temporary employment service is furnished. (Companion bill is S.B. 745 by Kolkhorst.)

H.B. 4054 (Murphy) – Sales Tax Exemption: would provide that bakery items, regardless of whether the items are heated by the consumer or seller, are exempt from sales taxes.

H.B. 4207 (Swanson) – Sales Tax Exemption: would repeal the sales tax exemption on the sale of newspapers sold or distributed by individual copy or by subscription.

S.B. 48 (Zaffirini) – Sales Tax Exemption: would exempt books, purchased, used, or consumed by university and college students from the sales tax if the purchase takes place during a period: (1) beginning at 12:01 a.m. on the first Monday following the first Saturday in August and ending at 11:59 p.m. on the second following Wednesday; or (2) beginning at 12:01 a.m. on the first Monday following the first Saturday in January and ending at 11:59 p.m. on the second following Wednesday.

S.B. 129 (Garcia) – Sales Tax Exemption: would exempt certain feminine hygiene products from the sales tax.

S.B. 133 (Creighton) – Sales Tax Exemption: would exempt firearms and hunting supplies from sales taxes during the last full weekend in August.

S.B. 162 (Rodriguez) – Sales Tax Exemption: would exempt certain feminine hygiene products from the sales tax.

S.B. 745 (Kolkhorst) – Sales Tax Exemption: would exempt from sales taxes a service performed by an employee of a temporary employment service for an employer to supplement the employer’s existing work force on a temporary basis, if: (1) the service is normally performed by the employer’s own employees; (2) the employer provides all supplies and equipment necessary to perform the service; (3) the employer does not rent, lease, purchase, or otherwise acquire for use the supplies and equipment described by (2) from the temporary employment service or an entity that is a member of an affiliated group of which the temporary employment service is also a member; (4) the temporary employment service is not a member of the employer’s affiliated group; and (5) the employee of the temporary employment service is under the supervision of the employer to whom the employee of the temporary employment service is furnished. (Companion bill is S.B. 745 by Kolkhorst.)

S.B. 1083 (Perry) – Sales Tax Exemption: this bill is the same as H.B. 2381, above.
S.B. 1159 (Garcia) – Sales Tax Exemption: would provide that the sale, use, or consumption of course materials is exempted from the sales tax if the course materials are purchased by a university or college student and are specifically required by the instructor of a course in which the student is enrolled.

S.B. 1713 (Uresti) – Applicability of Use Tax: would address the application of the state and local use tax to certain activities of marketplace providers and referrers.

S.B. 1756 (Zaffirini) – Sales Tax Exemption: would provide that the sale of a United States flag or Texas flag is exempted from sales taxes.

S.B. 1773 (Miles) – Sales Tax Exemption: would exempt from sales and use taxes: (1) the sale of an article of clothing, footwear, school supply, or school backpack that costs less than $200 and is sold during certain timeframes (current law sets exemption amount at an item less than $100); and (2) the sale or storage, use, or other consumption of an e-reader, personal computer, or tablet computer, if the device is purchased during a specified weekend preceding the beginning of the school year and not purchased over the Internet. (Companion bill is H.B. 589 by Bohac.)

S.B. 1962 (Creighton) – Sales Tax Exemption: would exempt from sales taxes: (1) an admission to the championship game of the National Football League; and (2) the sale of an audio master recording by the producer of the master. (Companion bill is H.B. 2562 by Shine.)

S.B. 2055 (West) – Sales Tax Exemption: would exempt from sales taxes goods and services related to the repair, remodeling, and maintenance of aircraft. (Companion bill is H.B. 1682 by Bohac.)

Purchasing

H.B. 89 (P. King) – Israel: would provide that neither a state nor a political subdivision may enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the contract. (Companion bill is S.B. 134 by Creighton.)

H.B. 648 (Parker) – Collective Bargaining Organizations: would provide that a governmental entity, including a city, awarding a public work contract funded with state money, including the issuance of debt guaranteed by this state, may not: (1) prohibit, require, discourage, or encourage a person bidding on the public work contract, including a contractor or subcontractor, from entering into or adhering to an agreement with a collective bargaining organization relating to the project; or (2) discriminate against a person described by (1) based on the person’s involvement in the agreement, including the person’s status or lack of status as a party to the agreement or willingness or refusal to enter into the agreement.

H.B. 665 (Canales) – Contracts: would provide that (1) a public body (which includes cities) cannot contract with a contractor unless the contractor certifies in writing to a public body that
within the five years preceding the date of the contract, the contractor, including subcontractors, has not admitted guilt or been found guilty or liable in any judicial or administrative proceeding for a repeated or willful violation of the payment of wages or minimum wage statutes, the Fair Labor Standard Act, or any similar statute or regulation of any state that governs the payment of wages; (2) each contract with a public body has to have a specific prescribed statement included; (3) a contractor shall be disbarred from participating in contracts with a public body by the comptroller if the public body determines that a contractor is ineligible for a contract under (1) and reports to the comptroller its determination; and (4) each public body shall develop procedures for the administration of (1).

H.B. 770 (Y. Davis) – Procurement: would require that the iron, steel, and manufactured goods used in many state-aided city construction projects be produced in the United States, unless the governing body of the governmental entity responsible for the project determines that: (1) iron, steel, or specific manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or (2) inclusion of iron, steel, or specific manufactured goods produced in the United States will increase the total cost of the iron, steel, or specific manufactured goods for the project by more than 15 percent.

H.B. 1281 (Reynolds) – Professional Services: would add attorneys to the list of professionals that must be procured according to the Professional Services Procurement Act.

H.B. 1541 (Simmons) – Historically Underutilized Businesses: would provide that persons with a disability as defined by the federal Americans with Disabilities Act are included in the state’s list of historically underutilized businesses.

H.B. 1844 (Workman) – Construction Contracts: would provide, with certain exceptions, that a provision in a construction contract or an agreement collateral to or affecting the construction contract that makes the dispute subject to another state’s law, litigation in the courts of another state, or arbitration in another state, is voidable by a party. (Companion bill is S.B. 807 by Creighton.)

H.B. 2170 (Kacal) – Construction Liability: would provide that: (1) a person, other than an architect or engineer acting in the scope of the person’s profession, who provides plans, specifications, or related documents to another person for a contract for the construction or repair of an improvement to real property, impliedly guarantees and warranties the adequacy, accuracy, sufficiency, and suitability of the plans, specifications, or related documents provided to the other person; and (2) a person may not waive the requirement in (1) by contract or other means.

H.B. 2234 (Shaheen) – Purchasing: would allow the comptroller to authorize governmental entities to purchase goods or services through the comptroller’s office, and allow the comptroller to charge a reasonable administrative fee for such a program.

H.B. 2343 (Workman) – Construction Defects: this bill is somewhat unclear as to its application. It would presumably apply to a construction project owned by a city, and it would mandate that – prior to bringing a lawsuit on a construction defect – an owner must obtain an inspection and report from an engineer and offer the contractor a chance to correct the defect.
H.B. 2689 (Murphy) – Prevailing Wage Rates: would: (1) allow the use of a third-party survey to determine prevailing wage rates; and (2) provide that any survey used to determine a general prevailing rate must be conducted within a three-year period preceding the date the public body calls for bids for the public work.

H.B. 2780 (Paddie) – U.S. Steel: would provide that: (1) the uniform general conditions for a construction project, including a city project, in which iron or steel products will be used must require that the bid documents provided to all bidders, and the contract, include a requirement that any iron or steel product used in the project be produced in the United States; (2) a governmental entity may decide not to use iron or steel products produced in the United States if the products are not: (a) produced in sufficient quantities; (b) reasonably available; or (c) of a satisfactory quality; and (3) a governmental entity may decide not to use iron or steel products produced in the United States if the use will increase the total cost of the project by more than 20 percent. (Companion bill is S.B. 1289 by Creighton.)

H.B. 3020 (Cyrier) – Procurement: would provide that: (1) a purchasing cooperative shall maintain an Internet website with a continually updated list of purchases made through the cooperative or through agreements that must include for each purchase: (a) the name of the purchaser; (b) the name of the vendor; (c) the amount of the purchase; (d) the date of the purchase; and (e) the fees paid to the cooperative or managing entity; (2) a local government may not enter into a contract to purchase construction-related goods or services through a purchasing cooperative in an amount greater than $50,000 unless the purchase is approved by the governing body of the local government at a public meeting and other conditions in current law are met; (3) the current laws relating to construction procurement may be enforced through an action for declaratory or injunctive relief filed not later than the 10th business day after the date on which the contract bid evaluations are made public; and (4) an economic development corporation is subject to the same construction procurement laws as a city.

H.B. 3250 (Leach) – Construction Procurement: would provide that a governmental entity, including a city: (1) may implement a prequalification process to eliminate unqualified offerors from consideration for a public work project under a construction procurement method in current law; (2) that implements a prequalification process shall advertise or publish notice of the prequalification process along with a request for qualifications; (3) may directly solicit qualifications from potential offerors if the competitive requirements of current law are followed; (4) in determining the award of a construction contract, may consider – among the other factors in current law: (a) the offeror’s experience with similar construction projects and reputation; and (b) good faith efforts to comply with laws, rules, or applicable municipal charters in relation to historically underutilized businesses; (5) shall base its selection among offerors using detailed methodology for scoring each criterion; and (6) shall deliver to an offeror who is not selected and seeks an explanation of why a written explanation of its evaluation and, if applicable, ranking of the offeror’s submission, including an explanation of why the submission was evaluated or ranked differently than the offeror’s previous submission to the governmental entity.

H.B. 3326 (Huberty) – Job Order Contracting: would provide that the price of a job order contract may not exceed $5 million.
H.B. 3357 (Romero) – Prevailing Wages: would provide that: (1) the contractor who is awarded a contract by a public body or a subcontractor of the contractor: (a) shall pay not less than the rates determined under the prevailing wage law to a worker employed by it in the execution of the contract; and (b) may not improperly classify a worker employed by it in the execution of the contract as an independent contractor in order to avoid paying the worker under (1); (2) a public body awarding a contract shall specify the penalty provided for in the contract for a violation of (1); and (3) the public body shall audit a public work contract to ensure compliance with the bill.

H.B. 3913 (Shine) – Construction Retainage: this bill would:

1. define “beneficial use” use to mean, following completion of all or a portion of work under a public works contract: (a) for a public works project, the ability of a governmental entity to place the project into operation for the project’s intended purpose; or (b) for a public building, the ability of a governmental entity to be issued a certificate of occupancy or temporary certificate of occupancy for the building.
2. define “retainage” to mean the percentage of a public works contract payment withheld by a governmental entity to secure performance of the contract.
3. define “warranty” to mean the period of time specified in a contract during which certain terms applicable to the warranting of work performed under the contract are in effect.
4. provide that a governmental entity shall deposit in an interest-bearing account the retainage of a periodic contract payment of a public works contract and pay the retainage remaining in the account, including any interest earned on the retainage, to the prime contractor on completion of the contract.
5. provide that, if the total value of a public works contract is $1 million or more, a governmental entity: (a) may not withhold retainage in an amount that exceeds five percent of the contract price; and (b) after the governmental entity has beneficial use of the public work that is the subject of the contract, may not withhold retainage in an amount that exceeds two percent of the contract price, excluding interest earned on the retainage.
6. provide that, if the total value of a public works contract is less than $1 million, a governmental entity, on receipt of beneficial use of the public work that is the subject of the contract, may not withhold more than one-half of the total retainage under the contract.
7. a governmental entity may not withhold retainage: (a) after completion of the contract by the prime contractor, including during the warranty; or (b) for the purpose of requiring the prime contractor, after completion of the contract, to perform work on manufactured goods or systems that were: (i) specified by the designer of record; and (ii) properly installed by the contractor.

S.B. 23 (Schwertner) – E-Verify: would provide that a state agency may not award a contract for goods or services within this state to a contractor unless the contractor registers with and participates in the E-verify program to verify employee information. (A city could conceivably be considered a “contractor” of the state in certain situations.)
S.B. 29 (Creighton) – Israel: would provide that neither a state nor a political subdivision may enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the contract. (Companion bills are H.B. 89 by P. King and S.B. 134 by Creighton.)

S.B. 60 (Zaffirini) – Local Preference: would provide that a local governmental entity, including a city, that purchases agricultural products: (1) shall give preference to those produced or grown in this state if the cost to the local governmental entity is equal and the quality is equal; and (2) may give preference to those products produced or grown in this state if the cost to the local governmental entity does not exceed 107 percent of the cost of agricultural products produced or grown outside of this state and the quality is equal.

S.B. 134 (Creighton) – Israel: this bill is the same as H.B. 89, above.

S.B. 252 (V. Taylor) – Terrorists: would provide that: (1) a governmental entity, including a city, may not enter into a governmental contract with a company that does business with Iran, Sudan, or any known terrorist organization; and (2) the comptroller shall prepare and maintain, and make available to each governmental entity, a list of companies known to have contracts with or provide supplies or services to a foreign terrorist organization.

S.B. 262 (Zaffirini) – Automated Information Systems: would provide that a local government purchasing an automated information system under the state’s multiple award contract schedule shall: (1) for a contract with a value of $50,000 or less, directly award the contract to a vendor included on the list without submission of a request for pricing to other vendors on the schedule; (2) for a contract with a value of more than $50,000 but not more than $150,000, submit a request for pricing to at least three vendors included on the schedule in the category to which the contract relates; and (3) for a contract with a value of more than $150,000 but not more than $1 million, submit a request for pricing to at least six vendors included on the schedule in the category to which the contract relates or all vendors on the schedule if the category has fewer than six vendors.

S.B. 452 (Hancock) – Public Works Contracts: would provide that a governmental entity awarding a public work contract funded with state money, including the issuance of debt guaranteed by the state, may not: (1) prohibit, require, discourage, or encourage a person bidding on the public work contract, including a contractor or subcontractor, from entering into or adhering to an agreement with a collective bargaining organization relating to the project; or (2) discriminate against a person described by (1) based on the person’s involvement in the agreement, including the person’s status or lack of status as a party to the agreement or willingness or refusal to enter into the agreement.

S.B. 474 (Rodriguez) – Workers’ Compensation: would provide that: (1) a contractor shall provide workers’ compensation insurance coverage for each employee of the contractor; (2) a subcontractor shall provide workers’ compensation insurance coverage for each employee of the subcontractor; (3) a governmental entity that enters into a building or construction contract shall require the contractor to, if the contractor uses a subcontractor on the public project, provide a
written certification, submitted by each subcontractor, that the subcontractor provides workers’ compensation insurance coverage for each employee of the subcontractor employed on the public project; (4) each subcontractor on a public project shall provide the certificate described by Subsection (3) to the general contractor, who shall provide the subcontractor’s certificate to the governmental entity; and (5) if the contractor enters into a contract with a governmental entity for a public project, the coverage provided by the contractor and, if applicable, by each subcontractor must be satisfactory to the governing body of the governmental entity.

S.B. 475 (Rodriguez) – Public Works Contracts: would provide that: (1) to the extent consistent with federal law, a governmental entity that enters into a construction contract must require that the contractor ensure that all employees working on the general construction have completed construction safety training; (2) before an employee works on the general construction site, the contractor must receive and provide to the governmental entity a certificate of training completion for the employee; (3) to the extent consistent with federal law, a governmental entity that enters into a construction contract must require that the contractor ensure that at least one supervisor working on the general construction site that is the subject of the construction contract has completed advanced construction safety training; (4) before work begins on the general construction site, the contractor must receive from at least one supervisor a certificate of training completion and provide the certificate to the governmental entity; (5) a governmental entity that enters into a construction contract shall include in the contract notice and penalty provisions that: (a) require the governmental entity to provide the contractor with written notice, hand delivered or by certified mail, of a violation by the contractor; (b) require the contractor to comply with the bill by the 20th day after the date the contractor receives any notice of noncompliance; (c) inform a contractor that the governmental entity may impose an administrative penalty if the contractor fails to comply with the bill after the 20th day after the date the contractor receives any notice of noncompliance; and (d) explain that a penalty amount may be withheld from a payment otherwise owed to the contractor under the construction contract; and (5) each governmental entity shall develop procedures for the administration of the bill.

S.B. 807 (Creighton) – Construction Contracts: would provide, with certain exceptions, that a provision in a construction contract or an agreement collateral to or affecting the construction contract that makes the dispute subject to another state’s law, litigation in the courts of another state, or arbitration in another state, is voidable by a party.

S.B. 1215 (Hughes) – Construction Defects: this bill is somewhat unclear as to its application. It would presumably apply to a construction project owned by a city, and it would provide that: (1) a contractor is not responsible for the consequences of defects in, and may not warranty the accuracy, adequacy, sufficiency, or suitability of, plans, specifications, or other design or bid documents provided to the contractor by: (a) the person with whom the contractor has entered into the contract; or (b) another person on behalf of the person with whom the contractor has entered into the contract; and (2) a person may not waive the bill’s requirements by any means.

S.B. 1289 (Creighton) – U.S. Steel: this bill is the same as H.B. 2780, above.

S.B. 2233 (Taylor) – Procurement: would provide that: (1) a purchasing cooperative shall maintain an Internet website with a continually updated list of purchases made through the
cooperative or through agreements that must include for each purchase: (a) the name of the purchaser; (b) the name of the vendor; (c) the amount of the purchase; (d) the date of the purchase; and (e) the fees paid to the cooperative or managing entity; (2) a local government may not enter into a contract to purchase construction-related goods or services through a purchasing cooperative in an amount greater than $50,000 unless the purchase is approved by the governing body of the local government at a public meeting and other conditions in current law are met; (3) the current laws relating to construction procurement may be enforced through an action for declaratory or injunctive relief filed not later than the 10th business day after the date on which the contract bid evaluations are made public; and (4) an economic development corporation is subject to the same construction procurement laws as a city. (Companion bill is H.B. 3020 by Cyrier.)

Elections

H.B. 48 (Romero) – Elections: would provide that, in accordance with rules adopted by the secretary of state, an application for a ballot to be voted by mail may be completed electronically on a device capable of capturing a voter’s signature and allowing the voter to complete an electronic form, and delivered to the early voting clerk.

H.B. 70 (Minjarez) – Voter Registration: would require the voter registrar of each county to automatically register any county resident who is eligible to vote and: (1) is issued a Texas driver’s license or a personal identification card by the Department of Public Safety (DPS); or (2) makes a change to a Texas driver’s license or personal identification card issued by DPS.

H.B. 80 (Alvarado) – Voter Registration: would require the secretary of state to implement a program to allow a person who has an unexpired Texas driver’s license or personal identification card to complete an electronic voter registration application over the Internet.

H.B. 143 (Israel) – Voter Registration: would require the secretary of state to implement a program to allow a person who has an unexpired Texas driver’s license or personal identification card to complete an electronic voter registration application over the Internet.

H.B. 159 (Dutton) – Voter Registration: would require a voter registrar to adopt procedures to allow a person to complete an electronic voter registration application over the Internet.

H.B. 163 (Dutton) – Early Voting by Mail: would, among other things, authorize early voting by mail for any qualified voter and provide for implementing procedures.

H.B. 199 (Bernal) – Countywide Polling Place: would authorize the secretary of state to select any county to participate in the countywide polling place program.

H.B. 204 (Bell) – Elections: would, among other things, authorize the secretary of state to establish rules governing the issuance of a certified notice to voters on election day that a candidate whose name is printed on the ballot has withdrawn, died, or been declared ineligible.
H.B. 273 (Gonzales) – Ballot Propositions: would require each proposition on the ballot to identify the name of the authority ordering the election on the measure and assign a number to the measure that corresponds to the order in which it is placed on the ballot.

H.B. 288 (Keough) – Early Voting: would provide that: (1) except as provided by (2), the period for early voting by personal appearance begins on the 10th day before election day and continues through the second day before election day; (2) for an election held on the May uniform election date and any resulting runoff election, the period for early voting by personal appearance begins on the seventh day before election day and continues through the second day before election day; (3) in a county with a population of 100,000 or more, early voting by personal appearance in a primary election or the general election for state and county officers shall be conducted at the main early voting polling place for at least 12 hours on each weekday of the early voting period; and (4) in an election ordered by a city, early voting by personal appearance at the main early voting polling place shall be conducted for at least 12 hours on one weekday (as opposed to potentially 12 hours on two weekdays under current law if the early voting period consists of six or more weekdays).

H.B. 365 (Springer) – Uniform Election Date: would require the secretary of state to conduct a study regarding the feasibility of implementing a single uniform election date held in November.

H.B. 384 (Murphy) – Voter Identification: would: (1) require each voter registration certificate issued by the state to contain a photograph of the voter to whom the certificate is issued; (2) require the secretary of state to establish methods to obtain a photograph of each registered voter for use on the voter’s voter registration certificate, which includes requiring the secretary of state to enter into agreements with the Department of Public Safety and other state agencies for assistance with assigning photographs to the appropriate voter’s voter registration certificate; and (3) provide that a voter’s voter registration certificate containing the voter’s photograph is an acceptable form of photo identification for voting purposes.

H.B. 389 (Murphy) – Voter Registration: would: (1) provide that a person’s residence, for purposes of registering to vote, is established at the first residence address in the following list that is applicable to the person: (a) the address stated on the person’s driver’s license; (b) the address stated on the person’s personal identification card; (c) the address stated on a license to carry a concealed handgun; (d) the address where the person receives mail; (e) the address the person claims as a homestead; or (f) the registration address of a vehicle the person owns; (2) authorize a person who has no address to establish residence by executing an affidavit and filing it with the secretary of state; and (3) except from the provisions in (1) and (2), above: (a) a member of the armed forces; (b) a person enrolled as a full time student at an institution of higher education; (c) a person whose address is confidential as a crime victim; (d) a federal judge, state judge, or spouse of a federal judge or state judge whose driver’s license includes the street address of a courthouse; and (e) a peace officer whose driver’s license omits the officer’s actual residence address.

H.B. 450 (Fallon) – Cell Phones: would allow a person who is occupying a voting station to use a mobile phone to access information that was downloaded or created on the phone before the person entered the polling place.
H.B. 469 (E. Johnson) – Voter Registration: would: (1) require two voter registrars to be present at each polling place while the polls are open; (2) provide that a person who would be eligible to vote in an election but for the requirement to be a registered voter shall be accepted for voting in the precinct of the person’s residence if, on the day the person offers to vote, the person submits a voter registration application and acceptable proof of identification; (3) require that persons voting under (2) be processed separately at the polling place from persons voting under regular procedures; and (4) require the secretary of state to adopt rules to ensure the accountability of election officers and to fairly implement same-day voter registration procedures.

H.B. 529 (Schofield) – Voter Identification: would provide that a person 70 years of age or older may use an acceptable form of identification that has expired for the purposes of voting if the identification is otherwise valid.

H.B. 532 (Schofield) – Local Debt: would prohibit a political subdivision from issuing a public security to purchase or lease tangible personal property if the expected useful life of the property ends before the maturity date of the public security.

H.B. 533 (Schofield) – Primary Runoff Election Date: would: (1) provide that the primary runoff election date for non-federal partisan offices is the second Tuesday in April following the general primary election; and (2) provide that the primary runoff election date for an election for federal office is the fourth Tuesday in May following the general primary election.

H.B. 534 (Schofield) – Voter Assistance: would: (1) require a person providing assistance to a voter to be a registered voter of the county in which the election is being held; (2) require a person providing assistance to voter to provide photo identification to an election officer; and (3) make it a Class A misdemeanor for a person, other than an election officer, to solicit voters to provide voting assistance, including assistance provided during early voting.

H.B. 658 (Bernal) – Priority Voting for Voters with Impaired Mobility: would: (1) allow an election officer to accept a person with a mobility problem that substantially impairs a person’s ability to ambulate who is offering to vote before accepting others offering to vote at the polling place who arrived before the person; and (2) require that notice of the priority given to persons with a mobility problem that substantially impedes a person’s ability to ambulate be posted: (a) at one or more locations in each polling place where it can be read by persons waiting to vote; (b) on the secretary of state’s website; and (c) each internet website relating to elections maintained by a county.

H.B. 672 (E. Johnson) – Voter Identification: would provide that a student identification card issued by a public, private, or independent institution of higher education that contains the person’s photograph is an acceptable form of photo identification for voting.

H.B. 675 (Fallon) – Early Voting at Temporary Branch Polling Place: would provide that: (1) in an election in which the authority ordering the election has established at least five temporary branch polling places in the territory served by the early voting clerk, early voting by
personal appearance at no less than 80 percent of the temporary branch polling places shall be conducted on the same days and during the same hours as voting is conducted at the main early voting polling place; (2) for all other elections, early voting by personal appearance at a temporary branch polling place may be conducted on any one or more days and during any hours of the period for early voting by personal appearance, as determined by the authority establishing the branch; and (3) the authority authorized to order early voting on a Saturday or Sunday may order such voting at any temporary branch polling place that is not required to conduct voting on the same days and during the same hours as voting is conducted at the main early voting polling place under (2).

**H.B. 907 (Shaheen) – Petitions:** would: (1) require the Texas Secretary of State (SOS) to prescribe the form, content, and procedure for a petition authorized or required to be filed under a law outside the Election Code in connection with an election; and (2) prohibit an authority (including a city) from accepting a petition that does not follow the official form prescribed by the SOS.

**H.B. 929 (Miller) – Voting by Mail:** would: (1) require that a marked ballot voted by mail that arrives after the time the polls are required to close on election day be counted if: (a) the ballot was cast from an address outside the United States; (b) the carrier envelope was placed for delivery before the time the polls are required to close on election day; and (c) the ballot arrives at the address on the carrier envelope not later than the eighth day after the date of the election, unless that date falls on a Saturday, Sunday, or legal state or national holiday, in which case the deadline is extended to the next regular business day; and (2) require that a marked ballot voted by mail that arrives after the time the polls are required to close on election day be counted if: (a) balloting materials are sent by the early voting clerk after the deadline prescribed by law; and (b) the ballot arrives at the address on the carrier envelope not later than the eighth day after the date of the election, unless that date falls on a Saturday, Sunday, or legal state or national holiday, in which case the deadline is extended to the next regular business day.

**H.B. 952 (J. Rodriguez) – Vote by Mail Application:** would: (1) provide that the officially prescribed application form for an early voting ballot must include, among other things, a space for entering an applicant’s email address; (2) require the early voting clerk, before rejecting an application for a ballot to be voted by mail, to make a reasonable effort to contact the applicant by e-mail, at any address provided on the application, to ask questions about the application; (3) provide that if the early voting clerk does not receive a response before the fourth day after the date the clerk tries to contact an applicant as described in (2), the clerk may reject the application; (3) authorize an applicant for an application for a ballot to be voted by mail to make clerical corrections to the application by email; (4) require the early voting clerk to attach to and maintain with the original application submissions and corrections provided by email; and (5) provide that an applicant may not change the address or county of residence submitted on the original application to a different address or county of residence by email.

**H.B. 955 (J. Rodriguez) – Voter Registration:** would, among other things, provide that: (1) an election officer serving a polling place for early voting by personal appearance is a deputy voter registrar and has the same authority as a regular deputy registrar; (2) a person who would be eligible to vote in an election but for the requirement to be a registered voter shall be accepted
for voting in the precinct of the person’s residence if the person: (a) submits a voter registration application; (b) presents sufficient proof of identification; and (c) completes and signs a voter registration affidavit, in a form prescribed by the secretary of state, that contains an oath certifying that the person only cast one ballot in the election; (3) persons voting under (2) shall be processed separately at the polling place from persons who are voting under regular procedures; and (4) the secretary of state shall prescribe the procedures necessary to implement this section and to ensure the proper and orderly conduct of elections.

H.B. 956 (Ortega) – Early Voting by Mail: would, among many other things, authorize early voting by mail for any qualified voter and provide for implementing procedures. (Companion bill is S.B. 426 by Rodriguez.)

H.B. 962 (Arevalo) – Voter Registration: would require the secretary of state to conduct a study to consider the feasibility of creating an entirely electronic process for overseas military personnel eligible for early voting by mail to: (1) register to vote; and (2) request an early voting ballot to be voted by mail.

H.B. 998 (Alvarado) – Campaign Finance Reports: would make electronic information temporarily stored as part of the preparation of campaign finance reports filed with the city clerk confidential.

H.B. 1001 (Israel) – Local Canvass: would require the presiding officer of the canvassing authority to note the completion of the canvass in the written minutes or recording of the meeting.

H.B. 1002 (Israel) – Voter Registration: would: (1) require the Department of Public Safety to issue a transaction receipt to each qualifying applicant for a driver’s license or personal identification certificate who completes a voter registration application; (2) provide that a person who votes a provisional ballot solely because the person’s name was not on the list of registered voters for the precinct in which the person voted may present a voter registration receipt issued under (1) as proof that the person is registered to vote in the precinct; (3) require an election officer to attach the receipt to the envelope containing the person’s provisional ballot; and (4) provide that a voter registration receipt indicating the voter registered in the precinct in which the voter voted that is attached to the envelope containing a provisional ballot or presented to the voter registrar is proof that a person who voted a provisional ballot solely because the person’s name was not on the list of registered voters for the precinct in which the person voted is eligible to vote in the election.

H.B. 1005 (Israel) – Voter Identification: would, among other things, provide that a voter must only present a voter registration certificate in order to vote, and no form of photo identification.

H.B. 1006 (Alonzo) – Voter Registration: would provide that a person who would be eligible to vote in an election, but who is not registered, shall be accepted for voting in the precinct of the person's residence if, on the day the person offers to vote, the person submits a voter registration application and presents proof of identification that establishes the person’s residence.
H.B. 1077 (Cyrier) – Federal Postcard Applications: would: (1) provide that a person who indicates on a federal postcard application that the person is a U.S. citizen residing outside the U.S. indefinitely is entitled to vote a full ballot if the person is otherwise eligible to vote and is a registered voter at the address contained on the application; and (2) require the early voting clerk to provide notice to a person who indicates on a federal postcard application that the person is a U.S. citizen residing outside the U.S. indefinitely, other than a voter described by (1), that as a result of the person’s indication, the person is only eligible to vote a ballot for federal offices.

H.B. 1130 (Turner) – Voter Identification: would require the secretary of state to conduct a study on the implementation of voter identification legislation, including: (1) the cost of implementation; (2) additional requirements for election workers to accept a voter; (3) the amount of time needed to accept a voter at the polling place; and (4) training, if any, provided to election workers at the county and precinct levels.

H.B. 1149 (S. Davis) – Election Notice: would provide that, if notice of an election is given by publishing the notice in a new newspaper, the notice may provide the address of a website that lists the location of each polling place in lieu of stating the location of each polling place.

H.B. 1151 (Schofield) – Early Voting by Mail: would: (1) provide that a marked ballot voted by mail must, if the carrier envelope was placed for delivery by mail or common or contract carrier before election day, arrive at the address on the carrier envelope no later than 5 p.m. on the day after election day; (2) provide that, if the deadline for the arrival of the ballot voted by mail falls on a Saturday, Sunday, or legal state or national holiday, the deadline is extended to the next regular business day; and (3) eliminate the requirement that a marked ballot voted by mail must be sent from an address outside the United States in order to be counted if submitted after the deadline.

H.B. 1173 (Nevarez) – Voter Identification: would provide that an official Native American tribal document that contains the person’s photograph and is issued by a tribe that is federally recognized and located in this state is an acceptable form of identification for voting.

H.B. 1185 (Fallon) – Term Limits: would authorize the governing body of a general law city to order an election to impose term limits.

H.B. 1213 (Nevarez) – Voter Identification: would provide that a valid identification card issued by a tribal organization that contains the person’s photograph is an acceptable form of identification for voting.

H.B. 1262 (Villalba) – Polling Place: would provide that: (1) if a building selected for a polling place is a school, the entity that owns or controls the building may deny the authority holding the election use of the building as a polling place if it can demonstrate that the use is reasonably likely to result in unsecured access to students on the building’s campus; and (2) item (1) does not apply if classes are suspended during the time the building is in use as a polling place.

H.B. 1271 (Lang) – Uniform Election Date: would, among other things: (1) eliminate the May uniform election date; (2) establish a uniform election date on the first Tuesday in March in an
even-numbered year, which is the primary election date; (3) require an election for the issuance of bonds by a political subdivision to be held on a uniform election date; and (4) require the governing body of a political subdivision that currently holds its general election for officers on the May uniform election date to change the date on which it holds its general election for officers to the November uniform election date by not later than December 31, 2017.

**H.B. 1305 (R. Anderson) – Election Records**: would require an authority preserving election records to store the records of each precinct separately in the order in which the records are received.

**H.B. 1307 (S. Thompson) – Voter Registration**: would provide that a person who has been convicted of a felony can register to vote if the person has: (1) completed any term of incarceration or community supervision, or completed a period of probation ordered by any court; (2) served at least 10 consecutive years of parole or mandatory supervision; or (3) been pardoned or otherwise released from the resulting disability to vote.

**H.B. 1360 (Shaheen) – Mechanical or Electronic Device**: would provide that a person may not use any mechanical or electronic means to record images or sound within 100 feet of a voting station except that a person occupying a voting station may use a mechanical or electronic device to photograph the person’s completed ballot.

**H.B. 1452 (Blanco) – Election Cyber Attack Study**: would provide that the secretary of state shall conduct a study regarding cyber attacks on election infrastructure, including: (1) an investigation of vulnerabilities and risks for a cyber attack against voting system machines, the list of registered voters, and election administrators’ websites; (2) information on any attempted cyber attack on voting system machines, the list of registered voters, and election administrator’s websites; and (3) recommendations for protecting voting system machines, the list of registered voters, and election administrators’ websites from a cyber attack.

**H.B. 1462 (G. Bonnen) – Temporary Branch Polling Places**: would, among other things: (1) provide that, in any election, the location of a temporary branch polling place and each voting station located in the polling place shall be fixed at one place for the duration of the early voting period; and (2) provide that early voting by personal appearance at each temporary branch polling place shall be conducted on the days that voting is required to be conducted at the main early voting polling place and remain open for at least: (a) eight hours each day; or (b) three hours each day if the city or county clerk does not serve as the early voting clerk for the territory holding the election and the territory has fewer than 1,000 registered voters.

**H.B. 1511 (Thierry) – Election Notification**: would: (1) provide that the Texas Department of Transportation in cooperation with local governments shall actively manage a system of changeable message signs located on highways under the jurisdiction of the department to provide information regarding the date of an election held statewide and the associated voter registration deadline for the election; (2) require the Texas Department of Transportation, in consultation with the secretary of state, to establish a plan to provide the information described by (1) using the system of changeable message signs; (3) require the information described by (1) to be posted on the system in English and Spanish for the following periods: (a) two days before voting begins in
the election through the end of election day; and (b) two days before the deadline for voter registration through the end of the last day of voter registration for the election; and (4) provide that the plan established under (2) must also require that the information described by (1) not be posted on a changeable message sign if the posting would interfere with another safety or emergency alert.

H.B. 1576 (Schofield) – Temporary Branch Early Voting Polling Places: would provide that, in a county with a population of 400,000 or more, the location of a movable temporary branch early voting polling place may be changed only: (1) once during the early voting period; and (2) after at least half of the early voting period has concluded.

H.B. 1595 (Bohac) – Voting by Mail: would provide that the balloting materials for voting by mail shall be mailed to a voter entitled to vote by mail not later than the seventh calendar day after the later of the date the clerk accepts the voter’s application for a ballot to be voted by mail or the date the ballots become available for mailing, except that if the mailing date for balloting materials is earlier than the 45th day before election day, the balloting materials shall be mailed not later than the 30th day before election day.

H.B. 1661 (Phelan) – Candidate Withdrawal: would: (1) provide that the authority responsible for preparing the official election ballot may make a certification of unopposed status following the filing of a withdrawal request by a candidate after the deadline if: (a) the withdrawal request is valid except for the untimely filing; (b) ballots for the election have not been prepared; and (c) the conditions for certification are otherwise met; (2) require that a certification under (1) be delivered to the governing body of the political subdivision as soon as possible; and (3) provide that, if a candidate files a withdrawal request after the deadline and the candidate complies with each requirement except that the candidate’s filing to withdraw is untimely, the authority responsible for preparing the ballots may choose to omit the candidate from the ballot if the ballots have not been prepared at the time the candidate files the withdrawal request.

H.B. 1681 (Miller) – Acceptance of Voter: would provide that a voter who provides an acceptable form of photo identification, but whose name is not on the list of registered voters for the precinct, may be accepted for provisional voting only.

H.B. 1683 (Fallon) – Early Voting: would: (1) shorten the period for early voting by personal appearance on the November uniform election date to the 10th day before election day through the fourth day before election day, except as otherwise provided by state law; (2) for an election ordered by a city, reduce the time that early voting by personal appearance at the main early voting place must be conducted to at least 12 hours on only one weekday (instead of 12 hours on two weekdays under certain circumstances); and (3) provide that the authority ordering an election may order early voting by personal appearance at the main early voting polling place to be conducted on a Saturday or Sunday during the early voting period.

H.B. 1702 (Paul) – Early Voting by Mail: would provide that an early voting ballot application must include, for an application for a ballot to be voted by mail on the ground of age, the applicant’s date of birth.
H.B. 1711 (Hefner) – Direct Recording Electronic Voting Machines: would: (1) prohibit the use of an electronic voting machine in an election unless the machine: (a) has been certified or otherwise approved by means of qualification testing by a nationally recognized test laboratory; (b) meets certain voluntary standards developed and adopted by the Federal Election Commission, the Election Assistance Commission, or the National Institute of Standards and Technology; and (c) creates a contemporaneous auditable paper record copy of each electronic ballot that allows a voter to confirm the choices the voter made through both a visual and a non-visual method; (2) require an election authority using electronic voting machines to submit: (a) at the request of the secretary of state, complete documentation relating to all hardware, software, and firmware components for the system, as well as all documents relating to the federal qualification process; (b) a physical security plan for the system to the secretary of state not later than 90 days before a system using electronic voting machines will be used in an election; and (c) a list of all changes and modifications to the system, a training plan, and a communication plan explaining how election officers at each polling place will communicate on election day to the secretary of state not later than 46 days before a system using electronic voting machines will be used in an election; and (3) provide notice of the penalties for tampering with an electronic voting machine in each language used at a polling place at which an electronic voting machine is used for voting. (Companion bill is S.B. 829 by Hughes.)

H.B. 1735 (Faircloth) – Election Officers: would, among other things: (1) require a member of the early voting ballot board to repeat aloud a specific oath before performing any duties as a member; (2) provide that each member of the early voting ballot board shall be issued a form of identification, prescribed by the secretary of state, to be displayed by the member during the member’s hours of service on the board; (3) authorize a county elections officer who determines that a ballot was incorrectly rejected by the early voting ballot board before the time set for convening the canvassing authority to petition a district court for injunctive or other relief as the court determines appropriate; (4) require a central counting station officer to repeat a specific oath aloud before performing any duties as a member; and (5) provide that each election officer shall be issued a form of identification, prescribed by the secretary of state, to be displayed by the officer during the officer’s hours of service at the central counting station.

H.B. 1736 (Faircloth) – Early Voting Records: would provide that: (1) an application for an annual ballot by mail is not available for public inspection before the first business day after the latest occurring election held by the authority to which the application was submitted in the calendar year for which the application was submitted; and (2) information on the roster for a person to whom an early voting mail ballot has been sent is not available for public inspection, except to the voter seeking to verify that the information pertaining to the voter is accurate, until the first business day after the election day of the latest occurring election for which the application is submitted.

H.B. 1797 (Shaheen) – Voter Assistance: would provide that a person who assists an applicant in completing an early voting ballot application commits an offense if the person knowingly fails to formally acknowledge assisting the voter, regardless of whether the person assists in the presence of the applicant.
H.B. 1825 (Goldman) – Early Voting/County Precincts: would provide that: (1) early voting by personal appearance at a moveable polling place shall be conducted for at least eight hours on each day voting is conducted; (2) the location of a movable polling place may be changed only after the polling place has been open for at least two days of voting at its current location; and (3) cities must use county election precincts for all elections.

H.B. 1873 (S. Thompson) – Early Voting Ballot Board: would, among other things, require an early voting ballot board to deliver to the early voting clerk any early voting applications included in a carrier envelope with a ballot voted in an election held on the November uniform election date regardless of whether the ballot is accepted.

H.B. 1887 (Romero) – Election Interpreters: would: (1) allow an interpreter to be appointed by an election officer if the voter has not selected an interpreter; (2) provide that a voting interpreter may be any person other than the voter’s employer, an agent of the voter’s employer, or an officer or agent of a labor union to which the voter belongs; and (3) provide that, if appointed to serve as an interpreter by an election officer, an interpreter must be a registered voter of the county in which the voter needing the interpreter resides or a registered voter of an adjacent county. (Companion bill is S.B. 148 by Garcia.)

H.B. 1888 (Romero) – Election Interpreters: would: (1) allow an interpreter to be appointed by an election officer if the voter has not selected an interpreter; (2) provide that a voting interpreter may be any person other than the voter’s employer, an agent of the voter’s employer, or an officer or agent of a labor union to which the voter belongs; and (3) provide that if appointed to serve as an interpreter by an election officer, an interpreter must be a registered voter of the county in which the voter needing the interpreter resides or a registered voter of an adjacent county. (Companion bill is S.B. 148 by Garcia.)

H.B. 1933 (Springer) – Uniform Election Dates: would: (1) provide that a general election held by a political subdivision other than a county may be held on the first Tuesday in March; and (2) eliminate the exception allowing other statutes to designate election days other than the uniform dates in May and November. (Companion bill is S.B. 363 by Perry.)

H.B. 1955 (Reynolds) – Voter Registration: would require the secretary of state to implement a program to allow a person who has an unexpired Texas driver’s license or personal identification card to complete an electronic voter registration application over the Internet.

H.B. 1991 (Israel) – Voter Residency: would provide that a statement of residence submitted to an election officer at a polling place does not need to be signed by the applicant.

H.B. 2000 (Israel) – Voting System Grants: would establish a voting system fund and authorize a city or county to apply to the secretary of state for a grant to replace voting system equipment.

H.B. 2138 (Shaheen) – Poll Watcher: would provide that a person is ineligible to serve as a poll watcher in an election if the person has been finally convicted of a felony.
H.B. 2139 (Schofield) – Election Fraud: would provide, among other things, that a person commits an offense, if, with the intent to establish, maintain, or participate in a vote harvesting organization, the person commits or conspires to commit certain Texas Election Code offenses.

H.B. 2157 (Miller) – Candidate Applications: would provide that: (1) a candidate’s application for a place on the ballot must be sworn to before a person authorized to administer oaths in Texas; and (2) each part of a petition must include an affidavit of the person who circulated it which must be executed before a person authorized to administer oaths in Texas.

H.B. 2178 (Shaheen) – Poll Watchers: would provide that a poll watcher: (1) is entitled to be present at the voting station when a voter is being assisted by an election officer or by a person of the voter’s choice; and (2) may not be present at the voting station when a voter is preparing the voter’s ballot.

H.B. 2201 (Vo) – Voting: would provide that a person commits an offense if, with respect to another person over whom the person has authority in the scope of employment, the person knowingly: (1) refuses to permit the other person to be absent from work on election day or while early voting is in progress for the purpose of attending the polls to vote; or (2) subjects or threatens to subject the other person to a penalty for attending the polls on election day or while early voting is in progress to vote.

H.B. 2202 (Vo) – Voter Identification: would provide that the following are acceptable forms of photo identification for voting: (1) a student identification card issued by a public institution of higher education located in this state that contains the person’s photograph; and (2) an identification card issued by a state agency of this state that contains the person’s photograph. (Companion bill is S.B. 284 by Watson.)

H.B. 2219 (Lozano) – Economic Development: would provide that a water desalination project is eligible for a limitation on appraised value for school tax purposes under Chapter 313 of the Tax Code.

H.B. 2270 (Paul) – Election Officers: would: (1) require a member of the early voting ballot board to repeat aloud a specific oath before performing any duties as a member; (2) provide that each member of the early voting ballot board shall be issued a form of identification, prescribed by the secretary of state, to be displayed by the member during the member’s hours of service on the board; (3) require a central counting station officer to repeat a specific oath aloud before performing any duties as a member; (4) provide that each election officer shall be issued a form of identification, prescribed by the secretary of state, to be displayed by the officer during the officer’s hours of service at the central counting station; (5) provide that to be eligible for appointment as an assistant to the tabulation supervisor, a person must be a registered voter of the political subdivision served by the authority establishing the counting station or an employee of the political subdivision that adopts or owns the voting system; and (6) require the plan for counting station operation to be available to the public on request not later than 5 p.m. on the fifth day before the date of the election.
H.B. 2311 (Miller) – Application for Ballot by Mail: would provide that: (1) an application for a ballot to be voted by mail may indicate a change of residence address; and (2) if a voter includes a change of residence address in the voter’s application, the early voting clerk shall notify the appropriate voter registrars of the change.

H.B. 2323 (Israel) – Special Election to Fill Vacancy: would: (1) clarify that, for a special election to be held on the date of the general election for state and county officers, the filing deadline is 5 p.m. of the 75th day before election day; and (2) require that a declaration of write-in candidacy for a special election must be filed not later than: (a) 5 p.m. of the 62nd day before election day, if election day is on or after the 70th day after the date the election is ordered; or (b) 5 p.m. of the 40th day before election day, if election day is on or after the 46th day and before the 70th day after the date the election is ordered.

H.B. 2325 (Israel) – Candidate Applications: would require that an official form for an application that a candidate is required to file include, among other things: (1) a space for the candidate’s public mailing address; and (2) a space for the candidate’s email address at which the candidate receives correspondence relating to the candidate’s campaign.

H.B. 2327 (Israel) – Candidate Application: would require a candidate’s application for a place on the ballot to include a public mailing address at which the candidate receives correspondence relating to the candidate’s campaign, if available.

H.B. 2391 (Swanson) – Runoff Ballot: would, among other things, provide that the order of the candidates’ names on the ballot of any resulting runoff election or election held to resolve a tie vote shall be in the relative order of names on the original election ballot.

H.B. 2411 (Israel) – Online Election Database: would: (1) require the secretary of state to post on the secretary of state’s Internet website a database containing information about each holder of and candidate for any elected office; (2) require the database to include the following information about a holder of elected office: (a) name; (b) office title, including any district, place, or position; (c) if the office is elected at large or by district; (d) the date of the previous and next election for the office; (e) a public mailing address; (f) a public telephone number, if available; and (g) a public email address, if available; (3) require the database to include the following information about a candidate for an elected office: (a) name; (b) office sought, including any district, place, or position; (c) if the office is elected at large or by district; (d) date of the election; (e) public mailing address; (f) public telephone number, if available; (g) public email address, if available; (h) name of the incumbent; and (i) if the candidate has filed as a write-in candidate; (4) require the authority with whom a declaration of candidacy is filed to provide information about a candidate or officeholder to the secretary of state; (4) provide that a candidate’s name may not be printed on the ballot until the candidate’s name appears on the secretary of state’s Internet database; and (5) require the authority with whom the application is filed to provide the secretary of state with the candidate’s information required for the secretary of state’s Internet database.

H.B. 2436 (Alonzo) – Voting Rights: would provide that a law of this state or a regulation, rule, order, ordinance, practice, or procedure of a political subdivision of this state may not be
enacted, adopted, or applied in a manner that results in the denial or abridgement of the right of an individual to vote on account of race, color, ethnicity, or membership in a language minority group. For purposes of the bill, an individual’s ethnicity includes the individual’s membership in a group that shares a common primary language.

H.B. 2452 (Reynolds) – Voter Identification: would, among other things, provide that a voter must present only a voter registration certificate in order to vote, rather than any form of photo identification. (Companion bill is H.B. 1005 by Israel.)

H.B. 2481 (P. King) – Voter Identification: would, among other things: (1) require the secretary of state to establish a program using mobile units to provide election identification certificates to voters; (2) provide that a mobile unit under (1) may be used at special events or at the request of a constituent group; (3) provide that, upon offering to vote, a voter must present to an election officer at the polling place: (a) one form of acceptable photo identification; or (b) one form of acceptable proof of identification accompanied by a declaration stating the voter has a reasonable impediment to meeting the requirement for providing photo identification; (4) provide that an election officer may not question the reasonableness of an impediment sworn to by a voter in a declaration; (5) provide that if the requirement for identification prescribed by (3)(b) is not met, an election officer must notify the voter that the voter may be accepted for voting if the voter meets the requirement for identification prescribed by (3)(b) and issues the declaration declaring that the voter has one of the following reasonable impediments to meeting the requirement for photo identification: (a) lack of transportation; (b) lack of birth certificate or other documents needed to obtain an acceptable form of photo identification; (c) work schedule; (d) lost or stolen identification; (e) disability or illness; (f) family responsibilities; or (g) an acceptable form of identification for voting has been applied for but not received; (6) provide that a person is subject to prosecution for perjury for a false statement or false information on the declaration; (7) provide that a person commits a third degree felony if the person knowingly makes a false statement on a declaration under (3)(b); (8) provide that the following documentation is acceptable as proof of identification for voting: (a) a government document showing the name and address of the voter, including the voter’s voter registration certificate; (b) one of the following documents that shows the name and address of a voter: (i) a copy of a current utility bill; (ii) a bank statement; (iii) a government check; or (iv) a paycheck; or (c) a certified copy of a domestic birth certificate or other document confirming birth that is admissible in a court of law and establishes the person’s identity; and (9) provide that a person 70 years of age or older may use a form of identification listed in (8) that has expired for the purposes of voting if the identification is otherwise valid. (Companion bill is S.B. 5 by Huffman.)

H.B. 2485 (Elkins) – Uniform Election Dates: would eliminate the first Saturday in May in an even-numbered year as a uniform election date.

H.B. 2554 (Shaheen) – Early Voting by Personal Appearance: would, among other things: (1) provide that a temporary branch early voting polling place may be located in a movable structure, but the structure may not change locations during the early voting period; (2) require that early voting by personal appearance at each permanent or temporary branch polling place be conducted on the same days and during the same hours as voting is conducted at the main early
voting polling place; and (3) require cities to use county election precincts for all elections. (Companion bill is S.B. 1717 by Hall.)

H.B. 2559 (Reynolds) – Annual Mail Ballot Applications: would provide that an annual mail ballot application is not available for public inspection before the first business day after the earliest occurring election held by the authority to which the application was submitted in the calendar year for which the application was submitted.

H.B 2676 (W. Thompson) – Voter Eligibility: would provide that a person on parole or released to mandatory supervision, other than a person required to register as a sex offender, is considered to have fully discharged the person’s sentence and will be eligible to register to vote and will be a qualified voter if the person: (1) was released on parole or to mandatory supervision not less than 10 years before the day the person offers to vote; and (2) has been released from supervision and reporting requirements.

H.B. 2691 (G. Bonnen) – Elections: would, among other things: (1) require the notice of appointment given to a presiding election judge or alternate election judge to contain any available telephone number and email address of the alternate judge or presiding judge; (2) provide that the countywide polling place program applies to any resulting runoff election for an election held on the uniform election date in May; and (3) eliminate the requirement of an election authority to furnish precinct boundary maps to an election judge.

H.B. 2699 (Neave) – Ballot Preparation: would provide that: (1) a candidate’s name shall be printed on the ballot with the given name or initials first, followed by a nickname, if any, followed by the surname, including any married name; and (2) a person may use any surname acquired by law or marriage.

H.B. 2701 (Hinojosa) – Early Voting by Mail: would provide that a person who is a permanent caretaker of a person who has a disability may apply to the early voting clerk to participate in early voting by mail.

H.B. 2720 (Shine) – Polling Place: would provide that a polling place may not be located at the residence or place of business of a person who is: (1) a candidate for an elective office; or (2) related within the third degree by consanguinity or the second degree by affinity to a candidate for elective office.

H.B. 2722 (Phillips) – Early Voting by Mail: would authorize a voter to apply for a ballot to be voted by mail on the grounds of employment hardship.

H.B. 2734 (Reynolds) – Elections: would, among other things: (1) provide that the countywide polling place program applies to any resulting runoff election for an election held on the uniform election date in May; and (2) eliminate the requirement of an election authority to furnish precinct boundary maps to an election judge.
H.B. 2815 (Oliverson) – Early Voting: would require early voting to take place at a residential care facility if five or more voters residing in the same residential care facility apply to vote early by mail on the grounds of age or disability.

H.B. 2834 (Blanco) – Polling Places: would require the secretary of state to prescribe procedures requiring each entity designating the location of a polling place, including an early voting polling place, to submit information on the location to the secretary of state for inclusion on the secretary of state’s website.

H.B. 2840 (Alonzo) – Early Voting by Personal Appearance: would, among other things, provide that in an election ordered by a city, early voting by personal appearance at the main early voting polling place shall be conducted from 7 a.m. until 7 p.m.

H.B. 2889 (Laubenberg) – Election Contests: would provide that the costs of an election may be assessed against the governmental or political entity the contestee represents.

H.B. 2919 (Sanford) – Candidates for Elective Office: would: (1) require that an applicant for a place on the ballot for a city office state with which party the candidate is aligned, or state that the candidate is not aligned with any party; and (2) allow a candidate for city office to declare a party affiliation, which must appear on the ballot next to the candidate’s name.

H.B. 2983 (Klick) – Voting Procedure: would: (1) require an election officer to ask a voter if the voter’s residence address on the precinct list of registered voters is current and whether the voter has changed residence, regardless if the voter has just changed residences within the county; (2) provide that if a voter’s address is not current because the voter has changed residence to a different county within 30 days of the date of election, the voter may vote, if otherwise eligible, in the election precinct in which the voter is registered; and (3) provide that in a joint election, if the voter’s address is not current because the voter has changed residence within the county, the voter may vote, if otherwise eligible, in the election precinct in which the voter is registered.

H.B. 2984 (Klick) – Voting Procedure: would, among other things, provide that a person may vote a limited ballot by personal appearance: (1) at any early voting polling place; or (2) at the discretion of the county clerk, on election day at: (i) a countywide polling place or the polling place located in the precinct of the new residence of the voter; or (ii) the clerk’s office or the location that served as the main early voting polling place.

H.B. 3060 (Hinojosa) – Early Voting by Mail: would require the signature verification committee, before deciding whether to accept or reject an early voting ballot voted by mail containing a defect, to immediately contact a voter or witness, as appropriate, to advise the voter or witness of any defect in the ballot and provide the person an opportunity to correct the defect.

H.B. 3068 (Reynolds) – Petition for Place on the Ballot: would, among other things: (1) provide that an electronic signature in connection with a candidate's application for a place on the ballot is valid; and (2) provide that a person circulating a petition described by (1) need not: (a) point out and read to each person signing the petition each statement pertaining to the signer
that appears on the petition; or (b) verify each signer’s registration status and ascertain that each registration number entered or the petition is correct.

**H.B. 3072 (E. Rodriguez) – Petition for Place on the Ballot:** would: (1) provide that a single notarized affidavit by any person who obtained signatures is valid for all signatures gathered by the person if the date of notarization is on or after the date of the last signature obtained by the person; and (2) provide that a petition may be corrected and additional signatures presented to the appropriate authority after it has been initially filed but not after the deadline for filing the petition.

**H.B. 3118 (Allen) – Early Voting by Mail:** would, among many other things, authorize early voting by mail for any qualified voter and provide for implementing procedures. (Companion bills are S.B. 426 by Rodriguez and H.B. 956 by Ortega.)

**H.B. 3328 (E. Rodriguez) – Voter Identification Education:** would provide that information relating to an expenditure of public money on voter identification education under the bill or under a court order relating to the voter identification requirements is subject to disclosure under the Public Information Act.

**H.B. 3332 (Kuempel) – Recall Elections, Ballot Propositions, and Petitions:** would allow a religious organization to make a political contribution in connection with a recall election and, with regard to ballot propositions, would:

1. require that a ballot proposition substantially submit a question with such definiteness and certainty that the voters are not misled;
2. provide that, not later than the seventh day after the date on which a home-rule city publishes ballot proposition language proposing an amendment to the city charter or another city law as requested by petition, a registered voter eligible to vote in the election may submit the proposition for review by the secretary of state (SOS);
3. require a city to draft a proposition to cure any misleading or inaccurate information identified by the SOS in (2) and give notice of the new proposition;
4. require, in an action in a district court seeking a writ of mandamus to compel the city to comply with (1), the court to make a determination without delay and authorize the court to: (a) order the city to use ballot proposition language drafted by the court; and (b) award a plaintiff who substantially prevails reasonable attorney’s fees, expenses, and court costs;
5. provide that, following a final judgment that a proposition failed to comply with (1), a city must submit to the SOS any proposition to be voted on at any election held by the city before the fourth anniversary of the court’s finding; and
6. require a city to pay fair market value for all legal services relating to a proceeding regarding ballot proposition language enforcement.

In addition, with regard to petitions, the bill would:

1. provide that a signature on a petition submitted to a home-rule city is valid if the information provided with the signature legibly provides enough information to
demonstrate that the signer is eligible to sign the petition and signed the petition on or after the 180th day before the date the petition was filed;
2. require the SOS to prescribe the form, content, and procedure for a petition and prohibit a home-rule city that uses a form different than the SOS form from invalidating a petition because it doesn’t contain information that the petition form failed to provide for or required to be provided;
3. require that the city secretary determine the validity of a petition, including by verifying the petition signatures, not later than the 30th day after the date the city receives the petition;
4. provide that, if the city secretary determines a petition is valid or fails to make a determination within the timeframe described in (3), the city must hold the election on the next uniform election date that allows sufficient time to comply with applicable provisions of law;
5. prohibit a city from restricting who may collect petition signatures; and
6. provide that (3) through (5) preempt home-rule charter procedures requiring the city council to hold an election on receipt of a petition; and
7. in regard to a charter amendment election petition: (a) provide that at least five percent of the registered voters of the city on the date of the most recent election held in the city or 20,000, whichever number is smaller, may submit a petition; and (b) require the notice of election include a substantial copy of the proposed amendment in which language sought to be deleted by the amendment is bracketed and stricken through and language sought to be added by the amendment is underlined.

(Companion bill is S.B. 488 by Bettencourt.)

H.B. 3371 (Miller) – Application for Mail Ballot: would: (1) provide that an application for a ballot to be voted by mail by an elderly or disabled voter that does not specify the election for which a ballot is requested, or is for more than one election, is considered to be an application for a ballot for each election, including any ensuing runoff, that occurs before the earlier of January 1 of the first odd-numbered year after the calendar year in which the application was submitted; and (2) provide that an application described by (1) that is submitted in the last 60 days of an even-numbered year is considered to be submitted in the following calendar year.

H.B. 3386 (Klick) – Election Records: would, among other things: (1) require precinct election records to be preserved by the authority to whom they are distributed for at least 36 months after election day; (2) require the general custodian of election records to preserve the test of tabulating materials for the period for preserving the precinct election records under (1); and (3) require the general custodian for election records to preserve a copy of the direct recording voting system’s software at a secure location that is outside the administrator’s and programming entity’s control for the period for preserving the precinct election records under (1).

H.B. 3415 (Shaheen) – Uniform Election Dates: would, among other things: (1) provide that the only uniform election date is the first Tuesday after the first Monday in November in an even-numbered year; (2) require an election for the issuance of bonds by a political subdivision to be held on the uniform election date; (3) require the governing body of a political subdivision that holds its general election for officers on a date other than the November uniform election
date in even-numbered years to change its election date to the uniform election date not later than December 31, 2017, in a manner that does not cause an officer’s term to exceed any applicable constitutional limits; and (4) require cities to use county election precincts for all elections.

**H.B. 3425 (Laubenberg) – Carrier Envelope**: would provide that a person commits a state jail felony if the person deposits in the mail or with a common or contract carrier more than two carrier envelopes containing ballots voted by other persons in an election.

**H.B. 3435 (Swanson) – Early Voting by Mail**: would authorize the signature verification committee to compare the signatures on each carrier envelope certificate with any two or more signatures of the voter made within the preceding six years and on file with the general custodian of election records or voter registrar to confirm that the signatures are those of the same person and may use the signatures to determine that the signatures are not those of the same person.

**H.B. 3464 (Schofield) – Early Voting**: would require early voting to take place at a residential care facility if a significant number of voters residing in the same residential care facility apply to vote early by mail on the grounds of age or disability.

**H.B. 3545 (Fallon) – Uniform Election Date**: would, among other things: (1) eliminate the May uniform election date; (2) establish a uniform election date on the first Tuesday in March in an even-numbered year, which is the primary election date; (3) require an election for the issuance of bonds by a political subdivision to be held on a uniform election date; and (4) require the governing body of a political subdivision that currently holds its general election for officers on the May uniform election date to change the date on which it holds its general election for officers to the November uniform election date by not later than December 31, 2017. (Companion bill is H.B. 1271 by Lang.)

**H.B. 3643 (Swanson) – Voter Assistance**: would provide that a person assisting a voter commits a state jail felony if the person assists a voter in a way that is not authorized by state law and does so three or more times in a single election.

**H.B. 3662 (Swanson) – Voter Acceptance**: would provide that: (1) after a voter is accepted, an election officer must indicate beside the voter’s name on the poll list the unique qualifying serial number provided by the county clerk or the voter registrar confirming the voter is currently registered; (2) an election officer commits an offense if the officer knowingly permits an ineligible person to vote; and (3) an election officer commits a state jail felony if the officer commits three or more offenses under (2).

**H.B. 3666 (Swanson) – Voter Identification**: would provide that: (1) an election officer may copy voter identification documentation presented by a voter or record information from the documentation; (2) an election officer may photograph the entire face of a voter who is accepted for voting if: (a) the documentation presented by a voter is not documentation issued by the Texas Department of Public Safety containing the person’s photograph; or (b) the election official questions the authenticity of the voter identification documentation, regardless of whether the documentation is issued by the Texas Department of Public Safety and contains the
person’s photograph; and (3) all information collected under (1) and (2) must be provided to the
secretary of state for election-related purposes.

H.B. 3686 (Swanson) – Voter Identification: would provide that: (1) for a voter who is not
accepted for voting due to inadequate voter identification, an election officer may, according to
the policy of the county in which the election officer serves, photograph the entire face of the
voter using secure equipment and software provided by the county election board, though the
photograph may not be used for the purposes of accepting a voter; (2) after a voter is accepted
who presents required documentation but is not on the precinct list of registered voters, the
election officer need not enter the voter’s name on the registration omissions list; (3) an election
officer commits an offense if the officer knowingly permits an ineligible person to vote; and (4)
an election officer commits a state jail felony if the officer commits three or more offenses under
(3).

H.B. 3688 (Swanson) – Polling Places: would: (1) provide that, if a school district is unable to
provide space for a polling place on the November uniform election date, the school district may
choose to designate the election date as a school holiday or staff development day; and (2)
require an entity that owns or controls a public building selected for a polling place to ensure that
the building has space designated that is large enough to accommodate the number of voting
booths and other election equipment and the staff necessary to conduct voting at the polling
place and provide an area where voters may vote privately.

H.B. 3912 (Kuempel) – Automatic Recounts: would require an automatic recount for an
election that results in: (1) a candidate defeated or eliminated by one-half of one percent or less
of the votes cast for that office; or (2) a measure submitted to voters for the approval of bonds
approved or defeated by one-half of one percent or less of the votes cast on that measure.

H.B. 3943 (Turner) – Voter Identification: would, among other things: (1) require the
secretary of state to establish a program using mobile units to provide election identification
certificates to voters; (2) provide that a mobile unit under (1) may be used at special events or at
the request of a constituent group; (3) require the county clerk to provide a location at the county
clerk’s office and at each subcourthouse located in the county for the Department of Public
Safety to issue an election identification certificate during regular business hours; (4) provide
that, upon offering to vote, a voter must present to an election officer at the polling place: (a) one
form of acceptable photo identification; or (b) one form of acceptable proof of identification
accompanied by a declaration of the voter’s identity; (5) prohibit an election officer from
refusing to accept documentation presented to meet the requirements of (4) solely because the
address on the documentation does not match the address on the list of registered voters; (6)
provide that if a voter does not meet the requirement for identification under (4)(a), an election
officer shall notify the voter that the voter may be accepted for voting if the voter meets the
requirement for identification in (4)(b) if the person executes a declaration under penalty of
perjury declaring the voter’s identity; (7) provide that the following documentation constitutes an
acceptable form of photo identification: (a) a driver’s license or personal identification card
issued to the person by the Department of Public Safety or the equivalent agency of another
state; (b) a United States military identification card that contains the person’s photograph; (c) a
United States citizenship certificate issued to the person that contains the person’s photograph;
(d) a United States passport issued to the person; (e) a license to carry a handgun issued to the person by the Department of Public Safety; (f) an election identification certificate issued to the person by the Department of Public Safety; (g) a valid identification card that contains the person’s photograph and is issued by: (i) an agency or institution of the federal government; or (ii) an agency, institution, or political subdivision of any state; (h) a photo identification card issued to the person by a city, county, or state governmental entity or the United States for the purpose of obtaining public benefits, including veteran’s benefits, Medicaid, or Medicare; (i) an official Native American tribal document that: (i) contains the person’s photograph; and (ii) is issued by a tribe that is federally recognized; (j) a student identification card issued by an institution of higher education or a private or independent institution of higher education that contains the person’s photograph; or (k) a United States Department of Veterans Affairs identification card, including a Veteran Health Identification Card, that contains the person’s photograph; (8) provide that the following documentation is acceptable as proof of identification for voting: (a) a government document showing the name and address of the voter, including the voter’s voter registration certificate; (b) one of the following documents that shows the name and address of a voter: (i) a copy of a current utility bill; (ii) a bank statement; (iii) a government check; or (iv) a paycheck; or (c) a certified copy of a domestic birth certificate or other document confirming birth that is admissible in a court of law and establishes the person’s identity; (9) provide that a person 70 years of age or older may use a form of identification listed in (7) that has expired for the purposes of voting if the identification is otherwise valid; and (10) provide that except as provided by (9), a form of acceptable identification listed in (7) that has not expired or expired not earlier than four years before the date of presentation may be used as an acceptable form of photo identification if the identification is otherwise valid.

H.B. 3981 (Schofield) – Voter Information: would require that any form completed by a voter and provided to an election officer shall include: (1) the voter’s name, address, date of birth, and voter unique identifier (if available); and (2) the number from either a driver’s license, election identification certificate, or personal identification card issued to the person by the Department of Public Safety or last four digits of the person’s social security number. (Companion bill is S.B. 1905 by Bettencourt.)

H.B. 3994 (Fallon) – Joint Elections: would: (1) require the governing body of a political subdivision to request an election services contract with the county elections administrator to perform all duties and functions of the political subdivision; (2) provide that, if the elections ordered by the authorities of two or more political subdivisions are to be held on the same day in all or part of the same county, the governing bodies of the political subdivisions must enter into an agreement to hold the elections jointly in the election precincts that can be served by common polling places; (3) provide that if an election ordered by the governor and the elections ordered by the authorities of one or more political subdivisions are to be held on the same day in all or part of the same county, the commissioners court of a county in which the election ordered by the governor is to be held and the governing bodies of the other political subdivisions must enter into an agreement to hold the elections jointly in the election precincts that can be served by common polling places; (4) require a regular county polling place to be used for a common polling place in a joint election; (5) provide that where possible, a single ballot containing all the offices or propositions stating measures to be voted on at a particular polling place shall be used in a joint election; and (6) require cities to use county election precincts for all elections.
H.B. 4034 (Bohac) – Voter Information: would provide that, if an applicant provides a date of birth, driver’s license number, or social security number on the applicant’s application for an early voting ballot to be voted by mail or federal postcard application that is different from or in addition to the information maintained by the voter registrar, the early voting clerk shall notify the voter registrar.

H.B. 4131 (Fallon) – Voter Assistance: would, among other things: (1) provide that, to be eligible to serve as an interpreter for the purpose of communicating with an election officer, a person must be a registered voter in this state; (2) provide that an election officer commits a Class A misdemeanor if the officer knowingly permits an unlawful vote or ineligible ballot to be cast in a manner that will be counted; (3) provide that an election officer commits a Class A misdemeanor if the election officer knowingly allows a voter who is ineligible for assistance receive assistance; (4) prohibit a voter from being assisted by: (a) a candidate for office; (b) a person previously convicted of an election-related offense; or (c) a person who is not an election judge or clerk and who receives or is offered or promised compensation for assisting voters; (5) provide that before a person other than an election officer provides assistance to a voter, the person must complete, sign, and submit a voter assistance affidavit, and an election officer must review the affidavit form and confirm that the form is complete and the assisting person is eligible to assist the voter; (6) provide that an election officer commits a Class A misdemeanor if the officer knowingly fails to comply with (5); and (7) require a presiding election judge to, not later than the 10th day after election day, deliver written notice to the attorney general, including certified copies of the carrier envelope and corresponding ballot application of any ballot rejected because: (a) the voter was deceased; (b) the voter already voted in person in the same election; (c) the signatures on the carrier envelope and ballot application were not executed by the same person; (d) the carrier envelope certificate lacked a witness signature; or (e) the carrier envelope certificate was improperly executed by an assistant.

H.B. 4133 (Fallon) – Election-Related Offenses: would, among other things: (1) provide that a person commits an offense if a person intentionally destroys or causes the destruction of election records required to be preserved under state law; (2) provide that a person commits an offense if the person copies or otherwise records certain voter information obtained from a registration application; and (3) require the precinct election records to be preserved by the authority to whom they are distributed for at least 12 months after election day in an election not involving a federal office.

H.B. 4134 (Fallon) – Election Fraud: would provide that: (1) a person commits an offense if, with the intent to establish, promote, maintain, benefit from, or participate in a vote harvesting organization, the person commits, attempts to commit, or conspires to commit one or more election-related offenses; and (2) a person who engages in, or intentionally or knowingly benefits from, organized election fraud activity is liable to a candidate or other person harmed by the activity.

H.B. 4180 (Coleman) – County Election Services: would, among other things: (1) provide that a county election officer may set a deadline for the submission of a request to enter into a contract to perform election services; and (2) make it optional (it is currently mandatory) for a
county elections administrator to enter into a contract to furnish certain election services and allow the elections administrator to set a deadline for submitting a request to enter into a contract to provide election services.

**H.B. 4265 (Swanson) – Early Voting Period**: would provide that the period for early voting by personal appearance begins on the 15th day before election day and continues through the fourth day before election day.

**H.J.R. 109 (Burns) – Recall**: would amend the Texas Constitution to provide that the qualified voters may recall certain state, county, and special district elected officers from office if the officer is finally convicted of a felony. (Note: As drafted, the resolution does not impact city officials.)

**H.J.R. 112 (Cook) – Political Contributions and Expenditures**: would amend the Texas Constitution to require certain persons or groups report certain contributions and political expenditures.

**S.B. 5 (Huffman) – Voter Identification**: this bill is the same as **H.B. 2481**, above.

**S.B. 64 (Zaffirini) – Canvass of Elections**: would require the presiding officer of a canvassing authority to note the completion of the canvass in the minutes or in the recording required by the Open Meetings Act.

**S.B. 110 (Huffines) – Term Limits**: would provide that: (1) the governing body of a political subdivision shall adopt by January 1, 2018, a limit on the number of terms that a person may serve for each elected office of that subdivision; and (2) the term limit must ensure that a person may not serve longer than 12 years in an office, regardless of whether the person serves consecutive terms.

**S.B. 144 (Garcia) – Cell Phones**: would allow a person who is occupying a voting station to use a mobile phone to access information that was downloaded or created on the phone before the person entered the polling place.

**S.B. 148 (Garcia) – Election Interpreters**: would: (1) allow an interpreter to be appointed by an election officer if the voter has not selected an interpreter; (2) provide that if selected by the voter, an interpreter may be any person other than the voter’s employer, an agent of the voter’s employer, or an officer or agent of a labor union to which the voter belongs; and (3) provide that if appointed to serve as an interpreter by an election officer, an interpreter must be a registered voter of the county in which the voter needing the interpreter resides or a registered voter of an adjacent county.

**S.B. 153 (Bettencourt) – Voter Identification**: would provide that a person 70 years of age or older may use an acceptable form of identification that has expired for the purposes of voting if the identification is otherwise valid.
S.B. 167 (Rodriguez) – Voter Registration: would, among other things, provide: (1) that an election officer serving a polling place for early voting by personal appearance is a deputy voter registrar and has the same authority as a regular deputy registrar; (2) that a person who would be eligible to vote in an election but for the requirement to be a registered voter must be accepted during early voting by personal appearance for voting the ballot for the precinct of the person’s residence as shown by the identification presented if the person: (a) submits a voter registration application that complies with state law to an election officer at the polling place; and (b) presents as proof of residence: (i) a Texas driver’s license or personal identification card that states the person’s current address on the day the person seeks to vote; or (ii) a utility bill addressed to the person dated not earlier than the 30th day before the date the person seeks to vote along with one of several types of permissible identification; (3) that an election officer must make a copy of the proof of residence, attach it to the registration application, and return the original proof of residence to the voter; (4) that a person voting under (2), above, shall vote a provisional ballot; and (5) that the secretary of state may, by rule, designate additional documents that a person may offer to prove the person’s residence to register and vote.

S.B. 173 (Campbell) – Uniform Election Date: would eliminate the May uniform election date.

S.B. 230 (Menendez) – Countywide Polling Place: would authorize the secretary of state to select any county to participate in the countywide polling place program.

S.B. 231 (Menendez) – Voter Registration: would require the voter registrar of each county to automatically register any county resident who is eligible to vote and: (1) is issued a Texas driver’s license or a personal identification card by the Department of Public Safety (DPS); or (2) makes a change to a Texas driver’s license or personal identification card issued by DPS.

S.B. 232 (Menendez) – Voter Registration: would, among other things, provide: (1) that an election officer serving a polling place for early voting by personal appearance is a deputy voter registrar and has the same authority as a regular deputy registrar; (2) that a person who would be eligible to vote in an election but for the requirement to be a registered voter must be accepted during early voting by personal appearance for voting the ballot for the precinct of the person’s residence as shown by the identification presented if the person: (a) submits a voter registration application that complies with state law to an election officer at the polling place; and (b) presents as proof of residence a photo identification that states the person’s current address on the day the person seeks to vote; (3) that an election officer must return the original proof of residence to the voter; (4) that a person voting under (2), above, shall vote a provisional ballot; and (5) that the secretary of state may, by rule, designate additional documents that a person may offer to prove the person’s residence to register and vote.

S.B. 284 (Watson) – Voter Identification: would provide that the following are acceptable forms of photo identification for voting: (1) a student identification card issued by a public institution of higher education located in this state that contains the person’s photograph; and (2) an identification card issued by a state agency of this state that contains the person’s photograph.

S.B. 363 (Perry) – Uniform Election Dates: would: (1) provide that a general election held by a political subdivision other than a county may be held on the first Tuesday in March; and (2)
eliminate the exception allowing other statutes to designate election days other than the uniform dates in May and November.

**S.B. 405 (Hall) – Elections**: would, among other things: (1) shorten the period for early voting by personal appearance to the tenth day before election day through the fourth day before election day; (2) for an election ordered by a city, reduce the time that early voting by personal appearance at the main early voting place must be conducted to at least 12 hours on only one weekday (instead of 12 hours on two weekdays under certain circumstances); (3) provide that the authority ordering an election may order early voting by personal appearance at the main early voting polling place to be conducted on a Saturday or Sunday during the early voting period; (4) provide that a temporary branch polling place may be located in a movable structure but may not change locations during the early voting period; (5) provide that early voting by personal appearance at each permanent or temporary branch polling place shall be conducted on the same days and during the same hours as voting is conducted at the main early voting polling place; (6) prohibit the use of a voting system that uses direct recording electronic voting machines; (7) require the presiding judge of a precinct that has completed a vote count in which the total number of ballots counted differs by at least 0.5 percent from the number of people who signed the precinct’s signature roster to conduct a recount; and (8) make it a Class A misdemeanor for a person to canvass a precinct’s returns prior to the completion of a recount required by (7).

**S.B. 426 (Rodriguez) – Early Voting by Mail**: would, among many other things, authorize early voting by mail for any qualified voter and provide for implementing procedures.

**S.B. 466 (Lucio) – Petitions**: would: (1) require that a petition regarding an election on the repeal of an order, ordinance, or resolution be filed not later than the 90th day after the later of the date on which the order, ordinance, or resolution: (a) finally passed; or (b) was published; (2) require the city secretary or other authority responsible for verifying petition signatures to state all grounds for invaliding a signature and provide that, if a petition is invalidated and later refiled, the city secretary or authority responsible for verifying the signatures may not invalidate the subsequent petition on grounds that existed but were not raised during the initial determination of petition invalidity; (3) except from (1)-(2) a change in a provision of the municipal charter; (4) require the Texas Secretary of State (SOS) to prescribe a petition form in regard to filing a petition with a city in connection with an election, require a city to make the form available on its website and prohibit the city from invalidating a petition that doesn’t contain information that the SOS form failed to provide or required to be provided; (5) provide that a signature on a petition filed in connection with an election is valid if the information provided with the signature legibly provides enough information to demonstrate that the signer: (a) is eligible to have signed the petition; and (b) signed the petition within the time prescribed by law; (6) require a city to conspicuously post on its website, if any, information relating to citizen-initiated petitions and a link to the form described in (4); and (7) provide that any requirements in Chapter 277, Texas Election Code, preempt any requirements for the validity or verification of petition signatures prescribed by a home rule city.

**S.B. 467 (Lucio) – Ballot Propositions**: would require that a ballot proposition substantially submit a question with such definiteness and certainty in identifying the proposition’s chief features that the voters are not misled.
S.B. 488 (Bettencourt) – Recall Elections, Ballot Propositions, and Petitions: would allow a religious organization to make a political contribution in connection with a recall election and, with regard to ballot propositions, would:

1. require that a ballot proposition substantially submit a question with such definiteness and certainty that the voters are not misled;
2. provide that, not later than the seventh day after the date on which a home rule city publishes ballot proposition language proposing an amendment to the city charter or another city law as requested by petition, a registered voter eligible to vote in the election may submit the proposition for review by the secretary of state (SOS);
3. require a city to draft a proposition to cure any misleading or inaccurate information identified by the SOS in (2) and give notice of the new proposition;
4. require, in an action in a district court seeking a writ of mandamus to compel the city to comply with (1), the court to make a determination without delay and authorize the court to: (a) order the city to use ballot proposition language drafted by the court; and (b) award a plaintiff who substantially prevails reasonable attorney’s fees, expenses, and court costs;
5. provide that, following a final judgment that a proposition failed to comply with (1), a city must submit to the SOS any proposition to be voted on at any election held by the city before the fourth anniversary of the court’s finding; and
6. require a city to pay fair market value for all legal services relating to a proceeding regarding ballot proposition language enforcement.

In addition, with regard to petitions, the bill would:

1. provide that a signature on a petition submitted to a home-rule city is valid if the information provided with the signature legibly provides enough information to demonstrate that the signer is eligible to sign the petition and signed the petition on or after the 180th day before the date the petition was filed;
2. require the SOS to prescribe the form, content, and procedure for a petition and prohibit a home-rule city that uses a form different than the SOS form from invalidating a petition because it doesn’t contain information that the petition form failed to provide for or required to be provided;
3. require that the city secretary determine the validity of a petition, including by verifying the petition signatures, not later than the 30th day after the date the city receives the petition;
4. provide that, if the city secretary determines a petition is valid or fails to make a determination within the timeframe described in (3), the city must hold the election on the next uniform election date that allows sufficient time to comply with applicable provisions of law;
5. prohibit a city from restricting who may collect petition signatures; and
6. provide that (3) through (5) preempt home-rule charter procedures requiring the city council to hold an election on receipt of a petition; and
7. in regard to a charter amendment election petition: (a) provide that at least five percent of the registered voters of the city on the date of the most recent election held in the city or
20,000, whichever number is smaller, may submit a petition; and (b) require the notice of election include a substantial copy of the proposed amendment in which language sought to be deleted by the amendment is bracketed and stricken through and language sought to be added by the amendment is underlined.

S.B. 616 (Campbell) – Charter Amendments: would: (1) require that the ballot proposition for a proposed charter amendment substantially submit the question with such definiteness and certainty that voters are not misled; (2) authorize a registered voter residing in a city to file a writ of mandamus to compel compliance with (1) and prohibit a city from accepting pro bono legal services to defend the mandamus action; (3) require a court to award a plaintiff who substantially prevails in a mandamus action under (2) reasonable attorney’s fees, expenses, and court costs; and (4) allow a court to award a city that substantially prevails in a mandamus action under (2) court costs, but not reasonable attorney’s fees or expenses.

S.B. 643 (Watson) – Voter Identification: would, among other things: (1) add the following documentation as acceptable as proof of identification for voting purposes: (a) a government document that shows the name and address of the voter, including the voter’s voter registration certificate; (b) one of the following documents that shows the name and address of the voter: (i) a copy of a current utility bill; (ii) a bank statement; (iii) a government check; or (iv) a paycheck; or (c) a certified copy of a birth certificate or other document confirming birth that is admissible in a court of law and establishes the person’s identity; (2) provide that, on offering to vote, a voter must present to an election officer at the polling place either: (a) one form of acceptable photo identification; or (b) a form of acceptable proof of identification under (1) accompanied by an affidavit described by (3); (3) provide that if the requirement for identification prescribed by (2)(a) is not met, an election officer shall notify the voter that the voter may be accepted for voting if the voter meets the requirement for identification prescribed by (2)(b) and executes an affidavit under penalty of perjury declaring the voter has a reasonable impediment to meeting the requirement for identification prescribed by (2)(a); (4) provide that an election officer may not question or challenge a voter concerning the voter’s lack of identification under (2)(a) or the voter’s reasonable impediment; (5) require the secretary of state to prescribe a specific form of the affidavit required under (3); (6) provide that an election watcher may not communicate in any manner with a voter regarding the election or any related voting procedures; and (7) allow a person to use certain forms of photo identification that expired no earlier than four years before the date of presentation.

S.B. 660 (Watson) – Mobile Devices: would: (1) provide that a person may not use a wireless communication device within 50 feet of a voting station (current law prohibits use of a wireless device within 100 feet of a voting station); (2) provide that if voting stations are located in a separate room from the area in which voters wait to vote or are accepted for voting, a person may not use a wireless communication device in the room in which voting stations are located and may use the device in any other area; (3) clarify that a person may not use any mechanical or electronic means to record or capture images or sound within 100 feet of a voting station; and (4) prohibit the presiding election judge from requiring a person who uses a device in violation of state law to leave the polling place.
S.B. 690 (West) – Use of Mechanical or Electronic Device: would provide that a person may not use any mechanical or electronic means to record images or sound within 100 feet of a voting station except that a person occupying a voting station may use a mechanical or electronic device to photograph the person’s completed ballot. (Companion bill is H.B. 1360 by Shaheen.)

S.B. 703 (Huffines) – Temporary Branch Polling Places: would, among other things: (1) provide that a temporary branch polling place may not be located in a movable structure; (2) require the location of a temporary branch polling place to be fixed at one place for the duration of the period that voting is required to be conducted for that election; and (3) provide that if an authority holding an election for which the ballot includes a proposition seeking voter approval of the issuance of bonds or other debt establishes a temporary branch polling place located in a movable structure or location in violation of (2), the election for approval of the proposition is invalid.

S.B. 829 (Hughes) – Direct Recording Electronic Voting Machines: this bill is the same as H.B. 1711, above.

S.B. 925 (Garcia) – Municipal Jail: would: (1) require the secretary of state to prescribe a written notice to be provided to each person confined in a city or county jail that states: (a) that persons eligible to vote may vote an absentee ballot from jail; (b) the upcoming election dates; and (c) the voter registration deadlines and absentee ballot request deadlines applicable to the upcoming elections; (2) require the officially prescribed application forms for both registration by mail and an early voting ballot to be made available to persons confined in jail who are qualified voters; and (3) require the authority in charge of the jail to facilitate the proper delivery of voter registration applications, applications for ballots to be voted by mail, and marked ballots to eligible persons, and make the authority responsible for the payment of any required postage.

S.B. 957 (Campbell) – Ballot Propositions: would require each political subdivision’s proposition on the ballot to be assigned a unique number.

S.B. 1125 (Hall) – Early Voting: would provide that the period for early voting by personal appearance begins on the 10th day before election day and continues through the day before election day.

S.B. 1142 (Hall) – Automatic Recount: would: (1) require the presiding judge of a precinct that has completed a vote count in which the total number of ballots counted differs by at least 0.5 percent from the number of people who signed the precinct’s signature roster to conduct a recount; and (2) make it a Class A misdemeanor for a person to canvass a precinct’s returns prior to the completion of a recount required by (1).

S.B. 1144 (Hall) – Direct Recording Electronic Voting Machines: would provide that beginning on September 1, 2024, a voting system that consists of direct recording electronic voting machines may not be used in an election unless the system: (1) uses a paper record; or (2) produces a paper receipt by which a voter can verify that the voter’s ballot will be counted accurately.
S.B. 1150 (Buckingham) – Ballot Propositions: would require each proposition on the ballot to identify the name of the authority ordering the election on the measure and assign a number to the measure that corresponds to the order in which it is placed on the ballot. (Companion bill is H.B. 273 by Gonzales.)

S.B. 1296 (Huffman) – Ballot Language: would, for an election held on certain measures and held by a political subdivision located primarily in a county with a population of more than 120,000: (1) require a political subdivision to submit to the regional presiding judge of the administrative judicial region that the political subdivision is located in: (a) the ballot proposition language; and (b) a brief statement on the purpose of the proposition; (2) provide that a political subdivision that is located in two or more administrative judicial regions may select the administrative judicial region to which the political subdivision submits the proposition language for review; (3) provide that a judge receiving a submission under (1) must appoint three judges from the administrative judicial region to serve on a panel to review the ballot proposition language before the election may be held; (4) provide that if the panel finds the language of the proposition is clear and understandable to the average voter, the panel shall approve the language of the proposition for the ballot; (5) provide that if the panel finds the language of the proposition is not clear and understandable to the average voter or does not make a finding on the proposition language before the 31st day after the date the panel is appointed, the language is disapproved and may not be used on the ballot at the election; (6) authorize the panel to provide the political subdivision with rewritten ballot proposition language that is clear and understandable to the average voter for use in the election; and (7) provide that if the panel disapproves of the ballot language, the political subdivision may: (a) hold the election with the rewritten ballot proposition language provided by the panel; or (b) submit revised ballot proposition language for approval by the panel.

S.B. 1637 (V. Taylor) – Election Canvass: would prohibit the canvassing authority from entering or delivering a tabulation if a discrepancy between the total number of ballots cast in the precinct and the total number of voters who cast a ballot for a candidate or for or against a measure in the election in the precinct is greater than one percent, until the presiding officer of the canvassing authority posts an explanation of the discrepancy on the canvassing authority’s Internet website.

S.B. 1717 (Hall) – Early Voting by Personal Appearance: would, among other things: (1) provide that a temporary branch early voting polling place may be located in a movable structure, but the structure may not change locations during the early voting period; (2) require that early voting by personal appearance at each permanent or temporary branch polling place be conducted on the same days and during the same hours as voting is conducted at the main early voting polling place; and (3) require cities to use county election precincts for all elections. (Companion bill is H.B. 2554 by Shaheen.)

S.B. 1766 (Buckingham) – Ballot Propositions: would require: (1) the authority ordering an election in which more than one measure is to be voted on to determine the order in which the propositions are to appear on the ballot and identify them as follows: (a) except as provided by (b), for each proposition on the ballot, the authority must assign a letter of the alphabet to the measure that corresponds to its order on the ballot; and (b) for each proposition on the ballot to
be voted on statewide, the authority ordering the election shall assign a number to the measure that corresponds to its order on the ballot; (2) each proposition on the ballot to identify the name of the authority ordering the election on the measure; and (3) a proposition submitting a proposed constitutional amendment to be placed before all other propositions on the ballot.

S.B. 1820 (Burton) – Early Voting by Mail: provide that, if the early voting clerk has previously provided the applicant with an official ballot for the election for which the applicant requests a ballot, the clerk shall deliver written notice to the applicant, at both the residence address and the mailing address on the application, that states: (1) a ballot to be voted by mail was previously provided to the applicant; and (2) the date the ballot was provided.

S.B. 1885 (Bettencourt) – Temporary Branch Early Voting Polling Places: would provide that, in a county with a population of 100,000 or more, the location of a movable temporary branch early voting polling place may be changed only: (1) once during the early voting period; or (2) after at least half of the early voting period has concluded.

S.B. 2010 (V. Taylor) – Ballot Propositions and Petitions: would: (1) require the secretary of state to adopt a petition form that may be used for a petition authorized or required to be filed by a law outside the Texas Election Code; (2) provide that the authority to which a petition using the form adopted under (1) is submitted may not invalidate a petition because the petition did not contain certain information regarding the signer of the petition that the petition form failed to provide; (3) require the authority to which a petition is submitted to provide the petition to the secretary of state for certification; (4) require the secretary of state to certify whether the signers of a petition provided to the secretary are registered voters of the applicable territory and shall deliver the results of the certification to the authority; and (5) prohibit an authority from invalidating a petition signature based on the signer’s ineligibility to sign the petition if the secretary of state certified the signer.

S.B. 2011 (V. Taylor) – Early Voting: would, among other things: (1) provide that a temporary branch early voting polling place may be located in a movable structure, but the structure may not change locations during the early voting period; (2) in an election held by a political subdivision for which the ballot includes a proposition seeking voter approval of the issuance of bonds, require a temporary branch polling place to: (a) remain at the same location for the entire period during which early voting by personal appearance is conducted in the district; and (b) allow for early voting by personal appearance to be conducted during the same days and hours as voting is conducted at the main early voting polling place; (3) require that early voting by personal appearance at each permanent or temporary branch polling place be conducted on the same days and during the same hours as voting is conducted at the main early voting polling place; (4) require the early voting clerk to post notice for each election starting any dates and the hours that voting on Saturday or Sunday will be conducted at a temporary branch polling place, if the early voting clerk is a county clerk or city secretary; and (5) require cities to use county election precincts for all elections.

S.B. 2090 (Hall) – Election Procedures: would require the secretary of state to compile a list of uniform procedures for conducting an election, including procedures for conducting an election, recalculating votes, canvassing votes, and the rights and responsibilities of poll watchers.
S.B. 2147 (Huffman) – Election Fraud: would provide, among other things, that a person commits an offense, if, with the intent to establish, maintain, or participate in a vote harvesting organization, the person commits or conspires to commit certain Texas Election Code offenses. (Companion bills are H.B. 2139 by Schofield and S.B. 2149 by Huffman.)

S.B. 2197 (Bettencourt) – Voter Identification: would require the secretary of state to establish methods to obtain a photograph of each registered voter for use on the voter’s voter registration certificate.

S.J.R 13 (Huffman) – Term Limits: would propose an amendment to the Texas Constitution that would provide that: (1) the legislature by general law shall require a political subdivision of this state that is governed by one or more elected officers to establish a limit on the number of terms a person may be elected to serve in an office of the political subdivision; and (2) the limit must ensure that a person may not serve longer than 12 years in an office and that an officer who has been elected to serve for the maximum number of terms established by the political subdivision is not eligible for election to serve an additional term of that office.

S.J.R. 54 (L. Taylor) – Charter Amendment Elections: would amend the Texas Constitution to provide that: (1) an election to amend a charter may be held on an election date prescribed by the legislature; and (2) no city charter shall be amended oftener than every two years, except that a subsequent charter election may be held on a date prescribed by the legislature even if that date falls a number of days short of two years.

Open Government

H.B. 233 (E. Rodriguez) – Public Information Act: would provide that: (1) the name, address, telephone number, e-mail address, driver’s license number, social security number, or other personally identifying information of a person who obtains ownership or control of an animal from a city animal shelter is confidential; (2) a governmental body can disclose the information to a governmental entity or a person under contract with a governmental entity provides animal control services, animal registration services, or related services to the governmental entity, for purpose related to the protection of public health and safety and will not be considered a waiver of the exception; and (3) an entity or person must maintain the confidentiality of the information and not use for any purpose that does not directly relate to the protection of public health and safety.

H.B. 349 (Canales) – Public Information: would provide that: (1) information relating to the receipt or expenditure of public or other funds by a governmental body for a parade, concert, or other event open to the general public and paid for in whole or part with public funds cannot be withheld under the competition or bidding exception of the Public Information Act; ad (2) a contract provision that violates (1) is void.
H.B. 526 (Schofield) – Public Information Act: would provide that if a non-resident of Texas submits a public information act request, the governmental body may, but is not required to, accept or comply with the request.

H.B 703 (Wu) – Public Information Act: would provide that personal information of a child protective services caseworker or investigator would be confidential without the caseworker or investigator electing the information to be confidential.

H.B. 760 (Raney) – Dates of Birth: would provide that: (1) dates of birth are not “super-public information” and a governmental body has the discretion to redact dates of birth of a living person from any information without asking for a ruling from the office of the attorney general; (2) county, district and municipal clerks and city secretaries may disclose in the ordinary course of business a person’s date of birth contained in information held by the clerk or secretary and that disclosure is not official misconduct and does not subject them to civil or criminal liability of any kind.

H.B. 792 (Capriglione) – Competitive Information: would provide, in relation to the exception for disclosure in the Public Information Act for information related to competition or bidding, that: (1) the information is excepted from disclosure only if the governmental body demonstrates that release of the information would harm its interests by providing an advantage to a competitor or bidder in a particular competitive situation; (2) the exception does not apply to: (a) a bid or proposal, or information contained in a bid or proposal, after the governmental body executes or awards the contract to which the bid or proposal relates; or (b) an account, voucher, or contract, or information contained in or describing an account, voucher, or contract. (Note: This bill is meant to overturn the 2015 Texas Supreme Court opinion in The Boeing Company and the Port of San Antonio v. Ken Paxton.) (Companion bill is S.B. 407 by Watson.)

H.B. 793 (Capriglione) – Governmental Bodies: would provide, for purposes of the applicability of the Public Information Act, that a governmental body includes the part, section, or portion of an organization, corporation, commission, committee, institution, or agency that: (1) receives public funds or other public resources unless the receipt of the funds or other resources imposes a specific and definite obligation on the entity to provide a measurable amount of service in exchange for the funds or other resources as would be expected in an arms-length transaction for services between a vendor and purchaser; (2) is a party to a contract with a governmental body or involved in another relationship with a governmental body that involves public funds and that indicates a common purpose or objective or that creates an agency-type relationship between the entity and one or more governmental bodies; or (3) provides services traditionally provided by a governmental body. (Note: This bill is meant to overturn the 2015 Texas Supreme Court opinion in Greater Houston Partnership v. Ken Paxton.) (Companion bill is S.B. 408 by Watson.)

H.B. 839 (Ortega) – Competitive Information: would provide that the exception in the Public Information Act allowing a governmental body to withhold information relating to competition or bidding does not apply to information contained in a bid or proposal after the bid is awarded or the contract is executed. (Companion bill is S.B. 425 by Rodriguez.)
H.B. 1082 (Nevarez) – Public Information: would provide that the agency memoranda exception in the Public Information Act would not allow withholding of draft grant applications after the governmental body submits the grant application, grant applications that are never submitted, or grant applications for which the application has passed.

H.B. 1278 (Dutton) – Public Information: would provide that: (1) the home address, home telephone number, emergency contact information, social security number, family member information and date of birth of a current or former district attorney, criminal district attorney, or county or municipal attorney and current or former employees whose jurisdiction includes any criminal law or child protective services matters is confidential; and (2) the home address of a person described in (1) may choose to keep confidential their home address in appraisal records.

H.B. 1467 (Capriglione) – Public Information: would provide that information collected, assembled, or maintained by or for a governmental entity to prevent, detect, or investigate security incidents is considered confidential under the Public Information Act.

H.B. 1541 (Shaheen) – Legal Notices: would provide that a political subdivision may satisfy a requirement to provide notice by newspaper publication by posting: (1) on its Internet website; or (2) on a social media website, provided that: (a) the political subdivision controls the content of the posting; and (b) the notice is easily found by searching the name of the political subdivision on the Internet.

H.B. 1596 (Lozano) – Legal Notices: would provide that the proposed budget of a political subdivision must include a line item indicating expenditures for required newspaper notices that allows as clear a comparison as practicable between those expenditures in the proposed budget and actual expenditures for the same purpose in the preceding year. (Companion Bill is S.B. 622 by Burton.)

H.B. 1725 (Hernandez) – Public Information: would provide that information contained in a citation issued for a violation of a state traffic law or local traffic ordinance is excepted from the disclosure under the Public Information Act if the information is the home address or personal telephone number of the person who is the subject of the citation.

H.B. 1784 (Faircloth) – Open Meetings: would provide that a person must bring any civil action to enforce the Open Meetings Act before the first anniversary of the date of the alleged violation.

H.B. 2050 (G. Bonnen) – Law Enforcement Records: would provide that copies of confidential licensing and employment records, the originals of which are submitted to the Texas Commission on Law Enforcement (TCOLE), are confidential (in the same manner as the originals held by TCOLE are confidential).

H.B. 2222 (Hunter) – Address Confidentiality: would provide, among other things, that victims of sexual abuse and trafficking of persons are added to the address confidentiality program administered by the Office of the Attorney General. (Companion bill is S.B. 256 by V. Taylor.)
H.B. 2328 (Lucio III) – Public Information: would provide procedures for an expedited response to a Public Information Act request.

H.B. 2387 (Herrero) – Crime Victim Compensation Fund: would, with certain exceptions, prohibit the release or disclosure of an application for compensation to a crime victim. (Companion bill is S.B. 843 by Perry.)

H.B. 2641 (Sanford) – Community Development Corporations: would provide that a community development corporation must: (1) broadcast over the Internet live video and audio of each meeting held by the board of directors of the corporation; and (2) make available through the corporation's Internet website archived video and audio for each meeting for which live video and audio was provided.

H.B. 2670 (Hunter) – Public Information: would: (1) define “temporary custodian” to mean a current or former officer or employee who, in the transaction of official business, creates/created or receives/received public information that the officer or employee has not provided to the officer for public information of the governmental body; (2) provide that a current or former officer or employee who maintains public information on a privately owned device must: (a) forward or transfer the information to the governmental body to be preserved; or (b) preserve the public information in its original form on the privately owned device for the requisite retention period; (3) require a public information officer to make reasonable efforts to obtain public information from a temporary custodian if: (a) the information has been requested in a public information request; (b) the officer is aware of facts sufficient to warrant a reasonable belief the temporary custodian is in possession, custody, or control of the information; (c) the officer is unable to comply with a request without obtaining the information from the temporary custodian; and (d) the temporary custodian has not provided the information to the officer; (4) provide that a current or former officer or employee does not have a personal or property right to public information the officer or employee created or received while acting in an official capacity, and must surrender the information not later than the 10th day after the date the officer for public information requests the information be returned or surrendered; (5) provide that if a temporary custodian fails to comply with (4), the officer for public information must notify the attorney general who may then sue for an injunction or writ of mandamus to compel the surrender or return of the information; (6) require a court to dismiss, with prejudice, a suit in (5) if the current or former officer or employee files an answer containing a general denial supported by a sworn affidavit stating the individual is not in possession, custody, or control of public information responsive to the request, but provide that the suit is dismissed without prejudice and may be refilled by the attorney general if, in providing the affidavit, the officer or employee engaged in perjury and is arrested, charged, or indicted for that offense; (7) for purposes of seeking an attorney general decision, provide that the governmental body is considered to receive a request for information on the date the information is surrendered by a temporary custodian or returned to the governmental body from a temporary custodian; and (8) make it a criminal offense for a temporary custodian to refuse to surrender or return information as required in (4). (Note: This bill would overrule the court of appeals opinion in El Paso v. Abbott, which concluded that the Public Information Act does not force a city employee or official to turn over public information in his or her possession.)
**H.B. 2710 (Hunter) – Dates of Birth:** would provide that: (1) a date of birth is public information and not excepted from required disclosure unless made confidential under the PIA or other law; and (2) the personnel information exception does not exempt from disclosure a date of birth.

**H.B. 2742 (G. Bonnen) – Governmental Information Access:** would provide that:

1. the legislature, the lieutenant governor, committees of the legislature, and legislative agencies would have a right of access to governmental information, including information that is confidential or excepted from disclosure, from governmental bodies (GB) as defined by the Public Information Act (PIA);
2. a request for access to governmental information must state that the request is made for a legislative purpose, but the requestor does not have to specify the legislative purpose;
3. the GB must provide the requested information to the requestor promptly, but not later than: (a) the fifth business day, or as soon as practicable as agreed to by the GB and the requestor, following the date the request is received, if the request is received when the legislature is convened in regular or special session; or (b) the 10th business day following the date the request is received, if the request is received when the legislature is not convened in regular or special session;
4. the GB must provide the requested information in the manner requested and provide the information without charge, except that a requestor is entitled to only one paper copy of the information without charge;
5. the GB shall provide guidance to the recipient of confidential information regarding how information may be generalized or modified so that the information as generalized or modified is no longer confidential and subject to the confidentiality agreement and may be disclosed for a legislative purpose outside the office of the recipient;
6. confidentiality is not waived on the requested information for purpose of state or federal law or waive the right of the GB to assert exceptions to disclosure in the future;
7. GB may require requestor or a designated employee of the requestor who will view or handle requested information and that is confidential or excepted from disclosure under law to sign a confidentiality agreement that covers the information;
8. except for a requirement prescribed by federal law, a confidentiality agreement may only require that: (a) the information not be disclosed outside of the requestor’s office unless the information is generalized or modified in accordance with GB’s guidance; (b) the information is labeled as confidential; (c) the information be kept securely; or (d) the number of copies made of the information or the notes taken from the information that implicate the confidential nature of the information be controlled, with all copies or notes that are not destroyed or returned remaining confidential and subject to the confidentiality agreement;
9. GB must submit a confidentiality agreement to the requestor not later then the third business day following the date the request is received or the GB waives the right to require the requestor to sign the agreement;
10. the confidentiality agreement is void to the extent that the agreement covers information that is finally determined by an attorney general’s decision to not be confidential or excepted from disclosure;
11. requestor may seek an attorney general’s decision about whether the information covered by the confidentiality agreement is confidential or excepted from disclosure;

12. the attorney general’s office by rule shall establish procedures and deadline for a request for an attorney general’s written decision on information covered by the confidentiality agreement and render a decision not later then 45th business day or 55th business is unable to issue decision in 45-day period;

13. the requestor, GB, or person with proprietary interest or privacy interest in the information affected by the decision can appeal the attorney general’s decision to a Travis County district court;

14. the requestor or the attorney general’s office may file suit for a writ of mandamus compelling a GB to provide requested information;

15. a writ of mandamus suit, if filed by the requestor, must be filed in a district court of the county in which the GB’s main office is located or, if filed by the attorney general’s office, must be filed in a Travis County district court; and

16. it is a criminal offense if a person who is a recipient of confidential information knowingly: (a) uses the confidential information for the purpose other than the purpose for which the information was received or for a purpose unrelated to the law that permitted the person to obtain access to the information, including solicitation of political contributions or solicitation of clients; (b) permits inspection of the confidential information by a person who is not authorized to inspect the information; or (c) discloses the confidential information to a person who is not authorized to receive the information.

(Companion bill is H.B. 456 by V. Taylor.)

H.B. 2783 (Smithee) – Public Information Act: would provide that, in a writ of mandamus suit, declaratory judgement suit, or injunctive relief suit, the court shall assess costs of litigation and reasonable attorney’s fees incurred by a plaintiff who substantially prevails or to whom a governmental body voluntarily releases the requested information after filing an answer to the suit.

H.B. 2863 (White) – Juvenile Records: would make various changes to the law relating to confidentiality of juvenile records held by a law enforcement agency or municipal court.

H.B. 3047 (Dale) – Videoconference: would provide that a member of a governmental body who participates in a meeting by videoconference shall be considered absent from any portion of the meeting during which audio or video communication with the member is lost or disconnected, but that a governmental body may continue the meeting if a quorum remains present at the meeting location or, if applicable, continues to participate in a meeting.

H.B. 3053 (Ortega) – Dates of Birth: would add to the list of “super public” information the date of birth of a person who is or has been confined in a city or county jail or in a correctional facility operated by or under contract with the Texas Department of Criminal Justice and that is contained in a record of a law enforcement agency or criminal justice agency.

H.B. 3107 (Ashby) – Vexatious Requestors: would make various changes to the Public Information Act procedures designed to deal with vexatious requestors.
H.B. 3141 (Burkett) – Legal Notices: would provide that: (1) a city may satisfy a requirement to provide notice by publication in a newspaper by: (a) contracting with a utility to include a copy of the notice in the utility bill that is received by each utility customer; and (b) mailing the notice to municipal residents who do not receive a utility bill; and (2) a city or utility providing notice shall ensure that the notice is received at least one day before the date of the event for which the notice is provided.

H.B. 3203 (Fallon) – Open Meetings: would, among other things:

1. require that a governmental body prepare and keep for each open meeting: (a) minutes; and (b) either a video recording of the meeting or an audio recording of the meeting if it is an authorized telephone conference call meeting;
2. except from the requirement in (1) a city (and certain deliberative bodies of the city) with a population of less than 25,000;
3. require a city with a population of less than 25,000 to prepare and keep minutes or make a recording of each open meeting, and provide that the minutes must state the subject of each deliberation and the vote, decision, or other action taken;
4. with certain exceptions, require a city with a population of 25,000 or more to archive and make available on the Internet website of the body each recording of an open meeting required to be recorded, and if the city has no website, to make the archive available on some other publicly-accessible website;
5. except for a consultation with an attorney, require that a governmental body prepare and keep for each closed meeting: (a) a certified agenda; and (b) either a video recording of the meeting or an audio recording of the meeting if it is an authorized telephone conference call meeting;
6. except from the requirement in (5) a city (and certain deliberative bodies of the city) with a population of less than 25,000;
7. except for a consultation with an attorney, require a city with a population of less than 25,000 to either keep a certified agenda of a closed meeting or make a recording of the proceedings and require the presiding officer to certify that any agenda is a true and correct record of the proceedings;
8. require that the certified agenda in (7) include a statement of the subject matter of each deliberation, a record of any further action taken, and announcement by the presiding officer at the beginning and end of the meeting indicating the date and time;
9. require that a recording in (7) including announcements by the presiding officer at the beginning and ending of the meeting indicate the date and time;
10. require a governmental body to permanently preserve the certified agenda and recording of a closed meeting;
11. except from the requirement in (10) a city (and certain deliberative bodies of the city) with a population of less than 25,000, and instead require that the certified agenda or recording of a closed meeting be preserved for at least two years;
12. provide that a member of a governmental body commits a Class C misdemeanor offense if the member participates in an open meeting knowing that a required recording is not being made; and
13. A member of the governmental body commits a Class C misdemeanor offense if the member knowingly fails to ensure that a recording of an open meeting is made available and maintained on the Internet.

H.B. 3222 (Goldman) – Public Information Act: would provide that a current legal spouse of a person already listed in the exception concerning the confidentiality of home address, home telephone number, emergency contact information, social security numbers and personal family information of public employees is included in the exception under the Public Information Act.

H.B. 3234 (Moody) – Public Information Act: would provide that a governmental body cannot use the law enforcement/prosecutorial information exception of the Public Information Act on information, internal records, or notations that deal with the detection, investigation, or prosecution of crime only in relation to an investigation that did not result in conviction or deferred adjudication if: (1) each person who is subject of the information, record, or notation is deceased or consents to the release of the information, record, or notation; or (2) the information, record, or notation relates to a peace officer who is the subject of a criminal or internal investigation arising out of the peace officer’s involvement in the detection, investigation, or prosecution of a crime.

H.B. 3237 (Moody) – Search Warrant Affidavits: would provide that a search warrant affidavit becomes public information when the search warrant for which the affidavit was presented is executed.

H.B. 3271 (Shaheen) – Public Information: would provide that: (1) city officers have a right of access to public information, including confidential information; (2) a city may require a municipal officer to sign a confidentiality agreement that covers the information; (3) a city officer may ask for a ruling from the attorney general’s office as to whether the information in (2) is confidential; (4) a city officer may appeal the attorney general’s ruling in (3) in district court; (5) a city charter may not limit the right of a city officer to obtain information under other law or grant authority to a city council to withhold information from the officer; and (6) city council members have a right of access to any building, structure, room, land, or body of water owned, leased by, or under the exclusive control of the city. (Companion bill is S.B. 515 by V. Taylor.)

H.B. 3394 (Larson) – Candidate Forum: would provide that the definition of “meeting” in the Texas Open Meetings Act does not include the attendance by a quorum of a governmental body at a candidate forum, appearance, or debate to inform the electorate, if formal action is not taken and any discussion of public business is incidental to the forum, appearance, or debate. (Companion bill is S.B. 1440 by Campbell.)

H.B. 3581 (Capriglione) – Public Information: would provide that: (1) “file format” means the specifications by which information is electronic form is encoded for storage in a computer file, including the file type and file extension; (2) “record layout” means: (a) a description of the type or category of information held in each field of a data file; (b) the location of data in a data file; and (c) the number of characters in each field of a data file, if available; (3) the record layout of a data file maintained by a governmental body or by a vendor or other entity on behalf of a
governmental body: (a) is public information; (b) is not confidential; and (c) is not excepted from required disclosure; (4) the requestor may request a copy of public information the exists in an electronic form in a specific file format, including the file format used by the governmental body to maintain the information, along with the record layout of and instructions for accessing the file provided; and (5) if the governmental body sends a cost estimate for programming or manipulation of data to fulfill the request, the governmental body must put in estimate a detailed description of each specific programming or manipulation task required to provide the information in the requested form or file format and a statement of anticipated time required to perform each task.

H.B. 3708 (Fallon) – Open Meetings: would make various changes relating to recording meetings of certain governmental bodies, and provide that a member of a governmental body commits a Class C misdemeanor offense if the member: (1) participates in an open meeting knowing that a recording required by the Open Meetings Act or another law is not being made; or (2) knowingly fails to ensure that a recording of an open meeting is made available and maintained on the Internet, if required by the Open Meetings Act.

H.B. 3793 (Burrows) – Body Worn Cameras: would provide that: (1) a recording created by body worn camera and documenting an incident that involves the use of deadly force by a peace officer may not be released to the public until all criminal matters have been finally adjudicated and all related administrative investigations have concluded; and (2) before releasing to a member of the public a recording captured by a body worn camera, a law enforcement agency shall obscure or alter relevant portions of the video or audio recording so that only law enforcement officers are identifiable on the recording and the requestor is responsible for the costs of obscuring or altering the recording.

H.B. 3848 (Hunter) – Public Information: would make various changes to the Public Information Act. More specifically, this bill would:

1. define “temporary custodian” to mean a current or former officer or employee who, in the transaction of official business, creates/created or receives/received public information that the officer or employee has not provided to the officer for public information of the governmental body;
2. provide that a current or former officer or employee who maintains public information on a privately owned device must: (a) forward or transfer the information to the governmental body to be preserved; or (b) preserve the public information in its original form on the privately owned device for the requisite retention period;
3. prohibit a governmental body from withholding a date of birth, with certain exceptions;
4. require a public information officer to make reasonable efforts to obtain public information from a temporary custodian if: (a) the information has been requested in a public information request; (b) the officer is aware of facts sufficient to warrant a reasonable belief the temporary custodian is in possession, custody, or control of the information; (c) the officer is unable to comply with a request without obtaining the information from the temporary custodian; and (d) the temporary custodian has not provided the information to the officer;
5. require the officer for public information to notify the requestor in writing not later than the 10th business day after the date the request is received if the governmental body determines it has no information responsive to a request for information;
6. require the officer for public information, not later than the 10th business day after the request is received, to notify a requestor and identify the previous determination if a governmental body determines the requested information is subject to a previous determination that permits or requires the governmental body to withhold the requested information;
7. provide that a current or former officer or employee does not have a personal or property right to public information the officer or employee created or received while acting in an official capacity, and must surrender the information not later than the 10th day after the date the officer for public information requests the information be returned or surrendered;
8. provide that if a temporary custodian fails to comply with (7), the officer for public information must notify the attorney general who may then sue for an injunction or writ of mandamus to compel the surrender or return of the information;
9. require a court to dismiss, with prejudice, a suit in (8) if the current or former officer or employee files an answer containing a general denial supported by a sworn affidavit stating the individual is not in possession, custody, or control of public information responsive to the request, but provide that the suit is dismissed without prejudice and may be refiled by the attorney general if, in providing the affidavit, the officer or employee engaged in perjury and is arrested, charged, or indicted for that offense;
10. for purposes of seeking an attorney general decision, provide that the governmental body is considered to receive a request for information on the date the information is surrendered by a temporary custodian or returned to the governmental body from a temporary custodian;
11. provide that when a governmental body asks for an attorney general decision under the Public Information Act, it must state the specific exceptions that apply in the 10-day letter;
12. provide that if a governmental body fails to respond to a requestor as required by certain portions of the Public Information Act, including as described in (5) and (6): (a) the attorney general may require the governmental body to complete open records training; (b) the governmental body may not charge the requestor for providing responsive information; and (c) if the governmental body seeks to withhold the information, the governmental body must request an attorney general decision not later than the 5th business day after the date the governmental body receives notification and release the requested information unless there is a compelling reason to withhold the information; and
13. make it a criminal offense for a temporary custodian to refuse to surrender or return information as required in (7).

(Companion bill is S.B. 1646 by Watson.)

H.B. 3896 (Gutierrez) – Legal Notices: would authorize a city with a population of 25,000 or less and in which no newspaper is published to satisfy a requirement in any law to provide notice by publication in a newspaper by posting the notice on its Internet website beginning on the
earliest date provided for in the requirement and continuing until the day after the date the action for which notice was required occurs.

H.B. 4066 (Gooden) – Public Officer Access: would: (1) give a public officer (i.e., an elected member of the city council) a right of access to city information (including confidential information), and a right to require the city compile, analyze, describe, report, summarize, manipulate, and otherwise prepare information for the officer; (2) give a public officer a right of access to information (including confidential information) of a public entity created by the city, and a right to require the public entity compile, analyze, describe, report, summarize, manipulate, and otherwise prepare information for the officer; (3) require a city or public entity created by the city to respond to a request for information from a public officer at no charge and promptly, but not later than the seventh day (or at a time otherwise agreed to by the officer); (4) give a public officer unrestricted access to physical information of the city or a public entity; (5) prohibit a city or public entity created by the city from requiring a public officer to sign a confidentiality agreement, but require the officer to maintain the confidential nature of information; (6) allow a public officer to release any information received from the city or public entity created by the city to the officer’s attorney to receive legal advice, but only after the officer notifies the city or public entity of the officer’s intention and the release is either authorized by the city/public entity or the attorney has signed a confidentiality agreement; (7) allow an attorney required to sign a confidentiality agreement, as described in (6), to seek an attorney general decision regarding whether the information is confidential; (8) allow a person or the attorney general on request of a person to file suit for a writ of mandamus to compel a city or public entity to provide information as described above; and (9) provide that a public information officer or the officer’s agent commits a Class A misdemeanor offense for failing or refusing to provide information as described above.

H.B. 4144 (Paddie) – Public Information Act: would provide, among other things, that: (1) an organization, corporation, commission, committee, institution, or agency that asserts that it is not a governmental body and that receives a written request for information from a requestor must ask for a decision from the attorney general about whether the entity is a governmental body; and (2) an entity in (1) that files a suit seeking to withhold information on the basis that it is not a governmental body or seeking to establish that it is not a governmental body may not file suit against the person requesting the information.

H.B. 4157 (M. González) – Simultaneous Translation: would provide that the governing body of a city must provide professional simultaneous translation from English to Spanish of a public meeting of the governing body if a person requests the translation in writing to the municipal secretary or clerk not later than the third day before the date of the meeting.

H.B. 4201 (Perez) – Mug Shots: would provide that (1) a law enforcement agency may not publish on the agency’s Internet website any photograph taken pursuant to an arrest, lawful detention, or other involvement in the criminal justice system unless the person depicted in the photograph has been finally convicted for the offense in connection with which the photograph was taken; (2) a law enforcement agency may not release a photograph of an individual taken pursuant to an arrest, lawful detention, or other involvement in the criminal justice system unless the person requesting the photograph includes in the request: (a) the name of the individual who
is the subject of the photograph; and (b) the approximate date the photograph was taken or date on which the incident giving rise to the photograph occurred; and (3) section (2) does not apply to a law enforcement agency for the release of a photograph to another law enforcement agency.

S.B. 79 (Nelson) – Public Information: would provide that an officer for public information for a governmental body complies with production of public information by referring a requestor to an exact Internet location or URL address on the governmental body’s website if the requested information is identifiable and readily available on that website.

S.B. 388 (Burton) – Open Meetings Act: would repeal the authority for a governing body to conduct economic development negotiations in an executive session pursuant to the Open Meetings Act.

S.B. 407 (Watson) – Competitive Information: this bill is the same as H.B. 792, above.

S.B. 408 (Watson) – Governmental Bodies: this bill is the same as H.B. 793, above.

S.B. 425 (Rodriguez) – Public Information: this bill is the same as H.B. 839, above.

S.B. 456 (V. Taylor) – Legislative Access: would: (1) provide, with some exceptions, that a member of the legislature, the lieutenant governor, a committee of the legislature, and each public member of the State Auditor’s Office, the Legislative Budget Board, the Texas Legislative Council, or the Sunset Advisory Committee is entitled to access for legislative purposes to all governmental information maintained by a governmental body, including confidential information; and (2) provide that the bill’s provisions should be liberally construed in favoring of granting a request and prevail over any conflict with another provision of law.

S.B. 515 (V. Taylor) – Public Information: would provide that: (1) municipal officers have a right of access to public information, including confidential information; (2) a city may require a municipal officer to sign a confidentiality agreement that covers the information; (3) a municipal officer can ask for a ruling from the attorney general’s office as to whether the information is confidential; (4) a municipal officer can appeal the attorney general’s ruling in district court; (5) a city charter may not limit the right of a municipal officer to obtain information under other law or grant authority to a city council to withhold information from the municipal officer; and (6) city council members have a right of access to any building, structure, room, land, or body of water owned, leased by or under exclusive control of the city.

S.B. 532 (Nelson) – Public Information: would provide that information collected, assembled, or maintained by or for a governmental entity to prevent, detect, or investigate security incidents is exempt from disclosure under the Public Information Act.

S.B. 622 (Burton) – Legal Notices: would provide that the proposed budget of a political subdivision must include a line item indicating expenditures for required newspaper notices that allows as clear a comparison as practicable between those expenditures in the proposed budget and actual expenditures for the same purpose in the preceding year.
S.B. 623 (Burton) – Legal Notices: would provide that:

1. “Public information” is defined as a public or legal notice that a governmental entity is required to publish under a statute or rule and any other information that a governmental entity submits for publication on the public information Internet website.
2. The comptroller shall develop and maintain an Internet website of public information, including archived public information.
3. The website described by (2), above, must be designed to: (a) allow a governmental entity to easily post public information or the comptroller to post public information on receipt of the information from the entity; (b) allow the public to search and sort the public information on the Internet website by: (i) a specific city or county; (ii) a governmental entity name; (iii) the type of governmental entity; (iv) the date the public information is submitted; (v) the date an event or deadline stated in the public information occurred; and (vi) any additional criteria approved by the comptroller; (c) allow the public to search and view archived public information posted on the Internet website; (d) allow a person to subscribe to email notices of public information associated with a specific governmental entity; (e) be easily accessible by the public 24 hours a day, seven days a week, through the Texas.gov Internet website that includes a direct link to the public information Internet website; (f) have a unique and easy to remember Internet website address; and (g) have adequate systems for protection, backup, and contingency planning to address power outages, systematic failures, and electronic security.
4. The comptroller shall develop a process for a governmental entity to access the public information Internet website to post public information or modify information previously posted by the entity or to submit the information or modified information to the comptroller for posting on the Internet website.
5. Each governmental entity: (a) shall submit for inclusion on the public information Internet website any public or legal notice the entity is required to publish under statute or rule; and (2) may submit any other public information the entity elects to submit.
6. A governmental entity’s submission of public information to the public information Internet website does not satisfy a publication requirement under other law.
7. Submission of public information to the Internet website shall be made in addition to any other publication requirement.
8. A governmental entity that in good faith attempts to submit public information to the public information Internet website and that satisfies the publication requirements for that information under other law is not subject to liability or other penalty for a failure in posting the public information to the public information Internet website or in delivery of an e-mail notice of the posted public information.

S.B. 843 (Perry) – Crime Victim Information: would provide that an application for compensation under the Crime Victims Compensation Act (Act) and any information, document, summary, or other record provided to or received, maintained, or created by the attorney general under the Act is not subject to the disclosure under the Public Information Act and not subject to disclosure, discovery, subpoena, or other means of legal compulsion for release with a few exceptions.

S.B. 1304 (Perry) – Juvenile Records: this bill is the same as H.B. 2863, above.
S.B. 1332 (Rodriguez) – Dates of Birth: this bill is identical to H.B. 3053, above.

S.B. 1347 (Watson) – Public Information: would provide for: (1) an expedited response procedure that would allow a city to withhold or redact information that it in good faith believes is excepted from disclosure; and (2) a detailed process that a city must follow to utilize the procedure. (Companion bill is H.B. 2328 by Lucio.)

S.B. 1357 (Hall) – Right to Information: would: (1) give an elected or appointed member of the city council (public officer) a right of access to information of the city; (2) provide that a public officer is not required to: (a) obtain approval from the city council to request or obtain information; or (b) specify the purpose for which the information is requested; (3) require the city to provide information to a public officer, including confidential information or information otherwise excepted from disclosure, at no charge and not later than the 10th business day after receiving the request, or as soon as practicable as agreed by the city and the requestor; (4) require a city to provide information requested by a public officer in the manner and format requested, including by allowing: (a) unrestricted access to physical information; and (b) the requestor to make copies or other reproductions of the information; (5) prohibit a city from requiring a public officer to sign a confidentiality agreement in order to receive information; (6) require a public officer to use information only in a manner that maintains the confidential nature of the information and prohibit the disclosure or release to the public; and (7) provide that a city’s public information officer (PIO), or the officer’s agent, commits a Class A misdemeanor offense if, with criminal negligence, the PIO or the PIO’s agent fails or refuses to provide information to a public officer.

S.B. 1440 (Campbell) – Open Meetings: this bill is the same as H.B. 3394, above.

S.B. 1646 (Watson) – Public Information: this bill is the same as H.B. 3848, above.

S.B. 1655 (Watson) – Attorney-Client Privilege: would provide that neither the attorney client privilege nor several other exceptions to disclosure in the Public Information Act are compelling reasons to withhold information when a governmental body fails to timely request an attorney general letter ruling. (Note: this bill would overturn the recent Texas Supreme Court opinion in Paxton v. City of Dallas.)

S.B. 2047 (Bettencourt) – Municipal Management District: would impose various changes to the governance and operation of municipal management districts, including: (1) providing that a district created after September 1, 2017, may not include single-family detached residential property; (2) requiring a district that maintains an Internet website to post the district’s financial records on the website or provide a link on the website to another Internet website on which the information is posted; (3) prohibiting a board from imposing an assessment on residential property; (4) prohibiting a district from using the proceeds of a bond to finance an improvement project or service outside the district; and (5) requiring written notice of a proposed bond issued by a district to be mailed to: (a) the governing body of each city and county in which the district is located; (b) each senator and member of the house of representatives who represents any part of the territory of the county in which the district is located; and (c) each person who owns real property in the district.
Other Finance and Administration

H.B. 9 (Capriglione) – Texas Cybercrime Act: would, among other things, create: (1) a third degree felony for a person who intentionally interrupts or suspends access to a computer system or computer network without the effective consent of the owner; and (2) a Class A misdemeanor for a person who: (a) alters data as it transmits between two computers in a computer network or computer system without the effective consent of the owner; or (b) introduces malware, including ransomware, onto a computer, computer network, or computer system without the effective consent of the owner.

H.B. 53 (Romero) – Settlement: would: (1) prohibit a city or other governmental unit from entering a settlement of a claim or action if: (a) the settlement is equal to or more than $30,000; and (b) a settlement condition requires a party seeking relief against the governmental unit to agree not to disclose to facts, allegations, evidence, or other matters; and (2) limit the admissibility of certain evidence relating to settlement negotiations.

H.B. 74 (Flynn) – U.S. Constitution: would: (1) create a state legislative committee to review whether a federal action violates the U.S. Constitution; and (2) provide that the Texas attorney general may represent the state or a political subdivision of the state if either refuses to participate in the implementation of a federal action.

H.B. 135 (Krause) – Grants: would provide that a political subdivision that receives or expends a federal grant or other federal funds that have not been appropriated by the legislature shall report to the Legislative Budget Board, the comptroller, and the government not later than the 90th day of the political subdivision’s fiscal year: (1) the total amount of federal funds received or expended in the previous fiscal year; and (2) the use or purpose use of those funds.

H.B. 151 (Simmons) – Local Debt Elections: would require a proposition for approval of the issuance of bonds or other debt to be submitted to the voters in an election held on the November uniform election date.

H.B. 153 (Schaefer) – Occupational Regulation: would: (1) unless expressly authorized by state law, prohibit a city from adopting or enforcing any ordinance, rule, or regulation that: (a) establishes additional, more stringent licensing requirements for an occupation that requires a state occupational license; or (b) requires a person to obtain an occupational license issued by the city; and (2) provide that any ordinance, rule, or regulation that violates (1), above, is void and unenforceable.

H.B. 196 (M. Gonzalez) – Prekindergarten: would expand the circumstances under which school districts must provide prekindergarten classes. (Companion bill is S.B. 35 by Zaffirini.)

H.B. 212 (Springer) – Local Debt Elections: would: (1) require an election for the issuance of bonds by a political subdivision other than a municipal utility district to be held on the November uniform election date; and (2) provide that a bond proposition by a political subdivision other
than a municipal utility district must be placed before all parties, offices, names, and other propositions on the ballot.

**H.B. 240 (Hernandez) – Nuisance Abatement:** would, in regard to a suit to abate a common nuisance, provide that proof that massage therapy or other massage services occur at a place not licensed for that purpose is prima facie evidence that the defendant knowingly tolerated the activity and the place is habitually used for the activity.

**H.B. 370 (Howard) – Ethics:** would require the clerk or secretary in a city that makes personal financial disclosure statements (statements filed by certain officers in cities of 100,000 or more) available to the public on the city’s website redact the home address of the individual filing the statement before putting it on the website.

**H.B. 411 (Longoria) – Credit and Debit Card Purchases:** would require a merchant, including a city, to verify the identity of an individual for certain face-to-face debit or credit card transactions.

**H.B. 448 (Guillen) – State Parks Funding:** would provide that the Texas Parks and Wildlife Department may transfer an amount not to exceed 15 percent of all amounts collected during the previous month from vessel fees to the state parks account.

**H.B. 451 (Moody) – Workers’ Compensation:** would: (1) waive governmental immunity for claims against a public employer, including a city, that discriminates or retaliates against a first responder who has filed a workers compensation claim; and (2) cap damages at $100,000 for each person’s claim.

**H.B. 487 (Guillen) – Rock Climbing:** would include rock climbing in the recreational use statute for tort liability purposes.

**H.B. 499 (Collier) – Workers’ Compensation:** would apply unfair insurance settlement practices to a claim by an insured or beneficiary under an insurance policy for workers’ compensation insurance.

**H.B. 500 (Geren) – Public Retirement Systems:** would, with certain exceptions, make a person who is a member in a public retirement system wholly or partly because the person held an elected office ineligible to receive a service retirement annuity if the member is convicted of a qualifying felony committed while in office and arising directly from the official duties of that elected office. (Companion bills are S.B. 500 by V. Taylor and H.B. 1273 by Geren.)

**H.B. 501 (Capriglione) – Personal Financial Statements:** would, among other things, change the content requirements of a personal financial statement that must be filed by certain city officers and candidates in cities with a population of 100,000 or more to include information about certain contracts with a governmental entity. (Companion bill is S.B. 501 by V. Taylor.)

**H.B. 503 (Capriglione) – Qualifications for Office:** would: (1) provide that a person who is required to be a registered lobbyist is not eligible to be a candidate for an elected or appointed public office; and (2) except from (1): (a) an office of a political subdivision with a population
of 150,000 or less, other than the office of presiding officer, provided that the officeholder does not receive a salary or wage for that office; and (b) the office of the presiding officer of the governing body of a political subdivision with a population of 50,000 or less, provided that the presiding officer does not receive a salary or wage for that office. (Companion bill is S.B. 503 by V. Taylor.)

H.B. 510 (S. Davis) – Payroll Deductions: would, among other things: (1) prohibit the state or a political subdivision of the state from deducting or withholding from an employee’s salary or wages for payment of dues or membership fees to a labor organization or other similar entity, including a trade union, labor union, employees’ association, or professional organization; and (2) except from the prohibition described in (1) certain deductions of employees who work in a city with a population of more than 10,000 and are members of the fire department, police department, or who serve as emergency medical services personnel.

H.B. 580 (Dale) – Driver’s Licenses/Personal Identification Certificates: would provide that the Department of Public Safety would include the following statements on each limited term license: “This license is not acceptable for official federal purposes. This license is issued only as a license to drive a motor vehicle. This license does not establish eligibility for employment, voter registration, or public benefits.”

H.B. 581 (Dale) – Driver’s Licenses/Personal Identification Certificates: would, among other things, create a limited term driver’s license and personal identification certificate that: (1) is not acceptable for official federal purposes; and (2) does not establish eligibility for employment, voter registration, or public benefits.

H.B. 582 (Dale) – Driver’s Licenses/Personal Identification Certificates: would: (1) delete references to “refugees or asylees lawfully admitted into the United States” from the various license expiration statutes, which include driver’s license and personal identification certificates; and (2) require refugees or asylees lawfully admitted into the United States to give a full set of fingerprints with their application for a driver’s license.

H.B. 640 (Phillips) – Halfway Houses: would: (1) provide that a city may regulate the location of a halfway house by ordinance or order if the city finds it necessary to promote the public health, safety, or welfare; (2) require the owner or operator of a halfway house to provide written notice to the mayor and chief law enforcement officer of the city, if the proposed location of the halfway house is within the city limits, not later than the 60th day before the date a facility begins operations; (3) authorize a city to sue in district court for an injunction to prohibit a violation of a regulation adopted under (1); and (4) provide that a person who violates the regulation adopted under (1) commits a Class A misdemeanor.

H.B. 649 (Hernandez) – Alcohol Permits: would provide that a person, other than a local official, may anonymously protest the application for a mixed beverage permit or mixed beverage late hour permit.

H.B. 738 (Shaheen) – Local Debt: would, among other things, require a political subdivision that issues a general obligation bond to: (1) include the following amounts, with each stated as a
total amount and per capita amount for the then-current population of the political subdivision, on the ballot proposition for the general obligation bond: (a) the then-current general obligation debt of the local government; (b) the maximum amount of additional general obligation debt that would be authorized if the proposition passed; and (c) the maximum estimated cost to repay the general obligation debt that would be authorized by the proposed amendment, including principal and interest, at a stated likely interest rate; (2) print the ballot in accordance with a specific format required by state law; and (3) certify the then-current general obligation debt, likely interest rate for the proposed bonds, and estimated maximum repayment cost in accordance with the likely interest rate for purposes of the information required to be on the ballot proposition.

**H.B. 739 (Shaheen) – Local Debt:** would require: (1) a ballot proposition submitted for an election to authorize a political subdivision to issue bonds to state: (a) as a total amount and as a per capita amount, the then-current combined principal and interest required to pay all outstanding debt obligations of the political subdivision on time and in full; (b) as a total amount and as a per capita amount, the estimated combined principal and interest required to pay the bonds to be authorized on time and in full; and (c) if the bonds are supported by property taxes, the annual increase in property taxes attributable to the bonds to be issued that each homeowner of an average-priced home within the political subdivision may be required to pay; (2) a political subdivision to post the ballot proposition language to its website, if the political subdivision maintains a website, as soon as practicable after the official ballots have been prepared and maintain the proposition on the website until the day following the election; and (3) the secretary of state to develop a form of the ballot for a local bond election, but provide that a political subdivision is not required to use the form.

**H.B. 742 (Farrar) – Breastfeeding:** would provide that: (1) a person may not interfere with or restrict the right of a mother to breast-feed in any location the mother and child are authorized to be, and the mother’s authority to be on the premises may not be revoked just because she is breast-feeding; (3) the comptroller shall notify in its tax e-newsletter and seminars about the right to breast-feed; (4) a mother may bring a civil action against a person who is allegedly violated the mother’s right to breast-feed; and (5) if mother prevails in a civil action, she is entitled to: (a) injunctive relief; (b) damages up to $500 for each day a violation occurred; and (c) reasonable attorney’s fees and court costs.

**H.B. 744 (Farrar) – Attorney Fees:** would provide that attorney’s fee cannot be recovered from the state, an agency or institution of the state, or a political subdivision of the state if the claim is for rendered services; performed labor; furnished material; freight or express overcharges; lost or damaged freight or express; killed or injured stock; a sworn account; or an oral or written contract except where the law allows.

**H.B. 894 (Raymond) – Eight Liners:** would provide, among other things, that: (1) on proper petition by the required number of voters of a county or of a justice precinct or city in a county, the commissioners court of the county shall order a local option election in that political subdivision to determine whether the operation of eight-liners shall be legalized or prohibited in the political subdivision; (2) the county commissioners court, at its next regular session on or after the 30th day after the date the petition is filed, shall order a local option election to be held...
on the issue; (3) the comptroller shall collect a $350 annual fee on each eight-liner that an owner exhibits or displays, or permits to be exhibited or displayed, in this state; (4) the comptroller shall deposit 30 percent of each fee collected to the credit of the general revenue fund and: (a) for an eight-liner located in a city, the comptroller shall remit 70 percent of the fee to the city; or (b) for an eight-liner located outside a city, the comptroller shall remit 70 percent of the fee collected to the county; and (5) modify the definition of gambling in the Penal Code to clearly authorize the use of Eight Liners in an area that has voted to allow them.

H.B. 919 (Kacal) – Workers’ Compensation Coverage: would provide that a local government employee is included in workers’ compensation insurance coverage in the same manner as a state employee while the local government employee is engaged in training for or acting as a member of an activated intrastate fire mutual aid system team or regional incident management team.

H.B. 924 (Turner) – Minimum Wage: would provide that the minimum wage is not less than the greater of $10.10 an hour or federal minimum wage under the Fair Labor Standard Act. (Companion bill is H.B. 229 by Menendez) (See H.J.R. 56, below).

H.B. 937 (Thompson) – Minimum Wage: would provide for an increment increase in minimum wage to $10.10 an hour or the federal minimum wage under the Fair Labor Standard Act by the year 2020.

H.B. 954 (Rodriguez) – Minimum Wage: would provide that (1) a city may adopt a minimum wage that is greater than the minimum wage established by the state to be paid by an employer to each employee for services performed in the city; (2) private entities that enter into a contract or agreement, including a non-annexation agreement, with the city must comply with the greater minimum wage established by the city; and (3) the bill will not apply to person covered by the Fair Labor Standard Act. (Companion bill is S.B. 427 by Rodriguez.)

H.B. 992 (Walle) – Minimum Wage: would provide that the minimum wage is not less than the greater of $15.00 an hour or federal minimum wage under the Fair Labor Standard Act. (Companion bill is H.B. 285 by Alonzo.) (See H.J.R. 57, below.)

H.B. 997 (Capriglione) – Land Conveyance: would provide that: (1) a city must provide the governor with advance notice of proposed conveyance of land owned by the city to the United States; (2) the notice must be sent to the governor not later than the 30th day before the date of either published notice required for the sale or exchange of land by a city or offer of the land if published notice is not required; (3) a city shall submit a formal request for approval to the governor and can conduct the sale of exchange of land unless the governor send written notice disapproving of the sale or lease of land; and (4) city shall provide certain information on the conveyance of public land to the United States to the General Land Office for them to post on its website.

H.B. 1003 (Capriglione) – Public Funds Investment Act: would make numerous changes to the Public Funds Investment Act, including:
1. providing that interest-bearing banking deposits that are guaranteed or insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund are considered authorized investments;

2. providing that an investment in negotiable certificates of deposit issued by a bank that has a certificate of deposit rating of at least 1 or the equivalent by a nationally recognized credit agency, or that is associated with a holding company having a commercial paper rating of at least A-1, P-1, or the equivalent by a nationally recognized credit rating agency, is an authorized investment;

3. providing, with regard to the execution of a repurchase agreement by an investing entity, that an issuer may agree to waive sovereign immunity from suit or liability for breach of the agreement;

4. providing that a no-load money market mutual fund is an authorized investment if the mutual fund complies with certain Federal Securities and Exchange Commission rules, without regard for whether it has a dollar-weighted average stated maturity of 90 days or fewer or includes in its investment objectives the maintenance of a stable net asset value of $1 for each share;

5. providing that a no-load money market mutual fund is an authorized investment if the mutual fund is continuously rated as to investment quality by at least one nationally recognized investment rating firm of not less than the highest liquidity rating given to United States Treasury obligations (instead of AAA or its equivalent);

6. providing, with regard to the execution of a guaranteed investment contract by an investing entity, that an issuer may agree to waive sovereign immunity from suit or liability for breach of the agreement;

7. requiring an investment pool to furnish to the investment officer or other representative of an investing entity the pool’s policy regarding holding deposits in cash;

8. if the ratio of the market value of the portfolio divided by the book value of the portfolio is less than .995 or greater than 1.005, requiring the governing body of an investment pool to take action as necessary to eliminate or reduce, to the extent reasonably practicable, any dilution or unfair result to existing participants, including a sale of portfolio holdings to attempt to maintain the ratio between .995 and 1.005;

9. providing that an investment pool must be continuously rated no lower than the highest liquidity rating given to United States Treasury obligations (instead of AAA or AAA-m or its equivalent rating);

10. providing that, to the extent of any conflict, the Public Funds Investment Act prevails over a conflicting city charter provision regarding the ability to enter into a hedging contract;

11. requiring a governing body of an eligible entity to establish its policy regarding hedging transactions;

12. providing that an eligible entity may enter into hedging contracts and related security and insurance agreements related to commodities used in the general operations of an eligible entity or used in connection with the acquisition or construction of a capital project by the eligible entity;

13. requiring that a hedging transaction must comply with the regulations of the federal Commodity Futures Trading Commission and the federal Securities and Exchange Commission;
14. providing that an eligible entity may credit any amount the entity receives under a hedging contract or agreement against expenses associated with a commodity purchase; and

15. providing that an eligible entity’s payment under a hedging contract or agreement may be considered: (a) an operation and maintenance expense of the eligible entity; (b) an acquisition expense of the eligible entity, or (c) a construction expense of the eligible entity.

H.B. 1038 (Rinaldi) – Costs and Attorney Fees: would require a court to award costs and attorney’s fees to the prevailing party in a civil proceeding where the motion is dismissed only if the prevailing party is the party that filed the motion to dismiss.

H.B. 1055 (Burkett) – State Licensing Fees: would prohibit a state agency from increasing the amount of a fee established on or before January 1, 2017, for the issuance or renewal of a license issued by the agency.

H.B. 1090 (Meyer) – Misuse of Information: would provide the following penalties for the offense of misuse of official information when the offense results in a net pecuniary gain to the offender: (1) a felony of the third degree if the net pecuniary gain is less than $100,000; (2) a felony of the second degree if the net pecuniary gain is $100,000 or more but less than $200,000; and (3) a felony of the first degree if the net pecuniary gain is $200,000 or more. (Companion bill is S.B. 140 by V. Taylor.)

H.B. 1118 (Kacal) – State Council on Competitive Government: would abolish the State Council on Competitive Government and transfer its functions to the comptroller.

H.B. 1137 (Y. Davis) – Tax and Fee Benefits: would provide that a domestic private entity is not eligible for a credit, exemption, or discount in relation to a tax or fee imposed by this state if the entity, at any time during the previous two years, created employment suitable for performance in the United States in a country other than the United States, and as a result, eliminated or failed to create similar employment in the United States.

H.B. 1139 (Y. Davis) – Tax Reporting: would provide that the comptroller’s biennial report on certain tax provisions must include, for each entity that receives a reduction of taxes payable as a result of a special provision, the actual dollar amount of the reduction the entity received since the previous report, regardless of whether the information is otherwise confidential under state law.

H.B. 1156 (S. Davis) – Dog Restraint: would: (1) with certain exceptions, prohibit a dog owner from leaving the dog outside and unattended: (a) by use of a restraint, unless the owner provides the dog access to adequate shelter, a dry place to stand, shade, and potable water; and (b) by use of a restraint that is a chain, has weights attached, is not of a certain length, is not attached to a properly fitted collar or harness, or causes pain or injury to the dog; (2) provide that a violation of (1) is a class C misdemeanor, except that an offense is a class B misdemeanor if the person has previously been convicted; and (3) provide that the unlawful restraint prohibitions in (1) do not affect the applicability of any law, rule, order, or ordinance of a city or prevent a city from
prohibiting or further regulating by ordinance the ownership, possession, restraint, confinement, or care of a dog.

H.B. 1157 (Davis of Harris) – Pawnbrokers: would provide that: (1) a pawnbroker may not modify, sell, or otherwise dispose of an item of goods acquired by the pawnbroker for a period of at least 20 days after the date the item of goods is acquired, unless the city enacts an ordinance that specifies the hold period; and (2) a pawn broker and a city law enforcement may agree to establish a reduced hold period of seven days or less if: (a) the ticket information for acquired goods is exchanged electronically; (b) the agreement for reduced hold period does not conflict with an ordinance of the city; and (c) the agreement is submitted in writing to the commissioner by the chief city law enforcement.

H.B. 1222 (Rinaldi) – City-Issued Licenses: would: (1) prohibit certain employers from knowingly employing a person not lawfully present in the state and provide, as a penalty for certain violations, the suspension of the employer’s licenses; (2) require a city (as a licensing authority) to comply with a final order received from the Texas Workforce Commission (commission) to suspend an employer’s license; and (3) provide that a city, in carrying out the commission order: (a) may send notice to the license holder or others concerned with the license; (b) does not have to refund any fee or deposit paid; (c) is exempt from liability to the license holder for any act authorized under the bill; (d) is prohibited from issuing or renewing any other license to the employer during the suspension period; and (e) may charge a fee to the licensee in an amount sufficient to recover administrative costs.

H.B. 1228 (P. King) – Miscellaneous Gross Receipts Tax: would phase-out and repeal the state’s miscellaneous gross receipts tax on utility companies.

H.B. 1238 (VanDeaver) – Public Funds Investment Act: would provide that a public housing authority may satisfy the investment training requirement by requiring the treasurer, the chief financial officer if the treasurer is not the chief financial officer, the investment officer, or, if the authority does not have a treasurer, chief financial officer, or investment officer, a commissioner of the authority to attend at least five hours of appropriate instruction in each two-year period that begins on the first day of that housing authority’s fiscal year and consists of the two consecutive fiscal years after that date.

H.B. 1273 (Geren) – Public Retirement Systems: this bill is identical to H.B. 500, above. (Companion bill is S.B. 500 by V. Taylor.)

H.B. 1283 (Geren) – Ethics: would, among things: (1) make a person who is a member in a public retirement system wholly or partly because the person held an elected office ineligible to receive a service retirement annuity if the member is convicted of a qualifying felony committed while in office and arising directly from the official duties of that elected office; (2) change the content requirements of a personal financial statement that must be filed by certain city officers and candidates in cities with a population of 100,000 or more to include information about certain contracts with a governmental entity; (3) provide that a person who is required to be a registered lobbyist is not eligible to be a candidate for an elected or appointed public office; and (4) except from (3): (a) an office of a political subdivision with a population of 150,000 or less,
other than the office of presiding officer, provided that the officeholder does not receive a salary or wage for that office; and (b) the office of the presiding officer of the governing body of a political subdivision with a population of 50,000 or less, provided that the presiding officer does not receive a salary or wage for that office. (Companion bill is S.B. 14 by V. Taylor.)

H.B. 1295 (Capriglione) – City Contracts: would amend vendor disclosure requirements adopted during the 2015 legislative session and reported on Form 1295 to:

1. clarify that the term “business entity” means an entity doing business with a governmental entity or state agency and excludes the United States, a federal agency, a state agency, or another governmental entity;
2. define the term “contract” to mean a binding agreement between a governmental entity and business entity effective on the earlier of the date the governing body votes to approve the contract or the date the governmental entity becomes bound under the contract, and provide that the term includes an amendment to or an extension or renewal of the contract;
3. define the term “controlling interest” to mean: (a) an ownership or participating interest in a business entity represented by a unit, percentage, share, stock, or other acknowledgment of ownership or participating interest in an amount that exceeds five percent of the total ownership or participating interest in the business entity; (b) membership on the board of directors or other governing body of a business entity, provided the composition of the board or governing body does not exceed 10 members; or (c) service as an officer of a business entity that has not more than four officers or service as one of the four highest ranking officers of a business entity with more than four officers, excluding an officer of a publicly held business entity or its wholly owned subsidiary;
4. define the term “interested party” to mean a person who has a controlling interest in a business entity with whom a governmental entity or state agency contracts or who is an intermediary;
5. define the term “intermediary” to mean a person who actively participates in facilitating or negotiating a contract, including a broker, adviser, attorney, or agent for or representative of a business entity, and who: (a) receives compensation from the business entity for the person's participation; (b) communicates directly regarding the contract with the governmental entity or state agency for the business entity; and (c) is not an employee of the business entity or of a person with a controlling interest in the business entity; or an interested party with a controlling interest in the business entity;
6. define the term “signed” to include the use of any symbol executed or adopted by a person that is evidence of present intent to authenticate a writing, including an electronic signature;
7. define the term “value” to mean, with respect to a contract, the amount of consideration received or to be received by a business entity from a governmental entity or state agency under the contract;
8. clarify that the disclosure requirement applies only to contracts of a governmental entity that require the expenditure of the governmental entity’s money;
9. except from the disclosure requirement contracts with a publicly traded business entity; certain contracts related to a state of disaster declared by the governor; a contract
necessary to prevent unforeseen, imminent damage to public machinery, equipment, or other property; a contract related to a subsequent sale of a municipal bond after the initial bond sale; a contract with a federally insured financial institution; a contract with an electric utility and certain gas utilities; a contract for an insurance policy regulated by the Texas Department of Insurance; an interlocal agreement; and a contract related to a public security;

10. provide that the disclosure form be a written, unsworn declaration subscribed by the authorized agent of the business entity as true under penalty of perjury and allow the form to be executed using an electronic signature;

11. require a governmental entity to acknowledge receipt of a Form 1295 to the Texas Ethics Commission (commission) not later than the 30th day after the date the parties become bound under a contract for which a disclosure of interested parties is filed or the date a modified disclosure of interested parties is filed;

12. provide that a business entity that fails to submit the disclosure of interested parties is liable for a civil penalty of $500 for the first day the violation occurs and $100 for each additional day the violation occurs, not to exceed the lesser of the total amount prescribed by rule or $10,000;

13. require that a governmental entity immediately notify the commission if a business entity fails to submit a disclosure on or before the 30th day the disclosure is due, require the commission to immediately provide written notice of the violation and civil penalty to the business entity, and provide that if the business entity fails to submit the disclosure on or before the 10th day after the date the notice is provided, the business entity is liable to the state for the civil penalty; and

14. authorize the attorney general, at the request of the commission, to sue to collect a civil penalty imposed in (13) and allow the recovery of reasonable expenses, including investigation and court costs, reasonable attorney’s fees, witness fees, and other expenses.

H.B. 1310 (Sanford) – Local Debt: would provide that a city or county shall include in any publicly disseminated information relating to the proposed issuance of bonds, including information provided on the Internet website of the city or county, the following information: (1) the purpose for which the bonds are issued; (2) the amount of the bonds; and (3) the rate of interest on the bonds.

H.B. 1316 (Swanson) – Lobbying: would prohibit a political subdivision that receives state funding or a private entity that receives state funds from paying expenses for lobbying.

H.B. 1356 (Goldman) – Certificates of Obligation: would: (1) extend the timeframe to publish newspaper notice of intention to issue a certificate of obligation (CO) from 30 to 45 days before the passage of the ordinance; (2) require a city issuing a CO to maintain an Internet website and to continuously post notice of intention to issue a CO on its website for 45 days before the passage of the CO issuance ordinance; (3) require that the notice of intention to issue a CO include the following information, stated as a total amount and as a per capita amount: (a) the then-current principal of all outstanding debt obligations of the issuer; (b) the then current combined principal and interest required to pay all outstanding debt obligations of the issuer on time and in full; (c) the principal of the COs to be authorized; (d) the estimated combined principal and interest required to pay the COs to be authorized on time and in full; (e) the estimated rate of interest for
the COs to be authorized; (f) the maturity date of the COs to be authorized; and (g) a specific statement of the process by which a petition may be submitted requesting an election on the issuance of the COs; (4) change the threshold number of voters needed to petition to force an election on the issuance of a CO from five percent of the qualified voters of the issuer to five percent of the registered voters of the issuer; and (5) make COs issued for personal or professional services subject to the notice requirements.

**H.B. 1359 (White) – Monuments/Memorials**: would provide that: (1) a person commits an offense if the person intentionally and without authorization removes, relocates, or alters a monument or memorial; (2) if the person convicted of the offense described in (1) is a member of a public retirement system, the judge must make an affirmative finding of fact and enter an affirmative finding in the judgment in the case; (3) to be eligible to run for public office, a person cannot be finally convicted of the offense described in (1); (4) a governmental entity shall discharge an employee or refuse to hire an applicant who has been convicted of the offense in (1) if the governmental entity obtains this information through a criminal history record information review; (5) a governmental entity may not contract a person who is convicted of the offense described in (1); (6) a member or an annuitant of a public retirement system that has been finally convicted of the offense described in (1) will not be eligible to receive a full service retirement annuity from a public retirement system; (7) full service retirement annuity shall be resumed if the member or annuitant meets certain requirements concerning the conviction; and (8) public retirement system shall adopt rule to put a system in place to implement (6).

**H.B. 1362 (Shaheen) – Multi-Occupancy Private Spaces**: would provide that: (1) a city may not adopt or enforce an order, rule, policy, ordinance, or other measure that limits the ability of a private entity to adopt or enforce a policy on the use of the private entity’s multi-occupancy private spaces by one or more sexes or genders, including for the term of a lease by a private entity of a city facility; (2) the attorney general may: (a) bring an action for an injunction to prevent or restrain a violation of the bill; and (b) recover reasonable costs and attorney’s fees incurred in obtaining an injunction prohibiting the conduct in (1); and (3) sovereign and governmental immunity to suit and from liability is waived and abolished to the extent of liability created by the bill.

**H.B. 1364 (S. Thompson) – Asset Forfeiture**: would repeal civil asset forfeiture provisions and establish criminal asset forfeiture in this state, and among other things: (1) authorize a convicting court to order a person convicted of violating a law subject to forfeiture to forfeit certain property, but only after the state establishes by clear and convincing evidence that the requirements for forfeiture are met or enters into a court-approved plea agreement for the forfeiture of the property; (2) provide that contraband is not subject to forfeiture, but must be disposed in accordance with state law; (3) establish procedures for the seizure of real and personal property and for the defendant to challenge the seizure; (4) provide that a forfeiture proceeding must be held following the trial of the related alleged offense; (5) require that the county treasurer dispose of all forfeited and abandoned property and deposit the money in the general revenue fund of the county, except that the court may order a portion of the proceeds to be used to pay all outstanding recorded liens and for the expenses for the seizure, storage and maintenance or custody of the items; (6) prohibit a law enforcement agency from: (a) retaining any forfeited or abandoned property for the agency’s use; or (b) selling any forfeited or
abandoned property directly or indirectly to an employee, a person related to an employee, or another law enforcement agency; (7) require law enforcement agencies to report certain forfeiture information to the Department of Public Safety; (8) require a law enforcement agency to return property under certain circumstances and make the agency responsible for any damage, storage fees, and related costs applicable to the property; and (9) prohibit the transfer of seized property to the federal government, with some exceptions. (Companion bill is **S.B. 380** by Burton.)

**H.B. 1375 (S. Davis) – Zoos and Aquariums**: would exempt from the Veterinary Licensing Act a licensed health care professional who, without compensation and under direct supervision of a veterinarian, provides treatment or care to an animal owned by or in possession, control, or custody of an entity accredited by the Association of Zoos and Aquariums. (Companion bill is **S.B. 721** by Perry.)

**H.B. 1377 (S. Davis) – Personal Financial Statements**: would change the content requirements of a personal financial statement that must be filed by certain city officers and candidates in cities with a population of 100,000 or more in regard to disclosures about stocks in non-publicly traded and publicly traded corporations.

**H.B. 1380 (S. Davis) – Texas Ethics Commission**: would: (1) authorize the Texas Ethics Commission (commission) to disclose to a law enforcement agency confidential information in a sworn complaint or at issue in a preliminary review hearing to the extent the disclosure is necessary to protect the public interest and for the recipient to perform a duty or function in addition to the commission’s duties and functions; (2) provide that confidential information under (1) remains confidential and require the law enforcement agency to take appropriate measures to maintain that confidentiality; and (3) provide that a person commits a Class C misdemeanor if confidential information in (2) is disclosed.

**H.B. 1381 (S. Davis) – Personal Financial Statements**: would, in regard to personal financial statement forms that must be filed by certain city officers and candidates in cities with a population of 100,000 or more, authorize the Texas Ethics Commission to adopt rules related to the time in which the city clerk or secretary must deliver the form to city officers.

**H.B. 1463 (Smithee) – Americans with Disabilities Act**: would: (1) require a person seeking a claim for relief under the Americans with Disability Act (ADA) to first notify the respondent of the intent to file the claim; (2) give a respondent who has received a notice in (1) the right to correct the alleged violation, and provide for related notice and judicial proceedings regarding the corrections; and (3) prohibit a person from providing a notice of intent to file an ADA claim in bad faith and authorize the attorney general to enforce this prohibition through injunctive and other relief such as civil penalties and restitution.

**H.B. 1530 (Workman) – Newspaper Notice**: would: (1) provide that a political subdivision satisfies a requirement in any other law to provide notice by publication in a newspaper by publishing the notice in any other form of media the political subdivision determines will provide sufficient public notice, including on the political subdivision’s website or an Internet
newspaper; and (2) require that any notice provided in (1) be published for the same period required by law for the publication of the notice in a newspaper.

**H.B. 1557 (Parker) – City Fees**: would: (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, chargers, 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 the e-mail notification service must: (a) allow a subscriber to request notification of each: (i) new fee proposed to be adopted by the city; (ii) existing fee proposed to be increased by the city; (iii) proposed budget of the city that includes use of revenue from a new or increased fee; (iv) adopted budget of the city that includes use of revenue from a new or increased fee; (v) public hearing scheduled to be held at which a fee or budget described by (i) through (iv) is scheduled to be discussed; (b) include a link in the notification to any web page maintained by the city on which the fee or budget may be viewed; and (c) notify the subscriber by email not later than the day: (i) the city provides public notice of a public hearing at which a proposed new or increased fee or a proposed budget is scheduled to be discussed, for notification of a public hearing for a proposed fee or budget; (ii) the budget officer files a proposed budget with the city clerk, for notification of a proposed budget; or (iii) the governing body files an adopted budget with the city clerk, for notification of an adopted budget; (3) 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); (4) 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; (5) provide that a city’s adopted budget contain a cover page that includes, if applicable, 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 and percentage of increase of each increased fee).” (Companion bill is S.B. 737 by Hancock.)

**H.B. 1571 (Paddie) – Energy Savings Performance Contracts**: would expand the definition of “energy savings” to include the estimated amount of avoided expected future operating and maintenance costs for purposes of a local government entering into an energy savings performance contracts.

**H.B. 1572 (Workman) – Tree Removal Regulations**: would: (1) prohibit a city, county, or other political subdivision from enacting or enforcing an ordinance or other regulation that restricts the ability of a property owner to remove a tree or vegetation on the owner’s property that the owner believes poses a risk of fire to a structure on the property or on adjacent property, including a regulation that requires the owner to file an affidavit or notice of removal; (2) except from the prohibition in (1) the enforcement of an ordinance or other regulation on property being developed under a city permit; (3) except from the prohibition in (1) the enforcement of an ordinance or other regulation that: (a) restricts the ability of a property owner to remove a tree
eight inches or larger and four and a half feet above the ground, except that no restrictions may be made on the ability to remove mesquite, juniper, salt cedar, or hackberry trees; or (b) is designed to mitigate certain tree-borne diseases; (4) provide that the bill doesn’t apply to a city whose extraterritorial jurisdiction is immediately adjacent to or includes all or part of a federal military installation in active use as of September 1, 2017; (5) prohibit a property owners’ association from including or enforcing a provision in a dedicatory instrument that restricts the ability of a property owner to remove a tree or vegetation on the owner’s property that the owner believes poses a risk of fire to a structure on the property or on adjacent property, including a regulation that requires the owner to file an affidavit or notice of removal; and (6) except from the prohibition in (5): (a) a provision in a dedicatory instrument designed to mitigate certain tree-borne disease; and (b) an area of an owner’s property that is in a specified drainage or conservation easement shown on a recorded plat.

H.B. 1587 (Lozano) – Windstorm Insurance: would modify the procedures to appeal a decision of the Texas Department of Insurance regarding the issuance of certain certificates of compliance under the Texas Windstorm Insurance Association Act.

H.B. 1610 (Kuempel) – City Contracts: would amend vendor disclosure requirements adopted during the 2015 legislative session and reported on Form 1295 to:

1. define an “interested party” to mean: (a) for a corporation, either more than 50 percent, owned directly or indirectly, of the total combined voting power of all classes of stock of the corporation, or more than 50 percent, owned directly or indirectly, of the beneficial ownership interest in the voting stock of the corporation; (b) for a partnership, association, trust, or other entity other than a limited liability company, more than 50 percent, owned directly or indirectly, of the capital, profits, or beneficial interest in the partnership, association, trust, or other entity; and (c) for a limited liability company, either more than 50 percent, owned directly or indirectly, of the total membership interest of the limited liability company or more than 50 percent, owned directly or indirectly, of the beneficial ownership interest in the membership interest of the limited liability company;

2. provide that the disclosure requirement applies to a contract that a business entity enters or seeks to enter into with a governmental entity or state agency that: (a) requires an action or vote by the governing body before the contract may be signed; and (b) has a value of at least $10 million;

3. prohibit a governmental entity or state agency from entering into a contract described in (2) with a business entity that does not have a disclosure of interested parties on file with the Texas Ethics Commission; and

4. require a business entity to submit a disclosure of interested party form to the Texas Ethics Commission: (a) annually until expiration of the contract; and (b) not later than the 30th day after the date of any material change in the interested parties previously-disclosed by the business entity.

H.B. 1626 (Gutierrez) – Tax Increment Financing: would provide that an agreement to abate property taxes in a tax increment reinvestment zone does not need to be approved by the board of directors of the reinvestment zone and the governing body of each taxing unit that imposes taxes
on real property in the zone and deposits a portion of tax increment into the tax increment fund if the agreement to abate taxes on real property in a reinvestment zone is entered into by a taxing unit that does not deposit and has not agreed to deposit any of its tax increment into the tax increment fund for the zone.

**H.B. 1658 (Phelan) – Local Debt**: would: (1) require a proposition submitted to the voters for approval of the imposition, increase, or reduction of a tax to specifically state, as applicable: (a) with respect to a proposition that only seeks voter approval of the imposition or increase of a tax: (i) the estimated additional tax burden that would be imposed on a homestead with a value equal to the median homestead value in the political subdivision, as computed by the appraisal district, after the imposition or increase of the tax, if approved; and (ii) a detailed description of the purposes for which the tax is to be imposed or increased, if approved; and (b) with respect to a proposition that only seeks voter approval of the reduction of a tax, the estimated tax reduction for a homestead with a value equal to the median homestead value in the political subdivision, as computed by the appraisal district, if the reduction of the tax is approved; and (2) require a proposition seeking voter approval of the issuance of bonds to specifically state: (a) a general description of the purposes for which the bonds are to be authorized; (b) the total principal amount of the bonds; (c) the total amount of the political subdivision’s debt currently outstanding; (d) the total amount of the political subdivision’s current debt payments; (e) the amount of taxes required to be imposed on a homestead with a value equal to the median homestead value in the political subdivision, as computed by the appraisal district, to repay the political subdivision’s current debt obligations; and (f) the estimated tax burden that would be imposed on a homestead with a value equal to the median homestead value in the political subdivision, as computed by the appraisal district, to repay the bonds to be authorized, if approved.

**H.B. 1701 (Parker) – Public Funds Investment Act**: would: (1) provide that a written copy of the investment policy must be presented to any business organization offering to engage in an investment transaction with an investing entity; (2) provide that “business organization” means an investment pool or investment management firm under contract with an investing entity to invest or manage the entity’s investment portfolio that has accepted authority granted by the entity under the contract to exercise investment discretion in regard to the investing entity’s funds; and (3) provide that the investment officer of an entity may not acquire or otherwise obtain any authorized investment described in the investment policy of the investing entity from a business organization that has not delivered to the entity a written instrument indicating that the business organization has: (a) received and reviewed the investment policy of the entity; and (b) acknowledged that the business organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the entity and the organization that are not authorized by the entity's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the entity's entire portfolio or requires an interpretation of subjective investment standards.

**H.B. 1746 (Meyer) – Retirement Benefits**: would: (1) make an elected individual ineligible for a public retirement annuity if: (a) they are convicted of a felony or class A or B misdemeanor related to the performance of their public service; and (b) a judge makes a finding that they are ineligible; (2) prohibit a conviction from affecting the annuity of an alternate payee; (3) require
the governing body of a public retirement system to create rules to implement the bill’s requirements; and (4) make the system resume full payments if an individual is later determined not guilty or innocent of the crime that lead to the ineligibility.

H.B. 1773 (Swanson) – Local Debt: would, among other things: (1) provide that an election held by a political subdivision to authorize the issuance of bonds or a tax increase has no effect regarding the issuance of the bonds or the tax increase unless more than 25 percent of the registered voters of the political subdivision vote in the election in which the bond or tax proposition is on the ballot; (2) require an election for the issuance of bonds or a tax increase by a political subdivision to be held on the November uniform election date; (3) provide that in an election held by a political subdivision for which the ballot includes a proposition seeking voter approval of the issuance of bonds or a tax increase, a temporary branch polling place must: (a) remain at the same location for the entire period during which early voting by personal appearance is conducted in the district; and (b) allow for early voting by personal appearance to be conducted during the same day sand hours as voting is conducted at the main early voting polling place; (4) require an election authorizing the issuance of bonds or a tax increase by a political subdivision to be held as a joint election, and provide that a single ballot containing all the offices or propositions stating measurers to be voted on at a particular polling place must be used in a joint election; (5) require a political subdivision to hold an election prior to issuing all bonds, including revenue bonds; and (6) provide that refunding bonds and bonds issued in an amount less than $2,000 to repair a building or structure that may be built using the proceeds of bonds are subject to the election and notice requirements applicable to other bond issuances.

H.B. 1805 (Sanford) – Child Welfare Providers: would provide that: (1) a child welfare service provider is protected from discrimination or any adverse action by a governmental entity if the child welfare service provider makes decisions based on their religious beliefs that are contrary to any ordinance, rule, order, decision, practice or other exercises of a governmental entity; (2) child welfare service provider may assert an actual or threatened violation described in (1) as a claim or defense in a judicial or administrative proceeding and obtain relief; (3) relief can be by declaratory relief, injunctive relief, compensatory damages for pecuniary and non pecuniary losses (not to exceed $250,000 for each distinct controversy) and reasonable attorney’s fees, court costs, and other reasonable expenses; (4) any action must be brought not later than the second anniversary of the date the provider actually knew of the violation; and (5) sovereign and governmental immunity to suit and from liability are waived and abolished to the extent of liability described in (3) and a claimant may sue a governmental entity or official for damages allowed by (3).

H.B. 1861 (Elkins) – Cybersecurity: would provide that information collected, assembled, or maintained by or for a governmental body to prevent, detect, or investigate a computer security incident, including a breach of system security, is confidential under the Public Information Act.

H.B. 1878 (Murr) – Candidacy for Election: would require an individual to have paid all property taxes due in order to be eligible to be a candidate for public office.

H.B. 1896 (Bohac) – Hotel Occupancy Tax: would, among other things: (1) modify the definition of “venue” for purposes of a venue project to exclude a facility financed wholly or
partly by hotel occupancy taxes that will not be primarily used for community, civic, and charitable events that are attended only by residents of the community; (2) provide that a convention center facility that qualifies as a venue project and is financed wholly or partly with hotel occupancy tax revenue must be in the vicinity of the convention center; (3) provide that, in order to be eligible for hotel occupancy tax funding, a “convention center facility” or “convention center complex” must be primarily used to host conventions and meetings, with the term “meetings” defined as “gatherings of people that enhance and promote tourism and the convention and hotel industry;” (4) provide that, if a city adopts an ordinance imposing a hotel occupancy tax for the first time, the imposition of the tax does not apply to the use or possession, or the right to the use or possession, of a room under a contract executed before the date the imposition of the tax takes effect, unless the contract is subject to change or modification by reason of the imposition of the new tax; and (5) clarify that hotel occupancy tax dollars can be spent on the promotion of tourism by enhancing and upgrading any existing sports facilities or fields in certain cities.

H.B. 1908 (Zerwas) – E-Cigarettes/Tobacco Products: would raise the legal age to purchase e-cigarettes and tobacco products to 21 years. (Companion bill is S.B. 910 by Huffman.)

H.B. 1916 (Elkins) – Animal Shelters: would: (1) require all animal shelters and releasing agencies to prepare and maintain monthly records on the intake and disposition of animals, including: (a) the total number of live animals categorized by species and age; (b) the reason an animal was placed at the shelter or agency, including whether the animal was surrendered, impounded, confiscated, transferred, or born at the shelter; (c) the number of animals on the last day of each month, categorized by species and age; and (d) the disposition of each animal taken in by the shelter or agency, categorized by species and age, including whether the animal was adopted, reclaimed by the owner, died, transferred, euthanized, returned to the field, lost, or stolen; and (2) require a shelter or releasing agency to make the records described in (1) available to the public on their website, if they have one, or in a form regularly-maintained for inspection and copying.

H.B. 1923 (Krause) – Religious Beliefs/Marriage: would provide: (1) that a governmental entity may not take any adverse action against any person based wholly or partly on a person’s belief or action in accordance with the person’s sincerely held religious belief or moral conviction that marriage is or should be recognized as the union of one man and one woman or that sexual relationships are properly reserved to such a marriage; and (2) for various remedies under the bill, including action by the attorney general. (Companion bill is S.B. 893 by Hughes.)

H.B. 1924 (Elkins) – Hotel Occupancy Tax: would: (1) prohibit a state agency from posting on a public Internet website information that identifies the taxable receipts of an individual business that is contained in or derived from a record, report, or other document related to the collection of hotel occupancy taxes; and (2) provide that information described by (1) and that is collected or maintained by a state agency is considered to be public information.

H.B. 1926 (E. Rodriguez) – Cottage Foods: would: (1) define a “home food processor” as someone who makes certain food at home for sale, including cottage food production; (2) provide that home food processors are subject to county or state health laws and rules and
inspections, but otherwise exempt from certain provisions applicable to food service establishments; (3) require that home food processors: (a) obtain a state permit; (b) meet packaging and labeling requirements; (c) meet production requirements; and (d) meet recordkeeping requirements; and (4) prohibit a city zoning ordinance from prohibiting the use of a home for home food processor operations, but provide that a person is not limited in the ability to bring a nuisance or tort action against a home food processor.

H.B. 1930 (Frullo) – Financial Accounting and Reporting Requirements: would, among other things, repeal the state law governing financial accounting and reporting standards for the state and political subdivisions of the state. (Companion bill is S.B. 753 by Perry.)

H.B. 1936 (Springer) – Abortion: would provide, among other things, that a governmental entity may not enter into a transaction to give any thing of value to an abortion facility licensed by the state, except for basic governmental services such as police and fire services. (Companion bill is S.B. 855 by Campbell.)

H.B. 1941 (Turner) – Personal Financial Statements: would change the content requirements of a personal financial statement that must be filed by certain city officers and candidates in cities with a population of 100,000 or more to: (1) lower the dollar amount of certain information that must be reported by category; (2) provide that the actual face value of a gift of cash or cash equivalent must be reported, regardless of amount; (3) alter the applicable time frame for which certain information must be reported; (4) require the dollar value (rather than number) of certain stock shares be reported; and (5) disclose the date certain financial liability was incurred.

H.B. 1961 (Miller) – Dogs: would: (1) prohibit the owner of a dog from: (a) leaving the dog outside and unattended unless the owner provides continuous access to adequate shelter, shade, and water; and (b) restraining the dog outside and unattended by use of certain restraints; (2) provide for the disposition of certain penalties to go to the city served by the court that collects the penalty; and (3) provide that provisions in the bill do not affect the applicability of a city ordinance or prevent a city from regulating by ordinance the ownership, possession, restraint, confinement, or care of a dog.

H.B. 1984 (Burkett) – Rabies Quarantine: would: (1) require a veterinarian and a local rabies control authority to provide notice to the owner of an animal at the time that the owner submits the animal for rabies quarantine, setting out the date the animal enters into and will be released from quarantine; (2) require a veterinarian and a local rabies control authority to fit each animal in rabies quarantine with a yellow collar that is distinct from the collars of other animals in their care; and (3) prohibit a veterinarian or local rabies control authority from destroying an animal following the final day of rabies quarantine unless the owner is notified of the destruction and provided a reasonable opportunity to take possession of the animal.

H.B. 2004 (C. Anderson) – State Economic Development Fund: would, among other things, allow the Department of Agriculture to use the Texas economic development fund to administer, continue, implement, or maintain an economic development program established through an agreement with a local governmental entity to encourage rural economic development in this state.
H.B. 2069 (Shaheen) – Civil Action Limitations: would provide that a civil action related to a report of suspicious activity of another person to an appropriate law enforcement authority may not be brought against the person who made the report if the person made the report in good faith with a reasonable belief that the suspicious activity constitutes or is in furtherance of a crime, including an act of terrorism.

H.B. 2073 (E. Johnson) – Newspaper Notice: would: (1) repeal the requirement that an official city newspaper be entered as second-class postal matter; and (2) require a city that publishes certain notices in a newspaper to consider selecting a newspaper that is a minority-owned business if: (a) a substantial percentage of the individuals residing in the area where the notice is to be published are members of minority groups; and (b) a newspaper in the area where the notice is to be published is a minority-owned business and is widely circulated in that area.

H.B. 2107 (Lucio) - Medical Cannabis: would prohibit a city from enacting, adopting, or enforcing a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of medical cannabis.

H.B. 2260 (Dutton) – Tort Claims: would require the Texas Supreme Court to adopt rules under which a Texas Tort Claims Act claimant may obtain reasonable discovery to investigate whether circumstances exist that would confer jurisdiction on the court if the defendant asserts a plea to the jurisdiction.

H.B. 2274 (Guillen) – Animal Regulation: would make various changes to the law regarding dangerous wild animals, including: (1) repealing the current law governing dangerous wild animals; (2) changing the definition of “dangerous wild animal” to include fewer animals; (3) prohibiting a person from owning, possessing, harboring, or having custody of a dangerous wild animal; (4) excepting certain persons from the prohibition in (3), including cities and animal shelters housing an animal upon seizure or on request of an animal control authority or law enforcement agency; (5) requiring certain owners of dangerous wild animals to register the animal with the Department of State Health Services; (6) providing the circumstances under which a dangerous wild animal may be seized and disposed of, which involves an animal control authority or peace officer; and (7) incorporating the new definition of “dangerous wild animal” into the disorderly conduct and cruelty to nonlivestock offenses.

H.B. 2281 (Darby) – Utility Gross Receipts Tax: would, for purposes of the miscellaneous gross receipts tax on utility companies, provide that the tax is imposed on each utility company making sales to ultimate consumers in an incorporated city having a population of more than 1,000, without regard to whether the utility company is actually located in the city.

H.B. 2288 (Gutierrez) – Fireworks: would repeal the prohibition against a home rule city banning, as a nuisance, the sale of fireworks or similar materials within 5,000 feet outside the city limits.

H.B. 2333 (Elkins) – Credit Card Information: would: (1) require that a business, including a city: (a) keep confidential retained credit card information; (b) secure the information from a
breach of system security; (c) if there is a breach where credit card information is compromised, give notice to the attorney general and the financial institution which issued the card; and (2) create a civil penalty of $50 for a business to pay for each credit card or debit card whose information is compromised due to an unsecured computer system.

H.B. 2335 (Miller) – Day Care Centers: would provide that the executive commissioner of the Department of Family and Protective Services by rule shall require an owner, operator, or employee of a day-care center to receive training in trauma-based care.

H.B. 2338 (Bell) – Federal Action: would: (1) establish a joint legislative committee to review any federal action to determine whether such action is unconstitutional; (2) provide that any federal action found by the joint legislative committee to be unconstitutional be sent to the legislature for a determination and then on to the governor for approval or disapproval; (3) provide that any federal action declared to be unconstitutional has no legal effect in Texas; (4) prohibit the state or a political subdivision of the state from spending money to implement a federal action declared unconstitutional; (5) authorize the attorney general (and others) to prosecute a person who attempts to implement or enforce an unconstitutional federal action for official oppression, as well as other provisions of law; and (6) entitle a person to seek a declaratory judgment that a federal action is unconstitutional and give all courts original jurisdiction over such a proceeding.

H.B. 2353 (T. King) – Pension Review Board: would increase the membership of the Pension Review Board from seven to nine members to include one person from the Texas State Association of Fire Fighters and one person from either the Texas Municipal Police Association or the Combined Law Enforcement Association of Texas.

H.B. 2362 (Lozano) – Oil and Gas Grants: would: (1) create the oil and gas downturn assistance fund as an account in the state’s general revenue fund to provide grants for the purpose of economic development and diversification in eligible cities, counties, and school districts; (2) provide that, if the state’s revenue exceeds that stated in the comptroller’s biennial revenue estimate for that fiscal biennium, the comptroller shall transfer any excess general revenue to the credit of the fund; and (3) provide that the governor shall administer the fund.

H.B. 2390 (E. Rodriguez) – Animal Shelters: would provide for the medical treatment and care of animals by certain persons in animal shelter settings and releasing agencies (collectively, referred to here as shelters) and:

1. require that, before an animal adoption becomes final, a shelter provide the proposed new owner with a written history showing if the animal has been screened or tested for diseases and conditions common to the species along with any test dates and results;
2. allow a veterinarian acting on behalf of a shelter that has taken possession of an animal to: (a) perform sterilization of a dog or cat that shows no evidence of ownership, is surrendered by the owner, or that remains unclaimed for the designated hold period; (b) prescribe or administer a vaccine or medication; and (c) provide any other treatment the veterinarian reasonably believes will promote the health and well-being of the animal or alleviate the pain, suffering, or discomfort of the animal;
3. allow an unlicensed employee, volunteer, or agent acting on behalf of a shelter that takes possession of an animal to provide nonsurgical care or treatment to the animal: (a) under the authorization and general supervision of a veterinarian; or (b) pursuant to a protocol approved by a veterinarian;
4. authorize an employee, volunteer, or agent acting on behalf of a shelter that has taken possession of an animal to provide emergency veterinary care or treatment to an animal;
5. provide that a veterinarian who provides treatment on behalf of a shelter may deliver or cause to be delivered a medication to an unlicensed employee, volunteer, or agent who may then administer the medication in accordance with the veterinarian’s instructions, and that the veterinarian must comply with the State Board of Veterinary Medical Examiners recordkeeping system for controlled substances;
6. provide that the Veterinary Licensing Act be construed in favor of veterinarians and others who are acting in good faith to save animals’ lives;
7. establish no-kill benchmarks for those shelters that declare an intent to satisfy the benchmarks in writing;
8. except a veterinarian treating an animal on behalf of a shelter from the veterinarian-client-patient relationship requirement;
9. provide that controlled substance records may be maintained in a daily log or in billing records and that employees, volunteers, or agents acting under the general supervision or protocol of a veterinarian may contribute to the records; and
10. provide the disciplinary standard for those treating or caring for animals in an animal shelter setting.

(Companion bill is S.B. 1084 by Watson.)

H.B. 2423 (Schofield) – Home Rule City Bankruptcy: would provide that a home rule city that adopts proceedings to avail itself of federal bankruptcy laws or otherwise seeks bankruptcy protection forfeits its home rule charter.

H.B. 2434 (Flynn) – Local Retirement Systems: would provide that certain local retirement systems, not including the Texas Municipal Retirement System, that do not have a sufficient funding level shall follow certain requirements, including the adoption of a written plan that identifies specific measures to restore funding to an adequate level to achieve and maintain an amortization period that does not exceed 30 years.

H.B. 2470 (S. Davis) – Ethics Commission: would permit the Texas Ethics Commission to provide seminars addressing any laws administered and enforced by the commission and charge an attendance fee for those seminars.

H.B. 2471 (S. Davis) – Political Expenditures: would: (1) prohibit an officer or employee of a political subdivision from: (a) spending or authorizing the spending of public funds to make a political contribution or political expenditure; or (b) directly or indirectly employing a person to use public funds to make an unlawful political contribution or political expenditure; and (2) provide that a person who violates the prohibitions in (1) commits a Class A misdemeanor.
H.B. 2473 (S. Davis) – Conflicts Disclosure: would amend the law relating to the disclosure by vendors of gifts to certain local government officers and of certain relationships with local government officers (Local Government Code Chapter 176) to:

1. define “entertainment” to include transportation to, lodging for, and attendance at a function, event or performance that: (a) a local government officer accepts as a guest of a vendor; (b) is not required to be reported under other law; and (c) is not prohibited by law;
2. define “gift” to mean a benefit, including entertainment, offered by a vendor and accepted by a local government officer, and excluding: (a) a benefit offered based on kinship or a personal, professional, or business relationship independent of the official status of the local government officer; or (b) food or beverages accepted as a guest of a vendor;
3. define “local government officer” to mean: (a) a member of the governing body of a local governmental entity; or (b) a director, superintendent, administrator, president, or other executive officer of a local governmental entity who exercises discretion in the planning, recommending, selecting, or contracting of a vendor;
4. define “vendor” to mean a person or agent of the person who enters or seeks to enter into a contract with a local governmental entity for the provision of goods or services;
5. require a vendor, not later than the 15th day of the first month of each calendar quarter, to submit a completed disclosure form if the vendor has a contract or is seeking a contract with a local governmental entity and has given one or more gifts during the preceding calendar quarter with an aggregate value of more than $100 to a local government officer of the entity;
6. except from (5) a gift given by a vendor directly as part of the vendor’s sponsorship of an event that benefits certain nonprofit organizations;
7. require a local governmental entity to mail a written notice to a vendor if the vendor has not submitted a disclosure form as soon as practicable after the local governmental entity discovers the omission, in which event, the vendor has until the 30th day after the notice is mailed to submit the form, and provide that a knowing failure to submit the form before the 31st day is a Class C misdemeanor;
8. require a local governmental entity to: (a) create and update a complete list of all local government officers; (b) provide the list to each vendor that enters or seeks to enter into a contract with the entity; and (c) post and maintain the list on the entity’s website (if there is one);
9. prohibit a local government officer from soliciting from a vendor a gift on behalf of the officer, the officer’s family member, or another person, including a local governmental entity or nonprofit charitable organization, and except from this prohibition contributions authorized by the Election Code;
10. authorize the Texas Ethics Commission to prepare written advisory opinions regarding the application of Chapter 176, Local Government Code;
11. provide that a local government officer must file a conflicts disclosure statement with respect to a vendor if the vendor enters into a contract with the local governmental entity and: (a) the vendor and officer (or officer’s family member) have certain employment or business relationships; or (b) the vendor has a family relationship with the local government officer; and
12. require the local governmental entity to post each disclosure statement and questionnaire (Form CIS and Form CIQ) not later than the 30th day after the date it is filed.

H.B. 2474 (S. Davis) – Political Contributions and Expenditures: would make certain changes regarding electronic filing of reports of political contributions and expenditures with the Texas Ethics Commission, including a new requirement that certain reports by a candidate or officer of a county office, precinct office, or a district office be filed electronically.

H.B. 2494 (Faircloth) – Unclaimed Property: would modify the dates on which a city for holding unclaimed property must report that property to the comptroller.

H.B. 2551 (Krause) – Short-Term Rentals: would preempt a city’s authority to regulate short-term rentals. Specifically, the bill would provide that:

1. “short-term rental” is defined as a residential property, including a single-family dwelling or a unit in a condominium, cooperative, or time-share, that is rented wholly or partially for a fee for a period not longer than 30 consecutive days;
2. a city is prohibited from adopting or enforcing a local law that expressly or effectively prohibits the use of a property as a short-term rental;
3. a city is prohibited from adopting or enforcing a local law that restricts the use of or otherwise regulates a short-term rental based on the short-term rental’s classification, use, or occupancy;
4. a city may adopt or enforce a regulation on a property used as a short-term rental only if the city demonstrates the regulation’s primary purpose is to protect the public’s health and safety;
5. regulations are permitted that would address: (a) fire and building codes; (b) health and sanitation; (c) traffic control, and (d) solid or hazardous waste control;
6. a city may adopt or enforce a local regulation that limits or prohibits the use of short-term rental only if the law prohibits the use of a rental for the purpose of: (a) housing sex offenders; (b) operating a structured sober living home; (c) selling illegal drugs, (d) selling alcohol or another activity that requires a permit or license under the Alcoholic Beverage Code, or (d) operating as a sexually oriented business; and
7. a city must apply a local law regulating land use to a short-term rental in the same manner as another similar property, which includes regulations on: (a) residential use and other zoning matters; (b) noise; (c) property maintenance; and (d) nuisance. (Companion bill is S.B. 451 by Hancock.)

H.B. 2553 (Shaheen) – Lobbying Activities: would require a city that imposes a tax and uses any public money to directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature to disclose on any comprehensive annual financial report required to be prepared by the city: (1) the total amount spent during the fiscal year on influencing legislation; and (2) each person required to register as a lobbyist who was compensated by the city during the fiscal year to try to influence the outcome of legislation.

H.B. 2585 (Raymond) – Housing Authorities: would provide that all municipal housing authorities may borrow money, accept grants, and exercise the power to provide safe and
sanitary housing communities for veterans and are not subject to the area operation limitation with respect to housing projects that primarily benefit veterans.

**H.B. 2612 (Meyer) – Civil Liability:** would provide that a person is liable for damages proximately caused by the consumption or ingestion of a synthetic substance by another person or strictly liable for all damages caused by the consumption or ingestion and of a synthetic substance by a minor if the actor: (1) produced distributed, sold, or provided the synthetic substance to the other person or minor; or (2) aided in the production, distribution, sale, or provision of the synthetic substance to the other person or minor.

**H.B. 2642 (Sanford) – Local Debt:** would provide that a city or county shall include in any publicly disseminated information relating to the proposed issuance of general obligation bonds, including information provided on the Internet website of the city or county, the following information: (1) the purpose for which the bonds are issued; (2) the amount of the bonds; (3) the likely rate of interest on the bonds; and (4) the maximum estimated cost to repay the bonds that would be authorized by the proposed issuance, including the principal and interest at the likely interest rate determined under (3).

**H.B. 2647 (Stephenson) – Public Funds Investment Act:** would provide that an investment in an interest-bearing banking deposit or other obligation that is guaranteed or insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund is an authorized investment under the Public Funds Investment Act.

**H.B. 2648 (Stephenson) – Public Funds Investment Act:** would provide that obligations, including letters of credit, of the United States or its agencies and instrumentalities, including the Federal Home Loan Banks, are authorized investments under the Public Funds Investment Act.

**H.B. 2664 (Miller) – Day Care Centers:** would, among other things, provide that the executive commissioner of Department of Family and Protective Services (DFPS) by rule shall adopt minimum standards that apply to day-care centers for nutrition and daily dietary requirements, physical activity, and time spent using or viewing electronic devices. (Companion bill is S.B. 818 by Watson.)

**H.B. 2690 (Morrison) – State Hotel Occupancy Taxes:** would, beginning in 2020, require the comptroller to compute the amount of revenue derived from the collection of state hotel occupancy taxes at a rate of two percent and received from hotels located in coastal counties and transfer that amount to the coastal erosion response account to be used in ways that benefit coastal counties.

**H.B. 2733 (Lucio) – Towing and Booting:** would: (1) prohibit a towing company from removing and storing a vehicle that is unauthorized from a vehicle parking facility unless the parking facility owner or certain persons authorized by a parking facility owner request that the vehicle be towed; (2) allow a parking facility owner to authorize a person to request that an unauthorized vehicle be towed if: (a) the person is authorized to park a vehicle in a specific space; and (b) the vehicle identified for towing is obstructing or occupying the space in which
the person is authorized to park; and (3) prohibit a parking facility owner from causing a boot to be installed on an unauthorized vehicle in the parking facility unless the owner requests the boot.

**H.B. 2741 (Deshotel) – Gambling**: would authorize certain forms of gambling and provide that a portion of a gaming tax on casinos be used to fund the Texas Windstorm Insurance Association. (See **H.J.R. 90**, below.)

**H.B. 2758 (Geren) – Seed Regulation**: would prohibit a city from adopting an ordinance that regulates agricultural seed, vegetable seed, weed seed, or any other seed in any manner, including planting seed or cultivating plants grown from seed. (Companion bill is **S.B. 1172** by Perry.)

**H.B. 2770 (Smithee) – Common Nuisance**: would provide that a suit may be brought under the state’s nuisance statute by the attorney general, or district, county, or city attorney against a person who operates a web address or computer network that engages with certain activity, including human trafficking. (Companion bill is **S.B. 1196** by Kolkhorst.)

**H.B. 2779 (Schaefer) – Religious Freedom**: would, among other things: (1) prohibit a governmental entity, including a city, from taking any discriminatory action against: (a) a religious organization because the organization, based on or in a manner consistent with a sincerely held religious belief or moral conviction, makes an employment-related decision, or makes a decision concerning the sale, rental or occupancy of a dwelling or other housing under the religious organization’s control; (b) a religious organization that advertises, provides, or facilitates adoption or foster care consistent with a sincerely held religious belief or moral conviction; (c) a person granted custody of a foster or adoptive child for instructing the child based on a sincerely held religious belief or moral conviction; (d) a person who declines to participate in certain treatment or counseling related to sex reassignment or gender identity; (e) a person who has provided or declined to provide certain goods and services related to celebrating or recognizing a marriage; (f) a person who establishes sex-specific standards for employee and student dress, grooming, and bathroom access; (g) an employee who lawfully speaks or engages in expressive conduct based on or in a manner consistent with a sincerely held religious belief or moral conviction; (h) a person employed by or acting on behalf of an entity who has authority to authorize or license marriages and seeks recusal from that duty based on a sincerely held religious belief or moral conviction; (2) allow certain claims, defenses, injunctive relief, and declaratory relief for a violation of the prohibition in (1); and (3) waive sovereign immunity, and establish a two-year limitations period for a violation of the prohibition in (1).

**H.B. 2781 (Miller) – Vehicle Regulation**: would authorize certain counties to remove and store vehicles and other personal property from a roadway, and regulate vehicle storage facilities, junkyards, and auto wrecking and salvage yards.

**H.B. 2829 (Oliveira) – Unclaimed Property**: would provide that, in furtherance of the authority to examine and investigate regarding unclaimed property, the comptroller or the comptroller’s designee may: (1) take testimony; (2) administer oaths; (3) subpoena witnesses; and (4) issue subpoenas or commission to require any person to appear at the place and time stated in the subpoena or commission and: (a) give testimony under oath; or (b) produce relevant...
books, records, document, papers, accounts, and other data as may be relevant or material to the
inquiry being made.

**H.B. 2839 (Longoria) – Credit Card Transactions**: would require a merchant, in a point of
sale transaction, to require an individual using a credit card or debit card to provide photo
identification, and allow a merchant to refuse the card if the individual fails to provide the photo
identification. (Companion bill is **S.B. 1381 by Hughes**.)

**H.B. 2870 (Burns) – Fee Exemption**: would exempt members of the Texas National Guard or
Texas State Guard on active duty, who are preparing to be deployed in a hostile fire zone, from
paying certain fees incurred in order to arrange the member’s personal affairs, including fees for
a birth certificate and property tax records.

**H.B. 2876 (Sanford) – Wedding Industry Professionals**: would, among other things, prohibit a
city from penalizing or withhold benefits or privileges, including any tax exemption, contract,
grant, or license from wedding industry professionals who refuse to provide certain goods,
services, and facilities on the basis of a sincerely held religious belief.

**H.B. 2878 (Sanford) – Conscientious Refusal**: would provide that: (1) a physician or health
care provider may not be held civilly or criminally liable solely because of the provider’s refusal
of a health care service that is contrary to a sincerely held set of moral convictions arising from a
belief in God or religious faith (“conscientious refusal of a health care service”); (2) it is a
violation for a person to discriminate against another person because of their conscientious
refusal of a health care service, including discrimination with regard to licensing, hiring,
promoting, transferring or granting staff appointments or privileges; (3) it is a violation to
discriminate against an applicant for employment because of the applicant’s conscientious
refusal of a health care service; (4) it is a violation for a public official to discriminate against a
recipient entitled to aid, assistance, or benefits because of the recipient’s conscientious refusal of
a health care service; (5) a health care facility must develop a written conscientious refusal
protocol, and doesn’t have to counsel a patient regarding a health care service if doing so is
contrary to the conscience of the facility, physician or provider; and (6) governmental immunity
is waived and civil damages, court costs, and attorney’s fees are available to an injured person.

**H.B. 2899 (Simmons) – Discrimination**: would provide that: (1) a political subdivision may
not adopt an order, ordinance, or other measure to: (a) protect a class of persons from
discrimination; or (b) reduce or expand a class of persons protected under state law from
discrimination; and (2) an order, ordinance, or other measure that is adopted by a political
subdivision before the date this section becomes law and that violates section (1) is null and
void.

**H.B. 2921 (Sanford) – Vehicle Storage**: would require the operator of a governmental vehicle
storage facility to allow the owner of property that is left in a vehicle stored at the facility to
recover the property if: (1) at the time the vehicle was towed to the facility for storage, the
vehicle was operated by a motor carrier, and the property was transported under an agreement
between the property owner and the motor carrier; and (2) the property owner demonstrates
ownership of the property.
H.B. 2922 (Alonzo) – Service Charge: would prohibit a city from collecting a service charge when a payment by credit card is not honored by the credit card company if: (1) the city is notified at the time of payment that the payment is not honored; and (2) the person immediately submits to the city an alternative form of payment.

H.B. 2928 (Stephenson) – Public Funds Investment Act: would provide: (1) that an obligation, including a letter of credit, of the Federal Home Loan Banks is an authorized investment under the Public Funds Investment Act; and (2) that a certificate of deposit or share certificate is an authorized investment if the certificate is issued by a depository institution that has its main office or a branch office in this state and is secured in accordance with the Public Funds Collateral Act.

H.B. 2956 (Kuempel) – Signs: would: (1) repeal city authority to regulate outdoor signs in the extraterritorial jurisdiction; (2) provide that, in regard to state highways, a person commits an offense if the person erects, maintains, or allows outdoor advertising on property owned by the person, that is higher than 65 feet, excluding a cutout that extends above the rectangular border, measured from the highest point on the sign to grade level of the road; and (3) provide that, in regard to rural roads, an on-premise or off-premise sign may not be higher than 65 feet, excluding a cutout, measure from the highest point on the sign to the grade level of the road (current law is 42 ½ feet).

H.B. 2967 (Raymond) – Animal Shelters: would, among other things: (1) require one vet associated with an animal shelter serve on the State Board of Veterinary Medical Examiners; (2) require a veterinarian to submit to the Texas State Board of Pharmacy a record of each controlled substance dispensed including the name, strength and quantity of the substance, date the substance is dispensed, name of the animal, species/genera/estimated date of birth of the animal, name/address of animal’s owner, directions for use of the substance, intended use of the substance, contact information of vet, and other information required by rule; and (3) prohibit a veterinarian from dispensing certain drugs to a client unless the vet has reviewed the prescription and dispensing history associated with the client by accessing information submitted to the Texas State Board of Pharmacy under (2).

H.B. 3010 (Lucio) – Venue Projects: would, among other things, provide that an area or facility for active transportation use and airport facilities located in a city located on the international border are approved venue projects.

H.B. 3030 (Burns) – Fiscal Notes: would require the state Legislative Budget Board to include in each fiscal note a statement indicating whether the bill or resolution may create an increased cost for one or more counties or cities.

H.B. 3074 (E. Rodriguez) – Emergency Services Districts: would require a city to factor in sales tax revenue to the amount that must be paid to an emergency services district when the city seeks to remove territory from the district.
H.B. 3077 (E. Rodriguez) – Venue Districts: would, among other things: (1) authorize a city to spend hotel occupancy tax revenue dedicated to a venue district on a city parks and recreation system, watershed protection and preservation projects, a recharge protection project, a conservation easement, or an open-space preservation program intended to protect water; and (2) authorize a city to spend short-term motor vehicle rental tax revenue dedicated to a venue district on a city parks and recreation system.

H.B. 3082 (Capriglione) – Public Funds Investment Act: would: (1) lower the number of required continuing Public Funds Investment Act training hours for city finance and investment officers from eight hours every two years to five hours every two years; and (2) clarify that a city investment officer need not take continuing investment training if the city: (a) does not invest city funds; or (b) only deposits city funds in interest-bearing deposit accounts or certificates of deposit. (Note: city finance and investment officers must still initially receive ten hours of training within 12 months after taking office or assuming investment duties.)

H.B. 3094 (Burkett) – Prevention Advisory Board: would provide that a Prevention Advisory Board be created and one of the tasks of the board is to maximize funding sources to expand prevention programs, including federal and local government funds and private funds.

H.B. 3178 (Anchia) – Brokers: would: (1) allow any city to contract with a broker to lease or sell a tract of real property owned by the city; (2) allow a home-rule city to contract with a broker to sell a tract of real property that the city holds in trust and has authority to sell; (3) provide that if the contract with a broker under (1) or (2) requires the tract be listed at least 30 days on a multiple-listing service, the city may sell the tract on or after the 30th day the property is listed to a buyer produced by a broker who submits the most advantageous offer; (4) require a city to post notice of intent to sell real property in a newspaper not less than once, at least 14 days before the date the city accepts an offer produced by a broker, and exempt a city from certain other requirements.

H.B. 3229 (Phelan) – Assistance Animals: would: (1) define “assistance animal” to include a “service animal” and an animal that provides emotional support to a person with a disability; (2) define “service animal” to mean a canine specially trained or equipped to do work or perform tasks for a person with a disability and used by a person with a disability; (3) provide full and equal access to all housing accommodations for a person with a total or partial disability who has or obtains an assistance animal; and (4) provide that a person who misrepresents the use of a canine as an assistance animal to a landlord or landlord’s agent is guilty of a misdemeanor offense.

H.B. 3259 (Shaheen) – Red Light Cameras: would amend the law relating to enforcement of red light camera violations, including: (1) authorizing the county attorney for the county or the city attorney for the city in which a red light violation is alleged to bring suit to collect a related civil penalty; (2) repealing the procedures to have an administrative adjudication hearing in relation to a red light camera violation; and (3) repealing the state law that provides that a failure to pay a civil penalty or contest liability in a timely manner is an admission of liability and a waiver of the right to appeal.
H.B. 3280 (Hinojosa) – Hotel Occupancy Taxes: would: (1) require cities to annually report to the comptroller: (a) the rate of the city’s hotel occupancy tax and, if applicable, the rate of the city’s hotel occupancy tax supporting a venue project; (b) the amount of revenue collected during the city’s preceding fiscal year from: (i) the city’s hotel occupancy tax; and (ii) if applicable, the city’s hotel occupancy tax supporting a venue project; and (c) the amount and percentage of revenue described by (1)(b)(i) allocated by the city for the promotion of the arts during the city’s preceding fiscal year; and (2) require cities to make the report required in (1) by: (a) submitting the report to the comptroller on a form prescribed by the comptroller; or (b) providing the comptroller a direct link to, or a clear statement describing the location of, the information required to be reported that is posted on the Internet website of the city. (Companion bill is S.B. 1221 by Watson.)

H.B. 3306 (Kuempel) – Vehicle Towing, Booting, and Storage: would: (1) eliminate required state licensing for vehicle booting companies; (2) prohibit a person from engaging in booting operations unless authorized by a “local authority” (defined to mean an institution of higher education, a county, city, special district, junior college district, housing authority, or other political subdivision); (3) authorize a local authority to regulate, in areas in which the entity regulates parking or traffic, booting activities, and specify certain requirements that must be included in such regulations; (4) provide that when a tow truck is used for a nonconsent tow to remove a vehicle in right-of-way by a peace officer who has determined that the vehicle blocks the roadway or endangers public safety, the operator of the tow truck and the towing company are both agents of the law enforcement agency, and have the same liability limitations as the law enforcement agency (current law only makes the permit holder an agent); (5) authorize a parking facility owner to cause a boot to be installed on a vehicle in the facility if the vehicle has been parked, stored, or located on the facility continuously for one hour or longer; (6) require a booting company to remove a boot not later than one hour (or waive their fee) after the time the owner or operator of the vehicle contacts the company for removal; and (7) repeal incident management towing permits and related insurance requirements. (Companion bill is S.B. 1501 by Zaffirini.)

H.B. 3309 (Kuempel) – Temporary Common Workers (Day Laborers): would: (1) eliminate required state licensing for temporary common worker employers; (2) allow a person to operate as a temporary common worker employer if the person meets state law requirements and is not prohibited by a “governmental subdivision” (defined to mean a city, county, special district, zone, authority, or other entity that is chartered, created, or authorized by this state); and (3) authorize a governmental subdivision to enforce the state laws governing temporary common worker employers. (Companion bill is S.B. 1498 by Zaffirini.)

H.B. 3320 (Frank) – Financial Accounting and Reporting Requirements: would, among other things, repeal the state law governing financial accounting and reporting standards for the state and political subdivisions of the state. (Companion bills are H.B. 1930 by Frullo and S.B. 753 by Perry.)

H.B. 3329 (Paddie) – Electricians: would provide that a city may not collect a permit fee, registration fee, administrative fee, or any other fee for work performed in a city by an electrician who holds a state license. (Companion bill is S.B. 1797 by Campbell.)
H.B. 3335 (Murphy) – Local Debt: would: (1) require a proposition seeking voter approval of the issuance of bonds to specifically state: (a) a general description of the purposes for which the bonds are to be authorized; (b) the total principal amount of the bonds; (c) the rate of interest; (d) the imposition of taxes sufficient to pay the annual interest on the bonds and to provide a sinking fund to redeem the bonds at maturity; (e) the maturity date of the bonds or that the bonds may be issued to mature serially over a specified number of years not to exceed 40; (f) the total amount of the political subdivision’s debt secured by property taxes currently outstanding; (g) the total amount of debt secured by property taxes, including principal and interest, to be authorized; (h) the amount of taxes required to be imposed on a homestead with a value of $100,000 in the political subdivision, as computed by the appraisal district, to repay the political subdivision’s current debt obligations secured by property taxes; (i) the increase in the amount of taxes that would be imposed on a homestead with a value of $100,000 in the political subdivision, as computed by the appraisal district, to repay the bonds to be authorized, if approved; and (j) the maturity date of the bonds to be authorized; (2) require a political subdivision that maintains a website to provide the information described by (f) – (j) on its website in an easily accessible manner; (3) extend the timeframe to publish newspaper notice of intention to issue a certificate of obligation (CO) from 30 to 45 days before the passage of the ordinance; (4) require an issuer of COs that maintains a website to continuously post notice of intention to issue a CO on its website for at least 45 days before the passage of the CO issuance ordinance; and (5) require that the notice of intention to issue a CO include the following information, stated as a total amount and as a per capita amount: (a) the then-current principal of all outstanding debt obligations of the issuer; (b) the then current combined principal and interest required to pay all outstanding debt obligations of the issuer on time and in full; (c) the principal of the COs to be authorized; (d) the estimated combined principal and interest required to pay the COs to be authorized on time and in full; (e) the estimated rate of interest for the COs to be authorized; and (f) the maturity date of the COs to be authorized. (Companion bill is S.B. 461 by Lucio.)

H.B. 3336 (Murphy) – Local Debt: would: (1) require a political subdivision to include any sample ballot prepared for a general obligation bond election to be prominently posted on the political subdivision’s website during the 21 days before the election along with the election order, notice of the election, and contents of the proposition, if the political subdivision maintains a website; (2) provide that at an election at which a political subdivision submits a proposition to the voters to approve the issuance of general obligation bonds, the entity that establishes early voting polling places may not establish the polling places with the intent to affect the outcome of the election in favor of approval of the proposition; (3) provide that a political subdivision may not issue a general obligation bond to purchase, improve, or construct improvements or to purchase personal property if the projected expected useful life of the improvement or personal property ends before the maturity date of the bond; (4) provide that a political subdivision may use the unspent proceeds of issued general obligation bonds only: (a) for the specific purpose for which the bonds were issued; (b) to retire the bonds; or (c) for a purpose other than the specific purpose for which the bonds were issued if: (i) the specific purpose is accomplished or abandoned; and (ii) a majority of the votes cast in an election held in the political subdivision approve the use of the proceeds for the proposed purpose; (5) require the election order and the notice of the election for an election authorized to be held under (4)(c) to state the proposed purpose for which the bond proceeds are to be used; and (6) require a political
subdivision to hold the election under (4)(c) in the same manner as an election to issue bonds in the political subdivision. (Companion bill is S.B. 460 by Lucio.)

**H.B. 3387 (K. King) – Public Official Liability:** would create a defense against a libel claim based on the claimant’s status as a public official. (Companion bill is S.B. 2121 by Seliger.)

**H.B. 3433 (Lambert) – State Administrative Rules:** would provide that: (1) a rural community is defined as a city with a population of less than 25,000; and (2) a state agency considering adoption of a rule has to determine if the rule will have adverse effects on a rural community and follow certain procedures to reduce those adverse effects.

**H.B. 3478 (Hinojosa) – Driver’s Licenses:** would provide that a city may: (1) enter into an agreement with the Department of Public Safety to permit the city to provide services at a city office relating to the issuance of renewal and duplicate driver’s licenses, election identification certificates, and personal identification; and (2) charge an additional fee of up to $5 for each transaction authorized in (1).

**H.B. 3482 (Hinojosa) – Plastic Bag Regulations:** would clarify existing law by providing that the term “package or container” as used in a particular section of the Health and Safety Code does not include a single-use plastic bag.

**H.B. 3485 (Neave) – Hotel Occupancy Tax:** would authorize hotel occupancy tax revenue to be spent on the administration and operation of homeless assistance programs to encourage tourists to visit convention centers, hotels, or entertainment venues.

**H.B. 3491 (Meyer) – Biometric Identifiers:** would: (1) define “biometric identifier” to mean any measurement of the human body or its movement that is used to attempt to uniquely identify or authenticate the identity of a person including, among other things, a blood sample, hair sample, skin sample, DNA sample, and body scan; and (2) prohibit a governmental body from capturing or possessing a biometric identifier of an individual as a prerequisite for providing a governmental service to the individual unless the governmental body has specific, explicit statutory authority to do so or has the voluntary, written consent of the individual or the individual’s legal guardian. (Companion bill is S.B. 281 by V. Taylor.)

**H.B. 3517 (Gervin-Hawkins) – Dangerous Animals:** would authorize a city animal control authority to impound and manage dangerous animals, including dangerous dogs, in the extraterritorial jurisdiction (ETJ) of the city if: (1) the city receive a petition signed by at least five residents of the ETJ requesting assistance and alleging certain facts; and (2) another animal control authority is not authorized to operate in the ETJ.

**H.B. 3533 (Raymond) – Fire Marshal:** would, in regard to both long-term care facilities and intermediate care facilities for individuals with intellectual disabilities, allow a municipal fire marshal to grant a waiver for a violation of a life safety requirement or fire safety standard cited in a final official statement of violations from the Health and Human Services Commission if the fire marshal finds that: (1) the facility met all applicable life safety requirements and fire safety
standards at the time the facility was initially licensed; and (2) waiver will not have an adverse effect on resident health and safety.

**H.B. 3540 (Button) – Labor Organizations:** would: (1) require labor organizations to register with and file an annual financial report with the Texas Ethics Commission, which must include, among many other things, amounts received from employers through a check-off arrangement; and (2) provide various civil and criminal enforcement provisions for a failure to comply with (1).

**H.B. 3571 (Oliverson) – Religious Beliefs:** would provide that a county or city may not impose a fine or other penalty against a person for violation of an ordinance, order, or other measure that prohibits discrimination on a basis other than race, color, religion, sex, national origin, age, or disability, if compliance with the measure would have required the person to violate the person’s sincerely held religious belief.

**H.B. 3595 (Martinez) – Historic Projects:** would provide that the Texas Historical Commission shall establish a program to assist cities with historical projects to construct, repair, restore, and maintain buildings necessary for the governance, health, and safety of the residents of the city.

**H.B. 3608 (Elkins) – Cybersecurity:** would provide that: (1) the Commissions for Effective Resource Allocation is created to facilitate organization, operate, powers, regulation, and management of state departments, agencies, and institutions; and (2) the comptroller and the commissioner of the effective resource allocation shall adopt rules to assure cooperation between the state and local government entities and between the scientific/technology community, private business, and institutions of higher education and for cybersecurity.

**H.B. 3620 (Goldman) – Towing, Booting, and Storing Vehicles:** would, among other things: (1) provide that state law governing vehicle storage facilities does not control over a municipal ordinance or charter, or a contract with a governmental entity to provide services for incident management towing; (2) provide that a vehicle storage facility that accepts a vehicle that is towed under state law governing towing must, within two hours after receiving the vehicle, report it to local law enforcement; (3) allow a vehicle storage facility to accept any documentation that establishes ownership or right of possession of a vehicle if required by a city ordinance or law enforcement agency under which the tow was authorized; and (4) prohibit a towing company from charging a fee for a nonconsent tow that is greater than a fee for an incident management or private property tow authorized by a city.

**H.B. 3622 (Goldman) – Vehicle Storage Facilities:** would: (1) provide that if there is any conflict between the state law governing vehicle storage facilities (Occupations Code Chapter 2303) and the state law governing abandoned motor vehicles (Transportation Code Chapter 683), the law governing vehicle storage facilities controls; and (2) provide that if a vehicle is not claimed by a person permitted to claim the vehicle before the 10th day after notice is mailed or published, the operator of a vehicle storage facility must consider the vehicle abandoned and, if required by the law enforcement agency with jurisdiction where the vehicle is located, report the abandonment by certified mail or electronic mail to the law enforcement agency, and pay the $10
notice fee if the facility is notified by the law enforcement agency that it will send notice and take custody of and dispose of the vehicle.

**H.B. 3727 (Phillips) – Vacancies:** would provide, in regard to a Type A general law city, that: (1) if a member of the governing body changes the member’s place of residence to a location outside the corporate boundaries of the city, the member is automatically disqualified from holding the member’s office and the office is considered vacant; and (2) if for any reason a single vacancy exists on the governing body, a majority of the remaining members who are present and voting may appoint someone to fill the vacancy, and that a member is ineligible to vote to fill a vacancy on the governing body by special election after resigning from the governing body.

**H.B. 3744 (Walle) – Scrap Tires:** would: (1) require a used or scrap tire generator, junkyard, or fleet operator who stores used or scrap tires outdoors, to store the tires in a secure manner that locks the tires during nonbusiness hours; (2) prohibit a customer from retaining a scrap tire that has been removed from a customer’s vehicle during the purchase of a tire from a seller, unless the customer is willing to sign a Texas Commission on Environmental Quality (TCEQ) form and assume liability for disposal of the tire; (3) require a person who sells tires to take possession of a scrap tire from a customer described in (2) and store or legally dispose of the scrap tire or, alternatively, keep the TCEQ form for at least three years; (4) allow a seller to contract for the transportation of used or scrap tires with only certain transporters or tire processors or face certain civil and criminal liability; (5) require used and scrap tire transporters to register with TCEQ and provide certain financial assurance in favor of the state; (6) except from the registration requirement in (5) certain transporters, including: (a) a person who owns or operates a municipal solid waste truck; and (b) a city that owns or operates a transport vehicle to transport used or scrap tires to an authorized facility provided that each load is manifested as required by TCEQ; (7) require TCEQ to use the money from the financial assurance described in (5) for the cleanup of abandoned tire storage sites; (8) require a transporter to maintain certain records and submit an annual report to TCEQ; (9) authorize a county to require a transporter to register with the county under requirements that are compatible with an not less stringent than the TCEQ registration requirements; and (10) provide penalties, including fines and confinement, for violations of the requirements described above. (Companion bill is S.B. 570 by Rodriguez.)

**H.B. 3763 (Moody) – Common Nuisance:** would provide that common nuisance does not apply to activity exempted, authorized, or regulated by federal law.

**H.B. 3782 (Lozano) – Personal Loan Restrictions:** would provide that a city or other political subdivision may not prohibit or restrict the ability of an individual to obtain, or a person to make, a loan secured only by the individual’s personal property.

**H.B. 3798 (Alonzo) – Agriculture and Rural Ombudsman:** would: (1) establish the agriculture and rural ombudsman office (office) in the governor’s Texas Economic Development and Tourism Office for the purpose of assisting agriculture businesses and businesses located in rural areas; (2) require a governmental entity to allow the office access to the entity’s records relating to action taken by the entity that affects an agriculture business or business located in a rural area; and (3) allow the office to use information obtained in (2) for the purpose of assisting
a business in evaluating governmental entities’ application of laws and making recommendations for legislation. (Companion bill is S.B. 656 by Zaffirini.)

**H.B. 3811 (Lozano) – Constitutional Rights:** would: (1) provide that, if a legal action is based on, relates to, or is in response to a party’s participation in the government by the exercise of the constitutional right to speak freely, or to associate freely, such a party may file a motion to dismiss the legal action; and (2) with some exceptions, require a court to dismiss a legal action against a moving party if the moving party shows by a preponderance of the evidence that the legal action is based on the constitutional right to petition, speak freely, or associate freely.

**H.B. 3859 (Frank) – Right of Conscience:** would provide that: (1) a child welfare service provider is protected from discrimination or any adverse action by a governmental entity if the child welfare service provider makes decisions based on their religious beliefs that are contrary to any ordinance, rule, order, decision, practice or other exercises of a governmental entity; (2) a child welfare service provider may assert an actual or threatened violation described in (1) as a claim or defense in a judicial or administrative proceeding and obtain relief; (3) relief can be by declaratory relief, injunctive relief, compensatory damages for pecuniary and non-pecuniary losses (not to exceed $250,000 for each distinct controversy) and reasonable attorney’s fees, court costs, and other reasonable expenses; (4) any action under the bill must be brought not later than the second anniversary of the date the provider actually knew of the violation; and (5) sovereign and governmental immunity to suit and from liability are waived and abolished to the extent of liability described in (3); and (5) a claimant may sue a governmental entity or official for damages allowed by (3). (Companion bills are H.B. 1805 by Sanford and S.B. 892 by Perry.)

**H.B. 3907 (Frullo) – Fireworks:** would: (1) if authorized under state law, give a local fire prevention officer authority to inspect a retail fireworks site, and enact certain limitations on related fees; (2) provide that a “local fire prevention officer” under (1) means a county fire marshal or, in some instances, a fire prevention officer of an emergency service district; and (3) require the building of an indoor retail fireworks site be a free-standing single-tenant durable building that prevents customers from handling fireworks. (Companion bill is S.B. 1896 by Perry.)

**H.B. 3947 (Laubenberg) – Preemption:** would provide that a suit to enjoin enforcement of a local regulation may be brought by a state licensee that is subject to the local regulation if the local regulation: (1) establishes requirements for, imposes restrictions on, or otherwise regulates the business activity of the state licensee in a manner that is more stringent than the requirements, restrictions, and regulations imposed on the state licensee under state law; or (2) would result in an adverse economic impact on the state licensee.

**H.B. 3956 (Geren) – Sermons:** would provide that a governmental unit may not, in any civil action or other civil or administrative proceeding to which the governmental unit is a party, compel the production or disclosure of a written copy or audio or video recording of a sermon delivered by a religious leader during religious worship of a religious organization or compel the religious leader to testify regarding the sermon. (Companion bill is S.B. 24 by Huffman.)
H.B. 3998 (C. Anderson) – Animal Shelters: would change the applicability of the Veterinary Licensing Act (Act) to:

1. provide that the Act applies to the practice of veterinary medicine when performed: (a) in an animal shelter or releasing agency; or (b) on an animal for which a shelter or shelter veterinarian is the owner/designated caretaker or has possession, custody, or control;
2. provide that after a shelter takes possession and has custody or control of an animal, an agent, employee, or volunteer of the shelter may administer: (a) a nonprescription drug to the animal; or (b) a prescription vaccine or drug (other than rabies vaccine or a controlled substance) if the vaccine or drug is: (i) necessary to prevent the animal’s death or alleviate the animal’s pain or suffering; (ii) necessary to prevent or control a communicable disease or internal or external parasite; or (iii) administered at the direction of a veterinarian or the guidance of a protocol as described in (7);
3. require that a nonsurgical sterilization or any surgery performed in or on behalf of a shelter must be performed by a veterinarian or a full-time student of a veterinarian college;
4. exempt from the Act an animal shelter employee who euthanizes an animal in the course and scope of the person’s employment if the person has completed training as provided in state law;
5. prohibit the Act from being construed to prevent an agent, employee, or volunteer of a shelter from providing emergency care to an animal or preventing an animal’s pain or suffering;
6. authorize a veterinarian, after a shelter takes possession of an animal, to: (a) perform a surgical or nonsurgical sterilization of a dog or cat in some circumstances; (b) administer or prescribe a vaccine or drug to the animal; or (c) provide any other treatment reasonably believed to promote the animal’s health and welfare;
7. authorize a shelter veterinarian who complies with certain requirements to develop certain written animal care and treatment protocol for use by agents, employees, and volunteers of the shelter who do not hold a license under the Act;
8. require a shelter veterinarian to keep and maintain a recordkeeping system regarding the treatment provided to each animal under the veterinarian’s care, and allow an employee or volunteer to contribute to such records; and
9. establish a veterinarian advisory committee to the State Board of Veterinary Medical Examiners. (Companion bill is H.B. 4057 by Cryier.)

H.B. 4007 (Kuempel) – Occupational Regulation: would make changes to the licensing and regulation of various occupations and would: (1) in regard to code enforcement officers, repeal: (a) the criminal penalty for violating the prohibition against a person claiming to be a code enforcement officer or using the title “code enforcement officer” when the person does not have a certificate of registration; and (b) administrative penalties for a violation of the licensing laws related to code enforcement officers; and (2) in regard to sanitarians, repeal: (a) the criminal penalty for violating the prohibition against a person claiming to be a sanitarian when the person does not have a certificate of registration; and (b) administrative penalties for a violation of the licensing laws related to sanitarians.
H.B. 4095 (Klick) – Assisted Living Facilities: would: (1) require the Health and Human Services Commission to issue a technical memorandum providing guidance on the minimum life safety code standards for assisted living facilities and provide that the memorandum is legally binding and must be followed by a person conducting a life safety code survey; (2) authorize a city fire marshal to grant a waiver for a violation of a life safety requirement or fire safety standard cited in an official statement of violation from the commission, provided that the waiver will not have any adverse effect on the safety of the residents in the assisted living facility; (3) require the commission to specify an edition of the life safety code of the National Fire Protection Association to be used for assisted living facilities; and (4) require the commission to recognize a certificate of occupancy or other approval issued by a city or county indicating that a structure complies with all building, fire, and health requirements of the city or county. (Companion bill is S.B. 1049 by Uresti.)

H.B. 4097 (Cain) – Preemption/Discrimination: would provide that: (1) a county, municipality, or other political subdivision may not adopt or enforce a local law that creates a protected classification or prohibits discrimination on a basis not contained in the laws of the state; and (2) a local law that is adopted by a political subdivision and in violation of (1), above, before the date the bill is enacted is null and void. (Companion bill is S.B. 92 by Hall.)

H.B. 4119 (Fallon) – Personal Financial Statement: would change the content requirements of a personal financial statement that must be filed by certain city officers and candidates in cities with a population of 100,000 or more to include information about family members engaged in lobbying activities.

H.B. 4186 (Raymond) – Block Grants: would provide that an agency’s rules shall ensure, in regard to any categorical program administered by the provider which has been combined into a block grant, that no individual who would have been eligible to receive services before the categorical assistance program was combined into a block grant shall be ineligible solely because the program has been combined into a block grant.

H.B. 4208 (Swanson) – Official Language: would designate English as the official language of this state. (Companion bill is S.B. 373 by Hall.)

H.B. 4232 (Moody) – Retirement Systems: would provide that, if the most recent actuarial valuation of a public retirement system, other than the Texas Municipal Retirement System, reflects a funded ratio that is below 85 percent the system is liable to each active member in an amount equal to the member’s contribution rate.

H.B. 4243 (Hinojosa) – Government Bathrooms: would provide: (1) that a governmental entity, including a city, that has control over a bathroom or changing facility in a building owned or leased by the entity shall allow a person to use a bathroom or changing facility located in the building consistent with the person’s gender identity or gender expression; and (2) for an attorney general complaint and enforcement process. (Companion bill is S.B. 1113 by Garcia.)
H.B. 4246 (Arévalo) - Elderly Rights: would provide that an elderly individual has the right to be treated with dignity and respect for the personal integrity of the individual, without regard to sexual orientation, gender identity or expression.


H.B. 4257 (Walle) – Trauma Funding: would reduce the amount of funding to the state highway fund and emergency medical services and trauma funding account if the state doesn’t have sufficient revenue for general fund expenditures.

H.J.R. 22 (Raymond) – State Taxation: would: (1) prohibit the legislature from enacting a general law that imposes a state tax or amends provisions relating to a state tax if the tax is identified as another type of charge (such as a fee, levy, surcharge, assessment, or penalty); (2) require the legislature to revise every reference in state law to a fee, levy, surcharge, assessment, penalty, or other charge of any kind imposed for a purpose other than to raise revenue for general purposes to refer to the charge as a “regulatory tax”; and (3) provide that a regulatory tax identified in state law as a fee, levy, surcharge, assessment or penalty is void and may not be collected on or after January 1, 2020.

H.J.R. 55 (Alvarado) – Gambling: would amend the Texas Constitution to provide that the legislature shall establish a state gaming commission to administer the laws regulating gaming activities and may authorize and provide for regulation of the conduct of one or more types of gaming, including casino gaming, at locations on coastal barrier islands at least 25 miles in length that are accessible by a public road on one or more bridges, on dredge spoil islands at least 18 miles in length that are located in coastal counties, for which a license to conduct pari-mutuel wagering on horse or greyhound races is in effect, and in cities with a population of at least 675,000.

H.J.R. 56 (Turner) – Minimum Wage: would amend the Texas Constitution to provide that that: (1) an employer in this state shall pay to an employee for services performed by the employee not less than the greater of $10.10 an hour or the federal minimum wage under the Fair Labor Standard Act; and (2) the required minimum wage would not apply to patients and client of Texas Department of Mental Health and Mental Retardation if they meet certain conditions. (See H.B. 924, above.)

H.J.R. 57 (Walle) – Minimum Wage: would amend the Texas Constitution to provide that that: (1) an employer in this state shall pay to an employee for services performed by the employee not less than the greater of $10.10 an hour or the federal minimum wage under the Fair Labor Standard Act; and (2) the required minimum wage would not apply to patients and client of Texas Department of Mental Health and Mental Retardation if they meet certain conditions. (See H.B. 992, above.)

H.J.R. 73 (Burns) – Unfunded Mandates: would amend the Texas Constitution to provide that a law enacted by the legislature on or after January 1, 2018, that requires a city or county to establish, expand, or modify a duty or activity that requires the expenditure of revenue by the
city or county is not effective unless the legislature appropriates or otherwise provides, from a source other than the revenue of the city or county, for the payment or reimbursement of the costs incurred for the biennium by the city or county in complying with the requirement.

**H.J.R. 85 (Flynn) – Local Retirement Systems:** would amend the Texas Constitution to provide that the state is not liable and may not appropriate money to pay for any debts or other obligations of a local retirement system. (Companion is **S.J.R. 43** by **Huffman**.)

**H.J.R. 90 (Deshotel) – Gambling:** would amend the Texas Constitution to authorize certain forms of gambling and provide that a portion of a gaming tax on casinos be used to fund the Texas Windstorm Insurance Association. (See **H.B. 2741**, above.)

**S.B. 14 (V. Taylor) – Ethics:** this bill is identical to **H.B. 1283**, above.

**S.B. 35 (Zaffirini) – Prekindergarten:** this bill is the same as **H.B. 196**, above.

**S.B. 62 (Zaffirini) – Signs:** would provide that the Texas Highway Beautification Act does not prohibit a sign erected solely for and relating to a public election if, among other things, the sign is erected not earlier than the 90th day before the date of the election or the first day of the early voting period for an election with early voting.

**S.B. 63 (Zaffirini) – Ethics:** would: (1) allow a political report filed with a city to be filed electronically using software developed by the Texas Ethics Commission (commission) if the city adopts related rules and procedures; (2) require that personal financial disclosure statements (filed by certain officers in cities of 100,000 or more) that are not filed electronically with a city be accompanied by an affidavit swearing to the truth of the statement, and provide that a person is subject to prosecution for perjury whether or not the affidavit is completed; (3) provide that a personal financial disclosure statement that is filed electronically with a city is not required to include a notarized affidavit if the person has an electronic password pursuant to the commission or city’s rules and uses that password to file the statement; and (4) allow personal financial statements to be filed electronically with a city by using software developed by the commission if the city secretary has adopted related rules and procedures.

**S.B. 89 (Hall) – Federal Laws:** would authorize the legislature to determine that a federal law violates Article I of the Texas Constitution (Bill of Rights) and prohibit the state and political subdivisions from executing or enforcing such a law. (See **S.J.R. 71**, below.)

**S.B. 92 (Hall) – Preemption/Discrimination:** would provide that: (1) a county, municipality, or other political subdivision may not adopt or enforce a local law that creates a protected classification or prohibits discrimination on a basis not contained in the laws of the state; and (2) a local law that is adopted by a political subdivision and in violation of (1), above, before the date the bill is enacted is null and void.

**S.B. 110 (Huffines) – Term Limits:** would: (1) require the governing body of a political subdivision to adopt term limits for each elected officer no later than January 1, 2018; and (2) require that the term limits in (1), above, not allow a person to serve longer than 12 years in
office, regardless of whether the terms are consecutive and regardless of whether the office is in a different precinct or place.

S.B. 152 (Bettencourt) – Local Retirement Systems: would, among other things, provide that a city that is the sponsoring authority of a public retirement system that was created under a state statute, but is not a part of a statewide public retirement system, may adopt by ordinance or resolution provisions that prospectively supplement or supersede the operative provisions of the public retirement system.

S.B. 165 (Rodriguez) – Discrimination: would: (1) provide, with certain exceptions, that a person commits a discriminatory practice in violation of law if the person, because of sexual orientation or gender identity or expression of an individual, denies the individual full and equal accommodation in a place of public accommodation or otherwise discriminates against or segregates the individual based on sexual orientation or gender identity or expression; (2) authorize a person aggrieved because of a violation of law described in (1), above, to file a civil action in district court; and (3) add sexual orientation and gender identity or expression as a protected class in existing state anti-discrimination provisions.

S.B. 200 (Campbell) – Local Debt: would, among other things: (1) require the comptroller to create an Internet database, known as the Political Subdivision Public Information Warehouse, that contains information regarding all active political subdivisions in the state that are authorized to impose an ad valorem or sales and use tax to issue bonds, notes, or other obligations; (2) require the warehouse database to include the following information: (a) the name of the political subdivision; (b) the rate of any sales and use tax the political subdivision imposes; (c) various property tax rates for the most recent tax year; (d) the total amount of the political subdivision’s debt, including the principal, interest, and year in which the debt would be paid; (e) the political subdivision’s Internet website address, or if the political subdivision does not operate a website, contact information to enable a member of the public to obtain information from the political subdivision; and (f) the Internet website address for the appraisal district in each county in which a political subdivision has territory; (3) authorize, but not require, the warehouse database to include the following information: (a) information describing the political subdivision’s boundaries; (b) the political subdivision’s current budget; (c) each current check registry published by the political subdivision’s governing body; and (d) any other current financial audit or annual report published by the political subdivision’s governing body; (4) authorize the comptroller to consult with the appropriate person from each political subdivision to obtain the information necessary to operate and update the warehouse database; (5) require the governing body of a political subdivision that publishes the check registry on its website to provide a link to the webpage containing the information to the comptroller; (6) require the comptroller to update tax rate information at least annually; (7) require a political subdivision to transmit records and other information to the comptroller annually in a form and in the manner prescribed by the comptroller, for purposes of operating the Political Subdivision Public Information Warehouse; and (9) require a political subdivision to transmit to the comptroller: (a) its most recently adopted annual budget; (b) its most recently adopted annual financial report; and (c) the address of the Internet website maintained by the political subdivision, if any.
S.B. 201 (Campbell) – Local Debt: would require a proposition in an election to issue local debt to state: (1) the purpose for which the debt obligations are to be authorized; (2) the principal amount of the debt obligations to be authorized; (3) that taxes sufficient to pay the annual principal and interest of the debt obligations may be imposed; (4) the aggregate amount of the outstanding principal of the political subdivision’s debt obligations as of the beginning of the political subdivision’s fiscal year in which the election is ordered; and (5) the ad valorem debt service tax rate for the political subdivision at the time the election is ordered.

S.B. 208 (West) – Metal Recycling: would: (1) require a metal recycling entity to report to the Texas Department of Public Safety (DPS) each sale or attempted sale of an explosive weapon or explosive component; (2) require the DPS to use the statewide electronic reporting system that tracks the sale of regulated metal to also track the sale or attempted sale of an explosive weapon or an explosive component; (3) make it a criminal offense for: (a) either a person to sell to a metal recycling entity or a metal recycling entity to buy an explosive component or explosive weapon; and (b) a metal recycling entity to store an explosive component or explosive weapon on its premises; (4) authorize a court to order restitution to a city for certain costs related to responding to an offense in (3), above; and (5) authorize the imposition of certain administrative penalties in relation to the metal recycling laws.

S.B. 210 (Kolkhorst) – State Agency Rules: would prohibit a state agency from adopting a proposed rule that imposes a cost on a local government, unless the state agency first: (1) repeals two state agency rules that impose total costs equal to or greater than the cost imposed by the proposed rule; (2) amends two state agency rules to decrease the total costs imposed by an amount equal to or greater than the cost imposed by the proposed rule; or (3) repeals one state agency rule and amends one state agency rule to decrease the total costs imposed by an amount equal or less than the proposed rule.

S.B. 241 (Burton) – Lobbying: would: (1) prohibit a city council from spending public money to directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature if the city imposes a tax; (2) except from the prohibition in (1), above: (a) an officer or employee of a city providing information for a member of the legislature or appearing before a legislative committee at the request of the committee or member; (b) an elected officer of a city advocating for or against or otherwise influencing the outcome of legislation while acting as an officer of the city; and (c) an employee of a city advocating for or against or otherwise influencing the outcome of legislation if those actions would not require the person to register as a lobbyist; (3) allow a city council to spend, in the name of the city, public money for membership fees and dues of a nonprofit state association or organization of similarly situated political subdivisions only if: (a) a majority of the city council votes to approve membership in the association or organization; (b) the association or organization exists for the betterment of local government and the benefit of all local officials; (c) the association or organization is not affiliated with a labor organization; (d) neither the association or organization nor an employee of the same directly or indirectly influences or attempts to influence the outcome of legislation; and (e) the association or organization does not directly or indirectly contribute money, services, or other valuable things to a political campaign or endorse a candidate or group of candidates for public office; (4) provide that (3)(d), above, does not prevent a person from providing information for a member of the legislature or appearing before
a legislative committee at the request of the committee or member; and (5) provide that if a city, association, or organization engages in certain prohibited activities described above, a taxpayer is entitled to seek injunctive relief and may recover reasonable attorney’s fees and costs if successful in seeking such relief.

S.B. 245 (Burton) – Local Debt: this bill would make numerous additions to the laws governing the issuance of local debt. Specifically, the bill would:

1. require a political subdivision to conduct a public hearing prior to holding an election to authorize the issuance of bonds;
2. require the public hearing to be held not earlier than the day the governing body adopts the election order or later than the first day before the date the period for early voting for personal appearance begins for the election;
3. require the political subdivision to provide notice of the hearing not earlier than the 30th day or later than the 15th day before the date of the hearing by: (a) publishing notice in at least one newspaper of general circulation in the county in which the political subdivision is located; (b) posting notice on the political subdivision’s Internet website and each other Internet website for which the political subdivision controls the content of the posting, including a social media site; (c) including the notice in the political subdivision’s newsletter, circular, or similar document designed to provide information to residents of the political subdivision, regardless of how it is delivered, if the political subdivision periodically delivers such a document; and (d) sending by first-class mail to each owner of taxable property located in the political subdivision a voter information document (discussed in (5), below) and cover letter that includes the date of the hearing, purpose of the hearing, language that will appear on the ballot, and the estimated increase in the property tax debt levy of the political subdivision for all taxable property owned by the property owner and located in the political subdivision;
4. require the Texas Ethics Commission to provide guidelines for political subdivisions regarding the manner in which the hearing is conducted and what type of information can be provided on the voter information document without violating electioneering and political advertising laws;
5. require a political subdivision to prepare a voter information document for each proposition to be discussed at the hearing, which must state: (a) the language that will appear on the ballot; (b) the purpose for which the bonds are to be authorized; (c) the maturity date of the bonds to be authorized; (d) the taxes sufficient to pay the annual principal or and interest on the bonds; (e) the maximum rate of interest for the bonds to be authorized; (f) the following information formatted as a table: (i) the property tax debt rate expressed in dollars per $100 valuation of all taxable property in the political subdivision stated as the existing rate, estimated rate if the bonds are authorized, and the estimated increase in the rate if the bonds are authorized; and (ii) the amount expressed in dollars of the property tax debt levy of the political subdivision per residence with a taxable value of $100,000 stated as the existing levy, estimated levy if the bonds are authorized, and estimated increase in the levy if the bonds are authorized; (g) the following information formatted as a second table and stated as a total amount and per capita amount: (i) the principal of the bonds to be authorized; (ii) the estimated interest for the bonds to be authorized; (iii) the estimated combined principal and interest
required to pay on time and in full the bonds to be authorized; and (iv) as of the date the political subdivision adopts the bond election order, the principal and estimated remaining interest of all outstanding debt obligations of the political subdivision payable from property taxes; (h) the following information as of the date the political subdivision adopts the bond election order, formatted as a third table: (i) the principal of all outstanding secured self-supporting debt obligations of the political subdivision; (ii) the estimated remaining interest of all outstanding secured self-supporting debt obligations of the political subdivision; and (iii) the estimated combined principal and interest required to pay on time and in full all outstanding secured self-supporting debt obligations of the political subdivision; and (i) any other information that the political subdivision considers relevant or necessary to explain the values required to be in the voter information document;

6. require a political subdivision to determine each estimate or projection required or authorized by (5), above, in the manner prescribed by comptroller rule;
7. require each voter information document to be printed: (a) on not more than two pages that are not wider than 8 ½ inches and not longer than 14 inches; (b) in type not smaller than 12-point type; and (c) in the form prescribed by the secretary of state;
8. require the governing body of the political subdivision to make a copy of each voter information document available to each individual attending the hearing;
9. require the secretary of state to prescribe the form of the voter information document;
10. provide that a good faith estimate or projection required or authorized by (5), above, determined in the manner prescribed by comptroller rule, does not constitute a breach of contract with the voters solely because the estimate or projection is later determined to be incorrect;
11. require a sample of the ballot printed for a bond election to be posted on the political subdivision’s Internet website as soon as practicable after the official ballots have been prepared and must remain posted until the day following the election;
12. require a political subdivision to maintain an Internet website to comply with this subchapter; and
13. require the comptroller to adopt rules to implement the requirements of the bill, including rules that prescribe the manner by which a political subdivision must determine each estimate or projection required or authorized by this subchapter.

**S.B. 267 (Schwertner) – Hospital Regulation:** would: (1) require the Department of State Health Services (DSHS) to annually inspect ten percent of the hospitals licensed under the Texas Hospital Licensing Law; (2) authorize DSHS to issue an emergency order to suspend a license in some circumstances; (3) increase the administrative penalty that may be assessed against a hospital for certain violations; and (4) authorize the imposition of a perpetual care fee on each hospital.

**S.B. 281 (V. Taylor) – Biometric Identifiers:** would: (1) define “biometric identifier” to mean any measurement of the human body or its movement that is used to attempt to uniquely identify or authenticate the identity of a person including, among other things, a blood sample, hair sample, skin sample, DNA sample, and body scan; and (2) prohibit a governmental body from capturing or possessing a biometric identifier of an individual as a prerequisite for providing a governmental service to the individual unless the governmental body has specific, explicit
statutory authority to do so or has the voluntary, written consent of the individual or the individual’s legal guardian.

**S.B. 295 (Hinojosa) – Capital Appreciation Bonds:** would exempt refunding bonds and capital appreciation bonds for the purposes of financing transportation projects from recently enacted limitations on the ability of local governments to issue capital appreciation bonds generally.

**S.B. 319 (Watson) – Animal Shelters:** would, among other things: (1) require one veterinarian who is associated with an animal shelter to serve on the State Board of Veterinary Medical Examiners; (2) require a veterinarian to submit to the Texas State Board of Pharmacy a record of each controlled substance dispensed including the name, strength and quantity of the substance, date the substance is dispensed, name of the animal, species/gender/estimated date of birth of the animal, name/address of animal’s owner, directions for use of the substance, intended use of the substance, contact information of vet, and other information required by rule; and (3) prohibit a veterinarian from dispensing certain drugs to a client unless the vet has reviewed the prescription and dispensing history associated with the client by accessing information submitted to the Texas State Board of Pharmacy under (2). (Companion bill is **H.B. 2967 by Raymond**.)

**S.B. 351 (Watson) – Disaster Recovery:** would establish a state disaster recovery fund and authorize grant awards from the fund to state or local governmental entities or a volunteer fire department that participates in disaster recovery in an area the governor declares to be in a state of disaster.

**S.B. 385 (Burton) – Passenger Rail Projects:** would provide that: (1) a political subdivision may not accept or use federal funds for the construction, maintenance, or operation of a commuter rail or other passenger rail project, including for the repayment of debt issued for a project, unless the acceptance or use of the funds is approved by a majority of voters at an election called for the purpose of authorizing the acceptance or use of the funds; (2) a political subdivision authorized to use federal funds under (1) that has not begun to construct the project before the fifth anniversary of the date of the election may not use the funds unless approved by the voters at another election called for the purpose of authorizing the use of the funds; and (3) a political subdivision, a metropolitan planning organization, or the Texas Department of Transportation may not include in a transportation plan adopted by the entity a commuter rail or other passenger rail project financed wholly or partly with federal funds unless acceptance or use of the funds has been approved by election under (1) or (2).

**S.B. 386 (Burton) – Local Debt:** would prohibit a political subdivision from using federal funds to make payments for a debt obligation of the political subdivision.

**S.B. 387 (Burton) – Local Debt:** would: (1) require a bond proposition to state each specific purpose for which the bonds are to be authorized, if approved; (2) provide that a political subdivision may use the unspent proceeds of issued general obligation bonds only: (a) for the specific purpose for which the bonds were issued; (b) to retire the bonds; or (c) for a purpose other than the specific purpose for which the bonds were issued if: (i) the specific purpose is accomplished or abandoned; and (ii) a majority of the votes cast in an election held in the political subdivision approve the use of the proceeds for the proposed purpose; (3) require the
election order and the notice of the election for an election authorized to be held under (2)(c) to state the proposed purpose for which the bond proceeds are to be used; and (4) require a political subdivision to hold the election in the same manner as an election to issue bonds in the political subdivision.

S.B. 445 (Burton) – Lobbying: would, in regard to a city that imposes a tax or has the authority to issue bonds: (1) authorize the city to spend money directly or indirectly to influence or attempt to influence the outcome of any legislation pending before the legislature only if the expenditure is authorized by a majority vote of the city council in an open meeting as a stand-alone item on the agenda; (2) require the city to report to the Texas Ethics Commission (TEC) and publish on the city’s website: (a) the amount of money authorized for the purpose of directly or indirectly influencing or attempting to influence the outcome of any legislation pending before the legislature; (b) the name of any person retained or employed by the city who must register as a lobbyist; and (c) an electronic copy of any contract for services entered into by the city with a person retained or employed by the city who must register as a lobbyist; (3) require the city to report to the TEC and publish on the city’s website the amount of public money spent for membership fees and dues of any nonprofit state association or organization of similarly situated political subdivisions or entities that directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature; (4) require the TEC to make available to the public an online searchable database containing the reports submitted under (2); and (5) authorize a taxpayer of the city or a person who is served by or receives services from the city to seek injunctive relief against the city to prevent activity in violation of (1)-(3).

S.B. 446 (Burton) – Federal Funds: would: (1) require a political subdivision, before accepting or expending a federal grant or other federal funds that have not been appropriated by the legislature, to report to the comptroller: (a) the total amount of funds to be received or expended; and (b) the proposed use of the funds; and (2) authorize the comptroller to develop and maintain an online reporting system and require the comptroller to make available to the public a searchable database of information reported under (1).

S.B. 460 (Lucio) – Local Debt: would: (1) require a political subdivision to include any sample ballot prepared for a general obligation bond election to be prominently posted on the political subdivision’s website during the 21 days before the election along with the election order, notice of the election, and contents of the proposition, if the political subdivision maintains a website; (2) provide that at an election at which a political subdivision submits a proposition to the voters to approve the issuance of general obligation bonds, the entity that establishes early voting polling places may not establish the polling places with the intent to affect the outcome of the election in favor of approval of the proposition; (3) provide that a political subdivision may not issue a general obligation bond to purchase, improve, or construct improvements or to purchase personal property if the projected expected useful life of the improvement or personal property ends before the maturity date of the bond; (4) provide that a political subdivision may use the unspent proceeds of issued general obligation bonds only: (a) for the specific purpose for which the bonds were issued; (b) to retire the bonds; or (c) for a purpose other than the specific purpose for which the bonds were issued if: (i) the specific purpose is accomplished or abandoned; and (ii) a majority of the votes cast in an election held in the political subdivision approve the use of the proceeds for the proposed purpose; (5) require the election order and the notice of the
election for an election authorized to be held under (4)(c) to state the proposed purpose for which the bond proceeds are to be used; and (6) require a political subdivision to hold the election under (4)(c) in the same manner as an election to issue bonds in the political subdivision.

**S.B. 461 (Lucio) – Local Debt:** would: (1) require a proposition seeking voter approval of the issuance of bonds to specifically state: (a) a general description of the purposes for which the bonds are to be authorized; (b) the total principal amount of the bonds; (c) the rate of interest; (d) the imposition of taxes sufficient to pay the annual interest on the bonds and to provide a sinking fund to redeem the bonds at maturity; (e) the maturity date of the bonds or that the bonds may be issued to mature serially over a specified number of years not to exceed 40; (f) the total amount of the political subdivision’s debt secured by property taxes currently outstanding; (g) the total amount of debt secured by property taxes, including principal and interest, to be authorized; (h) the amount of taxes required to be imposed on a homestead with a value of $100,000 in the political subdivision, as computed by the appraisal district, to repay the political subdivision’s current debt obligations secured by property taxes; (i) the increase in the amount of taxes that would be imposed on a homestead with a value of $100,000 in the political subdivision, as computed by the appraisal district, to repay the bonds to be authorized, if approved; and (j) the maturity date of the bonds to be authorized; (2) require a political subdivision that maintains a website to provide the information described by (f) – (j) on its website in an easily accessible manner; (3) extend the timeframe to publish newspaper notice of intention to issue a certificate of obligation (CO) from 30 to 45 days before the passage of the ordinance; (4) require an issuer of COs that maintains a website to continuously post notice of intention to issue a CO on its website for at least 45 days before the passage of the CO issuance ordinance; and (5) require that the notice of intention to issue a CO include the following information, stated as a total amount and as a per capita amount: (a) the then-current principal of all outstanding debt obligations of the issuer; (b) the then current combined principal and interest required to pay all outstanding debt obligations of the issuer on time and in full; (c) the principal of the COs to be authorized; (d) the estimated combined principal and interest required to pay the COs to be authorized on time and in full; (e) the estimated rate of interest for the COs to be authorized; and (f) the maturity date of the COs to be authorized.

**S.B. 500 (V. Taylor) – Public Retirement Systems:** this bill is identical to H.B. 500 and H.B. 1273, above.

**S.B. 501 (V. Taylor) – Personal Financial Statements:** this bill is identical to H.B. 501 by Capriglione, above.

**S.B. 503 (V. Taylor) – Qualifications for Office:** this bill is identical to H.B. 503, above.

**S.B. 509 (Huffman) – Public Retirement Systems:** would require any public retirement system, other than the Texas Municipal Retirement System (TMRS), to select an independent firm to evaluate the system’s investment practices and performance. (The evaluation would be conducted biennially for systems with assets over $100 million and every five years for systems with assets under $100 million.) The bill would also require the governing body of each public retirement system to submit to the Pension Review Board an annual investment performance
report including: (1) commission and fees paid by the retirement system, and (2) a copy of the retirement system’s most recent evaluation.

**S.B. 525 (Birdwell) – State Agency Rules:** would require the Sunset Advisory Commission to review each state statute and state agency rule that requires an action or proceeding be brought in Travis County or in a Travis County court and recommend whether it should be changed to authorize the action or proceeding in another county or court.

**S.B. 553 (Kolkhorst) – Certificates of Obligations:** would: (1) require an issuer of certificates of obligation (COs) to publish continuous notice of its intention to issue COs on the issuer’s Internet website, or on a website in which the issuer controls the content of the posting, including a social media site, for at least 30 days before the date tentatively set for the passage of the order or ordinance authorizing the issuance of the certificates and until the first day after the date the issuer adopts the order or ordinance; (2) add the following additional items to the language of the published notice under (1): (a) as of the date the issuer adopts the order or ordinance, the principal of all outstanding debt obligations of the issuer; (b) as of the date the issuer adopts the order or ordinance, the estimated remaining interest of all outstanding debt obligations of the issuer; (c) as of the date the issuer adopts the order or ordinance, the estimated combined principal and interest required to pay all outstanding debt obligations of the issuer on time and in full; (d) the maximum principal of the certificates to be authorized; and (e) the process by which a petition may be submitted requesting an election on the issuance of the certificates; (3) make COs issued for personal or professional services subject to the notice requirements; and (4) generally require an issuer of COs to maintain or cause to be maintained an Internet website to comply with the publication requirement in (1), but provide that a city or county with a population of 2,000 or less may post the required information on a website in which the issuer controls the content of the posting, including a social media site, provided that the information is easily found by searching the name of the issuer on the Internet.

**S.B. 559 (Hancock) – Utility Gross Receipts Tax:** would, for purposes of the miscellaneous gross receipts tax on utility companies, provide that the tax is imposed on each utility company doing business in an incorporated city having a population of more than 1,000, without regard to whether the utility company is actually located in the city.

**S.B. 564 (Campbell) – Cybersecurity:** would: (1) allow a governmental body to conduct an executive session to conduct an open meeting to deliberate: (a) security assessments or deployments relating to information resources technology; (b) network security information; and (c) deployment or specific occasion for implementation, of security personnel, critical infrastructure, or security devices; and (2) provide that network security information is confidential under the Public Information Act if the information is: (a) relates to passwords, personal identification numbers, access codes, encryption, or other components of the security system of a governmental entity; (b) collected, assembled, or maintained by or for a governmental entity to prevent, detect, or investigate criminal activity; or (c) relates to an assessment, made by or for a governmental entity or maintained by a governmental entity, of the vulnerability of a network to criminal activity.

**S.B. 570 (Rodriguez) – Scrap Tires:** would: (1) require a used or scrap tire generator, junkyard, or fleet operator that stores used or scrap tires outdoors to store the tires in a secure manner that
locks the tires during nonbusiness hours; (2) prohibit a customer from retaining a scrap tire that has been removed from a customer’s vehicle during the purchase of a tire from a seller unless the customer is willing to sign a Texas Commission on Environmental Quality (TCEQ) form and assume liability for disposal of the tire; (3) require a person who sells tires to take possession of a scrap tire from a customer described in (2) and store or legally dispose of the scrap tire or, alternatively, keep the TCEQ form for at least three years; (4) allow a seller to contract for the transportation of used or scrap tires with only certain transporters or tire processors or face certain civil and criminal liability; (5) require used and scrap tire transporters to register with TCEQ and provide certain financial assurance in favor of the state; (6) except from the registration requirement in (5) certain transporters, including: (a) a person who owns or operates a municipal solid waste truck; and (b) a city that owns or operates a transport vehicle to transport used or scrap tires to an authorized facility, provided that each load is manifested as required by TCEQ; (7) require TCEQ to use the money from the financial assurance described in (5) for the cleanup of abandoned tire storage sites; (8) require a transporter to maintain certain records and submit an annual report to TCEQ; (9) authorize a county to require a transporter to register with the county under requirements that are compatible with and not less stringent than the TCEQ registration requirements; and (10) provide penalties, including fines and confinement, for violations of requirements described above.

S.B. 572 (Menendez) – Disaster Feasibility Study: would provide that the Texas Division of Emergency Services (TDES) shall conduct a study to examine the feasibility of establishing an agreement with the United State Postal Service regarding the use of employees, resources, and assets within the postal service during a state of disaster to identify damaged structures and persons in the area and their medical or physical needs, or to help assess damage to neighborhoods or communities and assist in any other activity the TDES determines in necessary in responding to the disaster.

S.B. 596 (Lucio) – Tax on Sweetened Beverages: would impose an additional state sales tax on the sale to a retailer of certain sweetened beverages and ingredients used to make certain sweetened beverages with the tax revenue going to the credit of the state’s general fund, but would not provide for an equivalent city sales tax.

S.B. 635 (Huffines) – Court Costs and Attorneys’ Fees: would provide that: (1) if a court determines that an order, ordinance, or similar measure of a political subdivision is unenforceable because it is preempted by the state constitution or a state statute, the court shall award the prevailing person court costs and reasonable and necessary attorney’s fees to be paid by the political subdivision; and (2) if a court determines that an officer of a political subdivision has failed to perform an act of the office required by the state constitution or a state statute, the court shall award the prevailing person court costs and reasonable and necessary attorney’s fees to be paid by the political subdivision.

S.B. 641 (Bettencourt) – City Budgets: would, among other things, for a city with a population of 225,000 or more: (1) require the budget officer to prepare, in plain language and in an easily readable and understandable format, a zero-based budget every 12th year that contains: (a) a description of the discrete activities the city conducts or performs with: (i) a justification for each activity by reference to a statute, charter provision, ordinance, or other legal authority; and (ii) an
evaluation of the effectiveness and efficiency of the city’s policies, management, fiscal affairs, and operations in relation to each activity; (b) for each activity identified under (a), a quantitative estimate of any adverse effects that reasonably may be expected to result if the activity were discontinued, together with a description of the methods by which the adverse effects were estimated; (c) for each activity identified under (a), an itemized account of expenditures required to maintain the activity at any minimum level of service required by statute, charter provision, ordinance, or other legal authority, together with a concise statement of the quantity and quality of service required at that minimum level; (d) for each activity identified under (a), an itemized account of expenditures required to maintain the activity at the current level of service or performance, together with a concise statement of the quantity and quality of service or performance provided at that level; (e) a ranking of activities identified under (a) that illustrates the relative importance of each activity to the overall goals and purposes of the city at current service levels; and (f) recommendations to the governing body of the city regarding whether the city should continue funding each activity identified under (a), and, if so, at what level; (2) provide that in preparing the zero-based budget, the budget officer may require any city officer or board to provide information necessary for the budget officer to properly prepare the budget; (3) require the budget officer to file a copy of the zero-based budget with the city clerk on or before the date the proposed budget is filed; (4) require a copy of the zero-based budget to be available for public inspection and require a city that maintains an Internet website to ensure that the zero-based budget is posted on the website; and (5) require the city council to consider information presented in the zero-based budget in addition to the proposed budget at a public hearing held to adopt a budget.

S.B. 642 (Bettencourt) – Local Debt: would: (1) require a proposition submitted to the voters for approval of the imposition, increase, or reduction of a tax to specifically state, as applicable: (a) with respect to a proposition that only seeks voter approval of the imposition or increase of a tax: (i) the estimated additional tax burden that would be imposed on a homestead with a value equal to the median homestead value in the political subdivision, as computed by the appraisal district, after the imposition or increase of the tax, if approved; and (ii) a detailed description of the purposes for which the tax is to be imposed or increased, if approved; and (b) with respect to a proposition that only seeks voter approval of the reduction of a tax, the estimated tax reduction for a homestead with a value equal to the median homestead value, as computed by the appraisal district, if the reduction of the tax is approved; (2) provide that a proposition under (1) relating to the approval of the issuance of bonds may not exceed 5,000 characters or a different limit prescribed by the secretary of state that ensures that the length of the proposition does not exceed one page of the ballot or one screen on an electronic voting machine; and (3) require a proposition seeking voter approval of the issuance of bonds to specifically state: (a) a general description of the purposes for which the bonds are to be authorized; (b) the total principal amount of the bonds; (c) the total amount of the political subdivision’s debt secured by property taxes currently outstanding; (d) the total amount of the political subdivision’s current payment on debt secured by property taxes; (e) the amount of taxes required to be imposed on a homestead with a value equal to the median homestead value in the political subdivision, as computed by the appraisal district, to repay the political subdivision’s current debt obligations secured by property taxes; and (f) the estimated tax burden that would be imposed on a homestead with a value equal to the median homestead value in the
political subdivision, as computed by the appraisal district, to repay the bonds to be authorized, if approved.

S.B. 651 (Perry) – Occupational License: would: (1) prohibit a state agency that issues a license or otherwise regulates a business, occupation, or profession from adopting any rule, regulation, or policy that imposes a penalty that: (a) limits an applicant’s ability to obtain a license based on a sincerely held religious belief; or (b) burdens a license holder’s free exercise of religion, freedom of speech regarding a sincerely held religious belief, or membership in a religious organization; (2) except from (1) any rule, regulation, or policy essential to enforcing a compelling governmental purpose and narrowly tailored to accomplish that purpose; and (3) provide administrative or judicial relief for a violation of the prohibition in (1).

S.B. 656 (Zaffirini) – Agriculture and Rural Ombudsman: would: (1) establish the agriculture and rural ombudsman office (office) in the governor’s Texas Economic Development and Tourism Office for the purpose of assisting agriculture businesses and businesses located in rural areas; (2) require a governmental entity to allow the office access to the entity’s records relating to action taken by the entity that affects an agriculture business or business located in a rural area; and (3) allow the office to use information obtained in (2) for the purpose of assisting a business in evaluating governmental entities’ application of laws and making recommendations for legislation.

S.B. 658 (Perry) – Rock Climbing: would include rock climbing in the recreational use statute for tort liability purposes. (Companion bill is H.B. 487 by Guillen.)

S.B. 662 (Huffines) – Asset Forfeiture: would: (1) require that the audit for asset forfeiture include a detailed report itemizing all seizures of proceeds or property, indicating the specific criminal offense on which each seizure was based, indicating whether charges were brought in connection with the offense, and describing the disposition of any charges; and (2) require the attorney general to publish an annual report summarizing the results of asset forfeiture audits.

S.B. 663 (Huffines) – Asset Forfeiture: would provide that forfeited property be transferred to the comptroller and otherwise make the comptroller responsible for certain aspects of the disposition of proceeds and property from asset forfeiture proceedings.

S.B. 701 (Huffines) – Local Debt: would require an election for the issuance of bonds to be held on the November uniform election date.

S.B. 702 (Huffines) – Local Debt: would provide that an election held by a political subdivision to authorize the issuance of bonds has no effect unless at least 33 percent of the registered voters of the political subdivision vote in the election.

S.B. 721 (Perry) – Zoos and Aquariums: this bill is the same as H.B. 1375, above.

S.B. 737 (Hancock) – City Fees: this bill is the same as H.B. 1557, above.
S.B. 744 (Kolkhorst) – Tree Mitigation Fees: would: (1) require a city that imposes a tree mitigation fee (a fee for tree removal necessary for development or construction on a person’s property) to allow that person to apply for a credit for tree planting to offset the amount of the fee; (2) provide that an application for a tree planting credit be in the form and manner prescribed by the city, and require that the tree must be planted on property located in the city either owned by the person or mutually agreed upon by the city and the person; and (3) require that the amount of a tree planting credit be applied in the same manner as the tree mitigation fee assessed against the person and, if the amount of the tree mitigation fee is based on the size of tree being removed, the amount of credit must be based on at least 60 percent of the projected size of the planted tree at full maturity.

S.B. 753 (Perry) – Financial Accounting and Reporting Requirements: would, among other things, repeal the state law governing financial accounting and reporting standards for the state and political subdivisions of the state.

S.B. 764 (Huffines) – Illegal Immigration: would: (1) require the comptroller to submit to certain state officials before each regular legislative session an estimate of the financial costs to the state during the preceding two-year period resulting from persons who are not lawfully present in the United States, including costs incurred for education, health care, incarceration, border security, and law enforcement; and (2) provide that the federal government should reimburse the state for expenditures described in (1).

S.B. 813 (Hughes) – State Regulatory Actions: would: (1) authorize a claimant to bring an action against a state agency for a frivolous regulatory action and to recover, in addition to costs allowed by law or rule, damages caused by the state agency’s frivolous regulatory action, reasonable attorney’s fees, and court costs; and (2) authorize a person to recover, in addition to costs allowed by law or rule, reasonable attorney’s fees and costs incurred in defending against a frivolous regulatory action during an administrative proceeding, and judicial review of that proceeding if: (a) the person prevails in the judicial review of an administrative proceeding; and (b) the state agency is unable to demonstrate that the agency has good cause for the regulatory action.

S.B. 827 (Seliger) – Americans with Disability Act: would: (1) require a person seeking a claim for relief under the Americans with Disability Act (ADA) to first notify the respondent of the intent to file the claim; (2) give a respondent who has received a notice in (1) the right to correct the alleged violation, and provide for related notice and judicial proceedings regarding the corrections; and (3) prohibit a person from providing a notice of intent to file an ADA claim in bad faith, and authorize the attorney general to enforce this prohibition through injunctive and other relief such as civil penalties and restitution. (Companion bill is H.B. 1463 by Smithee.)

S.B. 838 (Zaffirini) – Drones: would: (1) delete the following from the list of circumstances in which it is lawful to capture an image using a drone: (a) operations, maintenance, inspections, routing and citing of utilities; (b) marketing, sale, or financing of real property by a real estate broker; (c) inspecting, maintaining, or repairing pipelines by the owner or operator of an oil, gas, water, or other pipeline; (d) surveying by a registered land surveyor; and (e) practicing engineering; and (2) make it lawful to capture an image using a drone if the image is captured by
a person for a commercial purpose, in compliance with the Federal Aviation Administration regulations or exemptions, and reasonably related to the commercial purpose.

S.B. 839 (Zaffirini) – Drones: would make it lawful to capture an image using a drone if the image is captured by a journalist for the purpose of reporting on a matter that is of substantial public interest, potentially affects public safety, and occurs under circumstances in which individuals whose images are captured do not have a reasonable expectation of privacy.

S.B. 840 (Zaffirini) – Drones: would no longer make it lawful to use a drone to capture an image of real property or a person on real property within 25 miles of the United States border. (Companion bill is H.B. 106 by Martinez.)

S.B. 844 (Huffines) – Occupational Licensing: would: (1) require the attorney general to actively supervise each “licensing authority,” which is defined to mean a department, commission, board, office or other agency of the state that issues a “license,” a “specialty occupational license for medical reimbursement,” registration, certification, permit or other authorization related to an occupation; (2) require a licensing authority to submit any proposed rule, policy, or enforcement action to the attorney general for review before adoption or implementation, and allow the attorney general to approve the same if it complies with the following policies: (a) recognizes the fundamental right of an individual to pursue an occupation; (b) increases economic opportunities, promotes competition, and encourages innovation; (c) uses the least restrictive means of regulation to protect consumers from public health and safety threats; and (d) enforces occupational regulations only to the extent the individual sells goods or services that are explicitly included in the law that defines the occupation’s scope of practice; and (3) require the attorney general to investigate a complaint alleging a licensing authority action does not comply with the policies described in (2).

S.B. 845 (Huffines) – Occupational Licensing: would require the Texas Department of Licensing and Regulation to establish an occupational licensing database in cooperation with a “licensing authority” which is defined to mean a department, commission, board, office, or other agency of the state that issues a license.

S.B. 855 (Campbell) – Abortion: would provide, among other things, that a governmental entity may not enter into a transaction to give any thing of value to an abortion facility licensed by the state, except for basic governmental services such as police and fire services.

S.B. 892 (Perry) – Child Welfare Providers: would provide: (1) that a child welfare service provider is protected from discrimination or any adverse action by an employing city if the child welfare service provider makes decisions based on their religious beliefs that are contrary to any ordinance, rule, order, decision, practice or other exercises of the city; and (2) for various remedies against a city that violates (1). (Companion bill is H.B. 1805 by Sanford.)

S.B. 893 (Krause) – Religious Beliefs/Marriage: this bill is the same as H.B. 1923, above.

S.B. 898 (Bettencourt) – Tree Preservation: would provide that: (1) a landowner owns all trees and timber located on the landowner’s land as real property until cut or otherwise removed from
the land, unless otherwise provided by a contract, bill of sale, deed, mortgage, deed of trust, or other legally binding document; (2) a governmental entity may not prohibit a landowner from trimming or removing trees or timber located on the landowner’s land; and (3) a city may not regulate the trimming or removal of trees or timber in the extraterritorial jurisdiction.

S.B. 902 (Birdwell) – Library Standards: would provide that, in establishing library accreditation standards, the Texas State Library and Archives Commission may not require the governing body of a library that proposes to become a member of a major resource system or regional library system to satisfy minimum requirements related to: (1) local operating expenditures; (2) collections based on publication dates; (3) hours the library is open to the public; or (4) the number or classification of library employees.

S.B. 910 (Huffman) – E-Cigarettes/Tobacco Products: this bill is the same as H.B. 1908, above.

S.B. 936 (Huffman) – Public Retirement Systems: would create a joint interim committee to study and assess each public retirement system of this state and report the findings and recommendations to the lieutenant governor, the speaker of the house, and the governor.

S.B. 947 (Kolkhorst) – Electric Utility Liability: would expand the protection from premises liability for recreational uses to any electric utility that has an agreement with a city to allow individuals on its premises for recreational purposes.

S.B. 1020 (V. Taylor) – Texas Cybercrime Act: would, among other things, create: (1) a third degree felony for a person who intentionally interrupts or suspends access to a computer system or computer network without the effective consent of the owner; and (2) a Class A misdemeanor for a person who: (a) alters data as it transmits between two computers in a computer network or computer system without the effective consent of the owner; or (b) introduces malware, including ransomware, onto a computer, computer network, or computer system without the effective consent of the owner. (Companion is H.B. 9 by Capriglione.)

S.B. 1057 (West) – Abandoned Animals: would require a landlord, owner, or mortgagee in control of a vacant property to inspect the property for abandoned animals and, if an abandoned animal is encountered, to immediately report it to an animal control officer or a law enforcement officer.

S.B. 1084 (Watson) – Animal Shelters: this bill is the same as H.B. 2390, above.

S.B. 1086 (Seliger) – Hotel Occupancy Taxes: would: (1) prohibit a state agency from posting on a public Internet website information that identifies the taxable receipts of an individual business that is contained in or derived from a record, report, or other document related to the collection of hotel occupancy taxes; and (2) provide that information described by (1) and that is collected or maintained by a state agency is considered to be public information. (Companion bill is H.B. 1924 by Elkins.)

S.B. 1089 (Perry) – Food Service Certificates: would prohibit a local health jurisdiction from charging a fee for a certificate issued to a food service worker who provides proof of completion
of a food handler training course that is accredited by the American National Standards Institute or accredited by the Department of State Health Services and listed on their registry.

S.B. 1090 (Lucio) – Dog Restraint: would: (1) prohibit, with certain exceptions, a person who owns or has custody or control of a dog: (a) from leaving the dog outside and unattended by use of a restraint unless the owner provides the dog adequate shelter, a dry area, shade, and potable water; and (b) from restraining a dog outside and unattended by use of certain restraints; (2) make a knowing violation of the prohibitions in (1) a Class C misdemeanor or a Class B misdemeanor if the person has previously been convicted; and (3) provide that the provisions of the bill do not preempt a local regulation relating to the restraint of a dog or affect the authority of a city to adopt or enforce an ordinance or requirement relating to the restraint of a dog that is equal to or more stringent than its provisions.

S.B. 1101 (Taylor of Collin) – Day Care Centers: would, among other things, impose numerous requirements related to provide that epinephrine auto-injectors used at a day care center, including a center operated by a city.

S.B. 1113 (Garcia) – Government Bathrooms: would provide: (1) that a governmental entity, including a city, that has control over a bathroom or changing facility in a building owned or leased by the entity shall allow a person to use a bathroom or changing facility located in the building consistent with the person’s gender identity or gender expression; and (2) for an attorney general complaint and enforcement process. (See S.J.R. 44, below.)

S.B. 1164 (V. Taylor) – Fees: would: (1) prohibit a city from imposing a new fee unless the fee is approved by at least two-thirds of the members of the governing body and the voters voting at an election held for that purpose; and (2) make the prohibition in (1) applicable only to a fee projected to generate substantial revenue (defined as an amount equal to at least 1% of the general revenue during the most recent fiscal year) during the 12-month period after the date of an election to approve the fee.

S.B. 1172 (Perry) – Seed Regulation: would prohibit a city from adopting an ordinance that regulates agricultural seed, vegetable seed, weed seed, or any other seed in any manner, including planting seed or cultivating plants grown from seed.

S.B. 1196 (Kolkhorst) – Common Nuisance: this bill is the same as H.B. 2770, above.

S.B. 1221 (Watson) – Hotel Occupancy Taxes: would: (1) require cities to annually report to the comptroller: (a) the rate of the city’s hotel occupancy tax and, if applicable, the rate of the city’s hotel occupancy tax supporting a venue project; (b) the amount of revenue collected during the city’s preceding fiscal year from: (i) the city’s hotel occupancy tax; and (ii) if applicable, the city’s hotel occupancy tax supporting a venue project; and (c) the amount and percentage of revenue described by (1)(b)(i) allocated by the city for the promotion of the arts during the city’s preceding fiscal year; (2) require cities to make the report required in (1) by: (a) submitting the report to the comptroller on a form prescribed by the comptroller; or (b) providing the comptroller a direct link to, or a clear statement describing the location of, the information required to be reported that is posted on the Internet website of the city.
S.B. 1251 (West) – Ending Homelessness Fund: would create a fund to provide grants to cities to combat homelessness funded by voluntary contributions made when a person registers or renews the registration of a motor vehicle.

S.B. 1272 (Miles) – Hurricane Preparedness: would provide that the governor shall issue a proclamation each year before hurricane season instructing: (1) individuals, including residential and commercial property owners, to prepare their property and communities for the upcoming hurricane season; (2) state agencies to review and update their hurricane preparedness plans; and (3) cities and other entities to conduct community outreach and education activities on hurricane preparedness between May 25th and May 31st of each year to the extent practicable.

S.B. 1276 (Campbell) – Bathrooms: would provide that a public or private entity that provides a gender-neutral bathroom, changing room, locker room, shower room, or similar facility must prominently display on each entrance to the facility an icon, symbol, or other identifying device that designates the facility as gender-neutral.

S.B. 1344 (V. Taylor) – Public Retirement Systems: would provide that a public retirement system, other than the Texas Municipal Retirement System, shall: (1) select an independent firm to evaluate the retirement system’s investment practices and performances; and (2) make changes to the investment reporting requirements to the Pension Review Board.

S.B. 1363 (Uresti) – Diaper Changing Stations: would provide that: (1) a governmental entity that engages in or contracts for the construction or renovation of any building operated by the governmental entity that has one or more restrooms accessible to the general public shall provide a diaper changing station in at least one restroom designated for each gender or, if applicable, in at least one restroom not designated by gender; and (2) the governmental entity shall post in a conspicuous place a sign with clear language indicating the location in the building of each restroom with a diaper changing station.

S.B. 1381 (Hughes) – Credit Card Transactions: this bill is identical to H.B. 2839, above.

S.B. 1382 (Hughes) – Energy Savings Performance Contracts: would expand the definition of “energy savings” to include the estimated amount of avoided expected future operating and maintenance costs for purposes of a local government entering into an energy savings performance contracts. (Companion bill is H.B. 1571 by Paddie.)

S.B. 1409 (Menendez) – Credit Card Information: would: (1) require a business that accepts a credit card or debit card for payment and retains any data related to the card other than a confirmation number for the transaction to secure the retained information from a breach of system security; (2) require a business that has a breach of system security to send notice to the attorney general and each financial institution that issued a credit or debit card affected by the breach; (3) establish the data security breach victim compensation fund; and (4) provide that a business that fails to secure its computer system and suffers a breach is liable to the state for a civil penalty of $50 for each credit card and debit card from which information was compromised.
S.B. 1432 (Estes) – Sport Lagoons: would provide that: (1) a “sport lagoon” means any artificial, permanently installed, or non-portable structure, basin, chamber, or tank containing a minimum of 4.5 million gallons of non-potable water used for swimming, diving, aquatic sports, or other aquatic activities; (2) a sport lagoon is not a public swimming pool; (3) any person may apply to the Texas Commission on Environmental Quality (TCEQ) for a permit to construct and operate a sport lagoon; and (4) TCEQ shall prescribe a form for the permit application and make it available online and upon request and have a procedure for the approval or rejection of the applications.

S.B. 1438 (Zaffirini) – Unfunded Mandates: would create an unfunded mandates interagency work group for the purpose of publishing an advisory list of unfunded mandates enacted by the state legislature.

S.B. 1463 (Huffman) – Settlement: would: (1) prohibit a city or other governmental unit from entering a settlement of a claim or action if: (a) the settlement is equal to or more than $30,000; and (b) a settlement condition requires a party seeking relief against the governmental unit to agree not to disclose to facts, allegations, evidence, or other matters; and (2) limit the admissibility of certain evidence relating to settlement negotiations. (Companion bill is H.B. 53 by Romero.)

S.B. 1536 (Campbell/Perry) – Religious Beliefs: would provide that a governmental entity may not take an adverse action against a child-placing agency on the basis of the child-placing agency’s declining to provide services or declining to accept a referral from the department because it conflicts with the agency’s sincerely held religious beliefs.

S.B. 1569 (Huffman) - Civil Investigative Demand: would provide that if the attorney general has reason to believe that a person (including a city) may be in possession, custody, or control of any documentary material or other evidence or may have any information relevant to a civil racketeering investigation related to trafficking of persons, the attorney general may use various means to force the person to provide that information. (Companion bill is H.B. 29 by S. Thompson.)

S.B. 1580 (Lucio) – Border Health Task Force: would: (1) create a task force of border health officials; (2) provide that each city in the border region that has a sister city in Mexico shall have a member on the task force; and (3) at the request of the task force, a state agency or political subdivision of this state shall cooperate with the task force to the greatest extent practicable to fully implement the task force’s duties.

S.B. 1586 (Uresti) – Minimum Wage: would: (1) authorize a city or county with a population of more than 100,000 to adopt a minimum wage to be paid by an employer to each employee for services performed in the city or county; (2) prohibit the minimum wage in (1) from exceeding 135 percent of the federal minimum wage in effect two years before the city or county wage is to take effect; (3) provide that, subject to the limit in (2), an increase in the minimum wage may not be more than eight percent of the city’s or county’s current minimum wage and may not take effect earlier than the first anniversary of the date the most recent increased minimum wage takes
effect; and (4) exempt an employer with fewer than 10 employees from a city or county minimum wage.

**S.B. 1611 (V. Taylor) – Certificates of Obligation**: would require cities and counties to hold elections to authorize the issuance of certificates of obligation, unless the city or county is located wholly or partly inside an area declared to be a disaster area by the governor and the proceeds of the certificates are used only for disaster-related purposes.

**S.B. 1620 (Taylor of Collin) – Chickens**: would provide that: (1) a political subdivision may not impose a requirement that prohibits an individual from raising or keeping six or fewer chickens in the boundaries of the political subdivision; (2) a city may impose reasonable requirements on the raising or keeping of poultry that do not have the effect of prohibiting the raising or keeping of six or fewer chickens, including: (a) a limit on the number of chickens an individual may raise or keep in excess of six; (b) a prohibition on breeding poultry; (c) a prohibition on raising or keeping roosters; or (d) the minimum distance an individual must maintain between a chicken coop and a residential structure; and (3) a requirement adopted by a political subdivision that violates section (1) is void.

**S.B. 1632 (Rodriguez) – Abortion**: would provide that: (1) neither the state nor a political subdivision may not prohibit a woman from obtaining an abortion at any time throughout her pregnancy if the termination is necessary, in the professional judgement of a physician, to protect the woman’s life or health; (2) neither the state nor a political subdivision may enforce a law on abortion that places a burden on a woman’s access to abortion and does not confer any legitimate health benefit to the woman; (3) a person aggrieved by the state or a political subdivision may bring a civil action for injunctive relief and damages incurred as a result of the violation; and (4) sovereign immunity and governmental immunity from suit and to liability are waived and abolished to the extent of liability created by the bill.

**S.B. 1702 (Bettencourt) – City Audit and Financial Statement**: would provide that the annual financial statement, including the auditor’s opinion on the statement, shall be filed in the city secretary’s office within 120 days (rather than the current 180 days) after the last day of the city’s fiscal year.

**S.B. 1703 (Bettencourt) – City Audit and Financial Statement**: would provide that: (1) for a city with a population of less than 1.75 million, the annual financial statement, including the auditor’s opinion on the statement, shall be filed in the city secretary’s office within 120 days (rather than the current 180 days) after the last day of the city’s fiscal year; and (2) for a city with a population of 1.75 million or more, the annual financial statement, including the auditor’s opinion on the statement, shall be filed in the city secretary’s office within 90 days (rather than the current 180 days) after the last day of the city’s fiscal year.

**S.B. 1716 (Hall) – Lobbying**: would prohibit a political subdivision or a private entity that receives state funds from paying expenses for lobbying. (Companion bill is **H.B. 1316** by Swanson.)
S.B. 1733 (Birdwell) – Identification Documents: would: (1) require the secretary of state to specify, by rule, the identification documents that may be accepted by a governmental official; (2) prohibit the rules in (1) from authorizing an identification document issued by a political subdivision, and require those rules to provide that foreign identification documents must include appropriate security measures to ensure authenticity; (3) prohibit a governmental official from accepting identification documents for determining identity or residency unless the document is authorized by the secretary of state; and (4) prohibit a governmental entity from adopting any ordinance or other measure inconsistent with the provisions in the bill and provide that any such ordinance or measure is void.

S.B. 1789 (Taylor of Collin) – Civil Suits: would provide that a civil action related to a report of suspicious activity of another person to an appropriate law enforcement authority may not be brought against the person who made the report, if the person made the report in good faith with a reasonable belief that the suspicious activity constitutes or is in furtherance of a crime, including an act of terrorism. (Companion bill is H.B. 2069 by Shaheen.)

S.B. 1821 (Burton) – Local Debt: would require a proposition submitted for an election to authorize a political subdivision to issue bonds supported by property taxes to: (1) distinctly state the projected annual increase in property taxes attributable to the bonds to be issued that a homeowner of an average-priced home within the political subdivision may be required to pay, in the manner prescribed by comptroller rule; and (2) include certain additional information if the bonds to be issued are of a type that accrue and defer interest costs, such as a capital appreciation bond.

S.B. 1879 (Menendez) – Animal Regulation: would make various changes to the law regarding dangerous wild animals, including: (1) repealing the current law governing dangerous wild animals; (2) changing the definition of “dangerous wild animal” to include fewer animals; (3) prohibiting a person from owning, possessing, harboring, or having custody of a dangerous wild animal; (4) excepting certain persons from the prohibition in (3), including cities and animal shelters housing an animal upon seizure or on request of an animal control authority or law enforcement agency; (5) requiring certain owners of dangerous wild animals to register the animal with the Department of State Health Services; (6) providing the circumstances under which a dangerous wild animal may be seized and disposed of, which involves an animal control authority or peace officer; and (7) incorporating the new definition of “dangerous wild animal” into the disorderly conduct and cruelty to nonlivestock offenses. (Companion bill is H.B. 2274 by Guillen.)

S.B. 1951 (Hughes) – Prevailing Wage Rates: would: (1) allow the use of a third-party survey to determine prevailing wage rates; and (2) provide that any survey used to determine a general prevailing rate must be conducted within a three-year period preceding the date the public body calls for bids for the public work. (Companion bill is H.B. 2689 by Murphy.)

S.B. 2009 (V. Taylor) – Public Retirement Systems: would provide that each public retirement system, including TMRS, shall submit to the Pension Review Board a supplemental analysis prepared in conjunction with the system’s actual valuation that performs a 30-year forward-looking projection of system assets and liabilities.
S.B. 2015 (Creighton) – Federal Action: would: (1) establish a joint legislative committee to review any federal action to determine whether such action is unconstitutional; (2) provide that any federal action found by the joint legislative committee to be unconstitutional be sent to the legislature for a determination and then on to the governor for approval or disapproval; (3) provide that any federal action declared to be unconstitutional has no legal effect in Texas; (4) prohibit the state or a political subdivision of the state from spending money to implement a federal action declared unconstitutional; (5) authorize the attorney general (and others) to prosecute a person who attempts to implement or enforce an unconstitutional federal action for official oppression, as well as other provisions of law; and (6) entitle a person to seek a declaratory judgment that a federal action is unconstitutional and give all courts original jurisdiction over such a proceeding. (Companion bill is H.B. 2338 by Bell.)

S.B. 2044 (Bettencourt) – Lobbying: would: (1) prohibit a city that is wholly or partly funded by tax proceeds from: (a) spending tax proceeds to directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature; and (b) employing a person required to register as a lobbyist to engage in activities on behalf of the city for which registration is required; and (2) provide that a taxpayer of a city may seek injunctive relief to prevent a violation of (1), and if a taxpayer prevails in such an action, may recover reasonable attorney’s fees and costs.

S.B. 2045 (Bettencourt) – Lobbying: would require a city to: (1) submit to the Texas Ethics Commission statements showing total expenditures for lobbying activities during a regular legislative session, including the name of each person required to register as a lobbyist with whom the local governmental entity has a contract to provide lobbying services, and the total amount paid to each person; and (2) post the statements in (1) on the city’s website.

S.B. 2065 (Hancock) – Occupational Regulation: would: (1) amend the licensing and regulation of various occupations and activities; (2) in regard to temporary common workers (i.e., day laborers): (a) provide that a person may operate as a temporary common worker employer if the person meets the state law requirements and is not prohibited by a governmental subdivision; (b) allow a city of more than one million to establish city regulations that impose stricter standards of conduct and practice than imposed by state law; (c) authorize a governmental subdivision to enforce the state laws governing temporary common workers employers within the boundaries of the governmental subdivision; and (d) repeal the authority of the Texas Department of Licensing and Regulation to regulate temporary common worker employers; and (3) in regard to vehicle towing, booting, and storage: (a) eliminate required state licensing for vehicle booting companies; (b) prohibit a person from engaging in booting operations unless authorized by a “local authority” defined to mean an institution of higher education, a county, city, special district, junior college district, housing authority, or other political subdivision; (c) authorize a local authority to regulate booting activities in areas in which the entity regulates parking or traffic, and specify certain things that must be included in such regulations; (d) provide that when a tow truck is used for a nonconsent tow to remove a vehicle in right-of-way by a peace officer who has determined that the vehicle blocks the roadway or endangers public safety, the operator of the tow truck and the towing company are both agents of the law enforcement agency and have the same liability limitations as the law.
enforcement agency; and (e) repeal incident management towing permits and related insurance requirements.

**S.B. 2091 (Hall) – Local Debt**: would, among other things: (1) provide that an election held by a political subdivision to authorize the issuance of bonds or a tax increase has no effect regarding the issuance of the bonds or the tax increase unless more than 25 percent of the registered voters of the political subdivision vote in the election in which the bond or tax proposition is on the ballot; (2) provide that in an election held by a political subdivision for which the ballot includes a proposition seeking voter approval of the issuance of bonds or a tax increase, a temporary branch polling place must: (a) remain at the same location for the entire period during which early voting by personal appearance is conducted in the district; and (b) allow for early voting by personal appearance to be conducted during the same day and hours as voting is conducted at the main early voting polling place; (3) require an election authorizing the issuance of bonds or a tax increase by a political subdivision to be held as a joint election, and provide that a single ballot containing all the offices or propositions stating measures to be voted on at a particular polling place must be used in a joint election; (4) require a political subdivision to hold an election prior to issuing all bonds, including revenue bonds; and (5) provide that refunding bonds and bonds issued in an amount less than $2,000 to repair a building or structure that may be built using the proceeds of bonds are subject to the election and notice requirements applicable to other bond issuances.

**S.B. 2115 (L. Taylor) – Vehicle Towing and Booting**: would, among other things, provide that while a city may regulate the fees that may be charged in connection with the booting of a vehicle, the fee for removal of a boot may not exceed the national average fee for removal of a boot.

**S.B. 2146 (L. Taylor) – Hotel Occupancy Tax**: would, among other things: (1) modify the definition of “venue” for purposes of a venue project to exclude a facility financed wholly or partly by hotel occupancy taxes that will not be primarily used for community, civic, and charitable events that are attended only by residents of the community; (2) provide that a convention center facility that qualifies as a venue project and is financed wholly or partly with hotel occupancy tax revenue must be in the vicinity of the convention center; (3) provide that, in order to be eligible for hotel occupancy tax funding, a “convention center facility” or “convention center complex” must be primarily used to host conventions and meetings, with the term “meetings” defined as “gatherings of people that enhance and promote tourism and the convention and hotel industry”; (4) provide that, if a city adopts an ordinance imposing a hotel occupancy tax for the first time, the imposition of the tax does not apply to the use or possession, or the right to the use or possession, of a room under a contract executed before the date the imposition of the tax takes effect, unless the contract is subject to change or modification by reason of the imposition of the new tax; and (5) clarify that hotel occupancy tax dollars can be spent on the promotion of tourism by enhancing and upgrading any existing sports facilities or fields in certain cities. (Companion bill is H.B. 1896 by Bohac.)

**S.B. 2157 (Zaffirini) – Disabled Parking**: would, in regard to an offense of impermissibly parking a vehicle in a parking space designated by a city for persons with disabilities: (1) provide that a judge may defer imposition of a judgment to allow a defendant to complete a disabled
parking course approved by the city; (2) authorize a court to require a defendant requesting a course under (1) to pay an administrative fee of not more than $10; (3) establish procedures regarding a defendant’s failure to complete a course under (1); (4) authorize a city to appoint certain persons to file a charge against a person who commits an offense if they have had certain training; and (5) allow a city to use not more than 40 percent of certain fine revenue to provide community education about parking for people with disabilities and establish a related advisory body.

S.B. 2178 (Huffines) – Judicial Review of Regulations: would: (1) authorize a state licensee to bring a suit to enjoin enforcement of a city regulation when the regulation: (a) establishes requirements for, imposes restrictions on, or otherwise regulates the business activity of a state licensee in a manner that is more stringent than state law; or (b) would result in an adverse economic impact on the state licensee; (2) provide that, if a state licensee shows by a preponderance of the evidence that city regulations are more stringent than state law or have an adverse impact, a city must show by clear and convincing evidence that the city regulation does not conflict with state law and is necessary and narrowly tailored to protect against actual and specific harm to the public health or safety; and (3) require a court to award court costs and attorneys fees to be paid by a city if a state licensee prevails in a suit under (1). (Companion bill is H.B. 3947 by Laubenberg.)

S.B. 2216 (Nichols) – State Fiscal Matters: would require, among other things, the Texas Department of Transportation to: (1) work and plan with local transportation planning entities to maximize the amount of federal funding awarded for projects in this state by identifying and pursuing projects that are eligible for federal grant programs, including the scenic byways program; and (2) evaluate highway use in this state by oversize or overweight vehicles, calculate the cost of damage to highways caused by those vehicles, and determine whether the fees charged by permits are adequate to offset the costs of damage to highways.

S.B. 2217 (Kolkhorst) – State Fiscal Matters: would: (1) require the Texas Department of Transportation (department) to work and plan with local transportation planning entities to maximize the amount of federal funding awarded for projects in this state by identifying and pursuing projects that are eligible for federal grant programs, including the scenic byways program; and (2) require the department to evaluate highway use in this state by oversize or overweight vehicles, calculate the cost of damage to highways caused by those vehicles, and determine whether the fees charged by permits are adequate to offset the costs of damage to highways.

S.J.R. 43 (Huffman) – Local Retirement Systems: would amend the Texas Constitution to provide that the state is not liable and may not appropriate money to pay for any debts or other obligations of a local retirement system. (Companion is H.J.R. 85 by Flynn.)

S.J.R. 44 (Garcia) – Equal Rights: would propose an amendment to the Texas Constitution that would provide that: (1) all men and women, when they form a social compact, have equal rights, and no man or woman, or set of men or women, is entitled to exclusive separate public emoluments, or privileges, but in consideration of public services; and (2) equality under the law shall not be denied or abridged because of sex, race, color, creed, military status, health status,
ethnicity, sexual orientation, gender identity or expression, age, religion, disability, genetic information, family, marital status, previous incarceration, or national origin. (See S.B. 1113, above.)

S.J.R. 71 (Hall) – Bill of Rights: would propose an amendment to the Texas Constitution to provide, among other things, that: (1) the legislature, by a majority vote of all the members elected to each house, may find that a federal law violates the Bill of Rights in the Texas Constitution; (2) the legislature may include in a finding under (1), above, the manner in which the legislature may interpose itself between the federal government and persons in this state to oppose the federal government in the execution and enforcement of the federal law; and (3) a state agency or political subdivision, or an officer or employee of a state agency or political subdivision, may not execute or enforce a provision, penalty, or sanction provided by a federal law that the legislature has found to violate the Bill of Rights. (See S.B. 89, above.)

Municipal Courts

H.B. 12 (Price) – Mental Illness/Disability: would make various changes to the law dealing with a person with a mental illness or intellectual disability who is involved with the court system, and provide for the eligibility for medical assistance of certain mentally ill inmates. More specifically, it would provide that:

1. if a magistrate is provided written or electronic notice of credible information that may establish reasonable cause to believe that a person brought before the magistrate has a mental illness or intellectual disability, the magistrate shall conduct the proceedings in accordance with certain laws related to early detection and release on bond of those with mental illness or intellectual disability (Code of Criminal Procedure articles 16.22 and 17.032);
2. in regard to trial priorities, a defendant who has been determined to be restored to competency shall be given preference over certain other matters;
3. a court must dismiss certain misdemeanor charges when a defendant is sent to a jail-based restoration of competency program and not tried before a certain period of time;
4. the Health and Human Services Commission must: (a) implement a jail-based restoration of competency program (to replace the current pilot program); and (b) establish a grant program (primarily for counties, local mental health authorities, and hospital districts) to reduce recidivism, arrest, and incarceration among individuals with mental illness and reduce wait time for forensic commitment; and
5. the director of the Office of Court Administration must make information available to the courts regarding best practice for addressing the needs of persons with mental illness in the court system.

H.B. 50 (White) – Community Service: would give municipal court judges the authority to require a defendant to discharge all or part of the fine or costs by performing community service if the judge determines the defendant has insufficient resources or income to pay the fine or costs. (Companion bill is H.B. 351 by Canales.)
H.B. 58 (White) – First Chance Intervention Program: would give a city council the authority to establish a first chance intervention program for defendants charged with an offense involving the possession of marihuana.

H.B. 72 (Keough) – Victim-Offender Mediation Program: would: (1) provide a city council with the authority to establish a pretrial victim-offender mediation program for persons arrested or charged with a misdemeanor or state jail felony property offense; and (2) impose a $15 court cost on conviction of a misdemeanor or state jail felony property offense to fund the victim-offender mediation program.

H.B. 76 (White) – Driver’s License: would: (1) give municipal court judges the authority to issue an occupational driver’s license; and (2) require municipal court clerks to notify the Department of Public Safety that a defendant is indigent within 5 days of receiving the required documentation.

H.B. 122 (Dutton) – Juveniles: would, among other things and with certain exceptions, change the age of a child for criminal responsibility purposes from 17 years of age to 18 years of age.

H.B. 176 (Raymond) – Juvenile Court: would provide that a juvenile court can defer adjudication proceedings for not more than 180 days under certain conditions for a child who, based on evidence obtained pursuant to a parental-consent search, is alleged to have engaged in conduct indicating a need for supervision or delinquent conduct.

H.B. 244 (Anchia) – Magistrates: would require a magistrate to inform an arrestee that a plea of guilty or no contest for the offense charged may affect the person’s eligibility for enlistment or reenlistment in the United States armed forces or may result in the person’s discharge from the armed forces.

H.B. 325 (Canales) – Expunction of Records: would: (1) entitle a person to have arrest records expunged if: (a) the person was placed on deferred adjudication community supervision for a charge that was subsequently dismissed; (b) the person has not been arrested for certain offenses after being placed on deferred adjudication; and (c) depending on the offense, either five years (for misdemeanor offenses) or ten years (for felony offenses) have passed; (2) prohibit certain business entities from publishing criminal history record information and require them to destroy the same upon receipt of notice of an order of expunction; and (3) authorize a close relative of a deceased person to file for expunction on behalf of the deceased.

H.B. 351 (Canales) – Community Service: would give municipal court judges the authority to require a defendant to discharge all or part of the fine or costs by performing community service if the judge determines the defendant has insufficient resources or income to pay the fine or costs. (Companion bill is H.B. 50 by White.)

H.B. 419 (White) – Drug Offenses: would require a municipal court judge to inform a defendant who is entering a plea of guilty or no contest to a drug offense, for which the complaint is based on the results of a field test, that the prohibited substance was identified by a field test conducted by law enforcement and not by a forensic analysis conducted by a crime lab.
H.B. 551 (Collier) – Drug Offenses: would allow a judge that grants a petition for expunction of a criminal record to order the fee be returned to the petitioner.

H.B. 567 (White) – Fine-Only Offenses: would: (1) prohibit a police officer from arresting an individual for an offense punishable by fine only, unless the offense is public intoxication or an alcohol offense involving a minor; and (2) require an officer who stops a motor vehicle for an offense punishable by fine only to notify the person that: (a) the alleged offense is a misdemeanor punishable by fine only, and (b) the officer may not arrest the person based solely on that offense. (Companion bills are H.B. 571 by Johnson and S.B. 271 by Burton.)

H.B. 571 (Johnson) – Magistrate: this bill is the same as H.B. 567, above.

H.B. 608 (Dutton) – Magistrate: would require a magistrate to release a defendant charged with a misdemeanor on personal bond, unless the magistrate makes and files an affirmative finding of fact that extenuating circumstances justify not releasing the defendant on personal bond.

H.B. 662 (Canales) – Jail Time: would require a judge to give a defendant credit toward payment of costs imposed on the defendant at a rate of $100 for each day the defendant was confined in jail.

H.B. 663 (Canales) – Court Reporter: would: (1) transfer the responsibility for maintaining shorthand notes from the court reporter to the court clerk; and (2) task the court clerk with establishing a transcription fee.

H.B. 667 (Canales) – Expunctions: would prohibit a person from waiving their right to an expunction as part of a criminal plea agreement.

H.B. 669 (Canales) – Magistrate: would require a magistrate’s name be in typewritten form with the magistrate’s signature on each order pertaining to a criminal matter that is issued by a magistrate.

H.B. 681 (Wu) – Court Records: would: (1) require a municipal court to make all records and files of a final conviction or dismissal after deferral of a fine-only misdemeanor confidential after the fifth anniversary of the disposition; and (2) only allow inspection by: (a) judges or court staff, (b) a federal or state criminal justice agency, (c) the Department of Public Safety, (d) the prosecuting attorney, (e) defendant’s counsel, or (f) a vehicle insurance company.

H.B. 736 (Shaheen) – Uncollectible Fees: would: (1) authorize a trial court, in a criminal action or proceeding, to make a finding that a fee or item of cost imposed in the action or proceeding is uncollectible if certain court officers request such a finding and the officer believes: (a) the defendant is deceased; (b) the defendant is serving a life sentence or life without parole; or (c) the fee has been unpaid for at least 10 years; (2) authorize a court in which a court cost or fee was imposed on a party in a civil case to make a finding that the cost or fee is uncollectible if the clerk requests such a finding and the cost or fee has been unpaid for at least 20 years; and (3)
provide that neither (1) nor (2) applies to a court cost or fee imposed by the Texas Supreme Court, Texas Court of Criminal Appeals, or any Texas court of appeals.

H.B. 774 (E. Johnson) – Arrests for Fine-Only Offenses: would: (1) prohibit a police officer from arresting an individual for an offense punishable by fine only, unless the offense is public intoxication or an alcohol offense involving a minor; and (2) require an officer who stops a motor vehicle for an offense punishable by fine only to notify the person that: (a) the alleged offense is a misdemeanor punishable by fine only; and (b) the officer may not arrest the person based solely on that offense. (Companion bills are H.B. 567 by White, H.B. 571 by J. Johnson, and S.B. 271 by Burton.)

H.B. 1012 (Alonzo) – Expunction: would: (1) expand the right to expunction from records and files relating to the arrest to those relating to the offense for which the person was arrested; and (2) reduce the number of days that have elapsed before a person can request an expunction from 180 to 30.

H.B. 1015 (Dutton) – Juvenile Court: would increase the age of a child for criminal responsibility purposes under the jurisdiction of a juvenile court.

H.B. 1016 (Krause) - Court Fees: would provide that a court may: (1) defer surcharges assessed under the driver responsibility program against a person who participates in a drug court program; or (2) reduce or waive the surcharge if the person successfully completes the drug court program.

H.B. 1027 (Hernandez) – Self-Help Resources: would require a municipal court clerk to: (1) post a link to self-help and legal aid resources on the municipal court’s internet website; and (2) display a sign in the court building with self-help and legal aid resources.

H.B. 1125 (White) – Fines and Court Costs: would prohibit a municipal court from ordering the confinement of a person for failure to pay all or any part of a fine or court costs imposed for the conviction of an offense punishable by fine only.

H.B. 1136 (Y. Davis) – Juries: would allow a judge to assign each juror an identification number to use in place of the juror’s name when polled by the state or the defendant after reaching a verdict.

H.B. 1219 (Dutton) – Resisting Arrest: would require the complaint, information, or indictment for resisting arrest to state the underlying offense for which the person was resisting arrest.

H.B. 1220 (Dutton) – Spoliation: would allow a defendant to make a showing of spoliation of evidence in a criminal case if the state destroys, alters, or losses evidence of a crime.

H.B. 1226 (Herrero) – Jury Duty: would exempt fire fighters and police officers from jury duty.
H.B. 1266 (Gerenz) – Motion for Continuance: would require a trial court, if it sets a hearing or trial without providing notice to the attorneys at least three business days before the start of the hearing or trial, to grant a continuance of a criminal action on oral or written motion of either party.

H.B. 1436 (Wu) – Open Containers: would provide that the definition of “open container” is amended to mean a bottle, can, or other receptacle that contains any amount of alcoholic beverage other than a receptacle that is factory-sealed by the manufacturer of the alcoholic beverage.

H.B. 1441 (Wu) – Court Costs and Fines: would: (1) require a municipal court judge to permit a defendant to choose to discharge all or part of the defendant’s fine or court costs by performing community service, if the judge determines that the defendant has insufficient resources or income to pay; and (2) prohibit a municipal court judge from allowing a defendant to voluntarily discharge a fine or costs through confinement in jail, unless the amount of fine and costs that remains unpaid is $100 or less.

H.B. 1443 (Wu) – Notice to Appear: would add the following offenses to the Transportation Code requirement that a police officer issue a defendant a written notice to appear: (1) driving with an expired driver’s license, (2) failure to obey a traffic-control signal, (3) failure to stop at a stop sign, (4) failure to signal a lane change, and (5) operating a vehicle without insurance.

H.B. 1464 (Moody) – Court Costs: would: (1) define “indigent” as an individual who earns not more than 125 percent of the income standard established by federal poverty guidelines; and (2) require a municipal court judge to waive all court costs imposed on an indigent defendant.

H.B. 1487 (Smithee) – Municipal Court Security: would require: (1) a municipal court judge to establish a court security committee composed of: (a) the presiding municipal judge or judge’s designee; (b) a representative of a law enforcement agency or entity that provides security for the court; (c) a representative of the city; and (d) any other person that the committee determines necessary to assist the committee; (2) the committee to establish the policies and procedures necessary to provide adequate security to the municipal court; (3) the Texas Commission on Law Enforcement to develop a model court security curriculum and training program; (4) a person serving as a court security officer for a municipal court to complete the TCOLE required training; and (5) the court security officer to obtain the required court security certification within one year of beginning service as a court security officer. (Companion is S.B. 42 by Zaffirini.)

H.B. 1532 (Farrar) – Self-Help Resources: would require a municipal court clerk to: (1) post on the municipal court’s Internet website a link to self-help resources and the Lawyer Referral and Information Service of the State Bar of Texas; and (2) display a sign with self-help and legal aid resources in the clerk’s office in a location frequently accessed by the public. (This bill is similar to H.B. 1027 by Hernandez.)

H.B. 1588 (Lozano) – Jury Service: would provide that a person can be exempt from jury service if the person is a firefighter, including a fire chief, who is a permanent, paid employee of
the fire department of a city or county or of a special district or authority firefighting services or a police officer, including a police chief, who is a permanent, paid employee of the police department of a city or county.

**H.B. 1703 (E. Johnson) – Court Costs and Fines**: would: (1) prohibit a municipal court judge from requiring a defendant in the conservatorship of the Department of Family and Protective Services or in extended foster care to pay any amount of fine and court costs; and (2) require a judge to order the defendant to perform community service to discharge the fine and costs.

**H.B. 1727 (Faircloth) – Search Warrants**: would allow any magistrate to issue a search warrant in a county that does not have a municipal court of record located in that county, a county court judge who is a licensed attorney, or a statutory county court judge.

**H.B. 1749 (S. Thompson) – Expunction**: would: (1) allow a municipal court to expunge all records and files relating to the arrest of a person for an offense punishable by fine only; and (2) authorize a fee of $100 for an ex parte petition for expunction of arrest records.

**H.B. 1755 (Neave) – Jury Summons Questionnaire**: would allow a court to provide a link to the jury questionnaire on the court’s website in lieu of mailing a copy of the questionnaire with a jury summons. (Companion bill is S.B. 259 by Huffines.)

**H.B. 1820 (Springer) – Presumption of Prior Conviction**: would allow a self-authenticating document relating to a prior conviction to be admitted into evidence creating a presumption establishing the existence of that prior conviction for the person named in the document without any supporting testimony accompanying the document.

**H.B. 1866 (Geren) – Restitution**: would, among other things, provide for the disposition of certain unclaimed restitution payments to be treated as abandoned property by the comptroller.

**H.B. 1884 (Anderson of McLennan) – Littering**: would provide that a defendant convicted of certain littering offense shall perform 60 hours of community service picking up litter in the county.

**H.B. 1999 (Israel) – Alcohol Offenses**: would make minor in possession and minor in consumption of alcohol offenses civil violations, subject to a penalty not to exceed $500, rather than criminal offenses.

**H.B. 2003 (Swanson) – Licensed Carry**: would authorize a county or deputy county or district clerk who holds a license to carry a handgun to carry a handgun in any court or offices utilized by a court in the state, including a municipal court.

**H.B. 2059 (Phillips) – Expunction**: would: (1) add prosecutorial and law enforcement records to the records to be expunged by a court for an alcohol-related offense committed while the defendant was a minor; and (2) allow a person placed under arrest and not convicted for more than one alcohol-related offense while a minor to apply to the court to have the records expunged.
H.B. 2065 (Phillips) – Fines: would require a city to file an annual report with the comptroller detailing the amount of fines retained from the enforcement of commercial motor vehicle standards.

H.B. 2315 (Landgraf) – Protective Order Registry: would require the Office of Court Administration to establish and maintain a protective order registry that allows city management systems to easily interface with the registry.

H.B. 2680 (Canales) – Forms: would require the Office of Court Administration to create forms for municipal courts to use when a defendant is waiving a jury trial and entering a plea of guilty or no contest.

H.B. 2773 (Walle) – Time Payment Fee: would repeal the $25 time payment fee a person is required to pay if they use a payment plan for paying the fine and court costs associated with the conviction of a misdemeanor offense.

H.B. 2795 (Lang) – Marriage Ceremonies: would provide, among other things, that a municipal court judge or retired municipal court judge may decline to conduct a marriage ceremony and, unless the judge is discriminating on the basis of race, religion, or national origin, the judge may not be subject to an administrative or civil penalty imposed by a city.

H.B. 2911 (Lucio) – Veterans Reemployment Program: would provide that: (1) veterans placed on deferred adjudication community supervision for or convicted of a misdemeanor offense are eligible to participate in a veterans reemployment program; (2) the judge shall tell the veteran about the veterans reemployment program, but may not require the veteran to participate in the program; and (3) a fee may be assessed for participation in the education and training courses in an amount sufficient to cover the cost of providing the courses, unless the court determines the defendant is indigent and reduces or waives the fee.

H.B. 2934 (Thompson) – Inability to Pay: would: (1) require a court that makes a finding that a defendant is unable to pay a fine and court costs to notify the Department of Public Safety; and (2) prohibit DPS from denying renewal of the defendant’s driver’s license.

H.B. 3011 (Murr) – Failure to Appear: would require a magistrate to release on personal bond a defendant who is arrested on a warrant for failure to appear if the defendant shows good cause for the failure to appear. (Companion bill is S.B.1338 by Whitmire.)

H.B. 3135 (Cain) – Judicial Conduct: would prohibit disciplinary action against a judge for refusing to follow an action or ruling of a federal court. (Companion bill is S.B. 1307 by Hall.)

H.B. 3139 (Dutton) – Expunction: would require a court to order documents related to a dismissed complaint expunged, regardless of whether the person files a petition for expunction.
H.B. 3147 (White) – Expunction: would entitle a person to obtain an expunction of the person’s arrest if the person was arrested solely as a result of identifying information that was inaccurate due to a clerical error.

H.B. 3272 (Wray) – Juvenile Offenses: would provide that: (1) a municipal court may not order the confinement of a child for the failure to appear for an offense committed by the child; and (2) the Department of Public Safety cannot revoke a person’s license if the person: (a) has been reported by a court that deals with cases involving minors for failure to appear, unless the court files an additional report on final disposition of the case; or (b) has been reported within the preceding two years by a municipal court for failure to appear or for a default in payment of a fine for a misdemeanor punishable only by fine, other than a failure reported by (2)(a), committed by a person who is at least 14 years of age but younger than 17 years of age when the offense was committed, unless the court files an additional report on final disposition of the case.

H.B. 3514 (Gervin-Hawkins) – Expunction: would: (1) allow a municipal court to reduce a fine imposed on an indigent defendant by not more than 90 percent, if the court determines reducing the fine is in the interest of justice; (2) make all records and files relating to the arrest and conviction of a class C misdemeanor confidential; and (3) require a municipal court to expunge these records 30 days after the six-month anniversary of the date the defendant’s sentence was discharged.

H.B. 3561 (Klick) – Juvenile Defendants: would provide a presumption of indigence, for purposes of the payment of court fines and cost, if a defendant is: (1) in the conservatorship of the Department of Family and Protective Services; or (2) designated as a homeless child or youth under federal law.

H.B. 3729 (White) – Fines and Costs: this bill is an attempt to address the so-called “debtor’s prison” aspect of municipal and justice courts. The bill would provide, for example, that: (1) a citation issued for a fine-only misdemeanor shall include the following “If you are ordered to pay a fine or costs in this case and are unable to afford the amount owed, contact the court immediately. You may be able to discharge the fine or costs by performing community service. In some circumstances, you may be able to have all or part of the fine or costs waived;” (2) a justice or judge may not issue an arrest warrant for the defendant’s failure to appear unless: (a) the justice or judge provides by telephone or certified mail to the defendant notice that includes: (i) at least two dates and times, occurring within the 30-day period following the date that notice is provided, when the defendant may appear before the justice or judge; (ii) the name and address of the court with jurisdiction in the case; (iii) information regarding alternatives to the full payment of any fine or costs owed by the defendant, if the defendant is unable to pay that amount; and (iv) an explanation of the consequences if the defendant fails to appear before the justice or judge within the period described by (i); and (b) the defendant fails to appear before the justice or judge on or before the 30th day after the date that notice is provided under (a); (3) a defendant who receives notice under (2) may request an alternative date or time to appear before the justice or judge if the defendant is unable to appear on a date and at a time provided in the notice; (4) a defendant who voluntarily appears before a justice or judge to resolve an outstanding arrest warrant or an unpaid fine or cost may not be arrested on a warrant for any misdemeanor punishable by fine only during or immediately before or after the defendant’s
appearance; (5) justice or judge who accepts a defendant’s plea of guilty or nolo contendere shall advise the defendant that, regardless of the defendant’s ability to pay, the defendant may request to perform community service to discharge any fine or cost imposed on the defendant in the case; and (6) if a defendant placed in jail on account of failure to pay a fine and costs has remained in jail for a cumulative period of 72 hours and the amount owed has not been fully discharged, the convicting court shall release the defendant from jail and shall waive the remaining amount owed.

H.B. 3739 (Murr) – Court Costs: would remove the “abused children’s counseling” and “comprehensive rehabilitation” funds from the list of fund allocations from the state consolidated court cost.

H.B. 3898 (Guerra) – Jury Service: would exempt breast-feeding mothers from jury service.

H.B. 3900 (Neave) – Expunctions: would reduce the waiting period from 180 to 60 days for a person to be eligible for the expunction of arrest records and files related to a class C misdemeanor.

H.B. 4132 (Wilson) – Municipal Parks: would provide that a person commits a Class C misdemeanor offense if the person violates a rule prescribed and approved by the governing body of the municipality that maintains the park, playground, historical museum, or historic or prehistoric site and the fine collected shall be deposited in the general fund of the municipality.

H.B. 4143 (Alonzo) – Order of Nondisclosure: would provide the procedures for a person to obtain an order of nondisclosure for a fine-only misdemeanor other than an offense under the Transportation Code or a city ordinance violation.

H.B. 4147 (Kacal) – Municipal Court of Record: would provide that if a county does not have a county court at law, an appeal from a municipal court of record can be made to the county court.

H.B. 4258 (Blanco) – Municipal Jail: would create a study on mental health screening and treatment for inmates in municipal jails.

S.B. 42 (Zaffirini) – Municipal Court: would provide that: (1) a municipal judge shall establish a court security committee composed of: (a) the presiding municipal judge or judge’s designee; (b) a representative of a law enforcement agency or entity that provide security for the court; (c) a representative of the city; and (d) any person that the committee determines necessary to assist the committee; (2) a court security committee shall establish the polices and procedures necessary to provide adequate security to the municipal court served by the presiding or municipal judge; (3) a person may not serve as a court security officer for a municipal court unless the person holds a court security certification issued by the Texas Commission on Law Enforcement; and (4) a person has before the first anniversary of the date the officer begins providing security for the court to obtain court security certification.
S.B. 47 (Zaffirini) – Office of Court Administration: would require the Office of Court Administration to conduct a study on how records regarding misdemeanors punishable by fine only, other than traffic offenses, are held in different Texas counties.

S.B. 259 (Huffines) – Jury Summons Questionnaire: would allow a court to provide a link to the jury questionnaire on the court’s website in lieu of mailing a copy of the questionnaire with a jury summons.

S.B. 265 (Watson) – Municipal Court: would provide that a magistrate shall inform the person arrested that a plea of guilty or nolo contendere for the offense charged may result on other negative consequences in addition to the criminal punishment for the offense.

S.B. 266 (Watson) – Municipal Court: would reduce various fees associated with the driver responsibility program.

S.B. 271 (Burton) – Magistrate: this bill is the same as H.B. 567 and H.B. 571, above.

S.B. 326 (Burton) – Expunctions: would allow a judge that grants a petition for expunction of a criminal record to order the fee be returned to the petitioner. (Companion bill is H.B. 551 by Collier.)

S.B. 342 (Perry) – Court Cost: would increase from $50 to $75 the fee assessed in municipal court to pay for the services of a peace officer who has executed or processed an arrest warrant, capias, or capias pro fine.

S.B. 522 (Birdwell) – Marriage Ceremonies: would prohibit a city from penalizing a municipal court judge who declines to conduct a marriage ceremony.

S.B. 599 (Burton) – Court Fees: would provide that: (1) a court may defer surcharges assessed under the driver responsibility program against a person who participates in a drug court program; and (2) a court may reduce or waive the surcharge if the person successfully completes the drug court program. (Companion bill is H.B. 1016 by Krause.)

S.B. 779 (Seliger) – Municipal Court: would provide that a court on its own motion may inquire whether a person would like to submit evidence to establish their indigent status for certain convictions. (Companion bill is H.B. 1430 by S. Thompson.)

S.B. 941 (Hughes) – Juveniles: would raise the age of criminal responsibility by one year in various statutes. (Companion bill is H.B. 676 by Wu.)

S.B. 1307 (Hall) – Judicial Conduct: this bill is the same as H.B. 3135, above.

S.B. 1311 (Garcia) – State Traffic Fine: would modify the distribution of the $30 state traffic fine as follows: (1) 10 percent (down from 67 percent) to the credit of the state’s general revenue fund; and (2) 90 percent (down from 33 percent) to the credit of the designated trauma facility
and emergency medical services account. (Certain overages from the general revenue portion of the fee would continue to be deposited to the Texas Mobility Fund.)

**S.B. 1320 (Huffman) – Protective Order Registry**: would provide that: (1) the Office of Court Administration (OCA), in consultation with the Department of Public Safety and the courts, shall establish and maintain a central, computerized, and Internet-based registry for applications for protective orders filed in this state and protective orders issued in this state; (2) the OCA shall establish and maintain the registry in a manner that allows municipal and county case management systems to easily interface; and (3) city attorneys and peace officer will have access to a copy of each application for protective order and a copy of the protective order.

**S.B. 1335 (Hinojosa) – Fines and Court Costs**: would prohibit a municipal court from ordering the confinement of a person for failure to pay all or any part of a fine or court costs imposed for the conviction of an offense punishable by fine only. (Companion bill is **H.B. 1125** by **White**.)

**S.B. 1338 (Whitmire) – Failure to Appear**: this bill is the same as **H.B. 3011**, above.

**S.B. 1521 (Rodriguez) – Plea**: would allow a defendant to make a plea to the court by video conference, if certain conditions are met. (Companion bill is **H.B. 3637** by **Ortega**.)

**S.B. 1534 (Rodriguez) – Family Violence Offenses**: would require a judge to take the plea of a defendant charged with an offense involving family violence in open court.

**S.B. 1911 (Zaffirini) – Self-Help Resources**: would require a municipal court clerk to: (1) post a link to the Office of Court Administration’s self-help legal resources website and the State Law Library on the municipal court’s internet website; and (2) display a sign in the clerk’s office with the same information.

**S.B. 1913 (Zaffirini) – Municipal Courts**: would, among other things:

1. require a written notice to appear to include information regarding the alternatives to the full payment of any fine or court costs assessed against an individual, if convicted;
2. require a complaint in municipal court to include information regarding the alternatives to the full payment of any fine or costs assessed, if the accused is convicted and unable to pay;
3. provide that to impose a fine and costs, a judge must make a written determination that the defendant has sufficient resources or income to pay all of part of the fine and costs;
4. prohibit a court from issuing a capias pro fine for a defendant’s failure to pay, unless the court holds a hearing on the defendant’s ability to satisfy the judgment and either: (a) the defendant fails to appeal; or (b) the court makes a written determination that the defendant is not indigent or is indigent and has failed to make a good faith effort;
5. allow a municipal court to order a defendant to attend a work and job skills training program;
6. expand the entities where a defendant can perform community service to also include: (a) a religious organization; (b) a neighborhood association; or (c) an educational institution;
7. provide that 8 hours of community service is equivalent to the discharge of not less than $100 of fines or costs;
8. prohibit a city from entering into a contract with an attorney or vendor for the collection of amounts in cases where the accused has failed to appear;
9. reduce the collection fee a city can pay to an attorney or vendor for collection of unpaid debts from 30 percent to 15 percent;
10. repeal the time payment fee provision requiring a defendant to pay $25 to enroll in a payment plan; and
11. allow a municipal court judge to waive the $30 Omni fee imposed by the Department of Public Safety’s driver responsibility program.

S.B. 2053 (West) – Court Costs: would remove the “abused children’s counseling” and “comprehensive rehabilitation” funds from the list of fund allocations from the state consolidated court cost. (Companion bill is H.B. 3739 by Murr.)

S.B. 2220 (Huffman) – Court Costs: would remove the “abused children’s counseling” and “comprehensive rehabilitation” funds from the list of fund allocations from the state consolidated court cost. (Companion bills are H.B. 3739 by Murr and S.B. 2053 by West.)

S.B. 2185 (Miles) – Driver Responsibility Program/Traffic Fines: would, among other things: (1) repeal the driver responsibility program; (2) increase the state traffic fine imposed on moving violations from $30 to $60; (3) reduce from 5 to 2.5 percent the administrative portion a city may retain to administer the remission of the fine to the comptroller; (3) reallocate the state traffic fine allocation to give 58.5 percent to the state’s general fund (with certain “overflow” funds continuing to go to the Texas Mobility Fund) and 41.5 to the state’s designated trauma facility and emergency services account; (4) impose additional fines on driving while intoxicated and similar offenses, ranging from $1,000 - $2,000 per year; (5) increase the fine for driving without insurance to $250 per year; and (6) provide that a city shall remit the fines in (4) and (5) to the comptroller each quarter for deposit into the trauma facility and emergency services account, and may retain 2.5 percent for administrative costs. (Companion bill is H.B. 2068 by Phillips.)

Community and Economic Development

H.B. 60 (Romero) – Credit Access Business: would provide that: (1) a credit access business may not obtain for a consumer or assist a consumer in obtaining an extension of consumer credit in the form of a motor vehicle title loan unless the credit access business first: (a) physically inspects the vehicle used as collateral for the loan; (b) photographs the vehicle identification number located on the vehicle used as collateral for the loan; and (c) verifies that the vehicle identification number of the motor vehicle used as collateral for the loan matches the vehicle identification number on the title provided to obtain the loan; and (2) a credit access business must retain a photograph taken as required by (1)(b), above, until the second anniversary of the date of the loan.

H.B. 78 (Guillen) – Sporting Goods Sales Tax: would require the Parks and Wildlife Department to deposit to the credit of the state parks account all revenue from credits made to
the department in an amount equal to the amount of the department’s share of the sporting goods sales tax proceeds minus the sum of the amounts appropriated from the credits to the Texas Parks and Wildlife conservation and capital account, Texas recreation and parks account, and the large county and municipality recreation and parks account.

**H.B. 192 (Bernal) – Housing Discrimination:** would: (1) prohibit housing discrimination under the Texas Fair Housing Act on the basis of sexual orientation or gender identity or expression; and (2) prohibit the Texas Workforce Commission from deferring proceedings and referring a complaint about such discrimination to a city if the city does not have laws prohibiting the alleged discrimination.

**H.B. 197 (Bernal) – Credit Access Business:** would require that the contract and other documents provided by a credit access business to a consumer in relation to an extension of consumer credit must be: (1) provided, before signing, wholly written in both English and Spanish; (2) written in plain language designed to be easily understood by the average consumer; and (3) printed in an easily readable font and type size.

**H.B. 256 (Hernandez) – Nuisance Abatement:** would add city attorneys to the list of individuals authorized to sue in the name of the state to enjoin the common nuisance of selling, bartering, manufacturing, storing, possessing or consuming an alcoholic beverage in a room, building, boat, structure, or other place in violation of the Texas Alcoholic Beverage Code.

**H.B. 299 (Larson) – Annexation:** would completely rewrite the Municipal Annexation Act to severely curtail the ability of cities to annex property. Specifically, the bill would provide – among many other things – that:

1. A city may annex an area with a population of less than 200 only if the city obtains consent to annex the area through a petition signed by: (a) more than 50 percent of the registered voters of the area; and (b) if the registered voters of the area do not own more than 50 percent of the land in the area, more than 50 percent of the owners of land in the area.
2. In no case may a city annex an area with a population of less than 200 without approval of a majority of the voters voting at an election called and held for that purpose if a petition protesting the annexation is signed by a number of registered voters of the municipality equal to at least 50 percent of the number of voters who voted in the most recent municipal election and is received by the secretary of the city.
3. A city may annex an area with a population of 200 or more only if the following conditions are met, as applicable: (a) the city holds an election in the area proposed to be annexed at which the qualified voters of the area may vote on the question of the annexation, and a majority of the votes received at the election approve the annexation; and (b) if the registered voters of the area do not own more than 50 percent of the land in the area, the city obtains consent to annex the area through a petition signed by more than 50 percent of the owners of land in the area.
4. A city may annex an area if each owner of land in the area requests the annexation if: (a) the governing body of the city first negotiates and enters into a written agreement for the provision of services in the area with the owners of land in the area (the city is not
required to provide a service that is not included in the agreement); and (b) the governing body of the city conducts at least two public hearings (the hearings must be conducted not less than 10 business days apart, and during the final public hearing, the governing body may adopt an ordinance annexing the area).

5. Beginning September 1, 2017, a city may not annex an area for the limited purposes of applying its planning, zoning, health, and safety ordinances in the area, regardless of any authority granted by a home rule charter.

6. The procedures for the annexation of a special district are modified, including providing that, beginning September 1, 2017, a strategic partnership agreement may not provide for limited purpose annexation.

**H.B. 312 (J. Johnson) – Disaster Recovery**: would: (1) establish a disaster recovery fund and authorize grant awards from the fund to state or local governmental entities or a volunteer fire department that participates in disaster recovery in an area the governor declares to be in a state of disaster; and (2) require the comptroller to transfer $30 million from the volunteer fire department assistance fund account in the general revenue fund to the disaster recovery fund account.

**H.B. 361 (Huberty) – Election Signs**: would: (1) provide an exemption from the laws prohibiting signs from being placed in the rights-of-way of public roads and state highways, including the prohibition on placing a sign in the right-of-way of a road or highway maintained by a city without city authorization, for a political sign that: (a) is on private property; (b) is erected not earlier than the 90th day before the date of the election and is removed not later than the 10th day after the date of the election; (c) is constructed of lightweight material; and (d) has a surface area not larger than 50 square feet; and (2) repeal the law requiring notice on any political advertising sign that the sign cannot be placed in the right of way of a highway.

**H.B. 412 (Huberty) – Fireworks**: would, among other things, allow a licensed fireworks manufacturer, distributor, or jobber (i.e., a person who purchases fireworks only for resale to retailers) to offer fireworks for retail sale to the public at a location for which the manufacturer, distributor, or jobber obtains a retail location permit from the state fire marshal’s office.

**H.B. 424 (Huberty) – Annexation**: would completely rewrite the Municipal Annexation Act to severely curtail the ability of cities to annex property. Generally, the bill would provide that:

1. a city wholly or partly located in a county with a population of 500,000 or more may not annex an area with a population of 200 or more unless: (a) the city holds an election in the area that approves the annexation; and (b) if the registered voters of the area do not own more than 50 percent of the land in the area, the city obtains consent to annex the area through a petition signed by more than 50 percent of the owners of land in the area;
2. a city wholly located in one or more counties each with a population of less than 500,000 that proposes to annex an area in a county with a population of 500,000 or more must meet the requirements of (1)(a) and (1)(b), above; and
3. with certain very limited exceptions, beginning September 1, 2017, a city may not enter into a strategic partnership agreement that provides for limited purpose annexation.
More specifically, the bill would provide – among many other things – that:

1. a new chapter 43, subchapter A-1, of the Local Government Code is created that applies only to a city: (a) wholly located in one or more counties each with a population of less than 500,000; and (b) a city wholly or partly located in a county with a population of 500,000 or more that proposes to annex an area in a county with a population of 500,000 or more;
2. most of the existing, statutory authority to annex is transferred into the newly-created subchapter A-1;
3. existing subchapter C (“plan” annexation procedures) applies only to a city wholly located in one or more counties each with a population of less than 500,000 (unless the city proposed to annex an area in a county with a population of 500,000 or more, in which case subchapter C-4, described below, applies);
4. existing subchapter C-1 (“exempt” annexation procedures) applies only to an area that is proposed for annexation by a city wholly located in one or more counties each with a population of less than 500,000 and that is not required to be included in a municipal annexation plan (unless the city proposed to annex an area in a county with a population of 500,000 or more, in which case subchapter C-4, described below, applies);
5. a new subchapter C-3 is created that applies only to a city: (a) wholly or partly located in a county with a population of 500,000 or more; and (b) wholly located in one or more counties each with a population of less than 500,000 that proposes to annex an area in a county with a population of 500,000 or more;
6. the new subchapter C-3 would authorize annexation if each owner of land in the area requests annexation, two public hearings are held, and the governing body negotiates and enters into a written agreement with the owners of land in the area for the provision of services in the area;
7. a new subchapter C-4 is created that applies only to a city: (a) wholly or partly located in a county with a population of 500,000 or more; and (b) wholly located in one or more counties each with a population of less than 500,000 that proposes to annex an area in a county with a population of 500,000 or more;
8. the new subchapter C-4 would authorize annexation of an area with a population of less than 200 only if the city obtains consent to annex the area through a petition signed by more than 50 percent of the registered voters of the area;
9. the governing body of a city that proposes to annex an area under subchapter C-4 must, among other things, adopt a resolution that includes a description of the services to be provided to the area.
10. not later than the seventh day after the date the governing body adopts the resolution under (9), above, the city must mail to each resident in the area proposed to be annexed notification of the proposed annexation that includes: (a) notice of a public hearing required by the bill; (b) an explanation of the petition process; and (c) a description, list, and schedule of services to be provided by the city;
11. A new subchapter C-5 is created that applies only to a city: (a) wholly or partly located in a county with a population of 500,000 or more; and (b) wholly located in one or more counties each with a population of less than 500,000 that proposes to annex an area in a county with a population of 500,000 or more;
12. the new subchapter C-5 would authorize the election of an area with a population of 200 or more only if the following conditions are met, as applicable: (a) the city holds an
election in the area proposed to be annexed at which the qualified voters of the area may vote on the question of the annexation and a majority of the votes received at the election approve the annexation; and (b) if the registered voters of the area do not own more than 50 percent of the land in the area, the city obtains consent to annex the area through a petition signed by more than 50 percent of the owners of land in the area;

13. the governing body of the municipality that proposes to annex an area under subchapter C-5 must, among other things, follow procedures that are similar to (10), above;

14. with certain very limited exceptions, beginning September 1, 2017, a city may not enter into a strategic partnership agreement that provides for limited purpose annexation;

15. with certain very limited exceptions, beginning September 1, 2017, the following cities may not annex an area for the limited purposes of applying their planning, zoning, health, and safety ordinances in the area: (a) a city wholly or partly located in a county with a population of 500,000 or more; or (b) a city wholly located in one or more counties each with a population of 500,000 or less that proposes to annex an area in a county with a population of 500,000 or more;

16. a city wholly or partly located in a county with a population of 500,000 or more may by ordinance annex a road or the right-of-way of a road on request of the owner of the road or right-of-way or the governing body of the political subdivision that maintains the road or right-of-way under the procedures applicable to a municipality wholly located in one or more counties each with a population of less than 500,000;

17. disannexation for a claim of failure to provide services is made easier;

18. a city may annex an area that is noncontiguous to the boundaries of the city if the area is in the city’s extraterritorial jurisdiction;

19. various exemptions from certain annexation requirements for the City of Houston are removed; and

20. subchapters C-3 through C-5, described above, do not affect the procedures in current law applicable to a certain defense community.

**H.B. 445 (Frank) – Wind Energy:** would, among other things, provide that a city may not enter into a tax abatement agreement for property where a wind-powered energy device is installed or constructed if the property is located within 30 nautical miles of the boundaries of a military aviation facility in Texas.

**H.B. 528 (Schofield) – Eminent Domain:** would, in relation tolling a property owner’s right of repurchase: (1) eliminate the following as elements establishing “actual progress” on a project: (a) the acquisition of a tract or parcel of real property adjacent to the property for the same public use project for which the owner’s property was acquired; or (b) for a governmental entity, the adoption by a majority of the entity's governing body at a public hearing of a development plan for a public use project that indicates that the entity will not complete more than one tolling action before the tenth anniversary of the date of acquisition of the property; and (2) require three of five remaining elements to be met to establish actual progress.

**H.B. 616 (Leach) – Low Income Housing Tax Credits:** would eliminate the following as a criteria used by the Texas Department of Housing and Community Affairs to rank low income housing tax credit applications: “the level of community support for the application, evaluated on the basis of a written statement from the state representative who represents the district
containing the proposed development site;“ and (2) retain the requirement that the Department notify and receive comments from elected officials on low income housing tax credit applications in their area.

H.B. 622 (Leach) – Economic Development Corporations: would provide that an economic development corporation must comply with the same procurement process methods for the design and construction of projects and construction services with which its authorizing city must comply.

H.B. 640 (Phillips) – Halfway Houses: would provide that: (1) a city may regulate the location of a halfway house by ordinance if the city finds it necessary to promote the public health, safety or welfare; (2) the owner or operator of a halfway house must give notice to the city not less than 60 days before it begins operations; and (3) a city to sue for an injunction to prohibit a violation and person who violates the regulation commits a Class A misdemeanor.

H.B. 741 (Bernal) – Payday Lending: would: (1) provide that a credit services organization may not offer an extension of consumer credit or provide advice or assistance to a consumer with regard to obtaining an extension of consumer credit unless the credit services organization finds, using independently-verifiable documentation of income and obligations, that the consumer can reasonably repay in cash, in the time and schedule of payments established by contract and by all applicable law, the extension of consumer credit and all associated fees and costs and pay all known obligations concurrently; and (2) require the credit services organization to retain all documentation used to establish the affordability of an extension of consumer credit.

H.B. 779 (Shaheen) – Moving Image Industry Incentive Program: would abolish the Music, Film, Television, and Multimedia Office in the office of governor and the moving image industry incentive program.

H.B. 780 (Shaheen) – Zoning: would: (1) authorize a city to enact: (a) reasonable zoning rules that limit the use of land for dispensing organizations or the cultivation or production of low-THC cannabis to specified areas; and (b) ordinances, orders, or other rules that regulate the time, place, and manner of dispensing organization operations; and (2) provide that a rule, ordinance, order, resolution or other city regulation that prohibits or has the effect of prohibiting the cultivation, production, dispensing, or possession of low-THC cannabis, as authorized by the Health and Safety Code, is void and unenforceable.

H.B. 797 (Minjarez) – Defense Communities: would: (1) provide that a city in which a military installation is located shall work closely with the military installation to ensure the most recent Air Installation Compatible Use Zone Study or Joint Land Use Study is publicly- available on the local government’s website; (2) add to the seller’s disclosure of property condition a notice if the property is located near a military installation and may be affected by high noise or air installation compatible use zones or other operations; and (3) require that information related to high noise and compatible use zones be accessible on the website of the city in which the military installation is located. (Companion bill is H.B. 890 by Geren.)
H.B. 840 (Ortega) – Local Minimum Wage: would authorize a city to adopt a minimum wage that is greater than the federal minimum wage to be paid by an employer to each employee for services performed in the city. (Companion bill is S.B. 427 by Rodriguez.)

H.B. 863 (Hernandez) – Construction Contracts: would provide that: (1) a governmental entity that enters into a construction contract must require that the contractor ensure that all employees working on the general construction site have completed at least 10 hours of construction safety training; (2) before an employee works on the general construction site, the contractor must receive and provide to the governmental entity a certificate of training completion for the employee; (3) a governmental entity that enters into a construction contract shall include in the contract notice and penalty provisions that: (a) require the governmental entity to provide the contractor with written notice of a violation of the bill by the contractor; (b) require the contractor to comply by the 20th day after the date the contractor receives any notice of noncompliance; (c) inform a contractor that the governmental entity may impose an administrative penalty if the contractor fails to comply after the 20th day after the date the contractor receives any notice of noncompliance; and (d) explain that a penalty amount may be withheld from a payment otherwise owed to the contractor under the construction contract; and (4) each governmental entity shall develop procedures for the administration of the bill.

H.B. 877 (Turner) – Credit Access Business: would prohibit a credit access business from making a telemarketing call to a consumer whose name and telephone number are on the Texas no-call list.

H.B. 890 (Geren) – Defense Communities: this bill is the same as H.B. 797, above.

H.B. 898 (Workman) – Permit Vesting: would, in relation to the permit vesting statute, provide that: (1) a regulatory agency may not impose a fee for the agency to review an application for determination of the applicability of the statute to the applicant’s project; (2) a permit applicant may request mandatory mediation regarding any regulatory agency determination that the statute does not apply to the applicant’s project; and (3) a political subdivision that has been found by a court to have violated the statute is liable for actual damages, reasonable attorney’s fees, administrative and court costs, and the applicant’s portion of the cost of any mediation that did not result in an agreement.

H.B. 975 (Giddings) – Payday Lending: would provide that: (1) a credit services organization or a representative of a credit services organization may not, unless the credit services organization or representative of the credit services organization has extrinsic evidence sufficient to prove that the consumer has committed theft or issued a bad check: (a) file a criminal complaint or threaten to file a criminal complaint related to an extension of consumer credit against the consumer; (b) refer or threaten to refer a consumer to a prosecutor for the collection and processing of a check or similar sight order that was issued in relation to an extension of consumer credit; (2) for a violation of (1) against a consumer, a consumer may bring an action to: (a) obtain injunctive relief to restrain the violation or to correct any negative credit issues caused by the violation; (b) void the contract for the debt or the debt services; or (c) recover any actual damages sustained as a result of the violation; (3) a consumer who successfully maintains an action under (2) is entitled to reasonable attorney’s fees and court costs; (4) if the attorney
general reasonably believes that a person is violating or is about to violate (1), the attorney general may bring an action in the name of this state against the person to restrain or enjoin the person from violating (1); and (5) a consumer who successfully maintains an action under (2) is entitled to not less than $100 for each violation.

H.B. 982 (Wray) – Wet/Dry Status: would provide that, with certain limitations, a city whose local option status allows for the legal sale of mixed beverages as a result of an election held on or after January 1, 1985, may adopt an ordinance authorizing the sale of mixed beverages for on-premise consumption in an area annexed by the city after that election.

H.B. 1047 (Thierry) – Community Development Grocery Store: would establish a community development grocery store and healthy corner store revolving loan fund program.

H.B. 1064 (Paul) – Municipal Management Districts: would impose various changes to the governance and operation of municipal management districts.

H.B. 1098 (Canales) – Residential Tenants: would limit the amount of late fees that a landlord may charge a tenant who participates in the Section 8 housing voucher program.

H.B. 1105 (Miller) – Military Bases: would provide that the governing body of a city that is located outside of a military aviation facility may adopt certain land use regulations within a certain distance of the facility.

H.B. 1120 (Springer) – Elimination of Architectural Barriers: would: (1) prohibit a city building official from accepting an application for certain building construction permits unless the applicant submits verification that: (a) the building has been registered with the Texas Department of Licensing and Regulation (department); and (b) the plans and specifications for the building have been submitted to the department; (2) prohibit a city from issuing a final certificate of occupancy for certain buildings unless the owner provides a report or letter from the department, or other authorized person, that the building or facility has been inspected and complies with the law regarding the elimination of architectural barriers (i.e., accessibility standards); and (3) authorize the Texas Commission of Licensing and Regulation to impose an administrative penalty on a city that issues a building permit or certificate of occupancy in violation of (1) or (2).

H.B. 1134 (Craddick) – Payday and Auto Title Lending: would, among other things: (1) provide that a municipal ordinance regulating credit access businesses is not preempted by state law; (3) provide that, if a municipal ordinance conflicts with a provision of state law, the more stringent regulation controls; (4) require the contract and other documents provided by a credit access business to be written wholly in English or the language in which the contract is negotiated, and read in their entirety in the language in which the contract is negotiated to any consumer who cannot read; (5) prohibit a credit services organization from assisting a consumer in obtaining an extension of consumer credit in any form other than a single-payment payday loan, multiple-payment payday loan, single payment auto title loan, or multiple-payment auto title loan; (6) provide that each day of a continuing violation of a provision related to state notice and disclosure requirements or state licensing and regulation requirements by a credit services organization constitutes a separate offense; (7) provide that the general limitations on payday and
auto title loans in the bill apply to any consumer physically located in this state at the time the loan is made, regardless of whether the loan was made in person in this state; (8) require a credit access business to require certain types of documentation to establish a consumer’s income for purposes of extending credit; (9) provide that a single-payment payday loan: (a) may not exceed 20 percent of the consumer’s gross annual income; (b) may not be refinanced more than three times, with the amount of each refinanced payment used to repay at least 25 percent of the principal amount of the original debt; (10) provide that a multiple-payment payday loan: (a) may not exceed 20 percent of the consumer’s gross monthly income; and (b) may not be payable in more than four installments, with the amount of each payment used to repay at least 25 percent of the principal amount of the debt; (11) provide that a single-payment auto title loan: (a) may not exceed the lesser of 70 percent of the retail value of the motor vehicle securing the debt, or three percent of the consumer’s gross annual income; and (b) may not be refinanced more than three times, with the amount of each refinanced payment used to repay at least 25 percent of the principal amount of the original debt; (12) provide that a multiple-payment auto title loan: (a) may not exceed the lesser 70 percent of the retail value of the motor vehicle securing the debt, or three percent of the consumer’s gross annual income; and (b) may not be payable in more than four installments, with the amount of each payment used to repay at least 25 percent of the principal amount of the debt; (13) require any refinance of a payday or auto title loan to: (a) be authorized by state law; (b) be in the same form as the original loan; and (c) meet all requirements applicable to the original loan; and (14) require a credit access business to maintain a complete set of records of all loans, and retain the records until the third anniversary of the date of the loan.

H.B. 1135 (Workman) – Pay-or-Waive: would provide that: (1) if the application of a provision of the Natural Resources Code, the Government Code, the Local Government Code, or the Water Code, or of a rule, policy, or ordinance adopted by a city pursuant to those codes, has the effect of requiring that more than 55 percent of the surface area of an owner’s private real property, other than areas designated by the Federal Emergency Management Agency as being in the 100-year floodplain, remain in a natural or undeveloped state, the statute, rule, policy, or ordinance may not be enforced with respect to the property unless the enforcing entity pays for a conservation easement or condemns the property using eminent domain; and (2) various exceptions from the bill apply, such as requirements under the federal Coastal Zone Management Act or state laws related to beach erosion or Texas Commission on Environmental Quality on-site sewage facility regulations.

H.B. 1175 (Hinojosa) – Zoning: would provide that, following a zoning protest, a proposed initial regulation or boundary or change to an existing regulation or boundary may take effect only on the affirmative vote of at least three-fourths of all members of the governing body if the protest is written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed regulation or boundary; or (2) the area of the lots or land immediately adjoining the area covered by the proposed regulation or boundary and extending 200 feet from that area.

H.B. 1239 (VanDeaver) – Municipal Housing Authority: would: (1) require a commissioner of a housing authority to reside in the area over which the authority has jurisdiction or an area outside the jurisdiction, as determined by the city; and (2) provide that a commissioner of a
housing authority must meet the same requirements that apply to a person who seeks to become a tenant of a public housing project.

**H.B. 1251 (Sanford) – Economic Development Corporations:** would require an economic development corporation to: (1) broadcast over the Internet live video and audio of each open meeting held by the board of directors of the corporation; and (2) make available through the corporation’s Internet website archived video and audio for each meeting for which live video and audio was provided under (1).

**H.B. 1252 (Sanford) – Property Tax Abatement:** would provide that property subject to a tax abatement agreement under Texas Tax Code Chapter 312 may not be used as a gambling establishment.

**H.B. 1277 (Moody) – Housing Authority Commissioner:** would allow a recipient of housing assistance through a housing authority’s project-based rental assistance program to be appointed as a commissioner of a housing authority. (Companion bills are S.B. 593 by Rodriguez and H.B. 1193 by Blanco.)

**H.B. 1279 (Shaheen) – Smoking Bans:** would provide that a county or city may not adopt or enforce an order, ordinance, or similar measure that prohibits smoking on the premises of a business that allows smoking and for which at least 20 percent of the business’s revenue is derived from the sale of cigars.

**H.B. 1352 (Pickett) – Economic Development:** would provide that: (1) a city can convey land to an entity under a chapter 380 economic development agreement; (2) the city may transfer the property without going through the notice and bid process; (3) an agreement between the city and the entity would be the consideration for the transfer of the property with provisions that the property will be used to promote the economic development public purpose of the city and a provision that grants the city sufficient control to ensure that the public purpose is being accomplished; (4) the city must publish notice of the transfer in a newspaper of general circulation in the county that the property is located or, if there is no such newspaper, in an adjoining county; and (5) the notice must include a location and description of the real property and be published two separate days within 10 days before the date the property or an interest in the property is transferred. (Companion is S.B. 438 by Rodriguez.)

**H.B. 1427 (Fallon) – Zoning:** would provide that a city may enforcing its zoning or other land use regulations, including a specific use permit requirement, against an electric cooperative so long as the regulation does not: (1) operate to exclude the electric cooperative from the city; or (2) directly conflict with a certification granted by the Public Utility Commission.

**H.B. 1449 (Simmons) – New Construction Fees:** would: (1) prohibit a political subdivision from adopting or enforcing an ordinance, order, policy or other measure that imposes, directly or indirectly, a fee or other charge on new construction for the purposes of offsetting the cost or rent of any unit of residential housing; and (2) except from (1) a fee for granting an exemption or waiver from a zoning-related height restriction on a structure.
H.B. 1562 (Minjarez) – County Zoning Authority: would apply to a county with a population of 100,000 or more or a county that contains part of a metropolitan statistical area with a total population greater than 100,000 and, among other things: (1) provide that the commissioners court of such a county may adopt a zoning ordinance, not inconsistent with state law, that applies only to the unincorporated area of the county; and (2) an ordinance in (1) may be adopted only after a local option election in favor of the ordinance has been conducted.

H.B. 1609 (Price) – Low Income Housing Tax Credit: would provide that a written statement from the state representative who represents the district containing a proposed development site is considered in the application for a low income housing tax credit only if the district contains a portion of a county with a population of more than 450,000.

H.B. 1636 (Schaefer) – Economic Development Corporations: would provide that: (1) a project by a Type A and Type B economic development corporation (EDC) could include expenditures that are found by the EDC board of directors to be suitable for general infrastructure such as the development, improvement, maintenance, or expansion of streets and roads, and water supply facilities or sewage facilities; and (2) a project described by (1) would have to be approved by a majority of the voters at an election called by the city.

H.B. 1704 (Kuempel) – Permit Vesting: would provide that a court may award court costs and reasonable and necessary attorney’s fees to the prevailing party in an action under Chapter 245 of the Local Government Code (the “permit vesting” statute). (Companion bill is S.B. 787 by Huffman.)

H.B. 1733 (Uresti) – Payday Lending: would provide that the sum of all fees, interest, and other amounts in excess of principal due under an extension of consumer credit in the form of a deferred presentment transaction or motor vehicle title loan that a credit access business obtains for a consumer or assists a consumer in obtaining may not exceed 25 percent of the principal of that extension of consumer credit.

H.B. 1852 (Lucio) – Manufactured Homes: would: (1) prohibit a city from requiring “a change in the nonconforming use” of any portion of land within a manufactured home community if the nonconforming use of land is: (a) authorized by law; or is not authorized by law on September 1, 2017, but the city has taken no action to enforce the violation before September 1, 2017; and (b) at least 50% of the lots are occupied by a manufactured home as a residence; (2) define “a change in the nonconforming use” to include: (a) requiring the amount of land designated as a nonconforming use to be decreased; (b) imposing an expiration on the nonconforming use designation; (c) declaring the nonconforming use of the land to be abandoned; and (d) requiring an amortization period for the nonconforming use of the land; (3) authorize a manufactured home owner to install a new or used manufactured home on a lot in a manufactured home community under certain circumstances; and (4) prohibit a city from regulating a tract or parcel of land as a manufactured home community, park, or subdivision unless the tract or parcel contains at least four spaces offered for lease for installing and occupying manufactured homes.
H.B. 1892 (Ortega) – Substandard Buildings: would require a court to expedite any proceeding, including appeals, related to a substandard building determination.

H.B. 1952 (Schofield) – Annexation: would apply to a city with a population of 1.5 million or more and provide that such a city may annex only if approved by election held in the area to be annexed.

H.B. 2008 (Cosper) – Payday Lending: would require a lender who engages in a payday loan transaction with a member of the United States military or dependent of a member of the United States military to comply with relevant federal laws pertaining to loans for military personnel and their dependents.

H.B. 2019 (T. King) – Manufactured Housing: would make various amendments to the Texas Manufactured Housing Standards Act.

H.B. 2052 (Phelan) – Tree Mitigation Fees: would: (1) require a city that imposes a tree mitigation fee (a fee for tree removal necessary for development or construction on a person’s property) to allow that person to apply for a credit for tree planting to offset the amount of the fee; (2) provide that an application for a tree planting credit be in the form and manner prescribed by the city, and require that the tree must be planted on property located in the city either owned by the person or mutually agreed upon by the city and the person; and (3) require that the amount of a tree planting credit be applied in the same manner as the tree mitigation fee assessed against the person and, if the amount of the tree mitigation fee is based on the size of tree being removed, the amount of credit must be based on at least 60 percent of the projected size of the planted tree at full maturity. (Companion bill is S.B. 744 by Kolkhorst.)

H.B. 2076 (Schubert) – Eminent Domain: would, in relation to tolling a property owner’s right of repurchase: (1) eliminate the following as elements establishing “actual progress” on a project: (a) the acquisition of a tract or parcel of real property adjacent to the property for the same public use project for which the owner’s property was acquired; or (b) for a governmental entity, the adoption by a majority of the entity’s governing body at a public hearing of a development plan for a public use project that indicates that the entity will not complete more than one tolling action before the tenth anniversary of the date of acquisition of the property; and (2) require three of five remaining elements to be met to establish actual progress. (Companion bill is S.B. 628 by Schwertner.)

H.B. 2090 (VanDeaver) – Eminent Domain: would provide: (1) that a bona fide offer to acquire heritage property (defined as property continuously owned within the same family for 100 or more years) must include a final offer equal to or greater than 150 percent of: (a) the amount of the written appraisal obtained by the entity of the value of the property being acquired; and (b) the damages, if any, to any of the property owner’s remaining property; and (2) procedures related to establishing heritage property status and value.

H.B. 2160 (Wray) – Eminent Domain: would provide that a property owner, including a city, is entitled to additional damages (such as those for impairment or placing or routing of utilities) for property condemned by a high-speed rail company.
H.B. 2185 (Krause) – Charter Schools: would, among other things: (1) provide that a city shall consider an open-enrollment charter school a school district for purposes of zoning, permitting, code compliance, and development (but would maintain the exemption in current law that a campus of an open-enrollment charter school located in whole or in part in a city with a population of 20,000 or less is not subject to zoning); and (2) exempt an open-enrollment charter school from paying impact fees unless the governing body of the charter school consents.

H.B. 2272 (Schofield) – Annexation: would provide that a city may not annex an area for full or limited purposes unless, in addition to the requirements of current law, one of the following conditions is met: (1) the city holds an election in the area proposed to be annexed and a majority of the votes received at the election approve the annexation; (2) a majority of the registered voters of the area request the governing body in writing to annex the area; (3) each owner of land in the area requests the governing body in writing to annex the area; or (4) the municipality owns the area.

H.B. 2312 (Dukes) – Housing Discrimination: would: (1) prohibit housing discrimination under the Texas Fair Housing Act on the basis of military status or sexual orientation; and (2) prohibit the Texas Workforce Commission from deferring proceedings and referring a complaint under the Texas Fair Housing Act to a city in which alleged discrimination occurs if the city does not have laws that prohibit the alleged discrimination.

H.B. 2336 (Dutton) – Low Income Housing Tax Credit Program: would provide, among other things, that if an elected official comments on an application for low income housing tax credits during the application evaluation process, the elected official may withdraw the comment and disuse a new comment before the end of that process.

H.B. 2435 (Wray) – Public Improvement Districts: would, among other things: (1) add the following to the list of authorized public improvement projects: (a) recreational facilities; (b) acquisition, construction, or improvement of a facility related to the generation of renewable energy from wind, solar, geothermal, or other renewable sources of energy; (c) acquisition, construction, or improvement of a facility related to a water feature, including a recreational lagoon or artificial body of water used for: (i) aesthetic purposes; or (ii) swimming, boating, or other aquatic recreational sports or activities; and (d) acquisition, by purchase or otherwise, of right-of-way in connection with an authorized improvement; (2) provide that a public improvement project does not include the payment of expenses related to the operation and maintenance of mass transportation facilities; (3) authorize the governing body of a city or county to call and hold a public hearing for the purpose of increasing the area of a public improvement district if a petition requesting the increase is filed; (4) provide that after the hearing held under (3) the governing body may by ordinance or order increase the area of the district in accordance with the increase proposed in the hearing; (5) provide that if the governing body of a city or county increases the area of a public improvement district under (4) and the governing body has levied an assessment on property in the district before the increase, the governing body may: (a) make a supplemental assessment; or (b) reapportion the existing assessment after notice is given and a hearing is held; (6) provide that the governing body of a city or county may only make a reassessment or new assessment when increasing the area of the
district for the purpose of reducing the overall principal amount of a prior assessment; (7) provide that a special improvement district fund may be used to pay the initial cost of the improvement until temporary notes, time warrants, or general obligation bonds or revenue have been issued and sold; (8) authorize the governing body of a city or county to transfer a public improvement project, for the purpose of operation and maintenance of the project for the benefit of the city or county to certain special purpose districts; (9) provide that the interest rate on unpaid amounts due under an installment sales contract, reimbursement agreement, temporary notes, or time warrants may not exceed, for a period of not more than seven years, as determined by the governing body of the city or county, five percent above the highest average index rate for tax-exempt revenue bonds reported in a daily or weekly bond index approved by the governing body and reported in the month before the date the obligation was incurred; (10) authorize a city to pledge for the payment of debt obligations undedicated tax increment revenue generated from property taxes and sales taxes imposed in a tax increment reinvestment zone as designated by the city and located wholly or partly within the boundaries of the public improvement district; (11) authorize the governing body of a city or county to enter into an agreement with one of the following entities that provides for payment of amounts pledged to the entity to secure indebtedness issued by the entity to finance an improvement project: (a) a corporation created by the city or county under the Texas Constitution or other law; (b) a local government corporation; or (c) a political subdivision or instrumentality created and authorized to issue bonds secured by pledged revenue from a city or county; and (12) authorize a refunding bond to be issued in a principal amount in excess of the bonds to be refunded.

H.B. 2480 (E. Johnson) – Tax Increment Financing: would, among other things: (1) provide that, before adopting an ordinance designating a tax increment reinvestment zone, a city must prepare or have prepared an affordable housing impact statement; (2) require that the statement under (1) be made available to the public and posted on the city’s website at least 60 days before the city holds the hearing required prior to creation of the zone; and (3) require the statement under (1) include estimates of the impact on the availability of affordable housing in the area of the proposed zone for the 30-year period following designation of the proposed zone.

H.B. 2535 (Zedler) – Tree Ownership: would provide that: (1) a landowner owns all trees and timber located on the landowner’s land as real property until cut or otherwise removed from the land, unless otherwise provided by a contract, bill of sale, deed, mortgage, deed of trust, or other legally binding document; (2) a governmental entity may not prohibit a landowner from trimming or removing trees or timber located on the landowner’s land; (3) a governmental entity may, if authorized by other state law and subject to the limitations of that law, assess a mitigation fee against a landowner for the removal of a mature tree on the landowner’s land; (4) a mitigation fee under (3): (a) must be proportional to the value of the mature tree removed; (b) may not exceed $100 per inch of girth of the mature tree removed measured at 4-1/2 feet above the natural grade; and (c) may be used only in the jurisdiction in which the fee is collected and only for the purpose of tree planting and other related activities; (5) a landowner is entitled to plant a replacement tree at the landowner’s expense instead of paying a mitigation fee, and a landowner who chooses to plant a replacement tree is not required to plant a number of replacement trees whose total girth is greater than the total girth of all the mature trees to which the mitigation fee would have applied; (6) a city may not regulate the trimming or removal of
trees or timber in the extraterritorial jurisdiction (ETJ); and (7) San Antonio and other cities with a military base in their ETJ are exempt from the bill. (Companion bill is S.B. 782 by Campbell.)

H.B. 2556 (Holland) – Eminent Domain: would provide that, to be considered a bona fide offer for purposes of acquiring property through eminent domain, a condemnor’s appraisal must include an appraisal of damages arising from: (1) any construction, maintenance, repair, replacement, or removal of a structure on the owner’s property made necessary by the proposed acquisition; or (2) any replacement, relocation, or removal of, or injury to, any other property, whether real or personal, located on or affixed to the owner’s land, including livestock, growing crops, or other growing plants.

H.B. 2564 (Button) – Economic Development Corporations: would, among other things: (1) require the state Economic Incentive Oversight Board to examine the effectiveness, efficiency, and financial impact on the state of projects undertaken by Type A and Type B economic development corporations; and (2) require a Type A or Type B economic development corporation to provide to the board any information concerning a project undertaken by the corporation as necessary to enable the board to perform the board’s duties under (1).

H.B. 2596 (Larson) – Annexation/ETJ: would provide that: (1) the map that each city is required to prepare showing the boundaries and extraterritorial jurisdiction (ETJ) shall also be prepared in a digital format widely used by common geographic information system software; (2) the map in (1) shall be provided in notices related to annexation; (3) in addition to the notice provided to a person who is placed in a city’s three-year annexation plan, a city (before the 90th day after the date the city adopts or amends its annexation plan) shall give written notice to each property owner in any area that would be newly-included in the city’s ETJ as a result of the proposed annexation; (4) the notice in (3) must include, among other things, a list of municipal ordinances that would be applicable in the area that would be newly-included in the city’s ETJ; (5) a city must post notice of annexation hearings in any area that would be newly-included in city’s ETJ as a result from the proposed annexation; and (5) the notice required by (5) must include, among other things, a list of municipal ordinances that would be applicable in the area that would be newly-included in the city’s ETJ.

H.B. 2621 (Darby) – Enhanced Oil Recovery Reinvestment Zones: would, among other things: (1) authorize the Texas Railroad Commission to designate an area as an enhanced oil recovery reinvestment zone under certain circumstances; and (2) within the enhanced oil recovery reinvestment zone, authorize a political subdivision under certain circumstances to: (a) impose a limitation on the appraised value of a property interest; (b) refund sales taxes imposed by the political subdivision; and (c) exempt the sale or use of a taxable item used in the operation of a project in the enhanced oil recovery reinvestment zone.

H.B. 2651 (Laubenberg) – Economic Development Corporations: would: (1) authorize a Type A or Type B economic development corporation to create one or more subsidiary corporations; and (2) provide that any subsidiary corporation is subject to all of the same legal provisions governing the corporation that creates the subsidiary corporation.
H.B. 2684 (Burns) – Eminent Domain: would provide that: (1) after making a bona fide offer, an entity with eminent domain authority shall disclose to the property owner any new, amended, or updated appraisal report produced or acquired by or on behalf of the entity after making the offer and used in determining the entity’s opinion of value; (2) a disclosure required by (1) must be made not later than the earlier of: (a) the 10th day after the date the entity receives the appraisal report; or (b) the third business day before the date of a special commissioner’s hearing if the appraisal report is to be used at the hearing; (3) detailed requirements must be included in an easement acquired for pipeline or electric transmission right-of-way; (4) the special commissioners may admit evidence on the price paid for pipeline or power line rights-of-way in privately-negotiated transactions made in the absence of a potential, actual, or threatened condemnation; (5) if the amount of damages awarded by the special commissioners is at least 20 percent greater than the amount of the condemnor’s final offer or if the commissioners’ award is appealed and a court awards damages in an amount that is at least 20 percent greater than the amount of the condemnor’s final offer, the condemnor shall pay all costs and any reasonable attorney’s fees and other professional fees incurred by the property owner in connection with the eminent domain proceeding; (6) a written agreement entered into by a governmental entity and a property owner in connection with a proceeding initiated by the entity to condemn the owner’s property or under a threat of condemnation by the entity of the owner’s property is enforceable by the property owner, and entry into the agreement waives the entity’s governmental immunity from suit and from liability to the extent necessary to enforce the agreement; and (7) if the federal government, the state, or a political subdivision of the state assumes possession of taxable property under a possession and use agreement, or a similar agreement, that is entered into under threat of condemnation, the value of the property for property tax purposes is reduced in accordance with a certain formula.

H.B. 2694 (Kacal) – Eminent Domain: would provide: (1) detailed requirements that an easement acquired for pipeline or electric transmission right-of-way must include; (2) for a prohibition against any use of the property being conveyed, other than a use stated in the instrument, without the express written consent of the property owner; (3) for a covenant that the entity will indemnify and hold the property owner harmless against any claim brought against the property owner arising out of or relating to the use of condemned property by the entity or the entity’s agents or contractors; and (4) for a covenant that the entity will secure and keep in full force and effect at all times while the entity continues to use the condemned property a policy or policies of liability insurance that meet certain requirements. (Companion bill is S.B. 742 by Kolkhorst.)

H.B. 2792 (M. Gonzalez) – Public Housing: would affect public housing converted under the authority of the Rental Assistance Demonstration (RAD) program administered by the U.S. Department of Housing and Urban Development and provide, among other things, that a recipient of housing assistance administered through a housing choice voucher program who is residing in a unit converted through the RAD program may be appointed as a housing authority commissioner when the authority has five commissioners or has seven or more commissioners.

H.B. 2814 (Oliverson) – Residential Fire Sprinklers: would provide that: (1) a certified fire inspector who is employed or appointed by a political subdivision or this state may inspect or review plans only for the sprinkler portion of a multipurpose residential fire sprinkler
installation, repair, or replacement; (2) a city with a population of less than 50,000 may enact an
ordinance, bylaw, order, building code, or rule requiring the installation of a multipurpose
residential fire protection sprinkler system or any other fire sprinkler protection system in a new
one- or two-family dwelling only if the city holds an election called for the purpose of
authorizing the city to enact the requirement; and (3) a city described by (2) that enacts the
requirement may not impose an inspection fee for inspection of a multipurpose residential fire
protection sprinkler system, but may impose an annual inspection fee not to exceed $25 for
inspection of any other fire sprinkler protection system.

H.B. 2947 (Moody) – Affordable Housing: would provide that: (1) developments that propose
to rehabilitate or reconstruct housing units that are owned by a public housing authority or public
facility corporation can be considered at-risk developments to receive low income housing tax
credits; and (2) an at-risk development that was previously allocated housing tax credits set aside
does not lose eligibility for those credits if the portion of units reserved for public housing as a
condition of eligibility for credits are later converted under the federal Rental Assistance
Demonstration program administered by the United States Department of Housing and Urban
Development.

H.B. 2998 (Blanco) – Defense Communities: would make various changes relating to a defense
economic readjustment zones.

H.B. 3045 (Dale) – Economic Development Corporations: would authorize a city to hold an
election to reduce or increase the sales tax rate for a Type B economic development sales tax.

H.B. 3081 (Capriglione) – Payday Lending: would provide that a person subject to regulation
by a finance agency and the person’s business activities subject to that regulation are subject
only to applicable federal law and regulations and applicable state law, including rules adopted
by the finance commission. (Note: this bill would preempt all city payday lending ordinances.)

H.B. 3162 (G. Bonnen) – Excavating: would amend procedures for emergency excavations
under the “call before you dig” statute.

H.B. 3170 (Bell) – Eminent Domain: would provide, among other things, that: (1) after making
a bona fide offer, an entity with eminent domain authority shall disclose to the property owner
any new, amended, or updated appraisal report produced or acquired by or on behalf of the entity
after making the offer and used in determining the entity’s opinion of value; (2) a disclosure
required by (1) must be made not later than the earlier of: (a) the 10th day after the date the entity
receives the appraisal report; or (b) the third business day before the date of a special
commissioner’s hearing if the appraisal report is to be used at the hearing; (3) a court shall
dismiss a condemnation proceeding unless the entity that files a petition proves to the court that
the entity has not violated legal procedural requirements; and (4) a court that grants a motion to
dismiss shall make an allowance to the property owner for reasonable and necessary fees for
attorneys, appraisers, and photographers and for the other expenses incurred by the property
owner to the date of the hearing.
H.B. 3172 (Button) – State Economic Development Incentives: would establish an electronic information and application system for state incentives for economic development purposes.

H.B. 3174 (Reynolds) – Comprehensive Plan: would: (1) require a city that has adopted a comprehensive plan to update it every five years; and (2) require that, as part of a city’s comprehensive plan, the city must also adopt an environmental evaluation report that includes certain projected environmental changes, adverse environmental effects, projected environmental benefits, measures for identifying the protection of resources, and either an assessment of the cost to remedy or mitigate any adverse effects or a feasibility study of alternative planning that mitigates adverse effects.

H.B. 3211 (Paddie) – Excavating: would amend the state “call before dig” statute to include requirements for large operation excavations.

H.B. 3220 (Phelan) – Property Tax Abatement: would require a property tax abatement agreement to include either: (1) a waiver by the property owner of the right to protest before an appraisal review board and the right to contest in any court the unequal appraisal of property subject to the agreement for a tax year in which a portion of the property is exempt from taxation under the agreement; or (2) provisions for the recapture of all or a portion of the property tax revenue lost as a result of the agreement if the appraised value of the property subject to the agreement does not attain a value specified in the agreement for a year covered by the agreement and payment of a penalty or interest, or both, on that recaptured property tax revenue.

H.B. 3282 (E. Rodriguez) – Regulation of Property: would: (1) provide that a city’s zoning regulations do not apply to a building, structure, or land under the control, administration, or jurisdiction of a political subdivision, but that such regulations do apply to a privately-owned building or land when leased to a political subdivision; and (2) require each city to adopt procedures for expediting the processing of an application for a building permit submitted by an independent school district.

H.B. 3361 (Button) – Economic Development Corporations: would: (1) require the state Economic Incentive Oversight Board to examine the effectiveness, efficiency, and financial impact on the state of projects undertaken by Type A and Type B economic development corporations; and (2) require a Type A or Type B economic development corporation to provide to the board any information concerning a project undertaken by the corporation as necessary to enable the board to perform the board’s duties under (1).

H.B. 3403 (Canales) – Oil and Gas Regulation: would authorize a city to regulate or prohibit the drilling of a new oil or gas well located within 1,500 feet of the property line of a child-care facility, private school, or primary or secondary public school.

H.B. 3418 (Elkins) – Historic Zoning: would provide, among other things, that: (1) a city that has established a process for designating places or areas as historically important and significant through the adoption of zoning regulations or zoning district boundaries must include certain detailed criteria in determining whether to adopt the regulations or boundaries; and (2) an action by a zoning commission or planning commission to recommend and the approval by the city
council of the adoption of such a designation requires the vote of three-fourths of all members of each body.

**H.B. 3441 (Holland) – Eminent Domain:** would provide that the special commissioners may admit evidence on the price paid for pipeline or power line rights-of-way in privately negotiated transactions made in the absence of a potential, actual, or threatened condemnation.

**H.B. 3447 (E. Rodriguez) – Community Land Trusts:** would: (1) expand the type of nonprofit organizations that may constitute a community land trust; (2) provide that once adopted by the city council, certain community land trust tax exemptions continue to apply to the property until the city council rescinds the exemption in the manner provided by law; and (3) impose certain requirements on a chief appraiser who is appraising land or a housing unit leased by a community land trust, including that the chief appraiser use the income method of appraisal.

**H.B. 3506 (Cyrier) – Construction Licenses:** would prohibit a local governmental entity from requiring a builder or contractor to obtain a local license through ordinance for the construction or remodel of a commercial or residential structure.

**H.B. 3508 (Neave) – Payday Lending:** would: (1) prohibit a governmental entity from entering into a contract with: (a) a credit access business or other credit services organization; (b) a business that operates in the same retail space as a credit access business or other credit services organization; or (c) a business that is owned by a business entity that owns a credit access business or other credit services organization; (2) provide that a business that enters into any contract or other agreement with a governmental entity may not subcontract with a credit access business or other credit services organization to perform work under the contract or agreement; and (3) require a governmental entity to include, as a term of any contract or other agreement entered into by the entity, a provision that prohibits a party to the contract or agreement from subcontracting with a credit access business or other credit services organization to perform work under the contract or agreement. (Companion bill is **S.B. 836 by Rodriguez**.)

**H.B. 3624 (Workman) – Property Rights:** would provide that a city may not adopt an ordinance that affects private property rights and applies only to a defined area unless the ordinance is approved at an election.

**H.B. 3676 (Ashby) – Affordable Housing:** would provide that a city may not adopt or enforce a requirement in any form, including through an ordinance or regulation or as a condition for granting a building permit, that establishes a maximum sales price for a privately produced housing unit or residential building lot, including a privately produced housing unit or residential building lot located in a homestead preservation district.

**H.B. 3687 (Ashby) – Eminent Domain:** would provide that: (1) after making a bona fide offer, an entity with eminent domain authority shall disclose to the property owner any new, amended, or updated appraisal report produced or acquired by or on behalf of the entity after making the offer and used in determining the entity’s opinion of value; (2) a disclosure required by (1) must be made not later than the earlier of: (a) the 10th day after the date the entity receives the appraisal report; or (b) the third business day before the date of a special commissioner’s hearing.
if the appraisal report is to be used at the hearing; (3) detailed requirements must be included in an easement acquired for pipeline or electric transmission right-of-way; and (4) if the federal government, the state, or a political subdivision of the state assumes possession of taxable property under a possession and use agreement, or a similar agreement, that is entered into under threat of condemnation, the value of the property for property tax purposes is reduced in accordance with a certain formula.

H.B. 3787 (Bell) – Property Rights: would provide that a city or county may not enforce an ordinance, order, or other regulation related to land use or business regulation on or after September 1, 2017, that prohibits or restricts the use or development of a property owner’s property if the ordinance, order, or other regulation was not in effect on the date the property owner acquired title to the property.

H.B. 3821 (Huberty) – Strategic Partnership Agreements: would provide that the qualified voters of a special district any part of which is annexed for limited purposes under a strategic partnership are entitled to vote in municipal elections. (Companion bill is S.B. 2046 by Bettencourt.)

H.B. 3822 (Huberty) – Strategic Partnership Agreements: would provide that the qualified voters of a special district any part of which is annexed for limited purposes under a strategic partnership are entitled to vote in municipal elections. (Companion bill is S.B. 1661 by Bettencourt.)

H.B. 3834 (Workman) – Rough Proportionality: would provide that: (1) the determination of the proportionate share of municipal infrastructure improvements costs under the provision in current law shall be determined by the engineer retained by the city based on the actual, documented and verifiable impact of the development on the existing infrastructure in the immediate area of the development; (2) any fees or costs paid for infrastructure improvements by the developer shall be used only for the purpose collected and the work shall commence and shall be substantially underway not later than the 23rd month following the payment of such fees; (3) fees collected shall be for new capital improvements only and shall not be used for recurring expenses or maintenance; (4) fees collected shall not be to supplement or supplant funding of existing capital infrastructure improvement projects which have funding identified through municipal budgets, bond measures, or any other source; (5) nothing prohibits the developer from making the improvements on behalf of the city if the developer and the city agree; and (6) the proportionate amount calculate shall be offset by the increase in the taxes the city will receive as a result of the increased assessed valuation on the property after development and the estimated amount of the increase in the city’s sales taxes attributed to the development.

H.B. 3927 (Schaefer) – Economic Development Corporations: would require the board of directors of an economic development corporation to annually submit to the comptroller a report regarding bonds issued by the corporation.

H.B. 4033 (Isaac) – Affordable Housing: would provide that: (1) a city may not adopt or enforce a requirement in any form, including through an ordinance or regulation or as a condition for granting a building permit, that establishes a maximum sales price for a privately produced
housing unit or residential building lot; and (2) the prohibition in (1) applies to an area in a homestead preservation district and a reinvestment zone.

**H.B. 4072 (Dukes) – Industrialized Housing:** would expand the maximum size of a structure to be classified as industrialized housing or buildings as follows: (1) a residential structure that exceeds 14 stories or 168 feet in height; and (2) a commercial structure that exceeds 14 stories or 168 feet in height.

**H.B. 4136 (Gutierrez) – Casino Gambling:** would allow up to 12 casinos in this state pursuant to a county approval election. (See **H.J.R. 119**, below.)

**H.B. 4185 (Bell) – Annexation:** would provide that: (1) the owner of real property that is located in the extraterritorial jurisdiction of a city may petition the municipality to annex the property and provide certain services listed in the bill, not later than the first anniversary of the date the municipality approves the petition, to the property; and (2) if the city fails to provide the services described by the petition or an agreement within the period provided by (1), including any agreed-to extension, the city shall disannex the property and release that property from its ETJ.

**H.B. 4202 (Workman) – Development Permits:** would provide that a city may adopt expedited procedures for granting or denying permits, but the procedures may not require: (1) a private employer to offer wages higher than required by the state’s minimum wage law; or (2) on-site monitoring of a private employer by a nongovernmental entity.

**H.B. 4225 (Elkins) – Payday Lending:** would authorize a payday or auto title lender to prohibit class action lawsuits against the lender by contract.

**H.J.R. 16 (Guillen) – Sporting Goods Sales Tax:** would amend the Texas Constitution to require the net revenue received from the collection of the sporting goods sales tax to be automatically appropriated to the Texas Parks and Wildlife Department and the Texas Historical Commission.

**H.J.R. 23 (Raymond) – Eight-Liners:** would propose an amendment to the Texas Constitution to provide that: (1) the Legislature by law may authorize and regulate the operation of the gaming devices commonly known as eight-liners or similar gaming devices; (2) a law enacted under the amendment must allow the qualified voters of any county, justice precinct, or city to determine by a majority vote of the qualified voters voting on the question at an election whether eight-liners may be legally operated in the county, justice precinct, or city; (3) the Legislature may impose a fee on the devices or authorize a political subdivision to impose a fee on the devices; and (4) the Legislature may determine the rate of the fee and the allocation of the revenue from the fee notwithstanding any other provision of the Texas Constitution governing the rate or allocation of occupations taxes.

**H.J.R. 40 (Schofield) – Eminent Domain:** would amend the Texas Constitution to provide that a person whose property is taken through eminent domain or that person's heirs, successors, or assigns, is entitled to repurchase the property at the price paid when taken if: (1) the public use for which the property was acquired through eminent domain is canceled; (2) no actual progress
is made toward the public use during a prescribed period of time; or (3) the property is unnecessary for the public use.

**H.J.R. 61 (Martinez) – Border Property**: would provide that a political subdivision may unconditionally donate to the United States real property and improvements to that property, technology, or equipment acquired by the political subdivision to promote border security or international trade.

**H.J.R. 62 (Keough) – Home Schooling**: would provide that an agency of the state government, including the legislature, or a political subdivision or agency of a political subdivision of this state may not regulate the educational program of a private school or home school in this state.

**H.J.R. 119 (Gutierrez) – Casino Gambling**: would amend the Texas Constitution to allow up to 12 casinos in this state pursuant to a county approval election. (See **H.B. 4136**, above.)

**S.B. 24 (Huffman) – Sermons**: would prohibit a governmental unit from, in any civil action or other civil or administrative proceeding to which the governmental unit is a party, compelling the production or disclosure of a written copy or audio or video recording of a sermon delivered by a religious leader during religious worship of a religious organization or compel the religious leader to testify regarding the sermon.

**S.B. 95 (Hall) – Raw Milk**: would, among other things: (1) authorize the sale of raw milk by a raw milk permit holder at their business, a consumer’s residence, or a farmers’ market under certain circumstances; and (2) prohibit a local health authority from mandating a specific method for complying with temperature requirements for milk.

**S.B. 100 (Hall) – Texas Enterprise Fund**: would abolish the Texas Enterprise Fund.

**S.B. 105 (Hall) – Event Trust Funds**: would abolish the Pan American Games Trust Fund, the Olympic Games Trust Fund, the Major Events Reimbursement Program Fund, the Motor Sports Racing Trust Fund, and the Events Trust Fund.

**S.B. 243 (Burton) – Eminent Domain**: would provide that: (1) the bill applies only to the condemnation of property by a public entity exercising its eminent domain authority to take a residence homestead that is located outside the territorial boundaries of the entity or a private entity exercising its eminent domain authority; (2) not later than the 30th day after the date the property owner receives a final offer from the entity, the property owner may file a petition with the commissioners court of the county for the disapproval of the condemnation; (3) if the property owner files the petition with the commissioners court, the commissioners court shall hold a hearing to determine whether to approve the condemnation of the property; and (4) the entity may not initiate a condemnation proceeding for the property unless a majority of the commissioners court approves the condemnation of the property.

**S.B. 244 (Burton) – Moving Image Industry Incentive Program**: would abolish the moving industry incentive program.
S.B. 277 (Campbell) – Wind Energy: would, among other things, provide that a city may not enter into a tax abatement agreement for property where a wind-powered energy device is installed or constructed if the property is located within 30 nautical miles of the boundaries of a military aviation facility in Texas.

S.B. 341 (Perry) – Alcohol/Synthetic Marijuana: would provide that a county judge shall deny an application for a retail dealer’s on-premise alcohol license if the applicant or applicants spouse has been recently convicted of an offense involving synthetic marijuana.

S.B. 371 (Watson) – Alcoholic Beverage Licenses: would: (1) prohibit a county judge from refusing to approve an application for a license as a distributor or retailer if the premises on which beer is to be sold for on-premises consumption does not have: (a) running water, if it is available; or (b) separate free toilets for males and females, properly identified, on the premises for which the license is sought or, if the premises is a restaurant that derives less than 50 percent of its gross revenue from the sale of alcohol, is 2,500 square feet or less, and has an occupancy rating of 50 persons or less, at least one toilet, properly identified, on the premises for which the license is sought; and (2) prohibit the Texas Alcoholic Beverage Commission or administrator from suspending for not more than 60 days or cancelling an original or renewal retail dealer’s on- or off-premise license if it is found, after notice and a hearing, that the licensee does not have at the licensed premises: (a) running water, if it is available; and (b) separate free toilets for males and females, properly identified, on the premises for which the license is sought or, if the premises is a restaurant that derives less than 50 percent of its gross revenue from the sale of alcohol, is 2,500 square feet or less, and has an occupancy rating of 50 persons or less, at least one toilet, properly identified, on the premises for which the license is sought.

S.B. 373 (Hall) – English as Official State Language: would: (1) designate the English language as the official language of the state; and (2) provide that an unofficial and nonbinding translation or explanation of an official state document, written material, or website content may be provided or published separately in a language other than the official language only if the translation or explanation: (a) is made and distributed without cost to the state; (b) is appropriately labeled as unofficial and nonbinding; and (c) states the actions required to obtain or view the official state document, written material, or website content.

S.B. 379 (Perry) – Eminent Domain: would clarify that failure of an entity to comply with certain eminent domain reporting requirements could result in a penalty of up to $1000 (Note: Current law requires the penalty for failure to comply with reporting requirements to be $1,000.)

S.B. 389 (Burton) – Major Events Reimbursement Program: would abolish the Major Events Reimbursement Program.


S.B. 391 (Burton) – Events Trust Fund: would abolish the Events Trust Fund.
S.B. 392 (Burton) – Events Trust Funds: would abolish the Major Events Reimbursement Program, the Events Trust Fund, and the Motor Sports Racing Trust Fund.

S.B. 393 (Burton) – Texas Enterprise Fund: would abolish the Texas Enterprise Fund.

S.B. 397 (Kolkhorst) – Local Mental Health Authorities: would: (1) provide that if a local mental health authority has a governing body, the governing body must include one representative of a local law enforcement agency of a city or county in the local authority’s service area; and (2) provide that if a local mental health authority does not have a governing body, the local authority shall consult with a designated representative of a local law enforcement agency of a city or county in the local authority’s service area regarding the use of the funds received from the Department of State Health Services for community mental health and intellectual disability services and chemical dependency services for persons who are dually diagnosed as having both chemical dependency and mental illness or an intellectual disability.

S.B. 427 (Rodriguez) – Local Minimum Wage: this bill is the same as H.B. 840, above.

S.B. 438 (Rodriguez) – Economic Development: would provide that: (1) a city can convey land to an entity under a chapter 380 economic development agreement; (2) the city may transfer the property without going through the notice and bid process; (3) an agreement between the city and the entity would be the consideration for the transfer of the property with provisions that the property will be used to promote the economic development public purpose of the city and a provision that grants the city sufficient control to ensure that the public purpose is being accomplished; (4) the city must publish notice of the transfer in a newspaper of general circulation in the county that the property is located or, if there is no such newspaper, in an adjoining county; and (5) the notice must include a location and description of the real property and be published two separate days within 10 days before the date the property or an interest in the property is transferred.

S.B. 465 (Lucio) – Annexation: would provide that: (1) the qualified voters residing in an area that is included in a city’s annexation plan are entitled to vote in municipal elections regarding the election or recall of members of the governing body of the city, the election or recall of the controller, if the office of controller is an elective position of the city, and the amendment of the municipal charter; (2) the voters may not vote in any municipal bond election; (3) on or after the 15th day but before the fifth day before the date of the first election held after the date a city adopts or amends its annexation plan to include an area, the city shall publish notice in the form of a quarter-page advertisement in a newspaper of general circulation in the area notifying the residents of the area regarding the eligibility to vote in the election and stating the location of all polling places for the residents; and (4) a resident in a city’s plan is not eligible to be a candidate for or to be elected to a municipal office.

S.B. 471 (Lucio) – Annexation: would provide that an area is exempt from the three-year municipal annexation plan requirement if it contains fewer than 50 separate tracts of land on which one or more residential dwellings are located on each tract. (Note: Current law exempts areas with 100 separate tracts of land.)
S.B. 555 (Kolkhorst) – Eminent Domain: would provide that a person commits a state jail felony if the person: (1) enters or attempts to enter the real property of another; and (2) at the time of the entry or attempted entry, asserts that the entry is authorized by or requested in connection with eminent domain authority of an entity the person represents or claims to represent that does not possess that eminent domain authority.

S.B. 600 (Burton) – Texas Economic Development Act: would repeal Chapter 313 of the Texas Tax Code (school tax limitations under the Texas Economic Development Act).

S.B. 626 (Schwertner) – Eminent Domain: would provide that: (1) the required Landowner’s Bill of Rights must disclose that a condemning entity that makes a bona fide offer to acquire from the property owner real property for a public use must: (a) make a separate offer to acquire from the owner any of the owner’s other real property the entity wants to acquire that is not reasonably necessary to complete the public use of the property for which the bona fide offer is made; and (b) include a statement in the separate offer that the property that is the subject of the separate offer is not subject to condemnation by the entity; and (2) in conjunction with a bona fide offer to acquire real property for a public use, an entity with eminent domain authority must make a separate offer to acquire from a property owner any of the owner’s other real property the entity wants to acquire that is not reasonably necessary to complete the public use of the property and include a statement in the offer that the property that is the subject of that offer is not subject to acquisition through eminent domain.

S.B. 627 (Schwertner) – Eminent Domain: would provide that the required Landowner’s Bill of Rights must include: (1) the condemning entity’s obligations to the property owner, including the responsibility for any damages arising from an examination or survey of the property; (2) the property owner’s options during a condemnation, including the property owner’s right to: (i) refuse to grant permission to the condemning entity to enter the property and conduct an examination or survey of the property; (ii) negotiate the terms of the examination or survey of the property; and (3) the condemning entity’s right to sue for a court order authorizing the examination or survey if the property owner refuses to grant permission for the examination or survey.

S.B. 628 (Schwertner) – Eminent Domain: would, in relation to tolling a property owner’s right of repurchase: (1) eliminate the following as elements establishing “actual progress” on a project: (a) the acquisition of a tract or parcel of real property adjacent to the property for the same public use project for which the owner’s property was acquired; or (b) for a governmental entity, the adoption by a majority of the entity’s governing body at a public hearing of a development plan for a public use project that indicates that the entity will not complete more than one tolling action before the tenth anniversary of the date of acquisition of the property; and (2) require three of five remaining elements to be met to establish actual progress.

S.B. 636 (Huffines) – Building Codes: would: (1) lower the population threshold in current law from 100,000 to 40,000 to invoke certain notice and hearing procedures for changes in a city’s building code; and (2) impose new requirements: (a) that a city publish a detailed cost-benefit analysis of a building code or code amendments; and (b) that would mandate, for an amendment that addresses existing or potential harm to health and safety: (i) scientific evidence supporting
the probability or likelihood that the harm has occurred or will occur; and (ii) scientific evidence supporting the probability or likelihood that the amendment will prevent or address the harm.

**S.B. 650 (Bettencourt) – Tax Increment Financing:** would make numerous changes to the tax increment financing statute, including: (1) providing that an area may be characterized as a tax increment reinvestment zone (TIRZ) if: (a) the area is described in a petition requesting that the area be designated as a reinvestment zone, if the petition is submitted to the governing body of the city or county by the owners of property constituting at least 50 percent of the appraised value of the property in the area according to the most recent certified appraisal roll for the county in which the area is located; and (b) the area is unproductive, underdeveloped, or blighted; (2) requiring the attorney general to determine the meaning of “unproductive,” “underdeveloped,” and “blighted” for purposes of (1)(b); (3) providing that the TIRZ board of directors may not use the tax increment fund to pay project costs located outside of the TIRZ; (4) requiring a city to provide notice of the date, time, and place of the meeting at which the governing body of the city will vote on an ordinance to issue tax increment bonds or notes by delivering notice by mail to: (a) each property owner in the city; (b) the commissioners court of each county in which a portion of the TIRZ is located; and (c) each state senator and representative whose district includes territory in a county in which a portion of the TIRZ is located; (5) requiring the city to deliver notice of the submission of tax increment bonds and the record of proceedings related to the authorization of the bonds and sent to the attorney general for approval to: (a) the commissioner’s court of each county in which a portion of the TIRZ is located; and (b) each state senator and representative whose district includes territory in a county in which a portion of the TIRZ is located; (6) providing that a city designating a TIRZ may not undertake the initial issuance of tax increment bonds for the zone unless: (a) the city provides evidence to the attorney general demonstrating that the zone: (i) meets the legal criteria for a TIRZ; and (ii) is not ineligible for designation as a TIRZ; and (b) the attorney general determines that the evidence is legally sufficient; (7) requiring the attorney general to provide a legal sufficiency determination not later than the 60th business day after the date the evidence required by (6) is received; (8) providing that if the attorney general cannot provide a legal sufficiency determination within 60 business days, the attorney general shall notify the city in writing of the reason for the delay and may extend the review period for not more than 30 business days; (9) providing that after the attorney general issues a legal sufficiency determination, the city may supplement the evidence submitted or amend the ordinance designating the TIRZ to facilitate a redetermination by the attorney general of the prior legal sufficiency determination; (10) repealing the ability to use revenue in the tax increment fund to pay for costs association with certain transportation or transit projects; and (11) repealing the ability to transfer funds in the tax increment fund for one TIRZ to another TIRZ.

**S.B. 655 (Bettencourt) – Annexation/Extraterritorial Jurisdiction:** would provide that: (1) a home rule city shall make publicly available a digital map (in addition to a paper map under current law) reflecting annexations and extraterritorial jurisdiction (ETJ) changes; (2) a city, before the 90th day after the date it adopts or amends an annexation plan, shall give written notice with certain provisions to each property owner in any area that would be newly included in the city’s extraterritorial jurisdiction as a result of the proposed annexation; (3) a home rule city, before the 90th day after the date it adopts or amends an annexation plan, shall create and make publicly available a digital map that identifies the area proposed for annexation and any
area that would be newly included in the city’s ETJ as a result of the proposed annexation; (4) in addition to publishing notice of annexation hearings in a newspaper of general circulation in the city and area to be annexed, the notice must be published in a newspaper of publish notice of the hearings in a newspaper of general circulation in any area that would be newly included in the city’s ETJ resulting from the proposed annexation; and (5) if applicable, the notice for each annexation hearing must include: (a) a statement that the completed annexation of the area will expand the city’s ETJ; (b) a description of the area that would be newly included in the city’s ETJ; (c) a statement of the purpose of ETJ designation; and (d) a list of municipal ordinances that would be applicable in the area that would be newly included in the city’s ETJ; and (6) in addition to the notice requirements for a plan-exempt annexation, a home rule city, before it may institute annexation proceedings, shall create and make publicly available a digital map that identifies the area proposed for annexation and any area that would be newly included in the city’s ETJ as a result of the proposed annexation.

**S.B. 715 (Campbell) – Annexation:** would completely rewrite the Municipal Annexation Act to severely curtail the ability of cities to annex property. Specifically, the bill would provide – among many other things – that:

1. A city may annex an area with a population of less than 200 only if the city obtains consent to annex the area through a petition signed by: (a) more than 50 percent of the registered voters of the area; and (b) if the registered voters of the area do not own more than 50 percent of the land in the area, more than 50 percent of the owners of land in the area.
2. In no case may a city annex an area with a population of less than 200 without approval of a majority of the voters voting at an election called and held for that purpose if a petition protesting the annexation is signed by a number of registered voters of the municipality equal to at least 50 percent of the number of voters who voted in the most recent municipal election and is received by the secretary of the city.
3. A city may annex an area with a population of 200 or more only if the following conditions are met, as applicable: (a) the city holds an election in the area proposed to be annexed at which the qualified voters of the area may vote on the question of the annexation, and a majority of the votes received at the election approve the annexation; and (b) if the registered voters of the area do not own more than 50 percent of the land in the area, the city obtains consent to annex the area through a petition signed by more than 50 percent of the owners of land in the area.
4. A city may annex an area if each owner of land in the area requests the annexation if: (a) the governing body of the city first negotiates and enters into a written agreement for the provision of services in the area with the owners of land in the area (the city is not required to provide a service that is not included in the agreement); and (b) the governing body of the city conducts at least two public hearings (the hearings must be conducted not less than 10 business days apart, and during the final public hearing, the governing body may adopt an ordinance annexing the area).
5. Beginning September 1, 2017, a city may not annex an area for the limited purposes of applying its planning, zoning, health, and safety ordinances in the area, regardless of any authority granted by a home rule charter.
6. The procedures for the annexation of a special district are modified, including providing that, beginning September 1, 2017, a strategic partnership agreement may not provide for limited purpose annexation.

S.B. 723 (Miles) – Community Development Grocery Store: would establish a community development grocery store and healthy corner store revolving loan fund program. (Companion is H.B. 1047 by Thierry.)

S.B. 740 (Kolkhorst) – Eminent Domain: would provide that: (1) an entity with eminent domain authority shall disclose to a property owner any new, amended, or updated appraisal report produced or acquired by or on behalf of the entity after making the initial offer and used in determining the entity’s opinion of value; (2) a disclosure required by (1) must be made not later than the earlier of the 10th day after the date the entity receives the appraisal report or the third business day before the date of a special commissioner’s hearing if the appraisal report is to be used at the hearing; (3) an easement acquired for pipeline or electric transmission right-of-way must include detailed requirements; (4) there is a prohibition against any use of the property being conveyed, other than a use stated in the instrument, without the express written consent of the property owner; (5) a covenant be included that the entity will indemnify and hold the property owner harmless against any claim brought against the property owner arising out of or relating to the use of condemned property by the entity or the entity’s agents or contractors; (6) a covenant must be included that the entity will secure and keep in full force and effect at all times while the entity continues to use the condemned property a policy or policies of liability insurance that meet certain requirements; (6) if the amount of damages awarded by the special commissioners is at least 20 percent greater than the amount of the condemnor’s final offer or if the commissioners’ award is appealed and a court awards damages in an amount that is at least 20 percent greater than the amount of the condemnor’s final offer, the condemnor shall pay all costs and any reasonable attorney’s fees and other professional fees incurred by the property owner in connection with the eminent domain proceeding; and (7) property tax due on property that a city has occupied through eminent domain is reduced.

S.B. 741 (Kolkhorst) – Eminent Domain: would provide that: (1) a bona fide offer may include compensation to the property owner in the form of a royalty or percentage of the net profits generated from the project necessitating the acquisition; (2) special commissioners shall admit evidence on the value of any compensation that the condemning entity has offered the property owner in connection with the proposed condemnation; and (3) the special commissioners may admit evidence on the price paid for pipeline or power line rights-of-way in privately negotiated transactions made in the absence of a potential, actual, or threatened condemnation.

S.B. 742 (Kolkhorst) – Eminent Domain: would provide: (1) detailed requirements that an easement acquired for pipeline or electric transmission right-of-way must include; (2) for a prohibition against any use of the property being conveyed, other than a use stated in the instrument, without the express written consent of the property owner; (3) for a covenant that the entity will indemnify and hold the property owner harmless against any claim brought against the property owner arising out of or relating to the use of condemned property by the entity or the entity’s agents or contractors; and (4) for a covenant that the entity will secure and keep in full
force and effect at all times while the entity continues to use the condemned property a policy or policies of liability insurance that meet certain requirements.

**S.B. 751 (Campbell) – Military Base Realignment and Closure Task Force**: would provide that any information written, produced, collected, assembled, or maintained by the Military Base Realignment and Closure Task Force is confidential and exempt from disclosure under the Public Information Act.

**S.B. 775 (Estes) – Defense Communities**: would: (1) provide that a city in which a military installation is located shall work closely with the military installation to ensure the most recent Air Installation Compatible Use Zone Study or Joint Land Use Study is publicly-available on the local government’s website; (2) add to the seller’s disclosure of property condition a notice if the property is located near a military installation and may be affected by high noise or air installation compatible use zones or other operations; and (3) require that information related to high noise and compatible use zones be accessible on the website of the city in which the military installation is located. (Companion bills are **H.B. 890** by Geren and **H.B. 797** by Minjarez.)

**S.B. 782 (Campbell) – Tree Ownership**: would provide that: (1) a landowner owns all trees and timber located on the landowner’s land as real property until cut or otherwise removed from the land, unless otherwise provided by a contract, bill of sale, deed, mortgage, deed of trust, or other legally binding document; (2) a governmental entity may not prohibit a landowner from trimming or removing trees or timber located on the landowner’s land; (3) a governmental entity may, if authorized by other state law and subject to the limitations of that law, assess a mitigation fee against a landowner for the removal of a mature tree on the landowner’s land; (4) a mitigation fee under (3): (a) must be proportional to the value of the mature tree removed; (b) may not exceed $100 per inch of girth of the mature tree removed measured at 4-1/2 feet above the natural grade; and (c) may be used only in the jurisdiction in which the fee is collected and only for the purpose of tree planting and other related activities; (5) a landowner is entitled to plant a replacement tree at the landowner’s expense instead of paying a mitigation fee, and a landowner who chooses to plant a replacement tree is not required to plant a number of replacement trees whose total girth is greater than the total girth of all the mature trees to which the mitigation fee would have applied; (6) a city may not regulate the trimming or removal of trees or timber in the extraterritorial jurisdiction (ETJ); and (7) San Antonio and other cities with a military base in their ETJ are exempt from the bill.

**S.B. 786 (Nichols) – Eminent Domain**: would: (1) prohibit a state agency, political subdivision, or a corporation created by a governmental entity from taking private property through the use of eminent domain if the taking is for a recreational purpose, including a parks and recreation system or a specific park, greenbelt, or trail; and (2) provide that the determination by the entity proposing to take the property that the taking does not involve an act or circumstance prohibited by the bill does not create a presumption with respect to whether the taking involves that act or circumstance.

**S.B. 787 (Huffman) – Permit Vesting**: this bill is identical to **H.B. 1704**, above.
S.B. 836 (Rodriguez) – Payday Lending: would: (1) prohibit a governmental entity from entering into a contract with: (a) a credit access business or other credit services organization; (b) a business that operates in the same retail space as a credit access business or other credit services organization; or (c) a business that is owned by a business entity that owns a credit access business or other credit services organization; (2) provide that a business that enters into any contract or other agreement with a governmental entity may not subcontract with a credit access business or other credit services organization to perform work under the contract or agreement; and (3) require a governmental entity to include, as a term of any contract or other agreement entered into by the entity, a provision that prohibits a party to the contract or agreement from subcontracting with a credit access business or other credit services organization to perform work under the contract or agreement.

S.B. 852 (Nelson) – Linkage Fees: would provide that: (1) a political subdivision may not adopt or enforce an ordinance, order, policy, or other measure that imposes, directly or indirectly, a fee or other charge on new construction for the purposes of offsetting the cost or rent of any unit of residential housing; and (2) the bill does not affect the authority of a political subdivision to impose a fee for granting an exemption or waiver from a zoning-related height restriction on a structure.

S.B. 871 (Bettencourt) – Annexation: would provide that the qualified voters of a special purpose district annexed for limited purposes under a strategic partnership agreement are entitled to vote in municipal elections for officials.

S.B. 1028 (Estes) – Economic Development: would: (1) require the state Economic Incentive Oversight Board (board) to examine the effectiveness, efficiency and financial impact on this state of programs administered by local governments that award to business entities and other persons monetary or tax incentives for which the local government has discretion in determining whether or not to award the incentives; (2) require the board to develop a performance matrix that clearly establishes the economic performance indicators, measures, and metrics that will guide the board’s evaluations of those programs; (3) require a local government to provide to the board on request information concerning a program described by (1) as necessary to enable the board to perform its duties; (4) require the board to review and make findings and recommendations regarding each class or type of program administered by local governments according to a review schedule; and (5) require the board to submit a biennial report containing findings and recommendations resulting from each review of local government incentive programs.

S.B. 1049 (Uresti) – Assisted Living Facilities: would: (1) require the Health and Human Services Commission (commission) to issue a technical memorandum providing guidance on the minimum life safety code standards for assisted living facilities, and provide that the memorandum is legally binding and must be followed by a person conducting a life safety code survey; (2) authorize a city fire marshal to grant a waiver for a violation of a life safety requirement or fire safety standard cited in an official statement of violation from the commission provided that the waiver will not have any adverse effect on the safety of the residents in the assisted living facility; (3) require the commission to specify an edition of the Life Safety Code of the National Fire Protection Association to be used for assisted living facilities; and (4)
require the commission to recognize a certificate of occupancy or other approval issued by a city or county indicating that a structure complies with all building, fire, and health requirements of the city or county.

**S.B. 1082 (Burton) – Trees:** would provide that: (1) a landowner owns all trees and timber located on the landowner’s land as real property until cut or otherwise removed from the land, unless otherwise provided by a contract, bill of sale, deed, mortgage, deed of trust, or other legally binding document; (2) a governmental entity may not prohibit a landowner from trimming or removing trees or timber located on the landowner’s land or assess a fee against a landowner who removes trees or timber from the landowner’s land; and (3) a city may not regulate the trimming or removal of trees or timber in the extraterritorial jurisdiction.

**S.B. 1114 (Lucio) – Unsafe Housing:** would: (1) require the state to establish programs to provide financial assistance: (a) for the demolition and replacement of owner-occupied single-family homes that are in a condition that poses a risk to the health and safety of the occupants; and (b) to eligible persons for the purchase of new manufactured homes; (2) require the Manufactured Housing Board to adopt rules in regard to the programs described in (1), and involve certain local government officials and entities in nominating eligible participants.

**S.B. 1155 (Menendez) – Payday Lending:** would provide that the amount of a fee paid or to be paid to a credit services organization (e.g., a payday or auto title lender) to assist a consumer in transacting, arranging, guaranteeing, or negotiating an extension of credit or to obtain for a consumer an extension of credit is considered interest for usury purposes under state law if: (1) the extension of credit is secured by a non-purchase money security interest in personal property or is unsecured; and (2) the proceeds of the extension of credit are used for personal, family, or household purposes.

**S.B. 1238 (Rodriguez) – Low Income Housing:** would make certain at-risk developments eligible to receive low income housing tax credits.

**S.B. 1248 (Buckingham) – Manufactured Homes:** would: (1) prohibit a city from requiring “a change in the nonconforming use” of any portion of land within a manufactured home community if the nonconforming use of land is: (a) authorized by law; or is not authorized by law on September 1, 2017, but the city has taken no action to enforce the violation before September 1, 2017; and (b) at least 50% of the lots are occupied by a manufactured home as a residence; (2) define “a change in the nonconforming use” to include: (a) requiring the amount of land designated as a nonconforming use to be decreased; (b) imposing an expiration on the nonconforming use designation; (c) declaring the nonconforming use of the land to be abandoned; and (d) requiring an amortization period for the nonconforming use of the land; (3) authorize a manufactured home owner to install a new or used manufactured home on a lot in a manufactured home community under certain circumstances; and (4) prohibit a city from regulating a tract or parcel of land as a manufactured home community, park, or subdivision unless the tract or parcel contains at least four spaces offered for lease for installing and occupying manufactured homes. (Companion bill is **H.B. 1852 by Lucio**.)
S.B. 1385 (Campbell) – Pay-or-Waive: would provide that: (1) if the application of a provision of the Natural Resources Code, the Government Code, the Local Government Code, or the Water Code, or of a rule, policy, or ordinance adopted by a city pursuant to those codes, has the effect of requiring that more than 55 percent of the surface area of an owner’s private real property, other than areas designated by the Federal Emergency Management Agency as being in the 100-year floodplain, remain in a natural or undeveloped state, the statute, rule, policy, or ordinance may not be enforced with respect to the property unless the enforcing entity pays for a conservation easement or condemns the property using eminent domain; and (2) various exceptions from the bill apply, such as requirements under the federal Coastal Zone Management Act or state laws related to beach erosion or Texas Commission on Environmental Quality on-site sewage facility regulations. (Companion bill is H.B. 1135 by Workman.)

S.B. 1387 (Hinojosa) – State Enterprise Zones: would provide that a “new permanent job” or a “retained job” created or retained by a business in a state enterprise zone must be a full-time position and provide employment benefits, including health care benefits.

S.B. 1465 (L. Taylor) – Tax Increment Financing: would: (1) not later than January 31 of each odd-numbered year, require the board of directors of a tax increment reinvestment zone (TIRZ) to send to each member of the state legislature who is an ex officio member of the TIRZ’s board of directors written notice by certified mail informing the legislator of the person’s membership on the board; and (2) provide that a state legislator may elect not to serve on the TIRZ board or designate another individual to serve in the legislator’s place.

S.B. 1530 (Estes) – Payday Lending: would provide that a person subject to regulation by a finance agency and the person’s business activities subject to that regulation are subject only to applicable federal law and regulations and applicable state law, including rules adopted by the Texas Finance Commission. (Note: this bill would preempt all city payday lending ordinances.) (Companion bill is H.B. 3081 by Capriglione.)

S.B. 1661 (Bettencourt) – Strategic Partnership Agreements: would provide that the qualified voters of a special district any part of which is annexed for limited purposes under a strategic partnership are entitled to vote in municipal elections.

S.B. 1662 (Bettencourt) – Strategic Partnership Agreements: would provide that: (1) a strategic partnership agreement between a city and a special district providing for limited purpose annexation is not effective unless a majority of the voters in the district voting in an election approve the proposed agreement; and (2) a strategic partnership agreement that provides for limited-purpose annexation must be for a term not to exceed six years, with a new election required to continue the agreement after that period.

S.B. 1673 (Lucio) – Disaster Housing Recovery: would provide, among many other things, that a local government may develop and adopt a local housing recovery plan to provide for the rapid and efficient construction of permanent replacement housing following a natural disaster. The bill would impose numerous procedures on a local government that chooses to do so.
S.B. 1715 (Hall) – Construction Materials: would provide that corrugated stainless steel tubing in each residential dwelling or commercial structure constructed in this state must conform to the standards of the 2008 International Residential Code or to a version of that code that is adopted by ordinance of the largest city in the county in which the dwelling is located and that is at least as stringent as the 2008 version of that code.

S.B. 1765 (Garcia) – Tax Increment Financing: would: (1) provide that an ordinance or order designating a Tax Increment Reinvestment Zone (TIRZ) that is adopted on or after September 1, 2017, must provide that the TIRZ terminates not later than the 10th anniversary of the date on which the ordinance or order designating the TIRZ is adopted; (2) provide that the term of all or any portion of a TIRZ may not be extended beyond the 10th anniversary of the date on which the ordinance or order designating the zone is adopted, unless the extension is approved by the voters of the zone voting at an election held for that purpose; (3) provide that a TIRZ designated before September 1, 2017, with a term extending beyond ten years must terminate on the earlier of: (a) the termination date expressed in the ordinance or order designating the TIRZ; or (b) the date on which all project costs, tax increment bonds and interest on those bonds, and other obligations of the zone have been paid in full; (4) provide that if the owners of property constituting at least 50 percent of the appraised value of the property in an area petition the governing body of a city or county requesting the area to be designated as a TIRZ, the area must be unproductive, underdeveloped, or blighted; (5) provide that a member of a TIRZ board designated by a city with city council term limits is subject to the same term limits regarding the member’s service on the TIRZ board; (6) require a city that has designated a TIRZ to maintain an Internet website, including a web page with specific information on it that provides transparency to the residents of the city regarding each TIRZ designated by the city; and (7) prohibit a city from removing a document or item of information required to be posted under (6) from the transparency web page until the 10th anniversary of the date the applicable TIRZ is terminated.

S.B. 1832 (Buckingham) – Charitable Festival Permits: would: (1) authorize the holder of a temporary charitable festival permit to sell alcoholic beverages for consumption to raise money to support charitable works of the permit holder at a festival; and (2) allow the holder of a temporary charitable festival permit to conduct a festival event in any area where the sale of the type of alcoholic beverage to be sold and its consumption is authorized by a local option election.

S.B. 1838 (Hughes) – Charter Schools: would provide that: (1) a city shall consider an open-enrollment charter school a school district for purposes of zoning, permitting, code compliance, and development; and (2) an open-enrollment charter school is not required to pay municipal impact fees, unless the governing body of the charter school consents to the payment of the fees by entering a contract with the city that imposes the fees. (Note: Independent school districts are exempt from impact fees under current law.)

S.B. 1846 (Bettencourt) – Subdivision Regulations: would allow a replat without vacating a preceding plat in certain circumstances (this bill repeals a bracket which currently allows this particular replat only in a city with a population of 1.3 million or more).
S.B. 1855 (Uresti) – Defense Communities: would provide that a defense base development authority may participate as a member or partner of a limited liability company, a limited liability partnership, or other entity to finance a project designated as a redevelopment project.

S.B. 1863 (Lucio) – Municipal Management Districts: would impose various changes to the governance and operation of municipal management districts. (Companion bill is H.B. 1064 by Paul.)

S.B. 1980 (Schwertner) – Developer Participation Agreements: would provide that: (1) the amount of a bond for a developer participation agreement must be for the contract price for the improvements; (2) a city may not require the developer to include in the amount of the bond any other improvement related to the development that the developer did not contract with the municipality to construct; (3) a city and developer may agree that, instead of a performance bond, the developer may submit an irrevocable letter of credit in the amount required for the bond; (4) as part of the agreement, the city may not pay any amount to the developer, issue a building permit related to the development other than a permit necessary for the improvements that are subject of the contract, or approve a subdivision plat for the developer until: (a) the improvements are complete or in the final phase of construction if the improvements are constructed in phases; and (b) the developer has submitted to the city an affidavit stating that the developer has paid all costs associated with the construction.

S.B. 1983 (Miles) – Urban Agriculture: would establish the Texas Urban Agricultural Innovation Authority which could, among other things, make certain grants and loans to persons who own or lease real property for agricultural purposes in a city with a population of at least 500,000.

S.B. 1984 (Miles) – Urban Farming: would create: (1) an urban farming pilot program and authorize operation of the program in an area designated as an enterprise zone in a city with a population of 500,000 or more; and (2) the Select Committee on Urban Farming.

S.B. 2000 (Watson) – Major Events Reimbursement Program: would add an FIA Formula E automobile race to the list of events eligible for funding under the Major Events Reimbursement Program.

S.B. 2014 (Creighton) – Special Districts: would provide, among other things, that: (1) the Texas Commission on Environmental Quality may approve the creation of a special district that includes any portion of the land covered by the city’s consent to creation of the district; and (2) the legislature may create and may validate the creation of a district that includes any portion of the land covered by the city’s consent to the creation of the district. (Note: Cities that frequently have special districts created in their ETJ should carefully review this bill.)

S.B. 2047 (Bettencourt) – Municipal Management District: would impose various changes to the governance and operation of municipal management districts, including: (1) providing that a district created after September 1, 2017, may not include single-family detached residential property; (2) requiring a district that maintains an Internet website to post the district’s financial records on the website or provide a link on the website to another Internet website on which the
information is posted; (3) prohibiting a board from imposing an assessment on residential
property; (4) prohibiting a district from using the proceeds of a bond to finance an improvement
project or service outside the district; and (5) requiring written notice of a proposed bond issued
by a district to be mailed to: (a) the governing body of each city and county in which the district
is located; (b) each senator and member of the house of representatives who represents any part
of the territory of the county in which the district is located; and (c) each person who owns real
property in the district.

S.B. 2098 (Hall) – Excavating: would among other things, provide that a subcontractor who
performs an excavation operation may not begin the excavation unless the subcontractor has
complied with the state’s “call before you dig” statute, regardless of whether the general
contractor that hired the subcontractor has compiled with the requirements.

S.B. 2136 (Lucio) – Grant Program: would establish a matching grant program for community
development for a city or county that is a nonentitlement area under the community development
block grant program and in good standing with the Department of Agriculture and HUD.

S.J.R. 20 (Estes) – Sporting Goods Sales Tax: would amend the Texas Constitution to provide
that, for each state fiscal year, the net revenue received from the collection the sporting goods
sales tax that is automatically appropriated when received to the Parks and Wildlife Department
and the Texas Historical Commission and is allocated between those agencies as provided by
general law.

S.J.R. 33 (Huffines) – Home Schooling: would provide that an agency of the state government,
including the legislature, or a political subdivision or agency of a political subdivision of this
state may not regulate the educational program of a private school or home school in this state.

Personnel

H.B. 88 (Martinez) – Employment Law: would mandate that an employer that allows leave to
care for a sick child must allow the use of that time to care for a foster child who resides in the
same household of the employee and is under the conservatorship of the Department of Family
and Protective Services.

H.B. 158 (Dutton) – Peace Officers: would provide that an entire grand jury proceeding shall be
recorded if the person suspected or accused was employed as a peace officer at the time of the
offense and the offense of which the person is suspected or accused is alleged to have been
committed during the course and scope of the person’s duties as a peace officer. In addition the
bill would require that a copy of the recording or transcript shall be disclosed to the public if the
grand jury finds no bill of indictment.

H.B. 225 (Johnson of Dallas) – Employment Law: would provide that an employer, employment agency, and labor organization could not discriminate against a person because of
their sexual orientation or gender identity or expression.
H.B. 228 (S. Thompson) – Employment Discrimination: would: (1) extend the statute of limitations on pay discrimination claims to include every instance an individual is paid based on a past discriminatory decision made by an employer; and (2) allow back pay and benefit damages for up to two years preceding the date of filing a complaint for pay discrimination.

H.B. 285 (Alonzo) – Employment Law: would provide that the minimum wage is not less than the greater of $15.00 an hour or the current federal minimum wage.

H.B. 290 (E. Johnson) – Employment Discrimination: would: (1) prohibit an employer from including a question about wage history information on an employment application form, inquiring or considering an applicant’s wage history information, or obtaining wage history information from a previous employer (unless the information is public under the Public Information Act) until a written offer of employment is made; (2) provide that an employer commits an unlawful employment practice if the employer discriminates among employees on the basis of sex by paying wages to an employee at a rate less than that at which the employer pays wages to an employee of the opposite sex for the same or substantially similar work, unless the pay is made under a seniority or merit system, a system that measure earnings by production, or a differential based on a bona fide factor other than sex; (3) provide that an employer commits an unlawful employment practice if the employer retaliates against an employee as a result of the employee’s involvement in exercising his or her rights under this wage discrimination law; and (4) require an employer to post notice about this wage discrimination law and compile and maintain certain wage information for a period of at least three years.

H.B. 334 (Collier) – Credit History: would, among other things: (1) prohibit an employer from requiring an applicant or employee to submit a credit report or authorize access to a credit report or credit history as a condition of employment; (2) prohibit the discharge, discipline, discrimination against, or denial of employment or promotion on the basis of the credit report or because the employee or applicant refused to authorize access to the credit report; (3) provide administrative penalties for employers that commit violations concerning prohibited use of the credit information; (4) provide that the employee or applicant aggrieved by the violation of the prohibited use of the credit information may bring a civil action against the employer in district court in the county in which the alleged violations occurred or in which the alleged violator’s residence or principal place of business is located; (5) provide that the Texas Workforce Commission may bring a civil action to restrain an employer’s violations of prohibited use of credit information; and (6) exempt peace officers from the bill’s prohibitions.

H.B. 381 (Collier) – Workers’ Compensation: would waive a city’s immunity for workers’ compensation claims up to the liability limits in the Tort Claims Act.

H.B. 443 (Walle) – Personnel: would require a public employer, including a city, to provide a place, other than a bathroom (whether single or multiple user), for an employee to express breast milk.

H.B. 473 (Moody) – First Responders’ Workers’ Compensation: would apply to, among others, fire fighters and police officers in non-civil-service cities and would provide that: (1) an employer may not discharge, indefinitely suspend, or terminate them from employment based on
their inability to perform the duties for which they were elected, appointed, or employed because of an injury before the person is certified as having reached maximum medical improvement under workers’ compensation; (2) an employer who violates the prohibition in (1) is liable for reasonable damages incurred by the person as a result of the violation and is entitled to reinstatement in the former position of employment; and (3) sovereign immunity is waived for purposes of the bill.

**H.B. 475 (Reynolds) – Employment Law:*** would: (1) provide that the minimum wage is not less than the greater of $15.00 an hour or federal minimum wage under the Fair Labor Standard Act (FLSA); and (2) allow a municipal ordinance or charter provision governing wages in private employment, other than wages under a public contract, to apply to persons covered by the FLSA. (Companion bill is **H.B. 285** by Alonzo.)

**H.B. 548 (Deshotel) – Employment Law:** would provide that: (1) employers can only inquire about an applicant’s criminal history record information after the employer has determined that the applicant is otherwise qualified and has conditionally offered that applicant employment or has invited the applicant to an interview; (2) employers can only consider any criminal history record information regarding an offense that occurred or allegedly occurred more than seven years before the date of the employment decision; and (3) the bill does not apply to applicants where consideration of criminal history record information is required by law.

**H.B. 563 (Israel) – Whistleblower:** would expand the definition of “appropriate law enforcement authority” for purposes of whistleblower retaliation claims to include a supervisor, officer, or other manager of the governmental entity. (This bill is likely a reaction to a series of cases narrowly construing the term “appropriate law enforcement authority.”)

**H.B. 577 (Workman) – Criminal History Information:** would provide that a political subdivision may not adopt or enforce any ordinance or other local regulation that prohibits, limits, or otherwise regulates a private employer’s ability to request, consider, or take employment action based on the criminal history record information of an applicant or employee.

**H.B. 625 (J. Johnson) – Peace Officers:** would provide that: (1) every peace officer shall submit to a psychological examination once every 24 months; (2) the Texas Commission on Law Enforcement (TCOLE) shall promulgate rules that provide: (a) grounds for which a law enforcement agency may exempt a peace officer from the above requirement; and (b) procedures to ensure timely and accurate reporting by law enforcement agencies and persons licensed of the results of a psychological examinations; and (3) TCOLE shall suspend the license of a peace officer who fails to comply with the testing.

**H.B. 632 (Fallon) – Public Retirement Benefits:** would limit the amount of retirement benefits any member of a public retirement system, including the Texas Municipal Retirement System, may receive to an amount no larger than certain military salaries or certain federal deputy positions, regardless of the amount in the account or the years of service of the public official.

**H.B. 656 (Minjarez) – Employee Leave:** would entitle an employee who has been employed by an employer for at least one year to 30 days of leave to: (1) attend to the employee’s own health
condition; (2) care for certain family members; or (3) to spend time with a child after birth, adoption, or foster care placement.

**H.B. 718 (Wu) – Family Care Leave:** would provide that an employee who is employed for at least six months by an employer who employs 10 or more employees is eligible for paid family care leave for a period of eight weeks due to: (1) the birth of the employee’s child; or (2) the placement of the child with the employee in connection with the adoption or foster care of the child by the employee.

**H.B. 786 (VanDeaver) – Volunteer Emergency Responders:** would: (1) provide that a city that employs 20 or more employees may not terminate or suspend the employment of, or in any other manner discriminate against, an employee who is a volunteer emergency responder and who is absent from or late to the employee’s employment because the employee is responding to an emergency in the employee’s capacity as a volunteer emergency responder; (2) prohibit an employee who is a volunteer emergency responder from being absent from the employee’s employment for more than 14 days in a calendar year unless the employee’s absence is approved by the employer; (3) require an employee described in (1) to make a reasonable effort to notify the employer that the employee may be absent or late, and if the employee is unable to provide the notice due to the extreme circumstances of the emergency or inability to contact the employer, require the employee to submit to the employer, on the employer’s request, a written verification of participation in an emergency activity that contains certain information; (4) authorize a city described in (1) to reduce the wages otherwise owed to the employee for any pay period because the employee took time off responding to an emergency or, in lieu of reducing an employee’s wages, require the employee to use existing vacation leave time, personal leave time, or compensatory leave time for the absence, except as otherwise provided by a collective bargaining agreement; (5) provide that an employee whose employment is suspended or terminated in violation of (1) is entitled to: (a) reinstatement to the employee’s former position or a comparable position; (b) lost wages; and (c) reinstatement of any fringe benefits and seniority rights; and (6) provide that an employee whose employer violates (1) may bring a civil action against the employer to enforce the employee’s rights.

**H.B. 827 (Blanco) – Veterans:** would require the Texas Workforce Commission to develop and maintain a web-based, searchable database: (1) that converts a veteran’s military service experience into approximate equivalent civilian experience and skills; and (2) through which prospective employers may qualify a veteran’s military service experience and employment qualifications related to specific skills.

**H.B. 873 (Pickett) – Peace Officers:** would provide that an establishment serving the public, such as a restaurant or hotel, may not prohibit or otherwise restrict a peace officer or special investigator from carrying on the establishment’s premises a weapon that the peace officer or special investigator is otherwise authorized to carry, regardless of whether the peace officer or special investigator is engaged in the actual discharge of the officer’s or investigator's duties while carrying the weapon.

**H.B. 982 (Wray) – Licensed Carry:** would provide that: (1) a political subdivision that employs or supervises a first responder (defined as a public safety employee or volunteer whose duties
include responding rapidly to an emergency) may not prohibit a first responder who holds a
license to carry a handgun from carrying a handgun in the actual discharge of the first
responder’s duties; and (2) a first responder who is in the discharge of official duties can carry in
many places that other license holders may not.

H.B. 1009 (Alonzo) – Wildland Firefighting: would: (1) prohibit a city employee in a civil
service city from performing a duty classified as a wildland firefighting duty, including a
prescribed burn, unless that person is a permanent, full-time fire department civil service
employee regularly assigned to perform certain fire protection personnel duties, regardless of
whether the person holds a certificate issued by the Texas Commission on Fire Protection
(commission); (2) except from the prohibition in (1) an employee who is acting as a member of
a volunteer fire department and not a city employee while performing a wildland firefighting
duty; and (3) require the commission to adopt rules to implement (1) and (2).

H.B. 1304 (Longoria) – Employment Classification: would allow the Texas Workforce
Commission to assess a penalty against a person, which would include a city, not to exceed $200
for each individual that has not been properly classified as an employee or independent
contractor in accordance with Chapter 201 of the Labor Code. (Companion bill is S.B. 592 by
Lucio.)

H.B. 1337 (Leach) – Licensed Carry: would provide that a political subdivision that employs
a firefighter may not prohibit a firefighter who holds a license to carry a handgun from carrying
or storing a handgun at the fire station to which the firefighter is assigned during the firefighter’s
duty hours.

H.B. 1344 (Cain) – Immigration/Whistleblower: would, in relation to the Texas
Whistleblower Statute, provide that a state or local governmental entity may not suspend or
terminate the employment of, or take other adverse personnel action against, a public employee
who in good faith reports to an appropriate law enforcement authority the existence of a policy of
the employing governmental entity that prohibits or discourages the enforcement of state or
federal immigration law.

H.B. 1453 (G. Bonnen) – E-verify: would: (1) require state contractors to participate in the
federal electronic verification of employment authorization program (E-verify); (2) prohibit an
employer from knowingly employing a person not lawfully present in the United States; (3)
create a Texas Workforce Commission complaint and license suspension process, including for
city licenses, for employers who violate (2); and (4) require political subdivisions, including
cities, to register and participate in the E-verify program for all new employees.

H.B. 1477 (Walle) – Workers’ Compensation: would: (1) require construction contractors and
subcontractors to provide workers’ compensation insurance coverage for each of their
employees; (2) require a contractor to provide certification of coverage of its and any
subcontractor’s employees to the governmental entity; and (3) provide that, if the contractor
enters into a contract with a governmental entity for a public project, the coverage must be
satisfactory to the governing body of the governmental entity.
H.B. 1502 (Murphy) – Local Retirement Systems: would, among other things, provide that certain city-specific retirement plans that were created under a state statute, but are not a part of a statewide public retirement system, may adopt by ordinance or resolution provisions that prospectively supplement or supersede the operative provisions of the public retirement system. The affected systems are as follows: (1) the City of Austin Employees’ Retirement System; (2) the Austin Fire Fighters Relief and Retirement Fund; (3) the Austin Police Retirement System; (4) the Dallas Police and Fire Pension System; (5) the El Paso Firemen and Policemen’s Pension; (6) the Fort Worth Employees’ Retirement Fund; (7) the Galveston Employees’ Retirement Plan for Police; (8) the Houston Firefighters’ Relief and Retirement Fund; (9) the Houston Municipal Employees Pension System; (10) the Houston Police Officers’ Pension System; and (11) the San Antonio Fire and Police Pension Fund.

H.B. 1534 (Farrar) – Employment Classification: would: (1) provide, with certain exceptions, that a person commits a discriminatory practice in violation of law if the person, because of sexual orientation or gender identity or expression of an individual, denies the individual full and equal accommodation in a place of public accommodation or otherwise discriminates against or segregates the individual based on sexual orientation or gender identity or expression; (2) authorize a person aggrieved because of a violation of law described in (1), above, to file a civil action in district court; and (3) add sexual orientation and gender identity or expression as a protected class in existing state anti-discrimination provisions. (Companion bill is S.B. 165 by Rodriguez.)

H.B. 1688 (Burrows) – Law Enforcement Liaison: would require a city employer to notify police officers of the law enforcement liaison designated by the Injured Employee Public Counsel to assist injured law enforcement officers during the workers’ compensation administrative dispute resolution process.

H.B. 1689 (Burrows) – Workers’ Compensation: would provide that: (1) a political subdivision that self-insures either individually or collectively and the State Office of Risk Management are liable for sanctions, administrative penalties, and other remedies authorized under the Texas Workers’ Compensation Act; and (2) the bill waives immunity only to the extent provided in the Texas Tort Claims Act.

H.B. 1794 (Bell) – Mental Health: would create a work group on mental health access for first responders and include in the work group: (1) one representative of a volunteer fire department, (2) one representative of a paid fire department, (3) two representatives of paid police departments, and (4) one municipal government representative.

H.B. 1801 (Blanco) – Employment Discrimination: would prohibit employment discrimination on the basis of an individual’s status as a military service member or military veteran and, among other things, allow a city to create a local commission to secure for individuals in the city freedom from discrimination on the basis of the individual’s status as a military service member or military veteran. (Companion bill is S.B. 472 by Lucio.)

H.B. 1922 (E. Rodriguez) – Survivor’s Benefits: would provide, in regard to certain claims and benefits or compensation by survivors of fire fighters, that: (1) the opinion of the
individual’s employer on whether the individual’s death resulted from a personal injury sustained in the line of duty may not be considered; (2) any reasonable doubt arising from the circumstances of the individual’s death shall be resolved in favor of payment when the person died as a result of an illness sustained in the line of duty and any scientific evidence is presented that establishes: (a) the incidence rate for the illness is significantly higher among persons performing the same job; or (b) a causal link between the illness and a hazardous condition encountered in the individual’s job; and (3) deference shall be given to the medical opinion of a treating physician in favor of payment when there is any reasonable doubt regarding the circumstances of the individual’s death as a result of a newly discovered or rare illness sustained in the line of duty.

**H.B. 1925 (E. Rodriguez) – Employer Retaliation**: would: (1) prohibit an employer from suspending or terminating an employee who in good faith seeks to recover wages owed to the employee; and (2) provide for damages for a violation in an amount equal to the greater of $1,000 or the amount of the wages owed to the employee.

**H.B. 1958 (Springer) – Volunteer Firefighters**: would provide that a state agency may not require a volunteer firefighter or an industrial emergency response team member to obtain a license or certification in order to be a volunteer firefighter or an industrial emergency response team member, but may require them to possess certain credentials, as determined by the agency, to participate in disaster response or deployment requested by the Texas A&M Forest Services, Department of Public Safety or Texas Division of Emergency Management.

**H.B. 1973 (Blanco) – Veterans**: would require the Texas Workforce Commission (commission) to establish a program to expedite the entry of veterans and military service members into the workforce and, among other things, authorize the commission to award grants to local entities that perform related activities.

**H.B. 1981 (E. Johnson): Criminal History Record Information**: would provide, among other things, that:

1. A state agency or local government may not include a question regarding an applicant’s criminal history record information (CHRI) on an initial employment application form;
2. A state agency or local government may inquire into or consider an applicant’s CHRI after the state agency or local government has determined that the applicant is otherwise qualified and has conditionally offered the applicant employment;
3. A state agency or local government may not disqualify an applicant from employment because of a prior criminal conviction unless: (a) the criminal conviction directly related to the employment position; or (b) other law prohibit the applicant from employment because of the type of criminal conviction;
4. A state agency or local government may not consider CHRI or disqualify an applicant based on: (a) an arrest that is not followed by an indictment; (b) a conviction that has been sealed, dismissed, or expunged; or (c) a Class C misdemeanor or other misdemeanor punishable by fine only;
5. if a state agency or local government decides to deny employment to an applicant because of CHRI, the state agency and local government shall provide a notice of intent
to deny employment that must: (a) identify the criminal conviction that is the basis for the potential denial or disqualification; (b) provide a copy of the applicant’s CHRI; and (c) provide examples of evidence to mitigate or rehabilitate the applicant;

6. the applicant has 10 days after receiving the notice of intent to deny employment to provide evidence to mitigate or rehabilitate himself for the position;

7. after considering the mitigating or rehabilitating evidence provided by the applicant, the state agency or local government that denies employment shall notify the applicant in writing and include: (a) final denial or disqualification; (b) appeals process established by the Texas Workforce Commission (TWC); (c) potential eligibility for other employment; and (d) the earliest date on which the applicant may reapply for employment;

8. when hiring a contractor, the state agency or local government shall require: (a) the contractor to certify in writing that the contractor’s consideration of CHRI in hiring satisfies the requirement of the bill, (b) review the contractor’s policies for consideration of CHRI for consistency with the requirements of the chapter and (c) use the contractor’s policy in CHRI in hiring as criteria to award the contract;

9. an applicant aggrieved by a state agency or local government because of a violation of the bill may file a compliant with TWC;

10. TWC shall conduct periodic review of state agencies and local governments to assess compliance and report quarterly on complaints, investigations, and reviews; and

11. the bill does not apply to applicants for positions that involve provisions of service to or care of children, direct interaction with children, or for which CHRI is required by law.

H.B. 1983 (Wray) – Workers’ Compensation: would provide that post-traumatic stress disorder suffered by a firefighter or peace officer is a compensable workers compensation eligible injury if: (1) the disorder is caused by events occurring in the course and scope of the firefighter or peace officer’s employment; and (2) the preponderance of the evidence indicates that the firefighter or peace officer’s work was a substantial contributing factor of the disorder.

H.B. 2054 (Oliveira) – Workers’ Compensation: would provide that death benefits paid under the workers’ compensation system be adjusted each calendar year to equal the percentage increase, if any, in the Consumer Price Index for Urban Wage Earners and Clerical Workers.

H.B. 2055 (Oliveira) – Workers’ Compensation: would provide that an eligible spouse is entitled to receive workers’ compensation death benefits for life, regardless of whether the spouse remarries.

H.B. 2057 (Oliveira) – Workers’ Compensation: would provide that a political subdivision that self-insures either individually or collectively is liable for attorney’s fees under the Workers’ Compensation Act and governmental immunity is waived for that purpose. (Companion bill is S.B. 877 by Hancock.)

H.B. 2061 (Oliveira) – Workers’ Compensation: would, in relation to workers’ compensation cases, require: (1) a party seeking judicial review to provide a copy of the petition to the workers’ compensation division simultaneously with filing the petition with the court and serving the opposing party, and provide that a party is prohibited from seeking judicial review if they fail to provide the division a copy of the petition; and (2) a party who initiates a workers’
compensation case to file any proposed agreed judgment with the division, and require that the terms of any proposed settlement or proposed agreed judgment be fully described to the division either in the proposal or a separate document. (Companion bill is S.B. 876 by Hancock.)

H.B. 2082 (Burrows) – Workers’ Compensation: would require: (1) the Office of Inured Employee Counsel (office) to designate an employee to act as a first responder liaison to assist injured first responders during a workers’ compensation administrative dispute resolution process; and (2) an employer that employs first responders or supervises volunteer first responders to notify them of the liaison described in (1) in the manner prescribed by the office.

H.B. 2119 (Kacal) – Death Benefits: would provide that eligibility for lifetime death benefits for the remarried spouse of a first responder killed in the line of duty applies regardless of the date on which the death of the first responder occurred or the spouse remarried.

H.B. 2350 (Muñoz, Jr.) – Health Care Benefits: would prohibit the provision of health care benefits by entities such as insurers and health maintenance organizations through provider networks, preferred providers, or similar arrangements.

H.B. 2486 (Stucky) – Military Service: would provide that an employee of the state, a city, a county, or another political subdivision who is a member of the Texas military forces, a reserve component of the armed forces, or a member of a state or federally authorized urban search and rescue team who is ordered to duty by proper authority is entitled, when relieved from duty, to be restored to the position that the employee held when ordered to duty.

H.B. 2510 (Longoria) – Wage Claims: would: (1) prohibit an employer from suspending or terminating the employment of, or in any other manner disciplining, discriminating against, or retaliating against an employee who in good faith seeks to recover wages owed to the employee by filing a wage claim; and (2) authorize a person who has reason to believe an employer has violated the prohibition in (1) to file a complaint with the Texas Workforce Commission, and if it is determined that an employer violated the prohibition, the employer must be ordered to pay to the employee damages in an amount equal to the greater of: (a) $1,000; or (b) the amount of wages ordered to paid in the underlying wage claim, if the payment of wages is ordered in the underlying wage claim.

H.B. 2587 (Alonzo) – Union Representation: would provide that: (1) a public employee may request to have representation from any labor organization for which the employee is eligible for membership by virtue of their employment if the public employee is in an investigatory interview the employee thinks will lead to disciplinary action; (2) a public employer shall either: (a) grant the request and delay the interview until representation arrives and has had an opportunity to consult privately with the employee; (b) deny the request and end the interview; or (c) offer the employee the choice of continuing the interview unrepresented or accepting any disciplinary action determined by the employer without an interview; (3) a public employer that allows a public employee to obtain representation must provide the employee a reasonable amount of time to obtain representation; (4) a public employee is not entitled to representation in: (a) interviews to improve an employee’s work techniques; (b) interviews that are not for disciplinary purposes; (c) interviews to inform the employee of the employer’s decision of final
disciplinary action; or (d) conversations initiated by the employee about previously determined disciplinary action; and (5) a public employer is not required to inform the public employee of the employee’s right to representation. (Companion bill is S.B. 369 by Garcia.)

H.B. 2619 (Giddings) – Police Officers: would provide that the criminal justice division of the governor’s office: (1) shall establish and administer a grant program through which a law enforcement agency may apply for a grant to implement practices designed to maintain the mental health of peace officers employed by the law enforcement agency; and (2) shall evaluate and compare the practices implemented by each law enforcement agency that receives this grant to determine the most successful practices for maintaining the mental health of peace officers.

H.B. 2672 (Collier) – Fire and Police Collective Bargaining: would provide that: (1) the policy of this state is that a political subdivision shall provide its fire fighters and police officers with compensation and other conditions of employment that are substantially equal to compensation and other conditions of employment that prevail in comparable fire and police departments; (2) judicial enforcement is no longer a remedy for failure to agree on wages and working conditions; and (3) a public employer and an association that is a bargaining agent shall submit to binding interest arbitration if the parties reach an impasse in collective bargaining or are unable to settle after the 61st day after the date the appropriate lawmaking body fails to approve a contract reached through collective bargaining.

H.B. 2750 (Hinojosa) – Public Service Loan Forgiveness: would require a city employer to provide written notice of the ability of eligible employees to participate in the Public Service Loan Forgiveness Program within five days of an employee beginning employment with the city. (Companion bill is S.B. 1060 by West.)

H.B. 2787 (White) – Discrimination: would prohibit employment discrimination based on an individual’s political beliefs and provide, among other things, that: (1) it is an unlawful employment practice for a person elected to public office to discriminate because of political beliefs against an individual who is an employee or applicant for employment to serve on the official’s staff, serve on a policy-making level, or serve the elected official as an immediate advisor in regard to constitutional or legal powers of the office; and (2) a political subdivision or two or more political subdivisions acting jointly may create a local commission to secure freedom from employment discrimination, including discrimination based on political beliefs.

H.B. 3015 (T. King) – Vacation Leave Time Account: would provide that: (1) a city shall establish and maintain a vacation leave time account for each firefighter employee organization (FEO); (2) firefighters who are members of an FEO may donate any amount of accumulated vacation time to the vacation leave time account; (3) a firefighter that wishes to donate to the vacation leave time account must authorize the donation in writing on a form provided by the FEO and approved by the city; (4) only a firefighter who is a member of the FEO may use the vacation time donated and may use the time without receiving a reduction in salary and without reimbursing the city; (5) a request to use the vacation time in the FEO’s account must be in writing and be submitted to the city by the president or the equivalent officer of the FEO or by that officer’s designee; and (6) the city shall account for the time donated to each account and
used from each account and shall credit and debit the applicable account on an hour-for-hour basis, regardless of the cash value of the time donated or used.

H.B. 3041 (Blanco) – Nonexempt Employees: would, in cities that employ more than 25 employees, require unpaid time off for nonexempt employees to participate in certain academic, extracurricular, and developmental activities of the employee’s child.

H.B. 3193 (Alvarado) – Police/Fire Collective Bargaining: would provide that a political subdivision shall provide its fire fighters and police officers with compensation and other conditions of employment that are substantially equal to compensation and other conditions of employment that prevail in comparable fire and police departments.

H.B. 3391 (Geren) – Public Safety Employees: would allow the commissioners court of a county to establish a public safety employee’s treatment program for public safety employees charged with any misdemeanor or felony.

H.B. 3477 (Neave) – Child Abuse or Neglect: would: (1) prohibit an employer from taking any adverse employment action against a “professional” who in good faith reports child abuse or neglect (current law defines the term “professional” to mean an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children – the term includes teachers, nurses, doctors, daycare employees, employees of a clinic or health care facility that provides reproductive services, juvenile probation officers, and juvenile detention or correctional officers); and (2) allow a professional to sue for injunctive relief, damages, or both for a violation of the prohibition in (1).

H.B. 3792 (Fallon) – Immigration: would: (1) prohibit an employer (the term excludes a governmental entity) from knowingly employing a person not lawfully present in the United States and provide for, as a penalty for certain violations, the suspension of the employer’s licenses; (2) require a city (as licensing authority) to comply with a final order received from the Texas Workforce Commission (commission) to suspend an employer’s license; and (3) provide that the city in carrying out the commission order: (a) may send notice to the license holder or others concerned with the license; (b) does not have to refund any fee or deposit paid; (c) is exempt from liability to the license holder for any act authorized under the bill; (d) is prohibited from issuing or renewing any other license to the employer during the suspension period; and (e) may charge a fee to the licensee in an amount sufficient to recover administrative costs.

H.B. 3899 (Neave) – Rest Breaks: would provide: (1) that a governmental entity contracting with a contractor shall require the contractor and any subcontractor to provide at least a 10-minute paid rest break within every four-hour period of work to each employee performing work under the contract; and (2) for procedures and mandatory contractual provisions to implement the bill.

H.B. 3929 (Lucio) – Disabilities: would, among other things: (1) provide that an individual with a disability who qualifies for an employment preference (i.e., the person is eligible to receive supported employment service from the Texas Workforce Commission or through the Medicaid
waiver program) is entitled to a preference in employment with a state agency or political subdivision over other applicants for the same position who do not have a greater qualification; (2) authorize a state agency or political subdivision to designate an open position for employment as a “vocational rehabilitation services position” and only accept applications for that position from individuals who are entitled to an employment preference; (3) authorize a state agency or political subdivision to hire for an open position an individual who is entitled to an employment preference without announcing or advertising the position if certain requirements are met; and (4) authorize an individual entitled to an employment preference who is aggrieved by a decision of a state agency or political subdivision in regard to hiring or retaining the individual to appeal the decision by filing a written complaint with the administrative head of the agency or political subdivision, who must respond not later than the 15th business day after receiving the complaint. (Companion bill is S.B. 1111 by Rodriguez.)

S.B. 13 (Huffman) – Union Dues/Payroll Deductions: would provide that: (1) the state or a political subdivision of the state may not deduct or withhold, or contract to deduct or withhold, from an employee’s salary or wages payment of dues or membership fees to a labor organization or other similar entity, including a trade union, labor union, employees’ association, or professional organization; (2) item (1) does not affect the ability of the state or a political subdivision of the state to deduct or withhold from an employee’s salary or wages an amount for donation to a charitable organization determined to be eligible for participation in the state employee charitable campaign; (3) a city over 10,000 population is authorized to utilize payroll deductions for a member of the city’s police department (so long as the department is not subject to a collective bargaining or meet and confer agreement) and fire/emergency services departments; and (4) a meet and confer agreement may not contain a provision deducting or withholding payment of dues, fees, or contributions to a labor organization or other similar entity, including a trade union, labor union, employees’ association, or professional organization in violation of the bill.

S.B. 85 (Hall) – Verification of Employment: would: (1) require any entity (including a city) that contracts with the state for goods or services or receives a grant from a state agency to enroll in E-Verify or otherwise verify the employment authorization status of all new employees; and (2) require a city that issues or renews a license (i.e., acts as a licensing authority) to suspend the license upon receipt of a final order from the Texas Workforce Commission that the licensee knowingly employed persons not lawfully present in the state.

S.B. 191 (Garcia) – Mandated Leave: would provide that a non-exempt employee who works for an employer with more than 25 employees at a single location, including a city, is entitled to certain leave to participate in academic, disciplinary, and other activities of a child or grandchild.

S.B. 223 (Menendez) – Employment Compensation: would expand the remedies available for discrimination in payment of compensation.

S.B. 229 (Menendez) – Employment Law: would provide that: (1) an employer shall pay to each employee not less than the greater of $10.10 an hour or the current federal minimum wage; and (2) repeal the prohibition against a city adopting a higher minimum wage for persons living within the city. (See S.J.R. 22, below.)
S.B. 279 (Zaffirini) – Expression of Breast Milk: would require a public employer that constructs or renovates any public building to ensure that the building includes a publicly accessible place, other than a bathroom, where a member of the public can express breast milk.

S.B. 283 (Watson) – Employment Discrimination: would expand the offense of unlawfully prohibiting an employee from voting to include: (1) refusing to allow an employee to be absent to vote during early voting; or (2) threatening to subject the employee to a penalty for attending the polls to vote while early voting is in progress.

S.B. 285 (Watson) – Employee Leave: would: (1) require an employer to give an employee paid time off to obtain an election identification certificate if: (a) the person does not have a form of identification necessary to vote; and (b) the person is a registered voter in this state or is eligible for registration; (2) require an employee entitled to time off under (1) to, not later than 24 hours before the time the employee will be absent from work, notify the employee’s employer that the employee will take the time off; (3) provide that an employer may not require an employee to use existing vacation leave time, personal leave time, or compensatory leave time for the purpose of an absence from work to obtain an election identification certificate; (4) provide that the use of leave time to obtain an election identification certificate may not be restricted by a term or condition adopted under a collective bargaining agreement entered into on or after September 1, 2017; (5) prohibit an employer from reducing the pay otherwise owed to an employee for any pay period lasting eight hours or less because the employee took time off during that pay period for the purpose of an absence from work to obtain an election identification certificate; (6) upon returning to work, require an employee to provide reasonable documentation to the employer on the employer’s request regarding the employee’s absence from work to obtain an election identification certificate; (7) create a cause of action for retaliation for an employee who is suspended or terminated for taking time off to obtain an election identification certificate; and (8) require an employer to post a conspicuous sign, designed by the Texas Workforce Commission, in the employer’s workplace regarding employees’ right to time off from work to obtain an election identification certificate.

S.B. 369 (Garcia) – Union Representation: would provide that: (1) a public employee can request to have representation from any labor organization for which the employee is eligible for membership by virtue of their employment if the public employee is in an investigatory interview the employee thinks will lead to disciplinary action; (2) a public employer shall either: (a) grant the request and delay the interview until representation arrives and has had an opportunity to consult privately with the employee; (b) deny the request and end the interview; or (c) offer the employee the choice of continuing the interview unrepresented or accepting any disciplinary action determined by the employer without an interview; (3) a public employer that allows a public employee to obtain representation must provide the employee a reasonable amount of time to obtain representation; (4) a public employee is not entitled to representation in: (a) interviews to improve an employee’s work techniques; (b) interviews that are not for disciplinary purposes; (c) interviews to inform employee of the employer’s decision of final disciplinary action; or (d) conversations initiated by the employee about previously determined disciplinary action; and (5) a public employer is not required to inform the public employee of the employee’s right to representation.
S.B. 472 (Lucio) – Employment Discrimination: would make it an unlawful employment discrimination practice to discriminate against an individual based on the individual’s status as a military service member or military veteran and, among other things, allow a city to create a local commission to secure for individuals in the city freedom from discrimination on the basis of the individual’s status as a military service member or military veteran.

S.B. 473 (Rodriguez) – Rest Breaks: would provide that: (1) a “construction employer,” which might include a city, shall provide at least a 15-minute paid rest break for every four hours of work to each construction employee; (2) each construction employer shall, at the time of hiring, provide notice in both English and Spanish to each construction employee notice by a poster in English and Spanish of the employee’s entitlement to paid rest breaks; and (3) provide a grievance procedure for a construction employer through the Texas Workforce Commission.

S.B. 476 (Rodriguez) – Wage Claims and Retaliation: would: (1) prohibit an employer from suspending or terminating the employment of or in other manner disciplining, discriminating against, or retaliating against an employee who in good faith seeks to recover wages owed to the employee by: (a) filing a complaint with a governmental entity; (b) seeking or accepting assistance from a nonprofit, an employee rights organization, or an attorney; (c) exercising or attempting to exercise a right granted by a contract, local ordinance, or federal or state law; or (d) filing a wage claim with the Texas Workforce Commission (commission); (2) authorize an employee who is the subject of an adverse employment action prohibited in (1) to bring suit against an employer and potentially recover certain damages, court costs, and attorney fees in addition to reinstatement; (3) provide that the commission handle complaints under (1) in the same manner as wage claims; (4) provide that wage claims be filed not later than the second anniversary of (rather than 180th day after) the date the wages claims became due; (5) require (rather than allow) the commission to assess an administrative penalty against an employer who acts in bad faith in not paying wages; and (6) provide that an employer’s failure to comply with the recordkeeping requirements of the Fair Labor Standards Act or requirement to provide an earnings statement creates a rebuttable presumption that the employee’s hours worked, pay rate, and earnings are equal to the amounts provided in the employee’s testimony or records presented at the hearing.

S.B. 483 (Miles) – Police Officer Complaints: would, for purpose of the state’s civil service, collective bargaining, and written complaint laws, require that: (1) a complaint filed against a police officer alleging conduct by the police officer constituting official oppression must be retained by the employing department of the political subdivision for at least five years after the police officer’s employment with the political subdivision ends; and (2) the complaint generally cannot be withheld pursuant to a discretionary exception under the Public Information Act.

S.B. 592 (Lucio) – Unemployment Compensation: would provide that: (1) an individual performing a service for wages or under an express or implied contract of hire is presumed to be an employee of the person for whom the service is performed; (2) the presumption in (1) may be rebutted if the person for whom the service is performed shows to the satisfaction of the Texas Workforce Commission (TWC) that the individual’s performance of the service has been and will continue to be free from control or direction under the contract; (3) a person shall properly
classify, as an employee or independent contractor in accordance with the Unemployment Compensation Act, any individual the person directly retains and compensates for the performance of a service; (4) the TWC may assess a penalty against a person who fails to classify an individual mentioned in (3) in an amount not to exceed $200 for each individual that the person has not properly classified. (Companion bill is H.B. 1304 by Longoria.)

S.B. 783 (Hinojosa) – Civil Service Personnel Files: would: (1) provide that a police department in a civil service city may maintain a personnel file (often referred to as the “(g) file”) on a police officer employed by the department for the department’s use, and the information contained in the file is subject to disclosure unless the information is made confidential under the Public Information Act or other law; and (2) provide in a civil service city of 1.5 million or more: (a) that the police department head or his designee must forward a disciplinary action against a police officer for inclusion in the civil service personnel file (not the “(g) file”); (b) that a police officer may obtain access to any personnel file maintained by the director or department; (c) a police officer may obtain access to information subject to disclosure under the Public Information Act contained in a file maintained by an internal affairs division or other similar internal investigative division; and (d) that the department shall include a record of a supervisory intervention procedure or a policy and procedure inquiry regarding a police officer in both the civil service personnel file and the file described in (1).

S.B. 876 (Hancock) – Workers’ Compensation: this bill is the same as H.B. 2061, above.

S.B. 877 (Hancock) – Workers Compensation: this bill is the same as H.B. 2057, above.

S.B. 1036 (Perry) – Workers’ Compensation: would: (1) require the Office of Injured Employee Counsel (office) to designate an employee to act as a first responder liaison to assist injured first responders during a workers’ compensation administrative dispute resolution process; and (2) require an employer that employs first responders or supervises volunteer first responders to notify them of the liaison described in (1) in the manner prescribed by the office. (Companion bill is H.B. 2082 by Burrows.)

S.B. 1060 (West) – Public Service Loan Forgiveness: would require a city employer to provide written notice of the ability of eligible employees to participate in the Public Service Loan Forgiveness Program within five days of an employee beginning employment with the city.

S.B. 1111 (Rodriguez) – Disabilities: would, among other things: (1) provide that an individual with a disability who qualifies for an employment preference (i.e., the person is eligible to receive supported employment service from the Texas Workforce Commission or through the Medicaid waiver program) is entitled to a preference in employment with a state agency or political subdivision over other applicants for the same position who do not have a greater qualification; (2) authorize a state agency or political subdivision to designate an open position for employment as a vocational rehabilitation services position and only accept applications for that position from individuals who are entitled to an employment preference; (3) authorize a state agency or political subdivision to hire for an open position an individual who is entitled to an employment preference without announcing or advertising the position if certain requirements are met; and (4) authorize an individual entitled to an employment preference who is aggrieved by a decision of a state agency or political subdivision in regard to hiring or retaining the
individual to appeal the decision by filing a written complaint with the administrative head of the agency or political subdivision, who must respond not later than the 15th business day after receiving the complaint.

**S.B. 1140 (Zaffirini) – Sexual Harassment:** would: (1) define “employer” to mean a person who employs an employee or acts directly or indirectly in the interest of an employer in relation to an employee; (2) amend the definition of “sexual harassment” to mean an unwelcome sexual advance, a request for a sexual favor, or any other conduct of a sexual nature if made as a term or condition of an individual’s employment or used as the basis for a decision affecting the individual’s employment; and (3) provide that sexual harassment of an employee is an unlawful employment practice.

**S.B. 1160 (Garcia) – Wage Discrimination:** would: (1) prohibit an employer from inquiring into, considering, or obtaining an applicant’s wage history unless available under the Public Information Act; (2) notwithstanding (1), allow an applicant to provide an employer written authorization to obtain information about wage history after the employer has made a written offer of employment; (3) provide that an employer commits an unlawful employment practice if the employer discriminates among employees on the basis of sex in paying compensation or engages in certain other prohibited acts; (4) require employers to post notice setting forth certain information about sex discrimination in compensation; (5) establish a complaint and enforcement process at the Texas Workforce Commission regarding sex discrimination in compensation; and (6) create a task force on wage disparity.

**S.B. 1262 (Huffman) – Criminal History Information:** would provide that a political subdivision may not adopt or enforce any ordinance or other local regulation that prohibits, limits, or otherwise regulates a private employer’s ability to request, consider, or take employment action based on the criminal history record information of an applicant or employee. (Companion bill is H.B. 577 by Workman.)

**S.B. 1638 (Watson) – Immunity Waiver:** would provide that a political subdivision’s governmental immunity to suit and from liability is waived and abolished for a claim based on a dispute under an employment benefit, including health benefit plan coverage, provided to an employee of the political subdivision if the employee is unable to sue another party for the same claim.

**S.B. 1722 (Whitmire) – Workers’ Compensation:** would provide that post-traumatic stress disorder suffered by a firefighter or peace officer is a compensable workers compensation eligible injury if: (1) the disorder is caused by events occurring in the course and scope of the firefighter or peace officer’s employment; and (2) the preponderance of the evidence indicates that the firefighter or peace officer’s work was a substantial contributing factor of the disorder. (Companion bill is H.B. 1983 by Wray.)

**S.B. 1752 (Bettencourt) – Defined Contribution Retirement Plans:** would: (1) require a city to hold an election to authorize a defined contribution plan for new employees on receipt of a petition signed by at least 10 percent of the number of voters who voted in the most recent
municipal election: (2) require the election to be held on the next scheduled general election for municipal officials, and (3) establish minimum requirements for a defined benefit plan.

S.B. 1772 (Miles) – Employee Leave: would: (1) provide that an employee is entitled to at least two consecutive hours of time off to vote in an election held on a uniform election date or a primary election; (2) require an employee entitled to time off under (1) to, not later than 24 hours before the time the employee will be absent from work, notify the employee’s employer that the employee will take the time off; (3) provide that an employer may not require an employee to use existing vacation leave time, personal leave time, or compensatory leave time for the purpose of an absence from work under (1), except as otherwise provided by a collective bargaining agreement entered into before September 1, 2017; (4) provide that the use of leave time to take time off under (1) may not be restricted by a term or condition adopted under a collective bargaining agreement entered into on or after September 1, 2017; (5) provide that leave time provided under (1) may be paid or unpaid; (6) require each employer to inform its employees of their rights by posting a conspicuous sign prescribed by the Texas Workforce Commission in a prominent location in the employer’s workplace; and (7) provide that an offense related to employee leave to vote is a Class B misdemeanor.

S.B. 1793 (Menendez) – Chapter 614 Complaints: would: (1) require that a complaint against a police officer or firefighter, in order to be considered by the head of a law enforcement agency or head of a fire department, must be in writing, signed by the complainant, and filed with the head of the agency, or that person’s designee; (2) provide that any person (including an officer or firefighter or employee of the agency) may file a complaint described in (1); (3) provide that a copy of a signed complaint described in (1) must be given to the officer or employee within a reasonable time after the complaint is filed and before the complaint is investigated; (4) prohibit disciplinary action against an officer or employee unless a signed complaint against the officer or employee is filed and a copy of the complaint is given to the officer or employee; and (5) in addition to (4), an officer or employee may not be indefinitely suspended or terminated unless the complaint is investigated and there is sufficient evidence to prove the allegation of misconduct.

S.B. 1961 (Lucio) – Police/Fire Collective Bargaining: would provide that a political subdivision shall provide its fire fighters and police officers with compensation and other conditions of employment that are substantially equal to compensation and other conditions of employment that prevail in comparable fire and police departments. (Companion bill is H.B. 3193 by Alvarado.)

S.B. 2181 (Menendez) – Child Abuse or Neglect: would: (1) prohibit an employer from taking any adverse employment action against a “professional” who in good faith reports child abuse or neglect (current law defines the term “professional” to mean an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children. The term includes teachers, nurses, doctors, day-care employees, employees of a clinic or health care facility that provides reproductive services, juvenile probation officers, and juvenile detention or correctional officers); and (2) allow a professional to sue for injunctive relief, damages, or both for a violation of the prohibition in (1).
S.J.R. 22 (Menendez) – Employment Law: would propose an amendment to the Texas Constitutional that would, with certain exceptions, provide that an employer in this state shall pay to an employee for services performed by the employee not less than the greater of $10.10 an hour or the current federal minimum wage. (See S.B. 229, above.)

Public Safety

H.B. 34 (Smithee) – Electronic Recording of Interrogations: would, among other things: (1) require a police department to make an audio or audiovisual electronic recording of custodial interrogations of persons suspected of or charged with felony offenses; (2) set out good cause reasons that make electronic recording infeasible; and (3) exempt the electronic recording from release under the Texas Public Information Act, except when it must be released under the law enforcement exception.

H.B. 52 (Metcalf) – Immigration: would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would provide that:

1. a peace officer may not stop a motor vehicle or conduct a search of a business or residence solely to enforce a federal law relating to immigration, unless the officer is acting at the request of, and providing assistance to, an appropriate federal law enforcement officer;
2. a peace officer may not, without a warrant, arrest a person based solely on the person's suspected or alleged violation of a civil provision of a federal law relating to immigrants or immigration, including the federal Immigration and Nationality Act;
3. a peace officer may arrest an undocumented person only if the officer is acting to preserve the peace under his or her basic authority to enforce laws; and
4. a law enforcement agency shall check the immigration status of all persons in custody that are arrested or lawfully detained using the federal Priority Enforcement Program, but exempt a law enforcement agency from checking immigration status if a transferring agency already checked such status.

The bill would prohibit certain city actions by providing that:

1. a “local entity” is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals);
2. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;
3. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from
Citizenship and Immigration Services or ICE, including information regarding a person’s place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal immigration laws; and

4. a local entity or a person employed by or otherwise under the direction or control of the entity may not consider race, color, language, or national origin while enforcing immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

1. any person, including an employee of a local entity filing anonymously, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or discourages the enforcement of those laws.

2. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief and may recover reasonable expenses incurred in obtaining relief under this subsection, including court costs, reasonable attorney’s fees, investigative costs, witness fees, and deposition costs; and

3. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses a policy under which the entity prohibits or discourages the enforcement of immigration laws or, by consistent actions, prohibits or discourages the enforcement of immigration laws.

4. **H.B. 56 (Flynn) – Licensed Carry:** would authorize a first responder to carry a handgun essentially anywhere if the first responder: (1) holds a license to carry a handgun; and (2) is engaged in the actual discharge of official duties.

**H.B. 57 (Flynn) – Local Control:** would repeal city authority to require only pasteurized milk and pasteurized milk products to be sold at retail in that city.

**H.B. 62 (Craddick) – Cell Phone Ban:** would: (1) require driver education training to include information on the effect of using a wireless communication device or engaging in other actions that may distract a driver; (2) increase the penalty for a person younger than 18 years of age who uses a wireless communications device while driving in certain circumstances; (3) with certain exceptions, prohibit a driver from using a wireless communication device to read, write, or send an electronic message while operating a motor vehicle unless the vehicle is stopped; (4) prohibit a peace officer who stops a vehicle for an alleged violation of (3), above, from taking possession of or inspecting the device unless authorized by state law; and (5) prohibit the assignment of points under the Driver Responsibility Program when a person is convicted of texting while driving.
H.B. 73 (Guillen) – Drug Possession: would create a defense to prosecution for drug possession crimes, if the individual: (1) requested emergency medical assistance in response to the possible controlled substance overdose of another person; (2) was the first person to make a request for medical assistance; (3) remained on the scene until the medical assistance arrived; and (4) cooperated with medical assistance and law enforcement personnel.

H.B. 81 (Moody) – Marijuana: would make possession of less than one ounce of marijuana a civil offense; and would also make the identity of a person cited or found liable for a civil marijuana penalty confidential under the Public Information Act. (Companion bill is S.B. 170 by Rodriguez.)

H.B. 82 (Dutton) – Drug Offenses: would reduce to a class C misdemeanor the penalty for possession of one ounce or less of marihuana or a synthetic cannabinoid.

H.B. 99 (Keough) – Firearms: would provide that: (1) the bill applies to state agencies and political subdivisions, including the governing body of a city, an officer or employee of the city, the municipal attorney, the municipal police department, or “other body that is part of a city;” (2) an entity described in (1), above, may not: (a) adopt a rule, order, ordinance, or policy under which the entity enforces, or by consistent action allows the enforcement of, a federal statute, order, rule, or regulation enacted on or after September 1, 2017, that purports to regulate a firearm, a firearm accessory, or firearm ammunition if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation, such as a capacity or size limitation, a registration requirement, or a background check, that does not exist under state law; or (b) receive state grant funds if the entity adopts a rule, order, ordinance, or policy under which the entity enforces any federal law described by (a) or, by consistent actions, allows the enforcement of any federal law described by (a); (3) any citizen may file a complaint with the attorney general if the citizen offers evidence to support an allegation that the entity has violated the bill and authorize the attorney general to seek legal remedies if the complaint is valid; and (4) a person who knowingly violates the bill commits a class A misdemeanor.

H.B. 106 (Martinez) – Drones: would repeal the provision allowing an unmanned aircraft to capture an image of real property or a person on real property that is within 25 miles of the United States border.

H.B. 110 (Krause) – Firearms: would, among other things: (1) prohibit the state or a political subdivision of the state from contracting with or in any other manner providing assistance to a federal agency or official with respect to the enforcement of a federal statute, rule, or regulation purporting to regulate a firearm, a firearm accessory, or firearm ammunition if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation that does not exist under the laws of this state; and (2) provide that the attorney general shall defend any agency or political subdivision of the state if the federal government attempts to sue or prosecute it based on the bill’s requirements.

H.B. 113 (Keough) – Automated Traffic Control Systems: would: (1) prohibit a city from implement or operating an automated traffic control system; (2) provide civil penalties for a city
that implements or operates an automated traffic control system; and (3) repeal the Transportation Code chapter providing authority for red light camera systems.

**H.B. 121 (Keough) – Red Light Cameras:** would prohibit the county assessor-collector or Texas Department of Motor Vehicles from refusing to register a motor vehicle with outstanding civil penalties for a red light camera violation. (Companion bill is **S.B. 87 by Hall.**)

**H.B. 124 (Krause) – Immigration:** would: (1) require a law enforcement agency, within 48 hours after a person is arrested and before the person is released on bond, to: (a) review any information available about the person under the federal Priority Enforcement Program; or (b) request information regarding the person’s immigration status from a peace officer or other law enforcement officer that is authorized to verify a person’s immigration status or a federal immigration officer; (2) exempt a law enforcement agency from checking immigration status if a transferring agency already checked such status; (3) require law enforcement agency that has custody of a person subject to an immigration detainer to provide that information to the judge or magistrate authorized to grant or deny a person’s release and detain the person as required by the immigration detainer.

**H.B. 130 (Dutton) – Drug Offenses:** would reduce the penalty for certain offenders for possession of a small amount of certain controlled substances.

**H.B. 134 (Dutton) – Peace Officer Training Committee:** would create a committee of state senators and representatives to review the peace officer training programs overseen by the Texas Commission on Law Enforcement.

**H.B. 149 (Simmons) – Immigration:** would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would prohibit certain city actions by providing that:

1. a “local entity” is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals, but not hospital peace officers);
2. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;
3. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from Citizenship and Immigration Services or ICE, including information regarding a person’s place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal
immigration laws; and

4. a local entity or a person employed by or otherwise under the direction or control of the entity may not consider race, color, language, or national origin while enforcing immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

1. any person, including the federal government, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or discourages the enforcement of those laws;

2. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general shall, not later than the 10th day after the date of the determination, provide written notification to the entity that: (a) the complaint has been filed; (b) the attorney general has determined that the complaint is valid; (c) the attorney general is authorized to file an action to enjoin the violation if the entity does not come into compliance on or before the 90th day after the date the notification is provided; and (d) the entity will be denied state grant funds for the state fiscal year following the year in which a final judicial determination is made;

3. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief and may recover reasonable expenses incurred in obtaining relief under this subsection, including court costs, reasonable attorney’s fees, investigative costs, witness fees, and deposition costs; and

4. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses a policy under which the entity prohibits or discourages the enforcement of immigration laws or, by consistent actions, prohibits or discourages the enforcement of immigration laws (the comptroller shall adopt rules to implement the bill uniformly among the state agencies from which state grant funds are distributed to a city).

H.B. 155 (Schaefer) – Asset Forfeiture: would require the state to prove by a preponderance of the evidence that certain contraband forfeiture exceptions do not apply to property. (Under current law, the owner or interest holder of property has the burden to prove, by a preponderance of the evidence, that the property should not be forfeited.)

H.B. 160 (Lucio) – Cell Phone Ban: this bill is the same as H.B. 62, above.

H.B. 178 (Lucio) – Vehicle Financial Responsibility: would: (1) require a peace officer/law enforcement agency to: (a) impound a motor vehicle when the vehicle is involved in an accident and the operator fails to maintain evidence of financial responsibility; (b) provide a written explanation as to how the owner may recover the vehicle; and (c) send notice of the impoundment to the lienholder and owner; (2) provide the conditions under which an impounded vehicle may be released to the owner; (3) allow an impounded vehicle to be released to a lienholder if the owner does not, before the 61st day after impoundment, comply with the
conditions for release of the vehicle; and (4) provide for the forfeiture of an impounded vehicle and authorize sale by auction.

**H.B. 183 (Dutton) – Discrimination:** would prohibit the denial of housing, employment, or a professional license to an individual who has received a dismissal and discharge after successfully completed community supervision, if the individual is otherwise entitled or qualified.

**H.B. 191 (Bernal) – Licensed Carry:** would provide that, in relation to the notice required to prohibit licensed carry (e.g., “30.06” and “30.07” signs): (1) the Department of Public Safety (DPS) shall adopt rules that prescribe the size of a sign and the lettering on the signs; (2) the rules may not require that the signs be larger than 8.5 inches by 11 inches for each language in which the sign must be posted; (3) DPS by rule shall adopt a Spanish translation of the language required to be on the signs; and (4) DPS shall make available on its website a printable copy of the English and Spanish versions of the signs.

**H.B. 207 (Springer) – Sex Offenders:** would: (1) define “child safety zone” as premises where children commonly gather, including a school, day-care facility, playground, public or private youth center, public swimming pool, video arcade facility, or other facility that regularly holds events primarily for children; (2) exclude a church from the definition of child safety zone; (3) authorize the governing body of a general law city by ordinance to restrict a registered sex offender from going in, on, or within a specified distance of a child safety zone in the city; (4) create an affirmative defense to prosecution of an offense under the ordinance that the registered sex offender is in, on, or within a specified distance of a child safety zone for a legitimate purpose, including transportation of a child that the registered sex offender is legally permitted to be with, transportation to and from work, and other work-related purposes; (5) limit the distance imposed by ordinance under (3), above, to 1,000 feet; (6) require an ordinance to establish procedures for a registered sex offender to apply for an exemption from the ordinance; and (7) require the ordinance to exempt a registered sex offender who established residency in a residence located within the specified distance of a child safety zone before the date the ordinance is adopted.

**H.B. 229 (Canales) – Custodial Interrogations:** would: (1) require a law enforcement agency to make a complete, contemporaneous, audio or audiovisual electronic recording of a custodial interrogation that occurs in a place of detention and is of a person suspected of committing or charged with certain crimes; (2) exempt the recording described in (1), above, from public disclosure; (3) provide that evidence from an interrogation by a federal or out-of-state law enforcement agency is not admissible in a criminal proceeding unless it complies with that agency’s custodial interrogation procedures; (4) require preservation of the electronic recording of a custodial interrogation for a specified time; and (5) provide that an oral, sign language, or written statement of an accused made as a result of a custodial interrogation is admissible without an electronic recording if the attorney introducing the statement shows good cause for the lack of recording.

**H.B. 235 (Johnson) – Grant Program:** would establish a grant program for law enforcement agencies that comply with requirements to report officer-involved injuries or deaths.
H.B. 234 (Anchia) – Licensed Carry: would clarify that: (1) the attorney general has the authority under existing law to investigate the unlawful posting of a 30.07 (open carry prohibited) sign; and (2) a governmental entity that owns or leases premises is prohibited from posting notice that licensed carry is not allowed only if it actually occupies the premises.

H.B. 245 (Johnson) – Law Enforcement: would provide that the attorney general shall conduct an investigation after receiving a report or other information that a law enforcement agency failed to submit a report required for certain injuries or death caused by peace officer. The bill would further provide that, if the attorney general determines that the law enforcement agency intentionally failed to submit the report, the law enforcement agency is not eligible to receive a grant from the criminal justice division of the governor’s office for the 12-month period following the date on which the office makes the determination.

H.B. 246 (Anchia) – Licensed Carry: would provide that, in relation to the notice required to prohibit licensed carry (e.g., “30.06” and “30.07” signs), the words “Pursuant to Section 30.06, Penal Code, Concealed Carry of Handguns Prohibited” and/or “Pursuant to Section 30.07, Penal Code, Open Carry of Handguns Prohibited,” along with a pictogram that shows a handgun within a circle and a diagonal line across the handgun, provide sufficient notice to a license holder that carrying is prohibited on the premises.

H.B. 255 (Anchia) – Licensed Carry: would: (1) prohibit a person who holds a license to carry a handgun from carrying on the premises or property of an indoor or outdoor arena, stadium, golf course, automobile racetrack, amphitheater, auditorium, theater, museum, zoo, civic center, or convention center, unless the license holder is a participant in an event conducted at the facility and a handgun is used in the event; and (2) provide that the prohibition in (1) is not effective without proper notice.

H.B. 272 (S. Thompson) – Human Trafficking Training: would require an applicant for a commercial driver’s license to provide proof that the applicant successfully completed a recognition and prevention of human trafficking course. (Companion bill is S.B. 128 by Garcia.)

H.B. 275 (Gonzales) – Driver Responsibility Program: would repeal the driver responsibility program. (Companion bills are S.B. 90 by Hall and H.B. 67 by White.)

H.B. 281 (Howard) – Evidence Collection Kits: would require the Department of Public Safety to develop and implement a statewide electronic tracking system for evidence collection kits used to collect and preserve evidence of a sexual assault.

H.B. 282 (Anchia) – Licensed Carry: would provide that any institution of higher education (as opposed to only a private institution under current law) may prohibit concealed carry on its campus. (Companion bill is H.B. 391 by Howard.)

H.B. 305 (Minjarez) – Bullying: would provide that the principal or principal’s designee of public, private, or secondary school shall make a report to any municipal police department in
which the school is located if the principal has reasonable grounds to believe that a student engaged in conduct that constitutes an offense of assault or cyberbullying. (Companion bill is S.B. 180 by Menendez.)

H.B. 306 (Minjarez) – Bullying: would provide that the principal or principal’s designee of public, private, or secondary school shall make a report to any municipal police department in which the school is located if the principal has reasonable grounds to believe that a student engaged in conduct that constitutes an offense of assault or cyberbullying. (Companion bill is S.B. 179 by Menendez.)

H.B. 323 (Canales) – Asset Forfeiture: would require: (1) a law enforcement agency that seizes property to reimburse the owner or interest holder for court costs, storage fees, and reasonable attorney’s fees if a court determines the property is not subject to forfeiture; and (2) the agency to use certain funds received from forfeited property to pay the owner or interest holder.

H.B. 324 (Canales) – Grand Jury Proceedings: would: (1) require that an entire grand jury proceeding be recorded if the accused person is employed by the state or a political subdivision of the state and the offense is alleged to have been committed during the course and scope of the person’s duties as an employee; and (2) make the recording in (1), above, subject to public release if the grand jury finds no bill of indictment.

H.B. 328 (Workman) – Immigration: would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would provide that:

1. if a local government fails to assist or cooperate with a federal immigration officer, as reasonable and necessary to enforce federal immigration laws with respect to an individual who is under a lawful detention or under arrest, and who is then released by the local government, the local government is liable for damages arising from the individual’s actions following release (the bill does not create liability for damages sustained by the individual following release);
2. not later than 48 hours after a person is arrested and before the person is released on bond, a law enforcement agency performing the booking process shall: (a) review any information available under the federal Priority Enforcement Program operated by Immigration and Customs Enforcement (ICE) or a successor program; or (b) request information regarding the person’s immigration status from: (i) a peace officer or other law enforcement officer of this state who is authorized under federal law to verify a person’s immigration status; or (ii) a federal immigration officer;
3. a law enforcement agency that has custody of a person subject to an immigration detainer issued by ICE shall provide to the judge or magistrate authorized to grant or deny the person’s release on bail notice that the person is subject to an immigration detainer and detain the person as required by the immigration detainer;
4. the attorney general shall establish and maintain a public, computerized database containing information with respect to each local entity for which a final judicial determination is made that the entity has intentionally prohibited the enforcement of immigration laws; and each governmental entity for which a determination by the
attorney general is made that the entity has accepted, recognized, or relied on a consular identity document; and

5. a governmental entity may not accept, recognize, or rely on an identity document issued to the applicant or recipient by a consular office or consular official of another country, including a matrícula consular issued by a consular office of the United Mexican States located in this country, as primary, secondary, or supporting evidence of the person’s identity, subject to an attorney general enforcement process.

The bill would prohibit certain city actions by providing that:

1. a “local entity” is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals, but not hospital peace officers);
2. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;
3. a local entity shall inquire into the immigration status of a person under a lawful detention;
4. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from Citizenship and Immigration Services or ICE, including information regarding a person’s place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal immigration laws; and
5. a local entity or a person employed by or otherwise under the direction or control of the entity may not consider race, color, language, or national origin while enforcing immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

1. any person, including the federal government, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or discourages the enforcement of those laws;
2. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general shall, not later than the 10th day after the date of the determination, provide written notification to the entity that: (a) the complaint has been filed; (b) the attorney general has determined that the complaint is valid; (c) the attorney general is
authorized to file an action to enjoin the violation if the entity does not come into compliance on or before the 90th day after the date the notification is provided; and (d) the entity will be denied state grant funds for the state fiscal year following the year in which a final judicial determination is made;

3. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief and may recover reasonable expenses incurred in obtaining relief under this subsection, including court costs, reasonable attorney’s fees, investigative costs, witness fees, and deposition costs; and

4. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses a policy under which the entity prohibits or discourages the enforcement of immigration laws or, by consistent actions, prohibits or discourages the enforcement of immigration laws (the comptroller shall adopt rules to implement the bill uniformly among the state agencies from which state grant funds are distributed to a city).

H.B. 344 (Canales) – Asset Forfeiture: would raise the state’s burden of proof from “preponderance of the evidence” to “clear and convincing evidence” in proceedings related to the seizure of property as a substitute for contraband, and in certain other forfeiture hearings.

H.B. 348 (Canales) – Asset Forfeiture: would: (1) provide that property that is contraband is not subject to seizure and forfeiture if: (a) the property is not otherwise unlawful to possess; and (b) the property would not be admissible as evidence in the prosecution of the underlying offense; and (2) limit the evidence that may be presented by the state in a forfeiture proceeding to that evidence that could be presented in the prosecution of the underlying offense giving rise to the forfeiture.

H.B. 355 (Raney) – Sex Offenders: would prohibit a registered sex offender from residing on the campus of a public or private institution of higher education.

H.B. 359 (Cyrier) – Motor Vehicle Sales Tax Exemption: would exempt the purchase of an emergency medical services chief or supervisor vehicle from the motor vehicle sales tax when purchased by an entity that has an agreement with a local governmental entity to provide emergency ambulance services.

H.B. 375 (Stickland) – Handguns: would provide that: (1) a person who is not otherwise prohibited by law may, without a license, openly carry a handgun; (2) a person under (1) may not openly carry a handgun in certain places, including on the premises where a meeting of a governmental entity is taking place if proper notice is given (and most other places a person who is licensed to carry under current law may not carry); (3) a city may not regulate the carrying of a firearm at a public park or parade, rally, or political meeting in the city; (4) a person who is not otherwise prohibited by law may, without a license, concealed carry a handgun on a college campus; (5) the mere possession or carrying of a handgun, openly or concealed, with or without a license, shall not constitute reasonable belief for a peace officer to disarm or detain an otherwise law-abiding person; and (6) the holder of a license to carry may have a defense to prosecution for carrying a handgun on the premises of a court or polling place, among others (current law prohibits even licensed carry on those premises).
H.B. 387 (Murphy) – Sex Offenders: would: (1) define “child safety zone” as premises where children commonly gather, including a school, day-care facility, playground, public or private youth center, public swimming pool, video arcade facility, or other facility that regularly holds events primarily for children; (2) exclude a church from the definition of child safety zone; (3) authorize the governing body of a general law city by ordinance to restrict a registered sex offender from going in, on, or within a specified distance of a child safety zone in the city; (4) create an affirmative defense to prosecution of an offense under the ordinance that the registered sex offender is in, on, or within a specified distance of a child safety zone for a legitimate purpose, including transportation of a child that the registered sex offender is legally permitted to be with, transportation to and from work, and other work-related purposes; (5) limit the distance imposed by ordinance under (3), above, to, 1,000 feet; (6) require an ordinance to establish procedures for a registered sex offender to apply for an exemption from the ordinance; and (7) require the ordinance to exempt a registered sex offender who established residency in a residence located within the specified distance of a child safety zone before the date the ordinance is adopted.  (Companion bills are S.B. 76 by Nelson and S.B. 197 by Nichols.)

H.B. 391 (D. Howard) – Licensed Carry: this bill is identical to H.B. 282, above.

H.B. 392 (D. Howard) – Licensed Carry: would prohibit licensed carry at certain nursing facilities, hospitals, and mental health facilities.

H.B. 401 (Villalba) – Animals and Children in Vehicles: would: (1) limit the liability of a person who, by force or otherwise, enters a motor vehicle for the purpose of removing a vulnerable individual or a animal from the vehicle; (2) provide that a person’s conduct is justified when the person, by force or otherwise, enters a motor vehicle to remove a vulnerable individual or animal; (3) make it a Class C misdemeanor offense to leave a nonlivestock animal in a vehicle unattended by an adult and exposed to harm while confined in the vehicle; (4) not preempt a city ordinance that was more stringent as to an offense described in (3), above; and (4) provide that leaving an animal unattended in a vehicle under circumstances that expose the animal to life-threatening heat or cold without providing protection to the animal is punishable as an animal cruelty offense.  (Companion bill is S.B. 69 by Zaffirini.)

H.B. 414 (Collier) – Electronic Recording of Interrogations: would, among other things: (1) require a police department to make an audio or audiovisual electronic recording of custodial interrogations of persons suspected of or charged with felony offenses; (2) set out good cause reasons that make electronic recording infeasible; and (3) exempt the electronic recording from release under the Texas Public Information Act, except when it must be released under the law enforcement exception.

H.B. 429 (Villalba) – Offense Against Peace Officer: would, in some circumstances, increase the punishment for an offense committed against a person because of the person’s status as a peace officer, firefighter, or emergency medical services personnel.

H.B. 435 (T. King) – Licensed Handgun Carry: would provide that: (1) a governmental unit, including a city, is not liable in a civil action arising from the discharge of a handgun by an
individual who is volunteer emergency services personnel and licensed to carry the handgun; (2) the discharge of a handgun by an individual described by (1) is outside the course and scope of the individual's duties as volunteer emergency services personnel; (2) the bill may not be construed to waive the immunity from suit or liability of a governmental unit; and (2) an individual described by (1) may carry a handgun essentially anywhere a peace officer may do so.

**H.B. 447 (Bell) – Licensed Handgun Carry:** would provide that: (1) a person with control over the premises of a business who forbids entry by a license holder with a handgun is liable for damages that could have been prevented by the otherwise lawful use of a handgun by a license holder who would otherwise have carried a handgun onto the premises; and (2) a person with control over the premises of a business who allows entry by a license holder with a handgun is not liable based solely on that permission for damages arising from the lawful carrying of a handgun on the premises. (It is unclear how the bill would apply to cities because it does not define “business.”)

**H.B. 461 (Dale) – Law Enforcement:** would, among other things, provide that law enforcement agencies with responsibility for serving a notice of an application for protective order together with an associated temporary ex parte order shall: (1) make the initial attempt to serve the notice and order within a 48-hour period immediately after receiving the notice and order; (2) if the initial attempt is unsuccessful, try two more attempts to serve notice and order within that same 48-hour period with one attempt being at a different location than the initial attempt; (3) send a copy of notice and order to the respondent by first class mail to the last known address within the 24-hour period immediately following receipt of the notice and order unless personal service is completed during that 24-hour period or a mailing address is unknown; and (4) if unable to serve after three attempts, seek court order authorizing service by affixing notice and order to front door of last known residence and provide sworn statement to the court describing their attempts to personally serve the notice and order.

**H.B. 465 (Anchia) – Licensed Handgun Carry:** would expand the current prohibitions against a license holder carrying: (1) near a school to include the “campus and grounds” of the school; and (2) in an amusement park to include a park of at least 10 acres that has security guards at all times.

**H.B. 466 (Anchia) – Licensed Handgun Carry:** would provide that a city over 750,000 population may hold an election on the question of whether the city can adopt an ordinance to prohibit a person who holds a license to carry a handgun from carrying in that city.

**H.B. 478 (Israel) – Animals and Children in Vehicles:** would, in certain circumstances, limit the liability of a person who, by force or otherwise, enters a motor vehicle for the purpose of removing a vulnerable individual or a domestic animal from the vehicle.

**H.B. 479 (Metcalf) – Traffic Enforcement Cameras:** would prohibit a local authority from implementing or operating an automated traffic control system with respect to a highway or street under its jurisdiction.
H.B. 497 (Rinaldi) – Licensed Handgun Carry: would provide that the owner or operator of a business on the premises of which the carrying of a handgun is not otherwise unlawful is immune from civil liability with respect to any claim that is based on the owner's or operator's failure to exercise the option to forbid the carrying of handguns on the premises by customers or employees. (It is unclear how the bill would apply to cities because it does not define “business.”)

H.B. 512 (S. Davis) – Wireless Communication Devices: would require a city to post a sign stating that use of wireless communication device is prohibited at each entrance to a school crossing zone.

H.B. 519 (Turner) – Child Safety Seats: would provide that a person commits an offense if the person operates a passenger vehicle transporting a child who is younger than two years of age and does not keep the child secured during the operation of the vehicle in a rear-facing child passenger safety seat system. (Companion bill is S.B. 278 by Zaffirini.)

H.B. 520 (Turner) – Cell Phone Ban: would: (1) provide that it is a misdemeanor offense to use at least one hand to read, write, or send a text-based communication with a wireless communication device while operating a motoring vehicle when a person under 18 years of age is in the vehicle, unless the vehicle is stopped; (2) provide that it is an offense if a person uses a wireless communication device while operating a passenger bus with a passenger who is under 18 years of age, unless the bus is stopped; (3) provide that it is an offense for the operator of a motor vehicle to use a wireless communication device while on the property of a public school for which a local authority has designated a school crossing zone, during the time a reduced speed limit is in effect, unless the vehicle is either stopped or the operator uses a hands-free device; (4) require a local authority that enforces the prohibition in (3) to post warning signs or, alternatively, if the local authority prohibits the use of wireless communication devices while driving throughout the jurisdiction, to post warning signs at certain jurisdictional entry points; (5) provide that is an offense for: (a) a person under 18 years of age to operate a motor vehicle while using a wireless communication device, except in case of emergency; (b) a person under 17 years of age who holds a restricted motorcycle or moped license to operate the motorcycle or moped while using a wireless communication device, except in case of emergency; (6) prohibit a peace officer from stopping a vehicle solely for the purpose of determining whether the operator of the vehicle has violated the prohibitions in (5); and (7) provide that a local ordinance relating to the use of a wireless communication device by the operator of a motor vehicle that is consistent with or more stringent than (1)-(6) is not preempted.

H.B. 554 (White) – Fireworks: would expand the days that a retail fireworks permit holder may sell fireworks to the public.

H.B. 556 (Keough) – Licensed Handgun Carry: would provide that a person with control over the premises of a business or an apartment complex who: (1) forbids entry on the premises by a license holder with a concealed handgun is strictly liable to a license holder who would otherwise have carried a concealed handgun onto the premises for damages for personal injury or death resulting from an occurrence on the premises: (a) in which the license holder would have been justified in using deadly force; and (b) that could have been prevented by the otherwise
lawful use of a handgun by the license holder; and (2) allows entry on the premises by a license holder with a handgun is not liable based solely on that permission for damages arising from the lawful carrying of a handgun on the premises. (It is unclear how the bill would apply to cities because it does not define “business.”)

H.B. 560 (Springer) – Licensed Carry: would, among other things: (1) authorize a license holder to carry in many places that carrying is currently prohibited, such as any property owned by a governmental entity, in a bar, in a courtroom, or into the secured area of an airport; (2) attempt to clarify that a license holder is prohibited from carrying a handgun only on the portion of: (a) any grounds or building on which an activity sponsored by a school or educational institution is being conducted; or (b) the premises of a polling place where voting or other election-related activities are occurring on the day of an election or during early voting; and (3) reduce the penalties that can be imposed when a license holder carries into an impermissible area.

H.B. 561 (Murphy) – Golf Carts and Utility Vehicles: would: (1) authorize a master planned community to adopt reasonable safety and maintenance rules for the operation of a golf cart and a commercial utility vehicle in the community; (2) authorize the Texas Department of Motor Vehicles to register commercial utility vehicles for operation on public highways; (3) allow the operation of a commercial utility vehicle: (a) in a master planned community that has in place a uniform set of restrictive covenants and for which a county or city has approved a plat; or (b) on a public or private beach; (4) authorize an employee or agent of a political subdivision to operate its commercial utility vehicles on any public highway; (5) authorize a city to allow the operation of a commercial utility vehicle on all or part of a public highway that is in the city and has a posted speed limit of not more than 35 miles per hour; and (6) set out the required equipment that must be on a commercial utility vehicle.

H.B. 564 (Hernandez) – Commercial Motor Vehicles: would create a defense to prosecution for the offenses of no registration, no license plate, failure to carry or present vehicle license receipt, failure to display overweight vehicle permit, and failure to keep cab card in the cab of the vehicle, if the defendant: (1) was the operator of the commercial motor vehicle; and (2) was not the owner of the commercial motor vehicle.

H.B. 574 (Thompson) – Cite and Release: would: (1) require a city police department to adopt a written policy regarding the issuance of citations for misdemeanor offenses punishable by fine only; (2) prohibit a peace officer from arresting an offender for a misdemeanor punishable by fine only, other than public intoxication; and (3) require a peace officer to issue a citation in lieu of taking a person who commits a fine only misdemeanor before a magistrate.

H.B. 575 (S. Thompson) – Drug Offenses: would reduce the penalty for possession of controlled substances in Penalty Group 1 to provide that an offense is a state jail felony if the amount of the controlled substance possessed is, by aggregate weight, including adulterants or dilutants, a usable quantity that is more than 0.02 grams but less than one gram.

H.B. 590 (Bohac) – First Responders: would provide that a first responder who in good faith provides roadside assistance is not liable for an act or omission that occurs while providing the assistance.
H.B. 597 (Moody) – Graffiti: would allow a court to defer proceedings for a defendant charged with a graffiti offense pending the defendant’s completion of a graffiti pretrial diversion program.

H.B. 602 (Workman) – Driver Education: would provide that the Texas Commission on Licensing and Regulation by rule shall require that one hour of instruction relating to law enforcement procedures for traffic stops, including information regarding appropriate interactions with law enforcement, be included in the curriculum of each driver education course.

H.B. 603 (J. Johnson) – Physical Fitness Standards: would: (1) require the Texas Commission on Law Enforcement (TCOLE) to adopt a physical fitness test that has standards that are equivalent to the standards adopted by the Department of Public Safety; (2) prohibit TCOLE from issuing a peace officer license, unless the person is examined by a fitness examiner who declares in writing that the person has successfully passed the physical fitness test in (1); (3) require TCOLE: (a) to adopt rules requiring that peace officers take a physical fitness test at regular intervals (with certain exceptions); (b) to adopt rules requiring timely and accurate reporting of physical fitness test results by agencies and licensees; and (c) to suspend the license of a peace officer who fails to comply with these rules; and (4) exempt a peace officer licensed before September 1, 2017, from complying with the requirements in (3).

H.B. 606 (Springer) – Licensed Carry: would provide that: (1) a person, including a business or other entity, who owns, controls, or manages property and who has authority to forbid the carrying of handguns on the property is immune from civil liability with respect to any claim that is based on the person’s failure to exercise the option to forbid the carrying of handguns by a license holder on the property by providing notice under the Penal Code; and (2) the bill does not limit the liability of a person for an injury caused by the person’s gross negligence.

H.B. 611 (Leach) – Immigration: would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would provide that:

1. a peace officer may not stop a motor vehicle or conduct a search of a business or residence solely to enforce a federal law relating to immigration, unless the officer is acting: (a) at the request of, and providing assistance to, an appropriate federal law enforcement officer; or (2) under the terms of an agreement between the law enforcement agency employing the officer and the federal government under which the agency receives delegated authority to enforce federal law relating to immigrants or immigration;
2. a peace officer may arrest an undocumented person only if the officer is acting to preserve the peace under his or her basic authority to enforce laws;
3. if a person is arrested and is unable to provide proof of lawful presence in the U.S., not later than 48 hours after the person is arrested and before the person is released on bond, a law enforcement agency performing the booking process shall: (a) review any information available from the federal Priority Enforcement Program or a successor program; and (b) if information obtained under (a) reveals that the person is not a citizen or national of the U.S. and is unlawfully present in the U.S.: (i) provide notice of that fact to the judge or magistrate authorized to grant or deny the person’s release on bail (the
judge is then required to record the status in the court’s records); and (ii) record that fact in the person’s case file;
4. a law enforcement agency that has custody of a person subject to an immigration detainer issued by Immigration and Customs Enforcement (ICE) shall: (a) provide to the judge or magistrate authorized to grant or deny the person’s release on bail notice that the person is subject to an immigration detainer (the judge is then required to record the status in the court’s records); (b) record in the person’s case file that the person is subject to an immigration detainer; and (c) comply with, honor, and fulfill the requests made in the detainer; and
5. if a criminal defendant is in the U.S. illegally and is to be confined to jail by a court judgment, the judge shall issue an order requiring the correctional facility to reduce the defendant’s sentence by a period of not more than seven days on the facility’s determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.

The bill would prohibit certain city actions by providing that:

1. a “local entity” is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals, but not hospital peace officers);
2. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;
3. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from Citizenship and Immigration Services or ICE, including information regarding a person’s place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal immigration laws; and
4. a local entity or a person employed by or otherwise under the direction or control of the entity may not consider race, color, language, or national origin while enforcing immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

1. any person, including the federal government, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or
discourages the enforcement of those laws.

2. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general shall, not later than the 10th day after the date of the determination, provide written notification to the entity that: (a) the complaint has been filed; (b) the attorney general has determined that the complaint is valid; (c) the attorney general is authorized to file an action to enjoin the violation if the entity does not come into compliance on or before the 90th day after the date the notification is provided; and (d) the entity will be denied state grant funds for the state fiscal year following the year in which a final judicial determination is made.

3. not later than the 30th day after the day a local entity receives written notification of a complaint, the local entity shall provide the attorney general with a copy of: (a) the entity’s written policies related to immigration enforcement actions; (b) each immigration detainer received by the entity from the Department of Homeland Security; and (c) each response sent by the entity for a detainer;

4. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief and may recover reasonable expenses incurred in obtaining relief under this subsection, including court costs, reasonable attorney’s fees, investigative costs, witness fees, and deposition costs; and

5. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses a policy under which the entity prohibits or discourages the enforcement of immigration laws or, by consistent actions, prohibits or discourages the enforcement of immigration laws (the comptroller shall adopt rules to implement the bill uniformly among the state agencies from which state grant funds are distributed to a city).

Finally, the bill would provide that not later than January 1, 2018, each local law enforcement agency shall: (a) formalize in writing any unwritten, informal policies relating to the enforcement of immigration laws; and (b) update the agency’s policies to be consistent with the bill and to include provisions prohibiting an agency officer or employee from preventing agency personnel from taking immigration enforcement actions described by the bill. (Companion bill is S.B. 4 by Perry.)

H.B. 628 (Howard) – E-Cigarettes and Cigarettes: would raise the legal age to purchase tobacco products from 18 to 21 years of age.

H.B. 638 (Workman) – Drones: would, with certain exceptions, make it an offense to operate a drone over or near a corrections facility, including a municipal jail.

H.B. 659 (Villalba) – Security Officers: would, among other things, provide that a political subdivision may not require a religious organization to contract with or employ a peace officer to provide security services for the religious organization unless the requirement is for a religious organization to contract with or employ a peace officer to: (a) provide security services for a public event; (b) provide security services for a private event held at a public facility that is owned or leased by a political subdivision of this state; (c) conduct a public escort; or (d) direct traffic on a public roadway.
H.B. 673 (E. Johnson) – Criminal Justice Web Portal: would require the attorney general to develop and maintain a web portal to collect, compile, and analyze data related to criminal justice, including any reports that law enforcement is required to submit to the attorney general.

H.B. 676 (Wu) – Age of Criminal Responsibility: would: (1) define a child to be a person between 10 and 17; (2) raise the age for criminal responsibility for sexual abuse from 17 to 18, when the victim is younger than 14; (3) raise the age for criminal responsibility for sending sexually explicit communications from 17 to 18; (4) raise the age of criminal responsibility for certain traffic offenses from 17 to 18; (5) prohibit a court from issuing a capias pro fine until an individual reaches 18; (6) raise the age a municipal court can hold a defendant in contempt from 17 to 18; (7) prohibit a law enforcement officer from taking an individual into custody for an offense alleged to occur before the individual’s 18th birthday; and (8) prohibit a municipal court from issuing a warrant to an individual that committed an offense when the individual was under the age of 18.

H.B. 680 (Wu) – Marihuana: would, with some exceptions, provide that the possession of .35 ounces or less of marihuana is a Class C misdemeanor.

H.B. 683 (Wu) – False Identification as a Peace Officer: would: (1) expand the offense of possession or use of law enforcement identification, insignia, or vehicles to apply in all cities with a population of 750,000 or more; (2) clarify that, for purposes of the offense of false identification as a peace officer, an item bearing an insignia of a law enforcement agency includes an item that contains the word “police,” “sheriff,” “constable,” “trooper,” “ranger,” “agent,” or any other designation commonly used by law enforcement agencies in the state; and (3) clarifies that, for purposes of the offenses of false identification as a peace officer and misrepresentation of property, that a person commits an offense if the person misuses or misrepresents a vehicle.

H.B. 731 (Bohac) – Intimidation by Gang Member: would provide that a person commits a third-degree felony if the person: (1) is the member of a criminal street gang; and (2) with intent to cause another person to perform or to omit the performance of any act, communicates to the other person, directly or indirectly, by any means, a threat to: (a) inflict bodily injury on the person threatened or any other person; (b) damage or destroy property; (c) subject any person to physical confinement or restraint; or (d) commit an offense punishable as a Class A misdemeanor or any higher category of offense.

H.B. 732 (Bohac) – Red Light Cameras: would require that red light camera signs list the possible monetary penalties for violations in addition to the information required by current law.

H.B. 749 (Farrar) – Animal Cruelty: would: (1) to the extent that certain funding becomes available, require the Texas Department of Public Safety (DPS) to establish a database containing information about certain persons convicted of or receiving deferred adjudication community supervision for certain offenses involving animal cruelty; (2) require that a person described in (1) register or verify registration with a local law enforcement authority: (a) annually; (b) every 90 days if the person is determined to be high risk; or (c) every 30 days if the person doesn’t have a permanent address; (3) require local law enforcement to promptly forward
animal cruelty registration information to DPS for use in the database; and (4) require DPS to establish procedures so that peace officers and animal control officers who provide certain identifying information to DPS will automatically be provided information as to whether a person is required to be registered in the animal cruelty database.

**H.B. 754 (Fallon) – Immigration:** would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would provide that:

1. a peace officer may not stop a motor vehicle or conduct a search of a business or residence solely to enforce a federal law relating to immigration, unless the officer is acting: (a) at the request of, and providing assistance to, an appropriate federal law enforcement officer; or (2) under the terms of an agreement between the law enforcement agency employing the officer and the federal government under which the agency receives delegated authority to enforce federal law relating to immigrants or immigration;
2. a peace officer may arrest an undocumented person only if the officer is acting to preserve the peace under his or her basic authority to enforce laws;
3. if a person is arrested and is unable to provide proof of lawful presence in the U.S., not later than 48 hours after the person is arrested and before the person is released on bond, a law enforcement agency performing the booking process shall: (a) review any information available from the federal Priority Enforcement Program or a successor program; and (b) if information obtained under (a) reveals that the person is not a citizen or national of the U.S. and is unlawfully present in the U.S.: (i) provide notice of that fact to the judge or magistrate authorized to grant or deny the person’s release on bail (the judge is then required to record the status in the court’s records); and (ii) record that fact in the person’s case file;
4. a law enforcement agency that has custody of a person subject to an immigration detainer issued by Immigration and Customs Enforcement (ICE) shall: (a) provide to the judge or magistrate authorized to grant or deny the person’s release on bail notice that the person is subject to an immigration detainer (the judge is then required to record the status in the court’s records); (b) record in the person’s case file that the person is subject to an immigration detainer; and (c) comply with, honor, and fulfill the requests made in the detainer; and
5. if a criminal defendant is in the U.S. illegally and is to be confined to jail by a court judgment, the judge shall issue an order requiring the correctional facility to reduce the defendant’s sentence by a period of not more than seven days on the facility’s determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.

The bill would prohibit certain city actions by providing that:

1. a “local entity” is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals, but not hospital peace officers);
2. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;
3. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from Citizenship and Immigration Services or ICE, including information regarding a person’s place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal immigration laws; and

4. a local entity or a person employed by or otherwise under the direction or control of the entity may not consider race, color, language, or national origin while enforcing immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

1. any person, including the federal government, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or discourages the enforcement of those laws.

2. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general shall, not later than the 10th day after the date of the determination, provide written notification to the entity that: (a) the complaint has been filed; (b) the attorney general has determined that the complaint is valid; (c) the attorney general is authorized to file an action to enjoin the violation if the entity does not come into compliance on or before the 90th day after the date the notification is provided; and (d) the entity will be denied state grant funds for the state fiscal year following the year in which a final judicial determination is made.

3. not later than the 30th day after the day a local entity receives written notification of a complaint, the local entity shall provide the attorney general with a copy of: (a) the entity’s written policies related to immigration enforcement actions; (b) each immigration detainer received by the entity from the Department of Homeland Security; and (c) each response sent by the entity for a detainer;

4. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief and may recover reasonable expenses incurred in obtaining relief under this subsection, including court costs, reasonable attorney’s fees, investigative costs, witness fees, and deposition costs; and

5. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses a policy under which the entity prohibits or discourages the enforcement of immigration laws or, by consistent actions, prohibits or discourages the enforcement of immigration laws.
laws (the comptroller shall adopt rules to implement the bill uniformly among the state agencies from which state grant funds are distributed to a city).

Finally, the bill would provide that not later than January 1, 2018, each local law enforcement agency shall: (a) formalize in writing any unwritten, informal policies relating to the enforcement of immigration laws; and (b) update the agency’s policies to be consistent with the bill and to include provisions prohibiting an agency officer or employee from preventing agency personnel from taking immigration enforcement actions described by the bill. (Companion bill is S.B. 4 by Perry.)

H.B. 762 (Shaheen) – Immigration: would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would prohibit certain city actions by providing that:

1. a “local entity” is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals, but not hospital peace officers);
2. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;
3. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from Citizenship and Immigration Services or ICE, including information regarding a person’s place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal immigration laws; and
4. a local entity or a person employed by or otherwise under the direction or control of the entity may not consider race, color, language, or national origin while enforcing immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

1. any person, including the federal government, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or discourages the enforcement of those laws;
2. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general shall, not later than the 10th day after the date of the determination,
provide written notification to the entity that: (a) the complaint has been filed; (b) the
attorney general has determined that the complaint is valid; (c) the attorney general is
authorized to file an action to enjoin the violation if the entity does not come into
compliance on or before the 90th day after the date the notification is provided; and (d)
the entity will be denied state grant funds for the state fiscal year following the year in
which a final judicial determination is made;

3. if the attorney general determines that a complaint filed against a local entity is valid, the
attorney general may file a petition for a writ of mandamus or apply for other appropriate
equitable relief and may recover reasonable expenses incurred in obtaining relief under
this subsection, including court costs, reasonable attorney’s fees, investigative costs,
witness fees, and deposition costs; and

4. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses
a policy under which the entity prohibits or discourages the enforcement of immigration
laws or, by consistent actions, prohibits or discourages the enforcement of immigration
laws (the comptroller shall adopt rules to implement the bill uniformly among the state
agencies from which state grant funds are distributed to a city).

H.B. 763 (Shaheen) – Immigration: would: (1) require a law enforcement agency, within 48
hours after a person is arrested and before the person is released on bond, to: (a) review any
information available about the person under the federal Priority Enforcement Program; or (b)
request information regarding the person’s immigration status from a peace officer or other law
enforcement officer that is authorized to verify a person’s immigration status or a federal
immigration officer; (2) exempt a law enforcement agency from checking immigration status if a
transferring agency already checked such status; and (3) require law enforcement agency that has
custody of a person subject to an immigration detainer to provide that information to the judge or
magistrate authorized to grant or deny a person’s release and detain the person as required by the
immigration detainer.

H.B. 764 (Shaheen) – Immigration: would provide that: (1) a local government that releases
from custody a person who is the subject of an immigration detainer issued by United States
Immigration and Customs Enforcement is liable for damages resulting from a felony committed
by the person in Texas within four years following the person’s release; and (2) there is no
liability for damages sustained by a person who is subject to an immigration detainer following
the person’s release by a local government.

H.B. 765 (Shaheen) – Immigration: would: (1) require a political subdivision, including a city,
to register and participate in the E-verify program to verify information of all new employees;
and (2) eliminate state funding for any political subdivision who does not register and participate
in the E-verify program.

H.B. 790 (Lozano) – Criminal Law: would remove a “dagger, including but not limited to a
dirk, stiletto, and poniard” from the definition of illegal knife.

H.B. 805 (Dale) – Asset Forfeiture: would: (1) provide that property that is contraband is not
subject to seizure and forfeiture if: (a) the property is not otherwise unlawful to possess; and (b)
the property would not be admissible as evidence in the prosecution of the underlying offense;
and (2) limit the evidence that may be presented by the state in a forfeiture proceeding to that
evidence that could be presented in the prosecution of the underlying offense giving rise to the forfeiture. (Companion bill is H.B. 348 by Canales.)

H.B. 808 (Fallon) – Red Light Cameras: would: (1) prohibit a local entity from implementing or operating a photographic traffic signal enforcement system with respect to a highway or street under the jurisdiction of the entity (with certain on-site law enforcement and toll exceptions); (2) authorize the attorney general to enforce the prohibition in (1); and (3) prohibit a local entity from issuing a civil or criminal charge or citation for an offense or violation based on a recorded image produced by a photographic traffic signal enforcement system (with certain on-site law enforcement and toll exceptions). (Companion bill is S.B. 88 by Hall.)

H.B. 809 (VanDeaver) – Traffic Accidents: would prohibit a person operating a motor vehicle from using an electronic device to photograph or film a traffic accident, except for a police officer using a camera mounted on an authorized emergency vehicle.

H.B. 812 (Wu) – Solicitation: would prohibit an individual from standing in a roadway for any purpose other than to solicit a charitable contribution if authorized to do so by the authority with jurisdiction over the roadway.

H.B. 813 (J. Johnson) – Cite and Release: would: (1) prohibit a peace officer from arresting an offender for a fine-only misdemeanor, other than an alcohol-related offense; and (2) require a peace officer to issue a citation to a person who commits a fine-only misdemeanor in lieu of taking them before a magistrate.

H.B. 814 (J. Johnson) – Vehicle Searches: would prohibit a peace officer from searching a vehicle stopped for a traffic violation unless the peace officer: (1) has probable cause to conduct the search; (2) obtains the written consent of the vehicle operator; (3) obtains oral consent of the vehicle operator on an audio or video recording; or (4) has a reasonable and articulable fear that the operator poses a threat to the safety of the officer or another person.

H.B. 825 (Blanco) – Immigration: would provide that: (1) in the course of investigating an alleged criminal offense, a peace officer may inquire as to the nationality or immigration status of a victim of or witness to the offense only if the officer determines that the inquiry is necessary to: (a) investigate the offense; or (b) provide the victim or witness with information about federal visas designed to protect individuals providing assistance to law enforcement; and (2) the bill does not prevent a peace officer from: (a) conducting a separate investigation of any other alleged criminal offense; or (b) inquiring as to the nationality or immigration status of a victim of or witness to a criminal offense if the officer has probable cause to believe that the victim or witness has engaged in specific conduct constituting a separate criminal offense. (Companion bill is S.B. 169 by Rodriguez.)

H.B. 835 (Stephenson) – Asset Forfeiture: would, in regard to the proceeds from asset forfeiture: (1) require that the audit to the attorney general include a detailed report that itemizes all seizures and indicates the specific criminal offense on which each seizure was based and whether charges were brought in connection with the offense; (2) add the following as permissible expenditures for law enforcement purposes: (a) audit preparation and professional
fees paid to a person or entity under a contract or as authorized by law; and (b) the costs of preparing any reports required to be submitted with the audit form to the attorney general; and (3) add the following as permissible expenditures of an attorney’s office: (a) witness-related costs; and (b) audit costs and fees, including audit preparation and professional fees paid to a person or entity under a contract or as authorized by law and costs of preparing any reports required to be submitted with the audit form to the attorney general.

H.B. 848 (Schubert) – Sex Offenders: would: (1) define “child safety zone” as premises where children commonly gather, including a school, day-care facility, playground, public or private youth center, public swimming pool, video arcade facility, or other facility that regularly holds events primarily for children; (2) exclude a church from the definition of child safety zone; (3) authorize the governing body of a general law city by ordinance to restrict a registered sex offender from going in, on, or within a specified distance of a child safety zone in the city; (4) create an affirmative defense to prosecution of an offense under the ordinance that the registered sex offender is in, on, or within a specified distance of a child safety zone for a legitimate purpose, including transportation of a child that the registered sex offender is legally permitted to be with, transportation to and from work, and other work-related purposes; (5) limit the distance imposed by ordinance under (3), above, to, 1,000 feet; (6) require an ordinance to establish procedures for a registered sex offender to apply for an exemption from the ordinance; and (7) require the ordinance to exempt a registered sex offender who established residency in a residence located within the specified distance of a child safety zone before the date the ordinance is adopted. (Companion bill is H.B. 207 by Springer.)

H.B. 854 (Reynolds) – Officer-Involved Injuries: would require a local law enforcement agency employing a peace officer who causes serious injury or death while acting as a peace officer to report the incident to the attorney general.

H.B. 859 (Reynolds) – School Bus Cameras: would: (1) allow a board of trustees of a school district, by resolution, to impose a penalty for passing a school bus; and (2) provide the requirements of a school bus monitoring system used to detect such infractions.

H.B. 866 (Moody) – Lethal Violence Protective Order: would: (1) require a person under a lethal violence protective order to relinquish any firearms owned or in possession of the individual to a law enforcement agency; and (2) require a law enforcement officer who takes possession of a firearm to provide the person a written copy of the receipt for the firearm and written notice of the procedure for the return of the firearm. (Companion bill is S.B. 434 by Rodriguez)

H.B. 889 (Geren) – Immigration: would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would provide that:

6. a peace officer may not stop a motor vehicle or conduct a search of a business or residence solely to enforce a federal law relating to immigration, unless the officer is acting: (a) at the request of, and providing assistance to, an appropriate federal law enforcement officer; or (2) under the terms of an agreement between the law enforcement agency employing the officer and the federal government under which the agency
receives delegated authority to enforce federal law relating to immigrants or immigration;
7. a peace officer may arrest an undocumented person only if the officer is acting to preserve the peace under his or her basic authority to enforce laws;
8. if a person is arrested and is unable to provide proof of lawful presence in the U.S., not later than 48 hours after the person is arrested and before the person is released on bond, a law enforcement agency performing the booking process shall: (a) review any information available from the federal Priority Enforcement Program or a successor program; and (b) if information obtained under (a) reveals that the person is not a citizen or national of the U.S. and is unlawfully present in the U.S.: (i) provide notice of that fact to the judge or magistrate authorized to grant or deny the person’s release on bail (the judge is then required to record the status in the court’s records); and (ii) record that fact in the person’s case file;
9. a law enforcement agency that has custody of a person subject to an immigration detainer issued by Immigration and Customs Enforcement (ICE) shall: (a) provide to the judge or magistrate authorized to grant or deny the person’s release on bail notice that the person is subject to an immigration detainer (the judge is then required to record the status in the court’s records); (b) record in the person’s case file that the person is subject to an immigration detainer; and (c) comply with, honor, and fulfill the requests made in the detainer; and
10. if a criminal defendant is in the U.S. illegally and is to be confined to jail by a court judgment, the judge shall issue an order requiring the correctional facility to reduce the defendant’s sentence by a period of not more than seven days on the facility’s determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.

The bill would prohibit certain city actions by providing that:

5. a “local entity” is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals, but not hospital peace officers);
6. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;
7. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from Citizenship and Immigration Services or ICE, including information regarding a person’s place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal immigration laws; and
8. a local entity or a person employed by or otherwise under the direction or control of the
entity may not consider race, color, language, or national origin while enforcing immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

6. any person, including the federal government, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or discourages the enforcement of those laws.

7. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general shall, not later than the 10th day after the date of the determination, provide written notification to the entity that: (a) the complaint has been filed; (b) the attorney general has determined that the complaint is valid; (c) the attorney general is authorized to file an action to enjoin the violation if the entity does not come into compliance on or before the 90th day after the date the notification is provided; and (d) the entity will be denied state grant funds for the state fiscal year following the year in which a final judicial determination is made.

8. not later than the 30th day after the day a local entity receives written notification of a complaint, the local entity shall provide the attorney general with a copy of: (a) the entity’s written policies related to immigration enforcement actions; (b) each immigration detainer received by the entity from the Department of Homeland Security; and (c) each response sent by the entity for a detainer;

9. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief and may recover reasonable expenses incurred in obtaining relief under this subsection, including court costs, reasonable attorney’s fees, investigative costs, witness fees, and deposition costs; and

10. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses a policy under which the entity prohibits or discourages the enforcement of immigration laws or, by consistent actions, prohibits or discourages the enforcement of immigration laws (the comptroller shall adopt rules to implement the bill uniformly among the state agencies from which state grant funds are distributed to a city).

Finally, the bill would provide that not later than January 1, 2018, each local law enforcement agency shall: (a) formalize in writing any unwritten, informal policies relating to the enforcement of immigration laws; and (b) update the agency’s policies to be consistent with the bill and to include provisions prohibiting an agency officer or employee from preventing agency personnel from taking immigration enforcement actions described by the bill. (Companion bills are H.B. 611 by Leach, H.B. 754 by Fallon, and S.B. 4 by Perry.)

H.B. 893 (Raymond) – Criminal History Record: would provide that: (1) the criminal history record information of a person convicted of driving while intoxicated, driving while intoxicated with child passenger, intoxication assault, or intoxication manslaughter within a preceding 10-year period is public information, except for the person’s social security number, driver’s license
or personal identification certificate number or telephone number and any information that would identify the victim; (2) the Department of Public Safety (DPS) shall create and maintain an Internet website to allow any person to search and receive this information free of charge; (3) DPS shall remove information from the website as soon as practicable after the earliest of: (a) the 10th anniversary of the date of the conviction; (b) the date the conviction is reversed on appeal; or (c) the date on which an order of expunction is entered; and (4) DPS shall establish a procedure under which peace officers or certain law enforcement employees may be provided any criminal history record of a person convicted of the mentioned intoxication offenses with the procedure allowing the peace officer to request the information and receive the information within the duration of a reasonable motor vehicle stop.

**H.B. 899 (Nevarez) – Licensed Carry:** would provide that, in relation to the notice required to prohibit licensed carry (e.g., “30.06” and “30.07” signs), the Department of Public Safety (DPS) shall adopt rules that prescribe the size of a sign and the lettering on the signs.

**H.B. 909 (Romero) – Emergency Detention:** would increase the preliminary examination period for mental health protective custody from 48 to 72 hours.

**H.B. 916 (Thierry) – Law Enforcement:** would provide that if an officer or employee of a financial institution has a good faith belief that financial abuse of an elderly person has occurred or is occurring, the financial institution shall notify the appropriate local law enforcement agency with the jurisdiction over the city in which the elderly person resides of the suspected financial abuse for purposes of investigating and determining whether an offense of exploitation of the elderly has occurred.

**H.B. 920 (Kacal) – All-Terrain and Recreational Vehicles:** would: (1) reduce from eight to six feet the height of the orange flag that must be placed on an all-terrain vehicle that is operated on a public street, road, or highway; and (2) authorize all law enforcement, firefighting, ambulance, medical, emergency service, and volunteer firefighter personnel (rather than just “peace officers” under current law) to operate an all-terrain vehicle on a public street, road, or highway when performing official duties.

**H.B. 925 (Villalba) – Booting of Vehicles:** would provide: (1) the maximum fee charged for the removal of a boot on a vehicle may not exceed $100; and (2) requirements for boot removal from vehicles by a booting company.

**H.B. 927 (J. White) – Guns and Knives:** would provide that a political subdivision or an officer of a political subdivision may not adopt or enforce a local regulation relating to a firearm, a knife, or ammunition unless authorized by state law.

**H.B. 959 (Thierry) – Law Enforcement:** would provide that, if an officer or employee of a financial institution that has a good faith belief that financial abuse of an elderly person has occurred or is occurring, then the financial institution shall notify the appropriate local law enforcement agency with the jurisdiction over the city in which the elderly person resides of the suspected financial abuse for purposes of investigating and determining whether an offense of exploitation of the elderly has occurred.
H.B. 1063 (Gooden) – Sex Offender Residency Restrictions: would permit a general law city to prohibit a registered sex offender from going in, on, or within a specified distance of a child safety zone within the city. (Note: Home rule cities already possess this power under current law.)

H.B. 1070 (Leach) – Immunization Status: would: (1) prohibit a health care provider from refusing to provide health care services to a patient solely because the patient has or has not received an immunization for a particular communicable disease; and (2) make a provider that violates (1) ineligible for the receipt of state money for patient services.

H.B. 1078 (Murphy) – Burglary of a Vehicle: would increase the penalties for the offense of burglary of a vehicle.

H.B. 1099 (Canales) – Residential Tenants: would: (1) prohibit a landlord from imposing a monetary or other penalty on a tenant for summoning, or limiting a residential tenant’s right to summon, police or emergency assistance based on the tenant’s reasonable belief that an individual is in need of intervention or emergency assistance; and (2) void a provision in a lease that waives a tenant’s right to summon police or emergency assistance based on the tenant’s reasonable belief that an individual is in need of intervention or emergency assistance.

H.B. 1109 (Schofield) – Immigration: would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would prohibit certain city actions by providing that:

1. a “local entity” is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals, but not hospital peace officers);
2. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;
3. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from Citizenship and Immigration Services or ICE, including information regarding a person’s place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal immigration laws; and
4. a local entity or a person employed by or otherwise under the direction or control of the entity may not consider race, color, language, or national origin while enforcing
immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

1. any person, including the federal government, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or discourages the enforcement of those laws;
2. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general shall, not later than the 10th day after the date of the determination, provide written notification to the entity that: (a) the complaint has been filed; (b) the attorney general has determined that the complaint is valid; (c) the attorney general is authorized to file an action to enjoin the violation if the entity does not come into compliance on or before the 90th day after the date the notification is provided; and (d) the entity will be denied state grant funds for the state fiscal year following the year in which a final judicial determination is made;
3. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief and may recover reasonable expenses incurred in obtaining relief under this subsection, including court costs, reasonable attorney’s fees, investigative costs, witness fees, and deposition costs; and
4. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses a policy under which the entity prohibits or discourages the enforcement of immigration laws or, by consistent actions, prohibits or discourages the enforcement of immigration laws (the comptroller shall adopt rules to implement the bill uniformly among the state agencies from which state grant funds are distributed to a city).

(Companion bill is H.B. 762 by Shaheen.)

H.B. 1111 (Thompson of Harris) – Child Safety Zones: would provide that a requirement that a parolee stay a certain distance from areas where children gather does not apply to while the parolee is traveling directly en route on a public or private roadway between locations at which the parolee has legitimate business.

H.B. 1148 (S. Davis) – Trauma Care Systems: would: (1) require the Department of State Health Services (department) to designate eight administrative hubs to provide administrative functions for trauma service area regional advisory councils (council), establish the parameters regarding the type of entity that may apply to serve as an administrative hub, and require that an application to serve as an administrative hub be submitted not later than September 1, 2018; (2) prescribe the duties of administrative hubs described in (1) to include, among others, administering and distributing funds to each council in the hub’s jurisdiction; (3) authorize a council to: (a) transfer from one administrative hub to another under certain circumstances; and (b) apply to retain an administrative function under certain circumstances; and (4) require the administrative hubs, councils, and others to develop a written 25-year plan for coordinating
emergency medical services throughout the State of Texas and to submit the plan to the department by September 1, 2021.

**H.B. 1154 (S. Davis) – License Plates:** would exempt a motor vehicle equipped with technology that would be impaired by the display of a front license plate from the requirement to have two license plates.

**H.B. 1163 (Alonzo) – Retirement:** would provide eligibility for membership and funding of benefits for certain law enforcement, custodial, and other peace officers who are members of the Teacher Retirement System of Texas or the Employees Retirement System of Texas.

**H.B. 1171 (Minjarez) – Crime Labs:** would require a public accredited crime lab to complete its analysis of sexual assault evidence submitted to the lab as part of an active criminal case as soon as practicable but not later than the 60th day after the date on which the evidence was received by the lab.

**H.B. 1189 (Wray) – Reserve Law Enforcement Officers:** would provide that (1) a reserve law enforcement officer may not, for compensation from a private business, use or operate a private patrol vehicle, direct traffic on a public highway, or provide motor vehicle escort services: (a) outside the jurisdiction in which the reserve officer is appointed or employed; or (b) inside the jurisdiction in which the officer is appointed or employed, unless the reserve officer receives permission from the reserve officer’s appointing law enforcement agency; (2) The Texas Commission on Law Enforcement shall revoke or suspend a license of a reserve officer if they violate (1) above; and (3) while performing security officer duties, a reserve officer may not wear their reserve officer uniform or use any title, insignia or identification card or make any statement with the intent to give an impression that the officer is a law enforcement officer.

**H.B. 1209 (Burns) – Licensed Carry:** would modify the punishment for a handgun license holder who carries into a hospital, amusement park, place of religious worship, or meeting of a governmental body (if notice is properly posted), to provide that the offense is a class C misdemeanor, unless the license holder failed to depart after receiving notice, in which case the offense is a class A misdemeanor.

**H.B. 1223 (Murr) – Emergency Vehicles:** would: (1) provide that a motor vehicle operator must yield the right-of-way, pull over, and stop on the approach of a police vehicle lawfully using an audible or visual signal (current law refers only to an audible signal); and (2) provide that the operator of an emergency vehicle could park or stand the vehicle regardless of whether they are responding to an emergency, pursuing a violator, responding to a fire alarm, directing traffic, or conducting a police escort.

**H.B. 1224 (Geren) – Red Light Cameras:** would provide that neither the county assessor-collector nor the Texas Department of Motor Vehicles may refuse to transfer the title of or register a motor vehicle alleged to have been involved in a violation of this chapter solely: (1) based on the alleged red light camera violation; or (2) because the owner of the motor vehicle is delinquent in the payment of a red light camera civil penalty.
H.B. 1236 (Martinez) – Unprotected Road User: would: (1) require the operator of a motor vehicle passing an unprotected road user (e.g., pedestrian, utility worker, bicyclist, or motorcyclist) to either vacate the lane in which the user is located if the highway has two or more marked lanes or to pass the user at a safe distance; (2) require the operator of a motor vehicle that is making a turn at an intersection to yield the right-of-way to an unprotected roader user; (3) prohibit the operator of a motor vehicle from overtaking an unprotected road user and turning in front of the user unless the operator is clear of the user; (4) prohibit the operator of a motor vehicle from maneuvering the vehicle in a manner that intimidates, harasses, or threatens an unprotected road user; (5) provide that a violation of (1)-(4) is a misdemeanor offense; and (6) provide that it is a defense to prosecution for (1)-(4) that the unprotected road user was acting in violation of the law.

H.B. 1244 (Geren) – Red Light Cameras: would provide that: (1) neither the county assessor-collector nor the Texas Department of Motor Vehicles may refuse to transfer the title of or register a motor vehicle alleged to have been involved in a red light camera violation solely: (a) based on the alleged violation; or (b) because the owner of the motor vehicle is delinquent in the payment of a red light camera civil penalty; and (2) a local authority or the person with which the local authority contracts for the administration and enforcement of a photographic traffic signal enforcement system may not provide information about a red light camera violation to a person authorized to register or issue a title for a vehicle.

H.B. 1247 (Pickett) – Vehicle Storage Facilities: would require the operator of a vehicle storage facility to: (1) send written notice to a vehicle owner to an address obtained either: (a) directly from the governmental entity with which the vehicle is registered; or (b) from a private entity authorized by the governmental entity to obtain title, registration, and lienholder information; and (2) obtain a report from the National Motor Vehicle Title Information System showing that there is no record of a registered owner or lienholder in order to qualify for an exemption from the newspaper notice requirement.

H.B. 1249 (Goldman) – Emergency Medical Service: would: (1) make it a Class C misdemeanor for a person to operate a motor vehicle that resembles an emergency medical service (EMS) vehicle, unless the person uses the vehicle as an EMS vehicle or for other legitimate governmental functions; and (2) provide that a motor vehicle resembles an EMS vehicles if it has the following on the exterior of the vehicle: the word “ambulance” or a derivation of that word; a star of life; a Maltese cross; forward-facing flashing red, white, or blue lights; a siren; the words “critical care transport,” “emergency medical service” or “mobile intensive care unit;” or the acronym “EMS” or “MICU.”

H.B. 1289 (Murr) – Emergency Detention: would give a peace officer the option of transferring a person in custody under emergency detention to the following persons, who would be responsible for immediately transporting the detainee to a mental health facility: a special officer for mental health, the administrator of a mental health facility, a representative of the local mental health authority, a qualified transportation service provider, a sheriff, a constable, a relative, or other responsible person.
H.B. 1301 (Dutton) – Asset Forfeiture: would provide that a final conviction for an underlying offense is required for the forfeiture of contraband and that a court must dismiss a forfeiture proceeding on proof of a dismissal or acquittal of the underlying offense.

H.B. 1302 (R. Anderson) – Overweight Vehicles: would provide a municipal court with jurisdiction over any offense involving the operation of an overweight vehicle. (Note: current law provides that a municipal court has jurisdiction of an offense in which the fine does not exceed $500.)

H.B. 1308 (Holland) – Immigration: would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would provide that:

1. a peace officer may not stop a motor vehicle or conduct a search of a business or residence solely to enforce a federal law relating to immigration, unless the officer is acting: (a) at the request of, and providing assistance to, an appropriate federal law enforcement officer; or (2) under the terms of an agreement between the law enforcement agency employing the officer and the federal government under which the agency receives delegated authority to enforce federal law relating to immigrants or immigration;
2. a peace officer may arrest an undocumented person only if the officer is acting to preserve the peace under his or her basic authority to enforce laws;
3. if a person is arrested and is unable to provide proof of lawful presence in the U.S., not later than 48 hours after the person is arrested and before the person is released on bond, a law enforcement agency performing the booking process shall: (a) review any information available from the federal Priority Enforcement Program or a successor program; and (b) if information obtained under (a) reveals that the person is not a citizen or national of the U.S. and is unlawfully present in the U.S.: (i) provide notice of that fact to the judge or magistrate authorized to grant or deny the person’s release on bail (the judge is then required to record the status in the court’s records); and (ii) record that fact in the person’s case file;
4. a law enforcement agency that has custody of a person subject to an immigration detainer issued by Immigration and Customs Enforcement (ICE) shall: (a) provide to the judge or magistrate authorized to grant or deny the person’s release on bail notice that the person is subject to an immigration detainer (the judge is then required to record the status in the court’s records); (b) record in the person’s case file that the person is subject to an immigration detainer; and (c) comply with, honor, and fulfill the requests made in the detainer; and
5. if a criminal defendant is in the U.S. illegally and is to be confined to jail by a court judgment, the judge shall issue an order requiring the correctional facility to reduce the defendant’s sentence by a period of not more than seven days on the facility’s determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.

The bill would prohibit certain city actions by providing that:
1. a “local entity” is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals, but not hospital peace officers);
2. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;
3. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from Citizenship and Immigration Services or ICE, including information regarding a person’s place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal immigration laws; and
4. a local entity or a person employed by or otherwise under the direction or control of the entity may not consider race, color, language, or national origin while enforcing immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

1. any person, including the federal government, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or discourages the enforcement of those laws.
2. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general shall, not later than the 10th day after the date of the determination, provide written notification to the entity that: (a) the complaint has been filed; (b) the attorney general has determined that the complaint is valid; (c) the attorney general is authorized to file an action to enjoin the violation if the entity does not come into compliance on or before the 90th day after the date the notification is provided; and (d) the entity will be denied state grant funds for the state fiscal year following the year in which a final judicial determination is made.
3. not later than the 30th day after the day a local entity receives written notification of a complaint, the local entity shall provide the attorney general with a copy of: (a) the entity’s written policies related to immigration enforcement actions; (b) each immigration detainer received by the entity from the Department of Homeland Security; and (c) each response sent by the entity for a detainer;
4. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief and may recover reasonable expenses incurred in obtaining relief under
this subsection, including court costs, reasonable attorney’s fees, investigative costs, witness fees, and deposition costs; and

5. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses a policy under which the entity prohibits or discourages the enforcement of immigration laws or, by consistent actions, prohibits or discourages the enforcement of immigration laws (the comptroller shall adopt rules to implement the bill uniformly among the state agencies from which state grant funds are distributed to a city).

Finally, the bill would provide that not later than January 1, 2018, each local law enforcement agency shall: (a) formalize in writing any unwritten, informal policies relating to the enforcement of immigration laws; and (b) update the agency’s policies to be consistent with the bill and to include provisions prohibiting an agency officer or employee from preventing agency personnel from taking immigration enforcement actions described by the bill. (Companion bill is S.B. 4 by Perry, among others.)

H.B. 1313 (Vallalba) – School Marshals: would provide for the establishment of school marshal grant programs by the criminal justice division of the governor’s office and the adoption of a school marshals promotion program.

H.B. 1322 (Burns) – Search Warrants: would provide that a justice of the peace may issue a search warrant to collect a blood specimen for certain intoxication offense.

H.B. 1327 (Metcalf) – Criminal Penalties: would provide that in certain circumstances, which includes failing to stop for, fleeing from, or evading a pursuing law enforcement officer in violation of evading arrest of detention or fleeing or attempting to elude a police officer, the penalty for intoxication assault and intoxication manslaughter will be enhanced to second degree felony.

H.B. 1339 (Burne) – Sex Offenders: would: (1) define “child safety zone” as premises where children commonly gather, including a school, day-care facility, playground, public or private youth center, public swimming pool, video arcade facility, or other facility that regularly holds events primarily for children; (2) exclude a church from the definition of child safety zone; (3) authorize the governing body of a general law city by ordinance to restrict a registered sex offender from going in, on, or within a specified distance of a child safety zone in the city; (4) create an affirmative defense to prosecution of an offense under the ordinance that the registered sex offender is in, on, or within a specified distance of a child safety zone for a legitimate purpose, including transportation to and from work, and other work-related purposes; (5) limit the distance imposed by ordinance under (3), above, to, 1,000 feet; (6) require an ordinance to establish procedures for a registered sex offender to apply for an exemption from the ordinance; and (7) require the ordinance to exempt a registered sex offender who established residency in a residence located within the specified distance of a child safety zone before the date the ordinance is adopted. (Companion bill is H.B. 207 by Springer.)

H.B. 1348 (Cain) – Smoking Bans: would provide that a county or city may not adopt or enforce an order, ordinance, or similar measure that prohibits smoking on the premises of a
business that allows smoking and for which at least 20 percent of the business’s revenue is derived from the sale of cigars.

H.B. 1350 (Cain) – Sidewalks: would repeal the Transportation Code provision requiring that pedestrians walk on the left side of the roadway or the shoulder of the highway facing oncoming traffic, if a sidewalk is not available.

H.B. 1357 (Moody) – Family Violence: would, among other things: (1) change the definition of “family violence” to include certain acts or threat against an animal with the intent to coerce, control, punish or intimidate the actor’s family member or a person whom the actor is dating; and (2) change the penalties for certain animal cruelty offenses.

H.B. 1372 (Koop) – Traffic Stops: would provide that: (1) the Texas Education Commission by rule, in consultation with the Department of Public Safety, shall require that information relating to law enforcement procedures for traffic stops be included in the curriculum of each driver education course and driving safety course; and (2) the curriculum must include a demonstration of the proper actions to be taken during a traffic stop and information regarding appropriate interactions with law enforcement.

H.B. 1383 (Alvarado) – Evidence Database: would create a statewide electronic tracking system to track the location and status of each item of evidence collected in relation to a sexual assault or other sex offense case through the criminal justice process.

H.B. 1392 (S. Thompson) – Asset Forfeiture: would prohibit a law enforcement agency from using an “electronic recovery and access to data prepaid card reader” to seize from a stored value card or a depository account funds that are subject to forfeiture unless the seizure is authorized by a search or seizure warrant. (Companion bill is S.B. 480 by Burton.)

H.B. 1401 (Zedler) – Red Light Cameras: would prohibit the county assessor-collector and Texas Department of Motor Vehicles from refusing to register a motor vehicle that is delinquent in the payment of a civil penalty for a red light camera offense.

H.B. 1407 (Sheffield) – Emergency Medical Services: would require the Department of State Health Services to establish an emergency medical services assistance program to provide financial and educational assistance to eligible emergency medical services providers.

H.B. 1411 (Turner) – E-Cigarettes: would: (1) impose a state-only sales and use tax on vapor products of five cents per each milliliter sold; (2) provide that the revenue from the tax be used to fund Health and Human Services Department grants for law enforcement mental health staff.

H.B. 1424 (Murphy) – Drones: would: (1) with certain exceptions, make it an offense to operate a drone over or near a corrections facility, including a municipal jail; (2) make it a crime to operate a drone over certain sports venues in certain circumstances.

H.B. 1468 (S. Thompson) – Artificial Swimming Lagoons: would: (1) add “artificial swimming lagoon” to the Health and Safety Code regulations governing swimming pools; (2)
define “artificial swimming lagoon” as an artificial body of water open to the public for recreational purposes with more than 20,000 square feet of surface area, an artificial liner, and a disinfection system; and (3) allow a city to require a permit and inspect an artificial swimming lagoon. (Companion bill is S.B. 733 by Hancock.)

H.B. 1503 (Frullo) – Child Abductions: would provide that: (1) a local law enforcement agency, on receiving a report of an attempted child abduction, shall as soon as practicable, but not later than eight hours after receiving the report, provide any relevant information regarding the attempted child abduction to the missing children and missing person information clearinghouse (Clearinghouse); (2) information not immediately available shall be obtained by the agency and entered into the Clearinghouse as a supplement to the original entry as soon as possible; and (3) repeals the section that gives local law enforcement eight hours to give information on an attempted child abduction.

H.B. 1510 (Isaac) – Emergency Services Districts: would: (1) provide that the Texas Commission on Fire Protection may provide: (a) to emergency services districts, technical assistance on the request of the district; (b) to fire departments in rural areas, information relating to assistance programs offered to rural volunteer firefighters; and (c) to rural homeowners, information relating to the benefits of volunteer fire departments; (2) provide that the Department of State Health Services shall serve as a resource to provide interested rural communities with: (a) general information about emergency services districts; and (b) information and training related to the establishment of an emergency services district; and (3) provide that an emergency services district shall file its annual report with the Department of State Health Services instead of the Texas Department of Rural Affairs.

H.B. 1517 (Leach) – Criminal Procedure: would provide that: (1) a prosecutor may designate one person who is an officer or employee of a party that is not a natural person to serve as the state’s courtroom representative during a criminal proceeding; and (2) if a law enforcement officer is so designated, he or she may not wear a law enforcement uniform or badge while serving as the representative.

H.B. 1535 (Farrar) – Pesticide: would require the Department of Agriculture to prohibit the application of a neonicotinoid pesticide to the right-of-way of a public road or highway.

H.B. 1546 (Oliveira) – Border Security: would provide that: (1) the Department of Public Safety (DPS), Parks and Wildlife Department and state military forces that have officers assigned to one or more counties along the Texas-Mexico border must be certified regarding appropriate training, including academy and in-service training, in various subjects, including immigration law, use of force, social and cultural sensitivity towards border communities, language and cultural awareness, best practices in community policing and civil and human rights, response to grievances, and referral of complaints and identification of and response to vulnerable populations; (2) DPS shall appoint an ombudsman for border operations-related concerns that: (a) will report to the director of DPS; (b) receive and resolve complaints from individuals and employers; and (c) assist in resolving problems with the border operations components of DPS; and (3) DPS shall develop and implement performance measures as part of the DPS’s review of its border operations and make an annual report to the legislature regarding
the impact of DPS’s border operations on the protection of due process, the civil and human rights or border residents and visitors, the private property rights of landowners, and the economies of cities and counties along the Texas-Mexico border.

H.B. 1574 (Wilson) – Arrest without Warrant: would require a police officer to prepare and file an affidavit with the magistrate before an individual arrested without a warrant is taken before the magistrate (Companion bill is S.B. 630 by Buckingham.)

H.B. 1598 (Martinez) – Disaster Identification System: would: (1) in an area subject to a declaration of a state of disaster, allow a person to use an illuminated display to communicate with disaster relief personnel whether the person is healthy or in need of medical assistance; (2) require a person who elects to participate in the disaster identification system to affix to each individual and domesticated animal in the person’s household an illuminated display, the color of which correlates to the person’s age, disability, and whether it is a person or animal; (3) authorize disaster relief personnel to patrol a designated disaster area by air or ground at night to locate persons with activated illuminated displays; and (4) allow the use of a disaster identification system to be included in the state emergency management plan.

H.B. 1611 (VanDeaver) – Warning Devices: would require the Department of Public Safety to develop best practices and provide training materials for the use of road flares or other safety equipment by a stationary authorized emergency vehicle.

H.B. 1642 (Bell) – Law Enforcement: would provide that if the Department of Aging and Disability Services (DADS) determines the report of abuses, neglect, or exploitation is substantiated at the conclusion of the investigation, the DADS shall make a complete final written report of the investigation and submit the report and its recommendation to the appropriate law enforcement agency.

H.B. 1726 (Cortez) – Reports of Abuse: would, among other things: (1) require that reports of abuse, neglect, or exploitation of a home health service recipient (reports) be made to either a Health and Human Services Commission (commission) hotline number or a local law enforcement agency and, except as described in (2), require a local or state law enforcement agency that receives a report to refer it to the commission; (2) require the commission to investigate reports jointly with the city police department (if the service is provided in the city) within 24 hours of receiving a complaint; and (3) require the city police department to cooperate with the commission in a joint investigation described in (2).

H.B. 1729 (Neave) – Evidence Testing Grants: would: (1) allow a person applying for an original or renewal driver’s license to donate to the evidence testing grant program; and (2) establish a grant program to disperse funds to law enforcement agencies for testing evidence collected in relation to a sexual assault case.

H.B. 1732 (Giddings) – Law Enforcement: would provide that: (1) in a report that contains incident-based data describing the total number of the certain incidents occurring during the preceding academic year that the superintendent has to submit to the Texas Education Agency (TEA), the superintendent may not include information that identifies the peace officer who
issued a citation to a student; (2) the identity of the peace officer is confidential and not subject to disclosure under the Public Information Act; and (3) a memorandum of understanding (MOU) between a school district and a local law enforcement agency for the provision of a regular police presence on campus shall designate in the MOU which entity will be responsible for collecting the data in the report in (1).

**H.B. 1748 (VanDeaver) – Texting and Driving:** would: (1) prohibit the use of a portable electronic device while operating a motor vehicle; (2) provide certain exceptions to and affirmative defenses to prosecution of an offense under (1); and (3) provide that the prohibition in (1) does not preempt local ordinances, rules, or regulations that are consistent with or more stringent than its provisions.

**H.B. 1751 (Krause) – Assault on a Peace Officer:** would provide that an assault is a second degree felony if the assault is committed against a person the actor knows is a peace officer while the officer is lawfully discharging an official duty or in retaliation or on account of an exercise of official power or performance of an official duty as a peace officer.

**H.B. 1757 (Oliverson) – Impoundment:** would: (1) require a peace officer to impound a motor vehicle detained by the officer during a traffic stop if the vehicle is operated without financial responsibility by a driver who doesn’t have a valid driver’s license; (2) require that an officer who impounds a vehicle under (1) give the person certain information and send a notice of impoundment to the owner and lienholder; and (3) provide the terms under which the law enforcement agency may release or auction a vehicle impounded under (1).

**H.B. 1811 (Turner) – Texas Commission on Law Enforcement:** would require TCOLE to employ one or more hearings officers to conduct hearings, rather than refer petitions to the State Office of Administrative Hearings.

**H.B. 1816 (Metcalf) – Medical Supply Transport Vehicles:** would provide that: (1) a vehicle used by a medical supply distributor to transport prescription drugs and other medical supplies to an emergency care facility or pharmacy located in an area declared a disaster area by the governor may have access to highways, streets, and bridges as if the transport vehicle were an emergency vehicle if: (a) law enforcement officials in the disaster area can provide adequate security to prevent theft; (b) the weight of the transport vehicle will not jeopardize the structural integrity or any highway, street or bridge located in the disaster area; and (c) the transport vehicle will not negatively impact evacuation activities; and (2) the Texas Division of Emergency Management shall establish procedures to assist medical supply distributors in accessing highways, streets or bridges and provide distributors with documentation specifying the distributors’ access to highways, streets, and bridges.

**H.B. 1824 (Shaheen) – Warrants:** would provide that a law enforcement agency shall execute, as soon as practicable, a warrant that is directed to the agency and issued for the return of a release in the super-intensive supervision program based on a violation of a condition of parole or mandatory supervision related to the electronic monitoring of the release.
H.B. 1827 (Hinojosa) – Firearms: would provide that a person commits a Class A misdemeanor if he, while intoxicated, carries a firearm in a public place. (Note: Peace officers are exempt from the prohibition.)

H.B. 1855 (Johnson) – Immigration: would provide that: (1) in the course of investigating an alleged criminal offense, a peace officer may inquire as to the nationality or immigration status of a victim of or witness to the offense only if the officer determines that the inquiry is necessary to: (a) investigate the offense; or (b) provide the victim or witness with information about federal visas designed to protect individuals providing assistance to law enforcement; and (2) the bill does not prevent a peace officer from: (a) conducting a separate investigation of any other alleged criminal offense; or (b) inquiring as to the nationality or immigration status of a victim of or witness to a criminal offense if the officer has probable cause to believe that the victim or witness has engaged in specific conduct constituting a separate criminal offense. (Companion bill is S.B. 169 by Rodriguez.)

H.B. 1864 (S. Thompson) – Traffic Stops: would provide that: (1) the Texas Education Commission by rule shall require that information relating to law enforcement procedures for traffic stops be included in the curriculum of each driver education course and driving safety course; and (2) as part of the minimum curriculum requirements for law enforcement officers, the Texas Commission on Law Enforcement shall establish a statewide education and training program on proper procedures for traffic stops, including information regarding the appropriate use of force, for officers.

H.B. 1911 (White) – Unlicensed Carry: would appear to authorize a person who would be eligible to obtain a license to carry a handgun to do so without a license.

H.B. 1914 (Cain) – Licensed Carry: would provide that: (1) a peace officer charging a license holder with a the offense of trespass by license holder, instead of taking the license holder before a magistrate, shall issue to the license holder a written citation and notice to appear that contains the time and place the license holder must appear before a magistrate, the name and address of the license holder, and the offense charged; and (2) if the license holder makes a written promise to appear before the magistrate by signing in duplicate the citation and notice to appear issued by the officer, the officer shall release the license holder and may not seize a handgun possessed by the license holder unless the seizure is authorized under other law.

H.B. 1915 (Cain) – Firearms: would prohibit the possession of any weapon, including a handgun by a license holder, on any grounds or building owned by and under the control of a school or educational institution.

H.B. 1919 (Raymond) – Offense Against Peace Officers: would, among other things: (1) require a judge to make an affirmative finding of fact and enter it into the judgment if, at the guilt or innocent phase of the trial, the trier of fact determines beyond a reasonable doubt that the defendant intentionally selected the person against who the offense is committed because of the person’s service as a peace officer, firefighter, or emergency medical services personnel; (2) provide how a finding described in (1) impacts the punishment; (3) make confidential the home address, home telephone number, emergency contact information, social security number, and
certain family information of a current or former peace officer, firefighter, or emergency medical services personnel; (4) make certain personal information of current or former peace officers, firefighters, or emergency medical personnel confidential when the individual has elected to keep the information confidential; and (5) make home address information of current or former firefighters or emergency medical services personnel in appraisal records confidential if the individuals has elected to keep the information confidential.

**H.B. 1935 (Frullo) – Illegal Knives:** would eliminate the offense of carrying an “illegal knife.”

**H.B. 1966 (Paul) – Licensed Carry:** would provide, among other things, that – unless possession of a handgun on a landlord’s property is prohibited by state or federal law – a landlord may not prohibit a tenant or a tenant’s guest (who holds a license to carry) from carrying a concealed handgun on the leased premises of a multifamily property as necessary to enter the tenant’s dwelling unit, to exit the leased premises, or to enter a vehicle on the leased premises.

**H.B. 1969 (Neave) – City Marshals:** would provide that: (1) a city may establish a marshal reserve force to be appointed by the city marshal; and (2) a reserve deputy marshal is considered a peace officer.

**H.B. 1972 (Giddings) – School Districts:** would, among other things, require a school district peace officer or a school resource officer who provides law enforcement at a school district with an enrollment of 5,000 or more students to complete certain education and training not later than 180 days after the officer’s commission by or placement in the district or campus.

**H.B. 1988 (Larson) – Motorboats:** would provide that a motorboat operator may not operate a motorboat less than 26 feet in length and equipped by the manufacturer with an engine cutoff switch without first verifying that the switch and other mechanisms are operational and fully functional.

**H.B. 2006 (Anchia) – HIV Testing:** would provide, among other things, that: (1) if a health care provider (presumably including emergency medical services personnel) determines that a person is at a high risk for contracting HIV infection, the provider may not reveal a negative test result to the person tested without giving that person the immediate opportunity for individual, face-to-face, post-test counseling and written information from a readily available source on various HIV information; and (2) a person who is injured by an intentional violation of (1) may bring a civil action for damages and may recover actual damages and attorney’s fees for each violation.

**H.B. 2030 (Dutton) – Offense Report:** would provide that an offense report prepared in the investigation of a criminal case must be signed by each peace officer who contributed to the report.

**H.B. 2032 (Gervin-Hawkins) – Public Transit:** would increase the criminal penalty for certain offenses committed on the premises of a public transportation system.
H.B. 2044 (S. Thompson) – Police Officers: would make various changes concerning peace officers, racial profiling, use of force, equipment, and disciplinary procedures, including the following:

1. require that a law enforcement agency include as part of its racial profiling policy the collection of information relating to any contraband or other evidence discovered in the course of a search conducted as part of a vehicle stop in which a citation is issued or an arrest is made;
2. require a law enforcement agency to include in its annual incident-based data report information about whether contraband or other evidence was discovered in the course of a search;
3. require that certain funds given to a law enforcement agency through the Texas Department of Public Safety (DPS) for audio and video equipment only be used to install video camera and transmitter-activated equipment in police vehicles and motorcycles regularly used to make motor vehicle stops, and require that a law enforcement agency certify to DPS that it is using the equipment during each motor vehicle stop that is capable of being recorded;
4. provide when a peace officer or a person acting in a peace officer’s presence and at the officer’s direction is justified in using nonlethal force;
5. provide that a peace officer is justified in using deadly force if the officer reasonably believes that the person for whom arrest is authorized poses an imminent threat of death or serious bodily injury, and the officer first attempts to use nonlethal force to make the arrest or prevent the person’s escape, unless the officer reasonably believes that nonlethal force is insufficient to mitigate the threat;
6. provide that a person acting in an officer’s presence and at the officer’s direction is justified in using deadly force if the actor reasonably believes that the person for whom arrest is authorized poses an imminent threat of death or serious bodily injury, and the actor first attempts to use nonlethal force to make or assist in making the arrest or to prevent or assist in preventing the person’s escape, unless the actor reasonably believes that nonlethal force is insufficient to mitigate the threat;
7. provide that a meet and confer agreement may not conflict with and does not supersede a statute, ordinance, order, civil service provision, or rule concerning the disciplinary actions that may be imposed on a police officer, and require that such an agreement implement a progressive disciplinary matrix;
8. make various changes in civil service cities (civil service cities should carefully review the bill’s provisions), including the following:
   (a) require a civil service commission to adopt rules that prescribe disciplinary actions that may be taken against a police officer under a progressive disciplinary matrix;
   (b) in regard to an appeal by a police officer to the civil service commission for an incident that involves an individual who is a member of the public, require: (i) the name and address of the individual be included in the appeal; (ii) the commission to give the individual notice of the hearing and information about their right to attend and provide evidence to the commission; and (iii) give the individual the right to request the commission to subpoena information and witnesses pertinent to the case;
(c) prohibit a civil service commission from opening a promotional exam to a police officer who has sustained an excessive force complaint during a certain time period, and require that points be deducted from such an exam grade if the officer was the subject of disciplinary action within a certain time;

(d) provide that the head of the police department may suspend an officer for a violation of a civil service rule for a reasonable period not to exceed 30 calendar days or for an indefinite period (i.e., dismissal);

(e) provide the procedures that must be used in regard to a suspension described in (d), including how the suspension is communicated to the civil service commission and the officer and how a police officer may appeal the suspension;

(f) require a civil service commission, before refusing to grant a request for demotion of a police officer, to obtain from the department the contact information for any person involved in any incident related to the demotion recommendation, and notify any such person that they may request a public hearing and present reasons why the commission should grant the request;

(g) require a hearing examiner to presume a disciplinary action applied to a police officer under a progressive disciplinary matrix is reasonable unless the facts indicate that the department inappropriately applied a category of offense to the particular violation; and

(h) authorize a police department head to bring a charge against a police officer for a violation of civil service rules within 60 days after the date of final disposition of a criminal indictment or complaint;

9. require that the department head in a civil service city forward a document that relates to disciplinary action against a police officer for inclusion in the officer’s personnel file (not the “(g) file”), and require that a record of a supervisory intervention procedure or inquiry be maintained in the same file;

10. provide that in a city with a population of 460,000 or more that operates under a city manager form of government an agreement affecting police officers may not conflict with and does not supersede a statute, order, ordinance, or rule concerning the disciplinary actions that may be imposed on a police officer and that an agreement must implement a progressive disciplinary matrix; and

11. provide that in a city with a population of 1.5 million or more that has not adopted Chapter 174, an agreement may not conflict with and does not supersede an ordinance, order, statute, or rule concerning the disciplinary actions that may be imposed on a police officer and that an agreement must implement a progressive disciplinary matrix;

12. provide that The Fire and Police Employee Relations Act does not authorize the adoption or implementation of an agreement that conflicts with an ordinance, order, statute, or rule concerning the disciplinary actions that may be imposed on a police officer, and that an agreement adopted under the Act must implement a progressive disciplinary matrix; and

13. require the Bill Blackwood Law Enforcement Management Institute of Texas to develop a model progressive disciplinary matrix and associated training materials, and disseminate the model and materials to all law enforcement agencies and civil service commissions by January 1, 2018.

**H.B. 2068 (Phillips) – Driver Responsibility Program/Traffic Fines:** would, among other things: (1) repeal the driver responsibility program; (2) increase the state traffic fine imposed on
moving violations from $30 to $60; (3) reduce from 5 to 2.5 percent the administrative portion a
city may retain to administer the remission of the fine to the comptroller; (3) reallocate the state
traffic fine allocation to give 58.5 percent to the state’s general fund (with certain “overflow”
funds continuing to go to the Texas Mobility Fund) and 41.5 to the state’s designated trauma
facility and emergency services account; (4) impose additional fines on driving while intoxicated
and similar offenses, ranging from $1,000 - $2,000 per year; (5) increase the fine for driving
without insurance to $250 per year; and (6) provide that a city shall remit the fines in (4) and (5)
to the comptroller each quarter for deposit into the trauma facility and emergency services
account, and may retain 2.5 percent for administrative costs.

**H.B. 2189 (Krause) – Blue Alert System:** would create a blue alert system designed to aid in
the apprehension of an individual suspected of killing or causing serious bodily injury to a law
enforcement officer.

**H.B. 2191 (Dale) – Law Enforcement Grants:** would provide that the governor’s criminal
justice division may not award a grant to a police department of a city with a population of
800,000 or more unless the department is a party to an agreement with the United States
Secretary of Homeland Security and United States Immigration and Customs Enforcement under
Section 287(g) of the Immigration and Nationality Act.

**H.B. 2200 (Hinojosa) – Possession of Marihuana:** would provide an affirmative defense to
prosecution for a person who: (1) possesses marihuana if it was prescribed by a physician; or (2)
is the primary caregiver of the patient prescribed marihuana. The bill would also prohibit a law
enforcement agency from initiating an administrative, civil, or criminal investigation into a
physician licensed to practice medicine in Texas if the physician discussed marihuana as a
treatment option with a patient or discussed the potential benefits of marihuana.

**H.B. 2205 (Kuempel) – Child Abuse Reports:** would provide that an employee of a school
district or open-enrollment charter school must make the report of child abuse or neglect,
including trafficking of a child, to both the Department of Family and Protective Services and a
local or state law enforcement agency.

**H.B. 2226 (Lang) – Peace Officer Complaints:** would amend the state laws that apply to
handling peace officer complaints (except in cities that have meet and confer or collective
bargaining agreements that deal with complaints). Specifically, it would:

1. delete certain references to peace officers and specific law enforcement agencies and
   replace them with a broader reference to a “law enforcement agency,” defined to mean an
   agency of this state or an agency of a political subdivision of this state authorized by law
   to employ a law enforcement officer, including a peace officer;
2. prohibit the head of a law enforcement agency from disciplining, demoting, indefinitely
   suspending, or terminating the employment of a law enforcement officer, peace officer,
   detention officer, or county jailer based on a complaint that alleges the officer threatened
   the use of deadly force or used force against a person that resulted in bodily injury or
death unless: (a) the agency investigates the complaint; and (b) the head of the agency
determines there is sufficient evidence the officer or employee violated a written policy or procedure of the agency;
3. require a law enforcement agency to notify an officer or employee in writing if the head of the agency takes a disciplinary action against the officer or employee under (2), and require the notice include: (a) a statement indicating each policy or procedure that the officer or employee violated and describing each act alleged to have been committed by the officer or employee in violation of the policy or procedure; (b) a statement that the officer or employee is entitled to appeal to a hearing examiner; and (c) a statement that the officer or employee waives the right to appeal to district court if the officer appeals to a hearing examiner;
4. establish procedures for an appeal to an independent hearing examiner as described in (3), including: (a) a requirement that the officer or employee provide certain notice of the appeal to the head of the law enforcement agency, which must be filed not later than the tenth day after the office receives the written notice; and (b) a requirement that the parties attempt to agree on the selection of an impartial hearing examiner or, if there is no agreement, use one of seven neutral arbitrators from the American Arbitration Association or the Federal Mediation and Conciliation Service;
5. provide for the authority and duties of a hearing examiner described in (4), including: (a) the authority to issue subpoenas; (b) the authority to prohibit a witness from discussing the hearing; (c) the duty to promptly reverse any disciplinary action and restore the officer or employee to his/her status if the requirements in (3) are not met; and (d) the requirement to issue a final decision within a certain timeframe;
6. make the final decision in a hearing described in (4) final and binding on all parties to the appeal, and provide that the fees and expenses of the hearing examiner are shared equally between the parties, but the cost of a witness is paid by the party who calls the witness; and
7. provide that a district court may hear an appeal of the final decision of a hearing examiner described in (6) only on the ground that the hearing examiner was without jurisdiction, exceeded his/her jurisdiction, or that the final decision was procured by fraud, collusion, or other unlawful means.

H.B. 2245 (Dukes) – Public Schools: would restrict the use of sprays, Tasers, and stun guns to subdue one or more students on school property or while attending a school-sponsored activity.

H.B. 2280 (Dean) – Immigration Enforcement: would: (1) provide that not later than 48 hours after a person is arrested and before the person is released on bond, a law enforcement agency performing the booking process must: (a) review any information available under the federal Priority Enforcement Program; or (b) request information regarding the person’s immigration status from a federal immigration officer or other officer authorized under federal law to verify a person’s immigration status; (2) except a law enforcement agency from complying with (1) with respect to a person who is transferred to the custody of the agency by another law enforcement agency if the transferring agency already performed those duties; (3) require a law enforcement agency that has custody of a person subject to a federal immigration detainer to: (a) provide to the judge or magistrate notice of the detainer; and (b) detain the person as required by the detainer; and (4) prohibit a law enforcement agency from considering race, color, language, or
national origin while enforcing immigration laws except to the extent permitted by the U.S. or Texas constitutions.

**H.B. 2306 (Guillen) – Abandoned Motor Vehicles**: would allow a law enforcement agency to use proceeds from the auction of an abandoned motor vehicle for compensation to property owners whose property was damaged as a result of a pursuit involving the motor vehicle.

**H.B. 2351 (Nevarez) – Fire Fighter Investigation**: would apply the administrative procedures for the investigation of misconduct applicable in certain civil service cities to firefighters in non-civil service cities.

**H.B. 2380 (Swanson) – Licensed Carry**: would provide that the holder of a license to carry a handgun who is carrying a handgun and personally given notice that carry is prohibited on property pursuant to Texas Penal Code Sections 30.06 and 30.07 and who promptly departs from the property has an affirmative defense to prosecution for violating those sections.

**H.B. 2399 (P. King) – F5 Employment Termination Reports**: would: (1) provide that, at any time after the head of a law enforcement agency (or his/her designee) submits an employment termination report regarding a license holder to the Texas Commission on Law Enforcement (TCOLE), an amended report may be submitted if it is determined that it is necessary based on a reconsideration of the circumstances under which the license holder resigned, retired, was terminated, or separated from the agency; and (2) require that a copy of the amended report in (1) be provided to certain persons (e.g., license holder, next of kin) not later than seven business days after the amended report is submitted to TCOLE.

**H.B. 2404 (Alvarado) – Sexual Assault Reports**: would provide that:

1. within 72 hours of receipt of the allegation of sexual assault, an institution of higher education or a private or independent institution of higher education shall report to an appropriate local law enforcement agency an allegation of sexual assault made to the institution if: (a) a perpetrator or a victim of the alleged sexual assault is a student enrolled at the institution; or (b) the alleged sexual assault occurred on the institution’s campus or on any other property owned by or under the control of the institution;
2. the institution may not report an allegation of sexual assault to a local law enforcement agency if, before the institution makes the report, the victim of the alleged sexual assault requests in writing that the report not be made;
3. on receipt of an allegation to which (1) applies, the institution shall inform the victim of the alleged sexual assault of: (a) requirements of (1) and (2) and the use of a pseudonym form in connection with the report and the victim’s right to request that the form not be used; (b) the importance of preserving any evidence as proof for potential criminal proceedings; (c) the victim’s right to report or decline to report the allegation to the campus peace officers or to the local law enforcement agency, including the right to be assisted by the institution in making a report; (d) the victim’s right to seek a protective order or an order for emergency protection and the institution’s responsibilities, if any, in enforcing those orders; (e) the victim’s crime victims rights including the right to have a forensic medical examination conducted at no cost to the victim and where to obtain the
examination; and (f) applicable counseling, health, mental health, legal, victim advocacy, and other resources available to the victim at the institution or locally;

4. the report under (1) must be made using the pseudonym form unless the victim of the alleged sexual assault objects in writing to the submission of the form; and

5. campus peace officers and the appropriate local law enforcement agency shall develop policies regarding an investigation into an allegation of sexual assault reported to the agency by the institution under (1) and the policies must: (a) provide for the cooperation of the officers and the agency; and (b) establish the respective roles of the officers and the agency in handling the investigation.

**H.B. 2450 (Price) – Search Warrants:** would modify the requirements for a warrant authorizing the search of a cellular telephone or other wireless communications device and allow a peace officer to search such a device without a warrant in certain circumstances.

**H.B. 2458 (Price) – Search Warrants:** would allow any magistrate, rather than one who is an attorney, to issue a search warrant to collect a blood specimen from a person arrested for certain intoxication offenses.

**H.B. 2467 (S. Davis) – Stress Debriefing Grant Program:** would require the governor’s Criminal Justice Division to establish and administer a grant program to assist law enforcement agencies in providing critical incident stress debriefing to peace officers.

**H.B. 2477 (Davis) – Removal of Motor Vehicles:** would allow a city that regulates the operation of vehicles for hire to designate an employee, who is not a peace officer, to request the removal of a vehicle operated in violation of the ordinance.

**H.B. 2505 (Hernandez) – Silver Alerts:** would provide that local law enforcement agency may require the family or legal guardian of the missing senior citizen to provide documentation of the senior citizen’s impaired mental condition to verify the senior citizen has an impaired mental condition and shall, as soon as practicable, determine whether the senior citizen’s disappearance poses a credible threat to the senior citizen’s health and safety.

**H.B. 2521 (Perez) – Mugshots:** would provide that a criminal justice agency, which includes a city police department, may not disclose or release a photograph of an individual taken pursuant to an arrest or other involvement in the criminal justice system, with certain exceptions.

**H.B. 2522 (Schaefer) – Immigration:** would provide that, the director of the Texas Department of Public Safety shall negotiate the terms of a memorandum of understanding between the state and the United States Department of Homeland Security concerning the role of the department in enforcing federal immigration laws, in accordance with federal law; (2) the memorandum of understanding must be signed by the director or by another individual as required by the United States Department of Homeland Security; and (3) not later than March 1, 2018, the director shall report to the legislature the results of the director’s negotiations under the bill.

**H.B. 2552 (Thompson of Harris) – Prostitution:** would provide, among many other things, that: (1) proof in the form of a person’s arrest or the testimony of a law enforcement agent that
prostitution, promotion of prostitution, aggravated promotion of prostitution or compelling prostitution is committed at a place licensed as a massage establishment is prima facie evidence that an owner knowingly tolerated the activity; and (2) a city that has established a first offender prostitution prevention program shall submit to the criminal justice division of the governor’s office an annual report that concerns the performance of the program and include: (a) the number of participants in the program; (b) a sample or overview of the curriculum; (c) information regarding the program administrators; (d) a statement of the program’s effectiveness for the most recent state fiscal year; and (e) any other information requested by the division. (Companion bill is S.B. 1226 by Huffman).

H.B. 2575 (Meyer) – Sex Offender Registration: would require: (1) a police officer to include a statement on the sex offender registration form that a person must provide notice of entry onto school property; and (2) a person subject to sex offender registration to immediately notify the school administrative office upon entering a school premises.

H.B. 2631 (Dutton) – Nuisance Abatement: would: (1) allow residents of a city, by petition, to require a city to file suit to take remedial action against an alleged public nuisance occurring in the city; (2) set out the information that must be included in the petition in (1), including an allegation that the alleged nuisance is within 1,000 feet of a residence, and the procedures the governing body must follow on receipt of a petition; and (3) provide that if a court determines a public nuisance exists that constitutes a threat to the public health or welfare of the city’s residents, the court may order the city to: (a) warn any person who uses or is about to use the premises for the purposes constituting the nuisance that the use constitutes a public nuisance; (b) investigate whether the city should file a suit to abate the nuisance; (c) purchase the nuisance property, if it serves a public purpose of the city; or (d) exercise the power of eminent domain to acquire the nuisance property, if it serves a public purpose of the city.

H.B. 2639 (Pickett) – Silver Alert: would provide that: (1) a person with Alzheimer’s disease is added to the silver alert program; (2) a local law enforcement agency may notify the Department of Public Safety (DPS) if the agency: (a) receives notice of a missing senior citizen or person with Alzheimer’s disease; (b) verifies that, at the time the senior citizen or person with Alzheimer’s disease is reported missing: (i) the person reported missing is 65 years of age or older and has an impaired mental condition or is a person with Alzheimer’s disease; and (ii) the person’s location is unknown; and (c) determines that the person’s disappearance poses a credible threat to the person’s health and safety; (3) the local law enforcement agency shall: (a) require the family or legal guardian of the missing senior citizen or person with Alzheimer’s disease to provide documentation of the person’s age and condition to verify the person’s status as described in (2)(b), above; and (b) as soon as practicable, determine whether the person’s disappearance poses a credible threat to the person’s health and safety for purpose of (2)(c), above.

H.B. 2645 (S. Thompson) – Sex Trafficking Prevention Policy: would provide that a school district may collaborate with local law enforcement and outside consultants with expertise in the prevention of sexual abuse and sex trafficking to create a policy addressing sexual abuse, sex trafficking, and other maltreatment of children.
**H.B. 2693 (Cain) – Fire Department Applications:** would remove the stipulation that a volunteer fire department or a fire department operated by an emergency services district can only obtain the criminal history record of a person required to be certified by the Texas Commission on Fire Protection.

**H.B. 2702 (Coleman) – Sandra Bland Act:** in memory of Sandra Bland, this bill is a product of the House Committee on County Affairs’ interim hearings discussing the circumstances and policies that led to her death. This bill would:

1. require a peace officer to make a good faith effort to divert a person suffering a mental health crisis or substance abuse to a proper treatment center in the officer’s jurisdiction;
2. require a person who is arrested without a warrant and detained in jail on a misdemeanor to be released on personal bond;
3. provide that the Judicial Commission shall adopt reasonable rules establishing minimum standards for jails regarding use of force, prevention of sexual assault, management of intoxicated inmates, and continuity of medication;
4. reduce the timeframe an officer has to complete a training program that includes implicit bias from not later than the second anniversary to not later than the first anniversary of the date the officer is licensed;
5. require training on de-escalation techniques;
6. prohibit an officer from conducting a search based solely on a person’s consent to the search;
7. prohibit an officer from making a stop for an alleged violation of a traffic law or ordinance as a pretext for investigating a violation of another penal law;
8. require that information regarding the complaint process for reporting racial profiling of a law enforcement agency be provided on each ticket, citation, or warning issued by an officer;
9. require a law enforcement agency to review data collected on motor vehicle stops to determine whether the number of vehicles driven by a member of a particular race or ethnicity is disproportionate to the population of that race or ethnicity in the city;
10. provide that the police chief must annually review the data collected on racial profiling to determine if there is an agency-wide or individual racial profiling problem and certify to TCOLE that the review was completed;
11. provide that a law enforcement agency must provide appropriate counseling and training to any officer found to have engaged in racial profiling;
12. require a law enforcement agency to adopt and implement a detailed written policy regarding the administration of a motor vehicle stop;
13. prohibit an officer from arresting a driver during a motor vehicle stop for a traffic violation to conduct a search incident to arrest unless the officer has probably cause to believe that the driver has committed an offense more serious than a class C misdemeanor;
14. require an officer to issue a citation to a person charged with a fine only misdemeanor, that is not an alcohol-related offense, instead of taking the person before a magistrate;
15. require an officer who stops a motor vehicle for a fine only misdemeanor to promptly notify the person that the alleged violation is a misdemeanor punishable by fine only and the officer may not arrest a person solely on the basis of that offense;
16. provide that the complaint process in chapter 614 of the Government Code applies to cities covered by a meet and confer or collective bargaining agreement;
17. require a law enforcement agency to adopt and implement standard procedures for processing a complaint filed by a member of the public;
18. provide that citations issued by police officers must include the e-mail address, telephone number, internet address, and physical location where a complaint can be filed by a member of the public against a peace officer; and
19. provide procedures for investigation and disciplinary action based on the complaint against the officer.

H.B. 2712 (Uresti) – Firearm Buyback Program: would provide that: (1) a firearm buyback program is a program under which a local law enforcement agency seeks to reduce violence or crime in the community by offering a payment as an incentive for each firearm surrendered to the agency; (2) a person who surrenders a firearm in not subject to prosecution for the possession of the firearm; (3) a local law enforcement agency shall pay $100 to the surrendering person for each firearm surrendered; (4) a local law enforcement agency that receives a firearm surrendered under this program may not dispose of the firearm before the 30th day after the date the firearm was surrendered; (5) a local law enforcement agency shall return the firearm to the owner of the firearm if the owner: (a) shows documentation that the owner lawfully owns the firearm; (b) attests that the owner did not authorize the surrender of the firearm; and (c) remits to the agency reimbursement for the $100 paid to person who surrendered the firearm; (6) a local law enforcement agency may monthly submit to the comptroller an invoice for amounts paid for firearms surrendered on a form adopted by the comptroller and the comptroller shall reimburse the local law enforcement agency not later than the fifth working day after the date the comptroller receives the invoice.

H.B. 2727 (Lucio) – Recovery of Personal Property: would: (1) amend the state law that allows a person access to a residence or former residence to retrieve personal property and allow access based on danger of family violence; and (2) provide that, if a justice of the peace finds that application for a writ of entry to property establishes that the current occupant poses a clear and present danger of family violence to the applicant or the applicant’s dependents, the justice may waive the requirements for a bond, notice, and hearing, and grant the applicant a temporary ex parte writ authorizing the applicant to enter the residence accompanied by a peace officer to retrieve the property listed in the application. (Companion bill is S.B. 920 by Whitmire.)

H.B. 2735 (Bohac) – First Responders’ License to Carry: would provide that: (1) a license to carry a handgun shall have a designation for an on-duty first responder to carry a handgun, if the license holder received that designation under the bill; (2) define “first responder” to mean a public safety employee or volunteer whose duties include responding rapidly to an emergency, including fire protection personnel (including volunteer firefighters) and emergency medical services personnel (including emergency medical services volunteers); (3) a first responder is eligible for an on-duty first responder designation on their license to carry a handgun if the first responder submits a form to the Department of Public Safety stating that he or she is a first responder and has successfully completed a course created by the bill; (4) DPS by rule shall
establish minimum standards for a training course for a license holder seeking an on-duty first responder designation, to be taken at the license holder’s expense, which must: (a) be administered by a qualified handgun instructor; (b) include not less than 40 hours of instruction; (c) provide classroom training in: (i) de-escalation techniques; (ii) tactical thinking relating to cover for and concealment of the license holder; (iii) methods to conceal a handgun and methods to ensure the secure carrying of an openly carried handgun; and (iv) consequences of improper use of a handgun; (d) provide field instruction in the use of handguns, including: (i) instinctive or reactive shooting; (ii) tactical shooting; (iii) shooting while moving; and (iv) shooting in low light conditions; and (e) require physical demonstrations of proficiency in techniques learned in training; (5) a license holder who becomes ineligible for the first responder designation because the license holder is no longer employed or volunteering as a first responder promptly shall notify DPS, and not later than the 30th day after the date of receipt of the notice, DPS shall issue a license without the designation; (6) DPS by rule shall approve devices to enable a first responder to secure a handgun if the first responder, while on duty, is required to enter a location where carrying the handgun is prohibited by federal law or otherwise; (7) a governmental entity that employs or otherwise supervises first responders may not adopt a rule or regulation that prohibits a first responder who holds a license bearing a designation under the bill from: (a) carrying a handgun while on duty; or (b) storing a handgun on the premises of or in a vehicle owned or operated by the governmental entity if the handgun is secured with a device approved by DPS; (8) the bill “does not create a cause of action or liability;” (9) a governmental entity that employs or otherwise supervises first responders is not liable in a civil action arising from the discharge of a handgun by a first responder who is licensed to carry a handgun; (10) the discharge of a handgun by a first responder who is licensed to carry a handgun is outside the course and scope of the first responder’s duties; (11) the bill may not be construed to waive the immunity from suit or liability of a governmental entity that employs or otherwise supervises first responders; and (12) first responders with a designation under the bill are allowed to carry a handgun essentially anywhere while on duty.

H.B. 2820 (Pickett) – Texas Peace Officers’ Memorial Ceremony Committee: would provide that the Texas Peace Officers’ Memorial Ceremony Committee is established to plan, oversee, and facilitate annual ceremonies recognizing and honoring peace officers who were killed in the line of duty.

H.B. 2872 (Burns) – Arrest or Citation of a Child: would provide that: (1) a warrant may be issued for the arrest of a person for a Class C misdemeanor committed while the person was in a disciplinary alternative education program; (2) a citation can be issued to a child if the child is alleged to have committed the offense while the child was in a disciplinary alternative education programs; and (3) if a child is alleged to have committed a school offense: (a) a peace officer, law enforcement officer, or school resource officer may issue a citation to the child if the issuance of the citation is authorized by section (2); or (b) the school may file a complaint against the child with a criminal court, if the child fails to comply with or complete graduated sanctions or if the school district has not elected to adopt a system of graduated sanctions.

H.B. 2892 (Smithee) – Guardianships: would impose numerous requirements on a peace officer who detains or arrests a ward of the state. (Companion bill is S.B. 1096 by Zaffrini.)
H.B. 2908 (Hunter) – Offense Against Peace Officer: would: (1) increase the punishment for an offense committed against a person because of bias or prejudice on the basis of the person’s service as a peace officer; (2) provide for an education campaign regarding the importance of peace officers in the community; and (3) increase the punishment for certain unlawful restraint, assault, terroristic threat, and intoxication assault offenses committed against a peace officer.

H.B. 2913 (Miller) – Emergency Detention: would: (1) allow a local mental health authority that determines a person under emergency detention should be transported to an appropriate mental health facility before the detention expires may request a peace officer to provide the transportation; (2) require a peace officer, on receipt from the officer’s supervisor of a notice of a request in (1), to immediately transport the detained person to the appropriate mental health facility along with notification of emergency detention.

H.B. 2940 (Dutton) – Possession of Marihuana: would, among other things, provide that a peace officer shall issue a citation in lieu of arrest for certain misdemeanor of possession of marihuana offenses and provide certain procedures that must be followed.

H.B. 2979 (Klick) – Handicapped Parking: would provide that, in lieu of imposing a fine, a municipal court may order a person who has not previously been convicted of parking in a space designated for persons with disabilities to: (1) perform community service at a nonprofit organization that serves persons with disabilities; (2) perform any community service that may sensitize the person to the needs of and obstacles faced by persons with disabilities; or (3) attend education classes on disability awareness and accessible parking.

H.B. 2991 (Phillips) – TCOLE Files: would make certain complaint and investigatory files of the Texas Commission on Law Enforcement confidential.

H.B. 3007 (Swanson) – Secure Weapons Storage in Public Buildings: would apply to a building or portion of a building used by a political subdivision of this state that is generally open to the public and in which carrying a firearm, handgun, knife, or other weapon on the premises or part of the premises would violate Chapter 46, Penal Code, or other law or the political subdivision in control of the building, by sign or otherwise, prohibits firearms, handguns, knives, or other weapons on the premises or part of the premises. The bill would: (1) provide that, for such a building, the political subdivision must provide temporary secure weapon storage directly outside or immediately inside the entrance to the building; and (2) mandate many requirements for the lockers.

H.B. 3033 (Blanco) – Veterans: would allow a city to commission and employ as a peace officer a legal permanent resident of the United States who is an honorably discharged veteran.

H.B. 3042 (Meyer) – Fallen Law Enforcement Officer Day: would provide that July 7 is Fallen Law Enforcement Officer Day in recognition of the ultimate sacrifice made by Texas law enforcement officers killed in the line of duty. (Companion bill is S.B. 798 by Huffines).

H.B. 3050 (P. King) – Driver’s License: would provide that, as an alternative to including a police officer’s actual place of residence on a driver’s license, the police officer can request to
include an address that is in the: (1) city or county of the peace officer’s residence; or (2) county of the peace officer’s place of employment.

H.B. 3051 (P. King) – Traffic Stops: would revise the categories of “race or ethnicity” for purposes of recording traffic stops to include the following categories: (1) Alaska native or American Indian, (2) Asian or Pacific Islander, (3) black, (4) white, and (5) Hispanic or Latino.

H.B. 3127 (Smithee) – Custodial Interrogations: would: (1) require a law enforcement agency to make an electronic recording of any custodial interrogation that is of a person suspected of committing or charged with a felony; and (2) provide that no oral or written statement of an accused made as a result of a custodial interrogation is admissible without an electronic recording, unless good cause can be shown for the lack of recording.

H.B. 3134 (Smithee) – Custodial Interrogations: would: (1) require a law enforcement agency of a city to make a complete and contemporaneous electronic recording of any custodial interrogation that occurs in a place of detention (including a city police department) and is of a person suspected of committing or charged with the commission of a felony offense, unless good causes exists that makes recording infeasible; (2) require the state’s attorney to provide a copy of a recording in (1) to the defendant not later than the 60th day before trial; and (3) provide that evidence of compliance or noncompliance with (1) is relevant and admissible before the trier of fact and may be considered in determining the admissibility of a defendant’s statement, and may be considered in evaluating the prosecution’s evidence relating to and resulting from the interrogation.

H.B. 3223 (Goldman) – Police Vehicles: would: (1) provide that a city that sells or transfers a marked police patrol car or other law enforcement vehicle to the public is liability for damages proximately caused by the use of the vehicle during the commission of a crime and a civil penalty of $1,000; and (2) prohibit a city from selling or transferring a marked patrol car without first removing any equipment or insignia that could mislead a person to believe that the vehicle is a law enforcement vehicle.

H.B. 3224 (Perez) – Elderly Financial Abuse: would provide that (1) if an agent or investment adviser representative has a good faith belief that financial abuse of an elderly person has occurred or is occurring, the agent or investment adviser representative shall immediately notify the dealer or investment advisor, as appropriate, for whom the agent or investment adviser representative is providing services; (2) the dealer or investment advisor shall make a report notifying the adult protective service and the appropriate local law enforcement agency with jurisdiction over the city or county in which the elderly person resides of the suspected financial abuse for purposes of investigating and determining whether an offense of exploitation of elderly individual or other law has occurred; and (3) information that is confidential may be disclosed to a law enforcement agency in connection with the reporting or notification or an investigation of suspected financial abuse of the elderly person to whom the information pertains.

H.B. 3228 (E. Rodriguez) – Tuition Exemption: would provide an exemption of tuition and fees at public institutions of higher education for certain certified or licensed paramedics.
**H.B. 3238 (Nevarez) – Drones:** would provide that: (1) a political subdivision may not adopt or enforce any ordinance, order, or other similar measure regarding the ownership or operation of an unmanned aircraft; and (2) a political subdivision may adopt and enforce an ordinance, order, or other similar measure if it holds a public hearing and obtains Federal Aviation Administration approval, regarding only: (a) the political subdivision’s use of an unmanned aircraft; or (b) the use of an unmanned aircraft near a facility or infrastructure owned by the political subdivision.

**H.B. 3239 (Fallon) – Bulletproof Vests:** would require the governor’s criminal justice division to establish and administer a grant program to provide financial assistance to a law enforcement agency seeking to equip its peace officers with bulletproof vests.

**H.B. 3242 (Springer) – License to Carry:** would allow a person (other than a peace officer) who is employed by the state or a political subdivision and required by his or her employment to have firearms training to obtain a license to carry a handgun without taking the proficiency training required for others seeking a license.

**H.B. 3431 (Gooden) – Peace Officers:** would provide that the Texas Commission on Law Enforcement shall establish and maintain a training program for peace officers on enforcing the Private Security Act.

**H.B. 3436 (Dean) – Blue Alert System:** would create a blue alert system designed to aid in the apprehension of an individual suspected of killing or causing serious bodily injury to a law enforcement officer.

**H.B. 3454 (Wilson) – Emergency Services Personnel:** would: (1) increase the penalties for crimes against emergency services personnel; and (2) would define “emergency services personnel” to include firefighters, emergency medical services personnel, emergency room personnel, and other individuals who provide services for the benefit of the general public during emergency situations.

**H.B. 3515 (Gervin-Hawkins) – Class B Misdemeanors:** would allow a police officer to dispose of certain class B misdemeanor offenses without taking an offender before a magistrate.

**H.B. 3522 (Neave) – Silver Alert:** would provide that (1) the definition of a senior citizen changes the age from 65 to 55; and (2) the family or legal guardian of a missing senior citizen may provide documentation as required by submitting to the local law enforcement agency an affidavit stating that the senior citizen has an impaired mental condition; and (3) the local law enforcement agency may not require additional documentation form a family or legal guardian who submits the affidavit in section (2). (Same as S.B. 1551 by Menéndez).

**H.B. 3577 (Sheffield) – Emergency Medical Services Educational Program:** would provide that the Department of State Health Services shall establish the emergency medical services educational program or provide an education curriculum for training rural emergency medical services personnel.
H.B. 3619 (Rose) – Alert System: would create a countywide alert system for missing adults. (Similar bill is H.B. 3715 by J. Johnson.)

H.B. 3637 (Ortega) – Recording Criminal Proceedings: would: (1) in relation to an arrest under warrant, allow the arrested person to be taken before the magistrate by means of videoconference; and (2) in relation to pleadings in criminal matters: (a) allow a plea or waiver of a defendant’s right to be accepted by a court by videoconference, and repeal provisions allowing the same by closed circuit video teleconferencing; and (b) require a record of the communication in (a) be made by a court reporter or electronic recording. (Companion bill is S.B. 1521 by Rodriguez.)

H.B. 3640 (Hunter) – Emergency Calls: would provide that a recording or transcript of an emergency call made to a public safety agency or public safety answering point is confidential; and (2) recording or transcript of an emergency call may be disclosed only with the express consent of the person who placed the emergency call or of a legal representative of the person.

H.B. 3678 (Swanson) – Motor Vehicle Registration: would extend the motor vehicle registration period from annually to once every three years.

H.B. 3681 (Anchia) – Peace Officer Deaths: would: (1) require a city police department to adopt a written policy detailing the procedure for investigating officer-involved deaths; (2) require the policy in (1) to require: (a) a team of three investigators to investigate the officer-involved death, two of whom must be employed by a law enforcement agency that does not employ a peace officer involved in the death being investigated; and (b) the use of a crash reconstruction unit from a law enforcement agency that does not employ a peace officer involved in the death being investigated, if the death being investigated is traffic-related; (2) allow a city police department to conduct an internal investigation into an officer-involved death if the internal investigation does not interfere with the investigation required in (1); and (3) require the team described in (2) to submit a final report to the prosecutor with felony jurisdiction in the county in which the death occurred, and provide for the final report to be posted on the attorney general’s website, with certain redactions.

H.B. 3698 (Isaac) – Immigration: this is a lengthy bill that contains provisions similar to S.B. 4 by Perry, relating to immigration enforcement (the “sanctuary city” bill). In summary, this bill would make a city that prohibits or discourages the enforcement of immigration laws ineligible to participate in and receive funds from the major events reimbursement program.

H.B. 3719 (Isaac) – Failure to Identify: would provide that a person commits an offense if the person intentionally refuses to give the person’s name, residence address, or date of birth to a peace officer who has requested the information from the person and: (1) has lawfully arrested the person; (2) has lawfully detained the person; or (3) has good cause to believe that the person is a witness to a criminal offense.

H.B. 3824 (Rose) – Duties of Peace Officers: would provide that an officer shall give notice to a magistrate of all offenses committed within the officer’s jurisdiction, if the officer has probable cause to believe there has been a violation of a penal law.
H.B. 3906 (Frullo) – Local Disasters: would provide that: (1) the presiding officer of the governing body of a political subdivision may declare a local state of disaster if the presiding officer finds a disaster has occurred or that the occurrence or threat of disaster is imminent; (2) an order or proclamation declaring, continuing, or terminating a local state of disaster must include: (a) a description of the nature of the disaster; (b) a designation of the area threatened; and (c) a description of the conditions that have brought the local state of disaster about or made possible the termination of the local state of disaster; (3) If the political subdivision to which the order or proclamation applies maintains an Internet website, a copy of the order or proclamation shall also be posted on the political subdivision’s Internet website; and (4) the presiding officer of a political subdivision may request the governor to waive or suspend a deadline imposed by a statute or the orders or rules of a state agency on the political subdivision, including a deadline relating to a budget or ad valorem tax, if the waiver or suspension is reasonably necessary for the political subdivision to cope with a local disaster. (Companion bill is S.B. 1897 by Perry.)

H.B. 3915 (Lucio III) – Automobile Burglary and Theft Prevention Authority (ABTPA): would provide that the ABTPA shall use the money appropriated for ABTPA purposes to provide financial support to law enforcement agencies, local prosecutors, and judicial agencies for the criminal enforcement of statutes concerning commercial motor vehicles.

H.B. 3921 (Parker) – Financial Exploitation: would provide that: (1) financial institutions and dealer or investment advisers shall adopt internal policies, programs, plans or procedures that may authorize the financial institution, dealer, or investment advisors to report the suspected financial exploitation of a vulnerable adult to other appropriate agencies, including the appropriate law enforcement agency; (2) to the extent permitted by state or federal law, a financial institution, dealer, or investment advisor shall provide, on request, access to or copies of records relevant to the suspected financial exploitation of a vulnerable adult to a law enforcement agency either as part of a report to the law enforcement agency or at the request of the law enforcement agency in accordance with an investigation; (3) a peace officer shall accompany and assist the person making a court-ordered entry into the place of resident of a vulnerable adult of reported financial exploitation if the probate court determines that action is necessary; and (4) the Department of Family and Protective Services or investigating state agency may establish procedures to exchange with another state agency or governmental entity information that is necessary for the DFPS, state agency, or governmental entity to properly execute its respective duties and responsibilities to provide services to vulnerable adults. (Companion bill is S.B. 2067 by Hancock.)

H.B. 3922 (Stucky) – Licensed Carry: would provide for a defense to prosecution for an active judicial officer, including a municipal court, who is licensed to carry and who carries a concealed handgun onto premises where handgun carry is prohibited by a “30.06” sign.

H.B. 3931 (Schaefer) – Transportation Network Companies: would: (1) prohibit registered sex offenders from providing passenger transportation through an online application; and (2) prohibit cities from regulating: (a) street-hail taxicab services, (b) prearranged limo service, and (c) prearranged rides through an online app. (Companion bill is S.B. 113 by Huffines.)
H.B. 3942 (Rose) – Law Enforcement Training: would provide that law enforcement officer training must include training on appropriate use of and response to persons on the child safety check alert list.

H.B. 3950 (L. Gonzales) – Motor Vehicle Accident Reports: would repeal the requirement that the operator of a vehicle involved in an accident make a written report of the accident to the Texas Department of Transportation if the accident is not investigated by a law enforcement officer and results in injury to or the death of a person or damage to the property of any one person to an apparent extent of $1,000 or more.

H.B. 3957 (Stickland) – Emergency Services: would require a private entity operating a toll project under a contract with a toll project entity to reimburse a political subdivision for costs incurred in providing police, fire, or emergency medical services on the toll project.

H.B. 3965 (Faircloth) – Reporting Criminal Offenses: would allow a person with knowledge of the commission of a crime to report the offense to any attorney who prosecutes criminal cases on behalf of the state.

H.B. 3972 (Johnson of Dallas) – Financial Exploitation: would, among other things, provide that a peace officer shall accompany and assist the person making a court-ordered entry into the place of residence of a vulnerable adult of reported financial exploitation if the probate court determines that the action is necessary. (Companion bills are H.B. 3921 by Parker and S.B. 2067 by Hancock.)

H.B. 3980 (Pickett) – Red Light Cameras: would: (1) require a city to hold an election on whether the city may operate red light cameras before installing red light cameras in their jurisdiction; (2) provide the required proposition ballot language; (3) require that a city that has already installed red light cameras must hold an election on the first uniform election date after the effective date of the bill; and (4) provide that a subsequent election on a failed proposition may not be held before the second anniversary of the previous election.

H.B. 4003 (Tinderholt) – Interlock Device Database: would require: (1) a magistrate and court submit to the Texas Department of Public Safety (DPS) the name of a defendant who is required to install an ignition interlock device; and (2) the DPS to maintain a computerized central database of defendants who are restricted to the use of a motor vehicle equipped with an ignition interlock device, and require that the database provide information in a format that allows a law enforcement agency to make the information available to a peace officer through a mobile data terminal.

H.B. 4013 (Frullo) – Juveniles: would: (1) allow a peace officer who takes possession of a child in an emergency without a court order to release the child to: (a) a licensed and authorized residential child-care facility; (b) a juvenile probation department; (c) the Department of Family and Protective Services (department); or (d) any other person authorized by law to take possession of the child; and (2) require an officer who releases a child under (1) to a person other than a governmental entity to: (a) verify that the child is not a missing child; (b) verify that the person does not have an outstanding warrant, a protective order issued against the person, and is
not a registered sex offender; (c) obtain any other information the department considers relevant; (d) determine whether the person is listed as a person who abused or neglected a child; (e) verify that the person is at least 18 years of age; and (f) complete a form prescribed by the department with information about the child’s placement. (Companion bill is S.B. 1571 by Huffman.)

H.B. 4028 (Rodriguez) – Transportation Network Companies: would: (1) require a special driver’s license for a transportation network company driver; (2) require the Department of Public Safety to adopt procedures to create and maintain a registry of all persons issued a transportation network company driver’s license; and (3) require a driver to submit a set of fingerprints for a background check to obtain the driver’s license.

H.B. 4043 (Bernal) – Neighborhood Electric Vehicle: would define “neighborhood electric vehicle” to mean a vehicle that can attain a maximum speed of 35 miles per hour on a paved level surface, and is manufactured and certified to comply with certain federal safety standards or manufactured and certified to comply with federal safety requirements for a motorcycle.

H.B. 4060 (Collier) – Non-Custodial Interrogations: would, with certain exceptions, require that a law enforcement agency make an electronic recording of all non-custodial interviews.

H.B. 4061 (Hinojosa) – Task Force: would create a task force on intentional violent deaths which will include one representative from a law enforcement organization.

H.B. 4077 (Dukes) – Pawnbroker Reporting: would provide that, before the end of each business day following the day goods are acquired by a pawnbroker, the pawnbroker shall electronically report goods purchased, accepted in pawn, or otherwise acquired by the pawnbrokers to law enforcement agencies through a reporting database that is searchable by those agencies statewide and is generally accepted by law enforcement agencies or designed by the Finance Commission.

H.B. 4091 (Coleman) – Office-Involved Injury or Death: would, in regard to required reports to the attorney general regarding certain use of force injuries or deaths caused by peace officers: (1) define “officer-involved injury or death” to mean an officer-involved use of force that causes injury or death to another; (2) define “officer-involved use of force” to mean an incident during which a peace officer uses an action or force to compel compliance by an unwilling person; (3) require a report about an officer-involved use of force to include the name of the peace officer, name of the person against whom force was used, a description of any injuries sustained, and a detailed description of the use of force; (4) require that the report in (3) be prepared as soon as practicable after an officer-involved use of force; and (5) provide that a report regarding officer-involved use of force is public information and not confidential, regardless of any other law.

H.B. 4102 (Neave) – Evidence Testing Grant Program: would provide that: (1) the criminal justice division of the governor’s office shall establish and administer a grant program and shall disperse funds to assist law enforcement agencies in testing evidence collected in relation to a sexual assault or other sex offenses; and (2) grant funds may be used only for the testing by an accredited crime laboratory of evidence that was collected in relation to a sexual assault or other sex offense.
H.B. 4121 (White) – Rapid DNA Technology: would require the use of rapid DNA technology to identify, document, and record a person arrested for certain offenses, including a person arrested for any misdemeanor offense after having been previously convicted of or placed on deferred adjudication for certain other offenses.

H.B. 4159 (Coleman) – Vehicle Stops: would: (1) prohibit an officer from: (a) conducting a search based solely on a person’s consent to the search; and (b) making a stop for an alleged violation of a traffic law or ordinance as a pretext for investigating a violation of another penal law; (2) require that a law enforcement agency’s racial profiling policy: (a) include a plan to provide the public information about the complaint process on each ticket, citation, or warning issued by a peace officer; and (b) require the collection of information on all vehicle stops and whether a police officer used physical force against anyone during the stop; (3) provide that data collected as part of a racial profiling policy is admissible in a court of law as evidence of racial profiling; (4) require certain analysis, investigations, and counseling/training regarding racial profiling; (5) require each law enforcement agency to adopt and implement a detailed written policy regarding the administration of a motor vehicle stop investigation; (6) prohibit a peace officer from: (a) conducting a roadside investigation during a motor vehicle stop for an offense other than the traffic violation without suspicion based on a preponderance of the evidence that the driver committed the other offense; (b) continuing a roadside investigation during a motor stop into an offense other than the traffic violation after a driver refuses consent to be searched, unless the peace officer has additional suspicion based on a preponderance of the evidence that the driver committed the other offense; (c) arresting a driver during a motor vehicle stop for a traffic violation to conduct a search incident to arrest unless the officer has probable cause to believe the driver committed an offense more serious than a class C misdemeanor; (7) provide that a peace officer who violates a prohibition in (6) is subject to an administrative penalty of not less than a one-day suspension; and (8) provide (with certain exceptions) that a person, including a child, charged with committing a misdemeanor publishable by fine only may be issued a citation instead of being taken before a magistrate.

H.B. 4172 (Coleman) – Training: would, among other things, require a peace officer to complete training on de-escalation and crisis intervention techniques.

H.B. 4188 (Collier) – Non-Custodial Interviews: would, with certain exceptions, require that a law enforcement agency make an electronic recording of all non-custodial interviews.

H.B. 4201 (Perez) – Mug Shots: would provide that (1) a law enforcement agency may not publish on the agency’s Internet website any photograph taken pursuant to an arrest, lawful detention, or other involvement in the criminal justice system unless the person depicted in the photograph has been finally convicted for the offense in connection with which the photograph was taken; (2) a law enforcement agency may not release a photograph of an individual taken pursuant to an arrest, lawful detention, or other involvement in the criminal justice system unless the person requesting the photograph includes in the request: (a) the name of the individual who is the subject of the photograph; and (b) the approximate date the photograph was taken or date on which the incident giving rise to the photograph occurred; and (3) section (2) does not apply to a law enforcement agency for the release of a photograph to another law enforcement agency.
H.B. 4215 (Swanson) – Distracted Driving: would: (1) prohibit a city from regulating or prohibiting district driving, including the use of a wireless communication device while operating a vehicle; (2) allow a city to enforce state law regarding distracted driving; and (2) provide that a person causing, or involved in, a collision from the operating of a moving vehicle commits an offense if the person was engaged in an activity that: (a) is not related to the operation of the motor vehicle; and (b) interferes with the driver’s ability to pay attention to the road. (Companion bill is S.B. 1356 by Hall.)

H.J.R. 46 (Howard) – Cannabis: would amend the Texas Constitution to authorize the Texas legislature to authorize and regulate the possession, cultivation, and sale of cannabis in Texas.

S.B. 4 (Perry) – Immigration: would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would provide that:

11. a peace officer may not stop a motor vehicle or conduct a search of a business or residence solely to enforce a federal law relating to immigration, unless the officer is acting: (a) at the request of, and providing assistance to, an appropriate federal law enforcement officer; or (2) under the terms of an agreement between the law enforcement agency employing the officer and the federal government under which the agency receives delegated authority to enforce federal law relating to immigrants or immigration;

12. a peace officer may arrest an undocumented person only if the officer is acting to preserve the peace under his or her basic authority to enforce laws;

13. if a person is arrested and is unable to provide proof of lawful presence in the U.S., not later than 48 hours after the person is arrested and before the person is released on bond, a law enforcement agency performing the booking process shall: (a) review any information available from the federal Priority Enforcement Program or a successor program; and (b) if information obtained under (a) reveals that the person is not a citizen or national of the U.S. and is unlawfully present in the U.S.: (i) provide notice of that fact to the judge or magistrate authorized to grant or deny the person’s release on bail (the judge is then required to record the status in the court’s records); and (ii) record that fact in the person’s case file;

14. a law enforcement agency that has custody of a person subject to an immigration detainer issued by Immigration and Customs Enforcement (ICE) shall: (a) provide to the judge or magistrate authorized to grant or deny the person’s release on bail notice that the person is subject to an immigration detainer (the judge is then required to record the status in the court’s records); (b) record in the person’s case file that the person is subject to an immigration detainer; and (c) comply with, honor, and fulfill the requests made in the detainer; and

15. if a criminal defendant is in the U.S. illegally and is to be confined to jail by a court judgment, the judge shall issue an order requiring the correctional facility to reduce the defendant’s sentence by a period of not more than seven days on the facility’s determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.

The bill would prohibit certain city actions by providing that:
9. a “local entity” is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals, but not hospital peace officers);

10. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;

11. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from Citizenship and Immigration Services or ICE, including information regarding a person’s place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal immigration laws; and

12. a local entity or a person employed by or otherwise under the direction or control of the entity may not consider race, color, language, or national origin while enforcing immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

11. any person, including the federal government, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or discourages the enforcement of those laws.

12. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general shall, not later than the 10th day after the date of the determination, provide written notification to the entity that: (a) the complaint has been filed; (b) the attorney general has determined that the complaint is valid; (c) the attorney general is authorized to file an action to enjoin the violation if the entity does not come into compliance on or before the 90th day after the date the notification is provided; and (d) the entity will be denied state grant funds for the state fiscal year following the year in which a final judicial determination is made.

13. not later than the 30th day after the day a local entity receives written notification of a complaint, the local entity shall provide the attorney general with a copy of: (a) the entity’s written policies related to immigration enforcement actions; (b) each immigration detainer received by the entity from the Department of Homeland Security; and (c) each response sent by the entity for a detainer;

14. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate
equitable relief and may recover reasonable expenses incurred in obtaining relief under this subsection, including court costs, reasonable attorney’s fees, investigative costs, witness fees, and deposition costs; and

15. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses a policy under which the entity prohibits or discourages the enforcement of immigration laws or, by consistent actions, prohibits or discourages the enforcement of immigration laws (the comptroller shall adopt rules to implement the bill uniformly among the state agencies from which state grant funds are distributed to a city).

Finally, the bill would provide that not later than January 1, 2018, each local law enforcement agency shall: (a) formalize in writing any unwritten, informal policies relating to the enforcement of immigration laws; and (b) update the agency’s policies to be consistent with the bill and to include provisions prohibiting an agency officer or employee from preventing agency personnel from taking immigration enforcement actions described by the bill.

S.B. 12 (West) – Bulletproof Vests: would require the governor’s criminal justice division to establish and administer a grant program to provide financial assistance to a law enforcement agency seeking to equip its peace officers with bulletproof vests.

S.B. 30 (West) – Police Interaction: would: (1) require a local school district or open-enrollment charter school to offer instruction on proper interaction with a peace officer during a traffic stop; (2) provide that the curriculum should be based on recommendations made by the Stakeholder Task Force on Police and Citizen Interactions; and (3) require civilian interaction training for peace officers.

S.B. 31 (Zaffirini) – Cell Phone Ban: this bill is the same as H.B. 62 and H.B. 160, above.

S.B. 67 (Zaffirini) – Cell Phone Ban: would: (1) require driver education training to include information on the effect of using a wireless communication device or engaging in other actions that may distract a driver; (2) with certain exceptions, prohibit a driver from using a wireless communication device while operating a motor vehicle unless: (a) the vehicle is stopped outside a lane of travel; or (b) the operator is at least 18 years old and the wireless device is used with a hands-free device; (3) prohibit the operator of a passenger bus with a minor on board from using a wireless communication device; and (4) preempt all city ordinance, rules, or regulations related to the use of a wireless communication device by the operator of a motor vehicle.

S.B. 69 (Zaffirini) – Animals and Children in Vehicles: would: (1) limit the liability of a person who, by force or otherwise, enters a motor vehicle for the purpose of removing a vulnerable individual or an animal from the vehicle; (2) provide that a person’s conduct is justified when the person, by force or otherwise, enters a motor vehicle to remove a vulnerable individual or animal; (3) make it a Class C misdemeanor offense to leave a nonlivestock animal in a vehicle unattended by an adult and exposed to harm while confined in the vehicle; (4) not preempt a city ordinance that was more stringent as to an offense described in (3), above; and (4) provide that leaving an animal unattended in a vehicle under circumstances that expose the animal to life-threatening heat or cold without providing protection to the animal is punishable as an animal cruelty offense.
S.B. 76 (Nelson) – Sex Offenders: would: (1) define “child safety zone” as premises where children commonly gather, including a school, day-care facility, playground, public or private youth center, public swimming pool, video arcade facility, or other facility that regularly holds events primarily for children; (2) exclude a church from the definition of child safety zone; (3) authorize the governing body of a general law city by ordinance to restrict a registered sex offender from going in, on, or within a specified distance of a child safety zone in the city; (4) create an affirmative defense to prosecution of an offense under the ordinance that the registered sex offender is in, on, or within a specified distance of a child safety zone for a legitimate purpose, including transportation of a child that the registered sex offender is legally permitted to be with, transportation to and from work, and other work-related purposes; (5) limit the distance imposed by ordinance under (3), above, to, 1,000 feet; (6) require an ordinance to establish procedures for a registered sex offender to apply for an exemption from the ordinance; and (7) require the ordinance to exempt a registered sex offender who established residency in a residence located within the specified distance of a child safety zone before the date the ordinance is adopted.

S.B. 86 (Hall) – Handguns: would provide that an owner of property on which the carrying of a handgun is not otherwise unlawful is immune from civil liability with respect to any claim that is based on the property owner’s failure to exercise the option to forbid the carrying of handguns on the property, unless the liability arises from a willful or wanton act or gross negligence by the owner.

S.B. 87 (Hall) – Red Light Cameras: this bill is identical to H.B. 121 by Keough, above.

S.B. 88 (Hall) – Traffic Enforcement Cameras: would: (1) prohibit a local entity from implementing or operating a photographic traffic signal enforcement system with respect to a highway or street under the jurisdiction of the entity (with certain on-site law enforcement and toll exceptions); (2) authorize the attorney general to enforce (1), above; and (3) prohibit a local entity from issuing a civil or criminal charge or citation for an offense or violation based on a recorded image produced by a photographic traffic signal enforcement system (with certain on-site law enforcement and toll exceptions).

S.B. 90 (Hall) – Driver Responsibility Program: would repeal the Texas driver responsibility program.

S.B. 91 (Hall) – Law Enforcement: would provide that: (1) a law enforcement agency may use an automatic license plate reader; (2) any images or related data produced may be used only for: (a) investigating a criminal offense; or (b) investigating a report of a missing person; and (3) all images and data produced shall be destroyed not later than the seventh day after the date of collection unless the images or data is evidence in a criminal investigation or prosecution.

S.B. 93 (Hall) – Firearms: would provide that: (1) the bill applies to state agencies and political subdivisions, including the governing body of a city, an officer or employee of the city, the municipal attorney, the municipal police department, or “other body that is part of a city;” (2) an entity described by (1) may not use public funds to enforce a federal statute, order, rule, or
regulation or an international law purporting to regulate a firearm, a firearm accessory, or firearm ammunition, or the carrying of those items, if the federal statute, order, rule, or regulation or international law imposes a prohibition, restriction, or other regulation, such as a capacity, size, or configuration limitation, that does not exist under the laws of this state; (3) an entity may not receive state grant funds if the entity adopts a rule, order, ordinance, or policy under which the entity requires the enforcement of any federal statute, order, rule, or regulation or an international law or if the entity, by consistent actions, requires the enforcement of any federal statute, order, rule, or regulation or an international law; (4) state grant funds for the entity shall be denied for the fiscal year following the year in which a final judicial determination in an action brought under the bill is made that the entity has intentionally required the enforcement of any federal statute, order, rule, or regulation or an international law; (5) any citizen residing in the jurisdiction of an entity may file a complaint with the attorney general if the citizen offers evidence to support an allegation that the entity has violated the bill; (6) if the attorney general determines that a complaint is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief in a district court in Travis County or in a county in which the principal office of the entity is located to compel the entity to comply with the bill; and (7) the attorney general shall defend any entity described by (1) that the federal government attempts to sue or prosecute for an action or omission consistent with the requirements of this section.

S.B. 106 (Hall) – Eight Liners: would clarify that eight liners are illegal gambling devices.

S.B. 111 (Huffines) – Traffic Enforcement Cameras: would: (1) with the exception of tollway enforcement, prohibit the state or a political subdivision from issuing a civil or criminal charge or citation for an offense or violation based on a recorded image produced by a photographic traffic enforcement system; and (2) repeal a Transportation Code provision that defines “regulating” to include criminal, civil, and administrative enforcement, and thereby, potentially impact the enforcement authority of cities over various activities on a highway under the jurisdiction of the city.

S.B. 128 (Garcia) – Human Trafficking Training: this bill is identical to H.B. 272, above.

S.B. 156 (Hinojosa) – Asset Forfeiture: would: (1) raise the state’s burden of proof from “preponderance of the evidence” to “clear and convincing” in certain criminal asset forfeiture proceedings; and (2) limit: (a) the transfer of and forfeitable property to the federal government; and (b) cooperation in federal forfeiture actions.

S.B. 169 (Rodriguez) – Immigration: would provide that: (1) in the course of investigating an alleged criminal offense, a peace officer may inquire as to the nationality or immigration status of a victim of or witness to the offense only if the officer determines that the inquiry is necessary to: (a) investigate the offense; or (b) provide the victim or witness with information about federal visas designed to protect individuals providing assistance to law enforcement; and (2) the bill does not prevent a peace officer from: (a) conducting a separate investigation of any other alleged criminal offense; or (b) inquiring as to the nationality or immigration status of a victim of or witness to a criminal offense if the officer has probable cause to believe that the victim or witness has engaged in specific conduct constituting a separate criminal offense.
S.B. 170 (Rodriguez) – Marijuana: would make: (1) possession of less than one ounce of marijuana a civil offense; and (2) the identity of a person cited or found liable for a civil marijuana penalty confidential under the Public Information Act. (Companion bill is H.B. 81 by Moody.)

S.B 179 (Menendez) – Bullying: this bill is identical to H.B. 306, above.

S.B 180 (Menendez) – Bullying: this bill is identical to H.B. 305, above.

S.B. 183 (Uresti) – E-Cigarettes and Cigarettes: would raise the legal age to purchase tobacco products from 18 to 21 years of age.

S.B. 188 (Uresti) – Animals in Vehicles: would: (1) limit the civil liability of a person who, under certain circumstances, enters a motor vehicle for the purpose of removing a domestic animal from the vehicle; (2) provide that a person’s conduct is justified when the person, by force or otherwise, enters a motor vehicle to remove a domestic animal in order to avoid imminent harm to the animal; and (3) provide that the offense of animal cruelty includes depriving an animal of adequate ventilation or exposing an animal to prolonged and life-threatening heat or cold.

S.B. 197 (Nichols) – Sex Offenders: this bill is identical to H.B. 387, above.

S.B. 202 (West) – Traffic Stops: would provide that: (1) the State Board of Education and the Texas Commission on Law Enforcement enter into a memorandum of understanding that establishes each agency’s respective responsibilities in developing instruction on proper interaction with peace officers during traffic stops and other in-person encounters; and (2) require training in such interactions to ninth-graders and peace officers.

S.B. 220 (Menendez) – Licensed Carry: would prohibit licensed carry at certain mental health facilities.

S.B. 227 (Huffman) – Controlled Substances: would modify the Texas Controlled Substances Act by repealing the provision that removes a substance from the Penalty 2 Group if the Federal Drug Administration approves the substance.

S.B. 228 (Uresti) – E-Cigarettes and Cigarettes: would provide that a city may raise the legal age to purchase tobacco products from 18 to 21 years of age.

S.B. 233 (Menéndez) – Law Enforcement Training: would: (1) require the Texas Commission on Law Enforcement to establish, as part of the minimum curriculum requirements for preparatory and advanced courses and programs for schools, a statewide education and training program on proper procedures for traffic stops; and (2) require an officer to complete a program established under (1), above, not later than the second anniversary of the date the officer is licensed or the date the officer applies for an intermediate proficiency certificate, whichever is earlier.
S.B. 256 (Taylor of Collin) – Confidentiality: would provide, among other things, that: (1) victims of sexual abuse and trafficking of persons are added to the address confidentiality program administered by the Office of the Attorney General; and (2) eligibility to participate in the address confidentiality program is clarified by adding different situations that make the applicant eligible for the program, including a child or another person in the applicant’s household being eligible for the program.

S.B. 278 (Zaffirini) – Child Safety Seats: would provide that a person commits an offense if the person operates a passenger vehicle transporting a child who is younger than two years of age and does not keep the child secured during the operation of the vehicle in a rear-facing child passenger safety seat system. (Companion bill is H.B. 519 by Turner.)

S.B. 294 (Hinojosa) – School Law Enforcement: would provide that: (1) school district peace officers, security personnel, and other employees and peace officers may not use a stun gun or Taser to subdue a student on school property or while attending a school-sponsored or school-related activity off of school property; and (2) if the student possesses a weapon that the person sees, and the person believes that the student poses an imminent risk of causing bodily injury to another student, the person may use a stun gun or Taser to subdue the student.

S.B. 344 (West) – Emergency Detention: would: (1) authorize a peace officer who apprehends a person believed to have a mental illness to transfer that person to a licensed paramedic for transport to an appropriate facility so long as the officer determines it is safe for both the person and paramedic; (2) require a peace officer who transfers a person to a licensed paramedic under (1) to provide certain oral notice to the person and a completed notification of detention to the paramedic; and (3) require a paramedic who transfers a person under (1) to file a notification of emergency detention with the facility.

S.B. 380 (Burton) – Asset Forfeiture: would repeal civil asset forfeiture provisions and establish criminal asset forfeiture in this state, and among other things: (1) authorize a convicting court to order a person convicted of violating a law subject to forfeiture to forfeit certain property, but only after the state establishes by clear and convincing evidence that the requirements for forfeiture are met or enters into a court-approved plea agreement for the forfeiture of the property; (2) provide that contraband is not subject to forfeiture, but must be disposed in accordance with state law; (3) establish procedures for the seizure of real and personal property and for the defendant to challenge the seizure; (4) provide that a forfeiture proceeding must be held following the trial of the related alleged offense; (5) require that the county treasurer dispose of all forfeited and abandoned property and deposit the money in the general revenue fund of the county, except that the court may order a portion of the proceeds to be used to pay all outstanding recorded liens and for the expenses for the seizure, storage and maintenance or custody of the items; (6) prohibit a law enforcement agency from: (a) retaining any forfeited or abandoned property for the agency’s use; or (b) selling any forfeited or abandoned property directly or indirectly to an employee, a person related to an employee, or another law enforcement agency; (7) require law enforcement agencies to report certain forfeiture information to the Department of Public Safety; (8) require a law enforcement agency to return property under certain circumstances and make the agency responsible for any damage,
storage fees, and related costs applicable to the property; and (9) prohibit the transfer of seized property to the federal government, with some exceptions.

**S.B. 381 (Burton) – Law Enforcement:** would provide that: (1) a peace officer who stops a motor vehicle for any alleged violation of a law or ordinance regulating traffic may not search the vehicle unless the peace officer: (a) has probable cause; (b) obtains the operator’s written consent on a form that is promulgated by the Texas Commission on Law Enforcement; (c) obtains the operator’s oral consent and ensures that the oral consent is evidenced by an audio and video recording by a body-worn camera; or (d) has a reasonable and articulable fear that the operator or another person in the vehicle poses a threat to the safety of the peace officer or another person; and (2) the Texas Commission on Law Enforcement must establish rules regarding: (a) a form to obtain written consent for a vehicle search; and (b) audio and video recordings used as evidence of an operator’s oral consent.

**S.B. 395 (Campbell) – Drones:** this bill is identical to H.B. 638 by Workman, above.

**S.B. 401 (Huffman) – Forfeiture of Contraband:** would: (1) require a peace officer that seizes property as contraband without a warrant to make application for a warrant no later than 48 hours after the seizure and require the property to be returned if no warrant is issued; (2) require a court to dismiss a forfeiture proceeding and return the property if the court determines that property was not seized in accordance with (1); (3) require that any order of return of property in (2) be stayed upon notice and perfection of an appeal by the state’s attorney; (3) make a law enforcement agency in custody of seized property liable for all associated storage costs; (4) raise the state’s burden of proof from “preponderance of the evidence” to “clear and convincing evidence” in forfeiture proceedings; (5) authorize a court to order the attorney representing the state to pay court costs, including deposition fees and attorney’s fees, if a forfeiture proceeding is dismissed or it is determined that the property is not forfeitable; and (6) allow the expenditure of forfeiture funds for storage costs, court costs, and attorney fees described in (3) and (5).

**S.B. 434 (Rodriguez) – Lethal Violence Protective Order:** this bill is identical to H.B. 866, above.

**S.B. 449 (Burton) – Licensed Carry:** would allow the holder of a license to concealed carry a handgun in certain establishments that sell alcoholic beverages.

**S.B. 450 (Burton) – Firearms:** would provide that, with certain exceptions, an agency of this state or a political subdivision of this state, and a law enforcement officer or other person employed by an agency of this state or a political subdivision of this state, may not contract with or in any other manner provide assistance to a federal agency or official with respect to the enforcement of a federal statute, order, rule, or regulation purporting to regulate a firearm, a firearm accessory, or firearm ammunition if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation, such as a capacity or size limitation or a registration requirement, that does not exist under the laws of Texas.

**S.B. 451 (Hancock) – Short-Term Rentals:** would preempt a city’s authority to regulate short-term rentals. Specifically, the bill would provide that:
1. “short-term rental” is defined as a residential property, including a single-family dwelling or a unit in a condominium, cooperative, or time-share, that is rented wholly or partially for a fee for a period not longer than 30 consecutive days;
2. a city is prohibited from adopting or enforcing a local law that expressly or effectively prohibits the use of a property as a short-term rental;
3. a city is prohibited from adopting or enforcing a local law that restricts the use of or otherwise regulates a short-term rental based on the short-term rental’s classification, use, or occupancy;
4. a city may adopt or enforce a regulation on a property used as a short-term rental only if the city demonstrates the regulation’s primary purpose is to protect the public’s health and safety;
5. regulations are permitted that would address: (a) fire and building codes; (b) health and sanitation; (c) traffic control, and (d) solid or hazardous waste control;
6. a city may adopt or enforce a local regulation that limits or prohibits the use of short-term rental only if the law prohibits the use of a rental for the purpose of: (a) housing sex offenders; (b) operating a structured sober living home; (c) selling illegal drugs, (d) selling alcohol or another activity that requires a permit or license under the Alcoholic Beverage Code, or (d) operating as a sexually oriented business;
7. a city must apply a local law regulating land use to a short-term rental in the same manner as another similar property, which includes regulations on: (a) residential use and other zoning matters; (b) noise; (c) property maintenance; and (d) nuisance.

S.B. 480 (Burton) – Asset Forfeiture: would prohibit a law enforcement agency from using an electronic recovery and access to data prepaid card reader to seize from a stored value card or a depository account funds that are subject to forfeiture unless the seizure is authorized by a search or seizure warrant.

S.B. 481 (Burton) – Asset Forfeiture: would, in regard to the proceeds from asset forfeiture: (1) require that the audit to the attorney general include a detailed report that itemizes all seizures and indicates the specific criminal offense on which each seizure was based and whether charges were brought in connection with the offense; (2) add the following as permissible expenditures for law enforcement purposes: (a) professional fees paid to a person or entity under a contract or as authorized by law; and (b) the costs of preparing any reports required to be submitted with the audit form to the attorney general; and (3) add the following as permissible expenditures of an attorney’s office: (a) witness-related costs; and (b) audit costs and fees including, audit preparation and professional fees paid to a person or entity under a contract or as authorized by law, and costs of preparing any reports required to be submitted with the audit form to the attorney general.

S.B. 487 (Miles) – Official Oppression: would: (1) increase the penalty for the offense of official oppression from a Class A misdemeanor to a second degree felony if the public servant, at the time of the commission of the offense, was a licensed peace officer and: (a) caused bodily injury to another or threatened another with imminent bodily injury; and (b) caused serious bodily injury to another or used or exhibited a deadly weapon; and (2) provide that, if conduct
constituting the offense of official oppression also constitutes an offense under another section of the Penal Code, the actor may be prosecuted under either or both sections.

**S.B. 523 (Birdwell) – Drones:** would provide that a person commits an offense if the person intentionally operates an unmanned aircraft over, makes contact with, or comes within a distance that interferes with the operation of a correctional facility.

**S.B. 565 (Perry) – DNA Database:** would provide that a person convicted of prostitution shall be required to provide their DNA for the DNA database.

**S.B. 580 (Estes) – Volunteer Firefighters:** would provide that a state agency may not require a volunteer firefighter or a member of an industrial emergency response team to obtain a license or certification in order to be a volunteer firefighter or a member of an industrial emergency response team.

**S.B. 583 (Campbell) – Licensed Carry:** would modify the punishment for a handgun license holder who carries into a hospital, amusement park, place of religious worship, or meeting of a governmental body (if notice is properly posted), to provide that the offense is a class C misdemeanor, unless the license holder failed to depart after receiving notice, in which case the offense is a class A misdemeanor. (Companion bill is H.B. 1209 by Burns.)

**S.B. 618 (Estes) – Licensed Carry:** would provide that there shall be no cause of action against an owner or lessee of for not prohibiting licensed carry on his property.

**S.B. 619 (Estes) – Immigration:** would provide that: (1) the commissioners court of each county and the governing body of each city in this state shall: (a) adopt and enforce an order or ordinance, as appropriate, that requires the county or municipality to cooperate with state and federal law enforcement in enforcing immigration laws and, for counties containing an international border and cities located wholly or partly in those counties, state and federal efforts to enhance international border security; and (b) submit a written copy of the order or ordinance to the comptroller; (2) the comptroller shall establish and maintain a database of counties and cities that comply with the bill; and (3) provide a complaint procedure that can result in the suspension of the authority of the county or city to impose a sales or use tax.

**S.B. 630 (Buckingham) – Arrest without Warrant:** would require a police officer to prepare and file an affidavit with the magistrate before an individual arrested without a warrant is taken before the magistrate.

**S.B. 661 (Huffines) – Driver Responsibility Program:** would repeal the Driver Responsibility Program.

**S.B. 672 (Lucio) – Law Enforcement:** would provide that each school district shall report through the Public Education Management System the number of security personnel and commissioned peace officers assigned to each district.

**S.B. 733 (Hancock) – Artificial Swimming Lagoons:** this bill is the same as H.B. 1468, above.
S.B. 772 (Uresti) – Code Enforcement Officer: would: (1) exempt a code enforcement officer from the prohibition on carrying a club, if the officer holds a certificate of registration as a code enforcement officer and is carrying the club to deter animal bites while the officer is on duty; and (2) require the Texas Commission of Licensing and Regulation to include educational training requirements regarding the principles and procedures to be followed when possessing or carrying an instrument used for deterring animal bites.

S.B. 791 (Miles) – Law Enforcement: would provide that, if an officer or employee of a financial institution that has a good faith belief that financial abuse of an elderly person has occurred or is occurring, the financial institution shall notify the appropriate local law enforcement agency with the jurisdiction over the city in which the elderly person resides. (Companion bill is H.B. 959 by Thierry.)

S.B. 792 (Miles) – Law Enforcement: would provide that, if an officer or employee of a financial institution that has a good faith belief that financial abuse of an elderly person has occurred or is occurring, the financial institution shall notify the appropriate local law enforcement agency with the jurisdiction over the city in which the elderly person resides. (Companion bill is H.B. 916 by Thierry.)

S.B. 811 (Kolkhorst) – Sex Offenders: would: (1) prohibit a sex offender from being in a motor vehicle with a minor who is not a family member; and (2) require a local law enforcement authority to provide a statement describing the prohibition on the required sex offender registration form.

S.B. 883 (Perry) – Life-Sustaining Treatment: would: (1) require a health care facility or treating physician to disclose in writing any policy they have relating to the provision of life-sustaining treatment to a patient; (2) prohibit a health care facility or treating physician from withholding, withdrawing, or restricting life-sustaining treatment to a minor patient unless: (a) authorized by an advanced directive or certain DNR orders; and (b) the facility or physician has complied with any request of the minor patient’s parent, guardian, or managing conservator to get another medical opinion or transfer the patient to another facility; (3) except a physician or facility from the prohibition in (2) if, after a reasonably diligent effort, the facility is unable to locate the parent, guardian or conservator within 72 hours of determining the treatment to be medically inappropriate; and (4) provide that the desire of a competent minor patient to receive life-sustaining treatment supersedes of the effect of an authorization described in (2) or a determination made by a physician/facility as described in (3).

S.B. 901 (West) – Drones: would: (1) with certain exceptions, provide that a person commits an offense if the person intentionally operates an unmanned aircraft near a correctional facility; and (2) provide an exemption from the various places that drones are prohibited under current law for a drone that is being used for a commercial purpose, if the operator is authorized by the Federal Aviation Administration to conduct operations over that airspace.

S.B. 908 (Creighton) - Medical Supply Transport Vehicles: would provide that: (1) a vehicle used by a medical supply distributor to transport prescription drugs and other medical supplies to
an emergency care facility or pharmacy located in an area declared a disaster area by the governor may have access to highways, streets, and bridges as if the transport vehicle were an emergency vehicle if: (a) law enforcement officials in the disaster area can provide adequate security to prevent theft; (b) the weight of the transport vehicle will not jeopardize the structural integrity or any highway, street, or bridge located in the disaster area; and (c) the transport vehicle will not negatively impact evacuation activities; and (2) the Texas Division of Emergency Management shall establish procedures to assist medical supply distributors in accessing highways, streets or bridges and provide distributors with documentation specifying the distributors’ access to highways, streets, and bridges. (Companion bill is H.B. 1816 by Metcalf.)

S.B. 966 (Watson) – Juvenile Offenses: would provide that the offenses of consumption or possession of an alcoholic beverage by a minor does not apply to a minor who reports the sexual assault of the minor or another person to: (1) a health care provider treating the victim of the sexual assault; (2) an employee of a law enforcement agency, including an employee of a campus police department of an institution of higher education at which the victim of the sexual assault is enrolled; or (3) the Title IX coordinator of an institution of higher education at which the victim of the sexual assault is enrolled or another employee of the institution responsible or responding to reports of sexual assault.

S.B. 983 (Estes) – Cemeteries: would provide that a dead body may be transferred without a funeral director directing the transfer at the direction of a justice of the peace or other law enforcement official. (Companion bill is H.B. 1292 by Raymond.)

S.B. 986 (Buckingham) – Immigration Enforcement: would: (1) require the criminal justice division in the governor’s office (division) to establish a competitive grant program to provide financial assistance to a local entity to offset costs related to: (a) enforcing immigration laws; or (b) complying with, honoring, or fulfilling any immigration detainer request; and (2) provide that the division may use any revenue available for the program described in (1).

S.B. 997 (Garcia) – Immigration Enforcement: would: (1) require a law enforcement agency or governmental entity that employs a peace officer to adopt and enforce a policy that prohibits officers from participating in the enforcement of federal immigration laws on the property of a place of worship, hospital, public school, institute of higher education, or courthouse; and (2) require the attorney general to develop and publish a model policy for the enforcement of federal immigration law at places of worship, hospital, public schools, and courthouses.

S.B. 1013 (Kolkhorst) – Motor Vehicle Records: would provide that: (1) a written agreement with an agency is needed to disclose personal information by an agency in connection with a motor vehicle record; (2) in the written agreement, the agency agrees to maintain records that: (a) specify the requestor’s use of the personal information; and (b) identify any person or entity receiving the personal information and the permitted use for which it was obtained if the requestor resells or rediscloses that information and provides any other information as required by the agency; (3) an authorized recipient who resells or rediscloses personal information shall notify the agency that provided the information of the resale or redisclosure not later than the 30th day after the date the recipient resells or rediscloses the personal information; (4) an
authorized recipient shall provide copies of all records required to be maintained to the agency that provided the information on request; and (5) an administrative penalty is created for the misuse of personal information.

S.B. 1041 (Buckingham) – Sex Offenders: would prohibit a registered sex offender from residing on the campus of a public or private institution of higher education. (Companion bill is H.B. 355 by Raney.)

S.B. 1069 (Hughes) – Survivor Benefits: would provide, in regard to certain claims and benefits or compensation by survivors of fire fighters, that: (1) the opinion of the individual’s employer on whether the individual’s death resulted from a personal injury sustained in the line of duty may not be considered; (2) any reasonable doubt arising from the circumstances of the individual’s death shall be resolved in favor of payment when the person died as a result of an illness sustained in the line of duty and any scientific evidence is presented that establishes: (a) the incidence rate for the illness is significantly higher among persons performing the same job; or (b) a causal link between the illness and a hazardous condition encountered in the individual’s job; and (3) deference shall be given to the medical opinion of a treating physician in favor of payment when there is any reasonable doubt regarding the circumstances of the individual’s death as a result of a newly discovered or rare illness sustained in the line of duty. (Companion bill is H.B. 1922 by E. Rodriguez.)

S.B. 1077 (Burton) – Theft: would provide that the offense of theft is a state jail felony if the value of the property stolen is less than $30,000 and the property is: (1) aluminum, bronze, copper, or brass stolen from; (a) structure owned or operated by a telecommunication provider; or (b) a structure in which the stolen property was used to provide basic local telecommunications services; or (2) regulated materials stolen from: (a) a public utility or telecommunications provider; or (b) a cable service provider or video service provider.

S.B. 1096 (Zaffirini) – Guardianships: would impose numerous mandates related to the arrest or detention of a ward by a police officer. Specifically, the bill would provide that: (1) as soon as practicable, but not later than the first working day after, the date a peace officer detains or arrests a ward, takes into custody a ward because there is probable cause the ward violated a penal statute, a penal ordinance, delinquent conduct, conduct indicating a need for supervision or conduct that violates a condition of probation imposed by the juvenile court, the peace officer or the person having custody of the ward shall notify the probate court having jurisdiction over the ward’s guardianship of the ward’s detention, arrest or custody; (2) the Department of Public Safety (DPS) shall make information for the guardianship database available to law enforcement personnel through the Texas Law Enforcement Telecommunications System or successor system of the telecommunication used by law enforcement agencies and operated by DPS; (3) the only information that may be disclosed from the guardianship database to a law enforcement official inquiring into guardianship is: (a) the name, sex, and date of birth of a ward; (b) the name, telephone number, and address of the guardian of a ward; and (c) the name of the court with jurisdiction over the guardianship; and (4) a law enforcement agency or officer that receives the information must maintain the confidentiality of the information, may not disclose the information under the PIA or any other law, and may not use the information for purpose that does not directly relate to the purpose for which it was obtained.
S.B. 1138 (Whitmire) – Blue Alert System: would create a blue alert system designed to aid in the apprehension of an individual suspected of killing or causing serious bodily injury to a law enforcement officer. (Companion bill is H.B. 2189 by Krause.)

S.B. 1163 (Garcia) – Evidence Testing Grant Program: would provide that the criminal justice division of the governor’s office shall establish and administer a grant program and shall disperse funds to assist law enforcement agencies in testing evidence collected in relation to a sexual assault or other sex offense. (Same as H.B. 1729 by Neave.)

S.B. 1184 (Hughes) – Survivor’s Benefits: would: (1) provide that the lump sum payment amount payable to an eligible survivor of certain law enforcement officers and firefighters of $500,000 shall, effective September 1 of each year, be adjusted by an amount equal to the percentage change in the Consumer Prices Index; and (2) in addition to the lump sum in (1), eligible survivors are entitled to receive $500,000 as a monthly annuity over 30 years, adjusted each year by an amount equal to the percentage change in the Consumer Price Index.

S.B. 1186 (West) – Mental Health Certification: would require each city police department to have the following percentage of officers who are mental health assignment certified: (1) at least one-fourth of the department’s officers who are engage in traffic duty or are primary responders who respond directly to calls for assistance from the public; and (2) at least one-fourth of the department’s officers who are on duty during a shift.

S.B. 1187 (West) – No Insurance Citations: would prohibit a police officer from issuing a citation for operating a motor vehicle without financial responsibility, unless the officer attempts to verify through the verification program that financial responsibility has been established for the vehicle.

S.B. 1188 (West) – License to Carry: would provide that a person with a license to carry and who receives notice may not go with a handgun on the premises of a recreation center owned by the government, unless the license holder is a participant in an event conducted at the center and a handgun is used in the event.

S.B. 1192 (Buckingham) – Silver Alert: This bill is the same as H.B. 2639, above.

S.B. 1201 (West) – Body Worn Camera Recordings: would: (1) require a law enforcement agency in possession of a body worn camera recording to provide a copy of the recording to the subject of the recording or the person’s close family member or to respond in writing with the reasons for declining to release the recording within the later of 30 days after the recording is made or 10 days after the request is received; and (2) provide that a law enforcement agency may not assert that the requested recording is exempt under the law enforcement exception of the Public Information Act.

S.B. 1241 (Rodriguez) – Warrants or Capias: would provide that: (1) not later then the 30th day after the date the court clerk issues the warrant or capias, each municipal police department: (a) shall report to the National Crime Information Center (NCIC) each warrant or capias issued
for a defendant charged with a felony who fails to appear in court when summoned; (b) may report to the NCIC each warrant or capias issued for a defendant charges with a misdemeanor other than a Class C misdemeanor who fails to appear in court when summoned; and (c) shall report to the NCIC and Texas Crime Information Center (TCIC) each warrant or capias issued for a defendant who commits family violence, sexual assault or abuse, stalking, or trafficking;

(2) the procedure that a municipal police department establishes to inform officers of protective orders must require reporting to the NCIC and TCIC must include: (a) the names of persons protected by protective orders; (b) the names of persons to whom protective orders are directed; and (c) the terms of protective orders; and (3) each municipal police department shall establish procedures within the department or office that requires reporting to the NCIC and TCIC: (a) the names of persons who have been release on bond and are awaiting trial in a family violence sexual assault or abuse, stalking, or trafficking case; and (b) the conditions of bond for persons described in (3)(a).

S.B. 1242 (Rodriguez) – Protective Orders: would provide that: (1) on request by an applicant, the court may protect the mailing address of an applicant for a protective order; (2) if the applicant is not represented by an attorney, a notice of an application for a protective order must include the mailing address of the applicant; or the name and mailing address of the person designated to receive on behalf of the applicant; and (3) if a court grants a request for confidentiality, the court clerk shall maintain a confidential record of the information for use only by a law enforcement agency for purposes of entering the information into the statewide law enforcement information system maintained by Department of Public Safety.

S.B. 1274 (Rodriguez) – Unprotected Road User: would: (1) require the operator of a motor vehicle passing an unprotected road user (e.g., pedestrian, utility worker, bicyclist, or motorcyclist) to either vacate the lane in which the user is located if the highway has two or more marked lanes or to pass the user at a safe distance; (2) require the operator of a motor vehicle that is making a turn at an intersection to yield the right-of-way to an unprotected road user; (3) prohibit the operator of a motor vehicle from overtaking an unprotected road user and turning in front of the user unless the operator is clear of the user; (4) prohibit the operator of a motor vehicle from maneuvering the vehicle in a manner that intimidates, harasses, or threatens an unprotected road user; (5) provide that a violation of (1)-(4) is a misdemeanor offense; and (6) provide that it is a defense to prosecution for (1)-(4) that the unprotected road user was acting in violation of the law. (Companion bill is H.B. 1236 by Martinez.)

S.B. 1282 (Huffines) – Automated Traffic Control Systems: would prohibit cities and school districts from operating an automated traffic control system to enforce compliance with posted speed limits.

S.B. 1321 (Hughes) – Automobile Burglary and Theft Prevention Authority: would credit 100 percent of the fee collected under the Automobile Burglary and Theft Prevention program to the Texas Department of Motor Vehicles (department) and provide that the fee may only be appropriated to the department for the purpose of the authority.

S.B. 1333 (Huffman) – Attempted Child Abduction: would provide that a local law enforcement agency, on receiving a report of an attempted child abduction, shall as soon as
practicable, but not later than eight hours after receiving the report, provide any relevant information regarding the attempted child abduction to the state’s missing children’s clearinghouse. (Companion bill is H.B. 1503 by Frullo.)

S.B. 1348 (Watson) – Automobile Burglary and Theft Prevention Authority: would credit the fee collected under the Automobile Burglary and Theft Prevention program to the Texas Department of Motor Vehicles (department) and provide that the fee may only be appropriated to the department for the purposes of the authority.

S.B. 1356 (Hall) – Distracted Driving: would: (1) prohibit a city from regulating or prohibiting district driving, including the use of a wireless communication device while operating a vehicle, but allow a city to enforce state law regarding distracted driving; and (2) provide that a person causing, or involved in, a collision from the operating of a moving vehicle commits an offense if the person was engaged in an activity that: (a) is not related to the operation of the motor vehicle; and (b) interferes with the driver’s ability to pay attention to the road.

S.B. 1366 (Menendez) – Retirement: would provide eligibility for membership and funding of benefits for certain law enforcement, custodial, and other peace officers who are members of the Teacher Retirement System of Texas or the Employees Retirement System of Texas. (Companion bill is H.B. 1163 by Alonzo.)

S.B. 1372 (Menéndez) – Electric Unicycle: would provide that: (1) an electric unicycle may not be registered for operation on a public highway; and (2) an electric unicycle is treated like a bicycle for Transportation Code purposes.

S.B. 1408 (Huffines) – First Responders’ License to Carry: would provide that: (1) a license to carry a handgun shall have a designation for an on-duty first responder to carry a handgun, if the license holder receives that designation under the bill; (2) define “first responder” to mean a public safety employee or volunteer whose duties include responding rapidly to an emergency, including fire protection personnel (including volunteer firefighters) and emergency medical services personnel (including emergency medical services volunteers); (3) a first responder is eligible for an on-duty first responder designation on their license to carry a handgun if the first responder submits a form to the Department of Public Safety stating that he or she is a first responder and has successfully completed a course created by the bill; (4) DPS by rule shall establish minimum standards for a training course for a license holder seeking an on-duty first responder designation, to be taken at the license holder’s expense, which must: (a) be administered by a qualified handgun instructor; (b) include not less than 40 hours of instruction; (c) provide classroom training in: (i) de-escalation techniques; (ii) tactical thinking relating to cover for and concealment of the license holder; (iii) methods to conceal a handgun and methods to ensure the secure carrying of an openly carried handgun; and (iv) consequences of improper use of a handgun; (d) provide field instruction in the use of handguns, including: (i) instinctive or reactive shooting; (ii) tactical shooting; (iii) shooting while moving; and (iv) shooting in low light conditions; and (e ) require physical demonstrations of proficiency in techniques learned in training; (5) a governmental entity that employs or otherwise supervises first responders may not adopt a rule or regulation that prohibits a first responder who holds a license bearing a designation under the bill from: (a) carrying a handgun while on duty; or (b) storing a handgun
S.B. 1448 (Estes) – Licensed Carry: would provide, among other things, that a public or private employer: (1) may not prohibit an employee who holds a license to carry a handgun from carrying a concealed handgun or ammunition the employee is authorized by law to possess on the employee’s person when the employee is not on property owned or leased by the employer, regardless of whether the employee is engaged in performing duties on behalf of the employer; (2) may not prohibit an employee who holds a license to carry a from transporting or storing a handgun or ammunition the employee is authorized by law to possess in a motor vehicle that is owned or leased by the employee when the vehicle is not located on property owned or leased by the employer, regardless of whether the employee is engaged in performing duties on behalf of the employer; (3) may not prohibit an employee who holds a license to carry a handgun from using a firearm or ammunition under circumstances that justify the use under state law; and (4) who violates the bill’s provisions is liable for reasonable damages and attorney’s fees incurred by the employee as a result of the violation. The bill would also provide that: (1) an employee discharged in violation of the bill’s provisions is entitled to reinstatement in the employee’s former position of employment and may obtain a court injunction against the employer; and (2) an employer is not liable for damages resulting from an employee’s use of a firearm under the bill.

S.B. 1471 (Seliger) – Emergency Medical Services: would establish: (1) the emergency medical services assistance program to provide financial and educational assistance to eligible emergency medical service providers, including grants and a distance-learning emergency medical services curriculum to provide remote training to personnel who serve a rural area; and (2) the emergency medical service account as a dedicated account in the general revenue fund composed of money from a portion of the $30 state traffic fine. (Companion bill is H.B. 1407 by Sheffield.)

S.B. 1487 (West) – Racial Profiling: would make numerous changes to the racial profiling law. Specifically, the bill would provide that:

1. A peace officer may not engage in an act of racial profiling, as defined by the written policy required by state law, and adopted by the law enforcement agency employing the officer.
2. If a law enforcement agency installs vehicle video or audio equipment, the law enforcement agency shall adopt a policy for the use of the equipment.
3. Policy adopted by an agency under (2) must include: (a) guidelines for when a peace officer should activate the equipment or discontinue a recording currently in progress; (b)
provisions relating to data retention, including a provision requiring the retention of video and audio recordings for a minimum period of 90 days; (c) provisions relating to storage of video and audio recordings, creation of backup copies of the recordings, and maintenance of data security; (d) guidelines for public access, through open records requests, to recordings that are public information; (e) provisions entitling an officer to access any recording of an incident involving the officer before the officer is required to make a statement about the incident; (f) procedures for supervisory or internal review; and (g) the handling and documenting of equipment and malfunctions of equipment.


5. A report to the Texas Commission on Law Enforcement and the entity’s governing body may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer.

6. A peace officer who uses a motor vehicle or motorcycle equipped with video or audio equipment shall act in a manner that is consistent with the policy of the law enforcement agency that employs the officer with respect to when and under what circumstances the equipment must be activated.

7. A peace officer who does not activate video or audio equipment in response to a call for assistance or on making a motor vehicle stop must include in the officer’s incident report or otherwise note in the case file or record the reason for not activating the equipment.

8. Any justification for failing to activate the equipment because it is unsafe, unrealistic, or impracticable is based on whether a reasonable officer under the same or similar circumstances would have made the same decision.

9. A video or audio recording documenting an incident that involves the use of deadly force by a peace officer or that is otherwise related to an administrative or criminal investigation of an officer may not be deleted, destroyed, or released to the public until all criminal matters have been finally adjudicated and all related administrative investigations have concluded.

10. A law enforcement agency may release to the public a recording showing the use of deadly force if the law enforcement agency determines that the release furthers a law enforcement purpose.

11. A member of the public is required to provide the following information when submitting a written request to a law enforcement agency for a video or audio recording: (a) the date and approximate time of the recording; (b) the specific location where the recording occurred; and (c) the name of one or more persons known to be a subject of the recording.

12. A recording that is or could be used as evidence in a criminal prosecution is subject to release under the Public Information Act (PIA) as “super- or core-public” information.

13. A law enforcement agency may: (a) seek to withhold a recording in accordance with the PIA; (b) assert any exceptions to disclosure in the PIA or other law; or (c) release a recording after the agency redacts any information made confidential under the PIA or other law.

14. A law enforcement agency may not release any portion of a recording involving the investigation of conduct that constitutes a misdemeanor punishable by fine only and does not result in arrest without written authorization from the person who is the subject of
that portion of the recording or, if the person is deceased, from the person’s authorized representative.

15. The attorney general shall set a proposed fee to be charged to members of the public who seek to obtain a copy of a recording.

16. A recording is confidential and excepted from the requirements of the PIA if the recording: (a) was not required to be made under the law or a policy adopted by the appropriate law enforcement agency; and (b) does not relate to a law enforcement purpose.

17. Various procedures are modified and deadlines extended under the PIA for requesting a letter ruling to withhold a recording.

18. A peace officer or other employee of a law enforcement agency commits a Class A misdemeanor offense if the officer or employee releases a recording without permission of the applicable law enforcement agency.

S.B. 1560 (L. Taylor) – License Plates: would provide that a person commits an offense if the person operates on a public highway a motor vehicle equipped by the manufacturer with not more than one “area to display a license plate” (defined to mean a feature of the exterior front or rear of a vehicle to which a person can fasten a license plate).

S.B. 1571 (Huffman) – Juveniles: would: (1) allow a peace officer who takes possession of a child in an emergency without a court order to release the child to: (a) a licensed and authorized residential child-care facility; (b) a juvenile probation department; (c) the Department of Family and Protective Services (department); or (d) any other person authorized by law to take possession of the child; and (2) require an officer who releases a child under (1) to a person other than a governmental entity to: (a) verify that the child is not a missing child; (b) verify that the person does not have an outstanding warrant, a protective order issued against the person, and is not a registered sex offender; (c) obtain any other information the department considers relevant; (d) determine whether the person is listed as a person who abused or neglected a child; (e) verify that the person is at least 18 years of age; and (f) complete a form prescribed by the department with information about the child’s placement. (Companion bill is H.B. 4013 by Frullo.)

S.B. 1577 (Perry) – Custodial Interrogations: would: (1) require a law enforcement agency to make an electronic recording of any custodial interrogation that is of a person suspected of committing or charged with a felony; and (2) provide that no oral or written statement of an accused made as a result of a custodial interrogation is admissible without an electronic recording, unless good cause can be shown for the lack of recording. (Companion bills are H.B. 34 by Smithee and H.B. 3127 by Smithee.)

S.B. 1617 (West) – Officer-Involved Injuries: would add additional items to the report a law enforcement agency is required to send to the attorney general following an officer-involved injury or death.

S.B. 1622 (Uresti) – Alert System: would create a statewide alert system for missing military members.
S.B. 1631 (Rodriguez) – Sex Offenders: would provide that a parole-established child safety zone does not apply to a sex offender when traveling directly on a public or private roadway between locations where the sex offender has legitimate business.

S.B. 1651 (Watson) – Drug Possession: would create a defense to prosecution for drug possession crimes, if the individual: (1) requested emergency medical assistance in response to the possible controlled substance overdose of another person; (2) was the first person to make a request for medical assistance; (3) remained on the scene until the medical assistance arrived; and (4) cooperated with medical assistance and law enforcement personnel. (Companion bill is H.B. 73 by Guillen.)

S.B. 1700 (Rodriguez) – Protective Orders Reporting: would provide that each municipal police department and sheriff shall establish procedures with in the department or office that require protective order information to be entered into the statewide law enforcement information system maintained by the Department of Public Safety (DPS) and the procedure must comply with the uniform protocols developed by DPS.

S.B. 1714 (Hall) – Asset Forfeiture: would, among other things: (1) raise the state’s burden of proof from preponderance of the evidence to clear and convincing evidence in asset forfeiture proceedings; (2) provide that asset forfeiture proceeds or property may not be used for recurring expenses or to pay a salary of the law enforcement agency; (3) require that the city council approve the expenditure of proceeds and property obtained through asset forfeiture at an open meeting, that each expenditure be approved by a separate vote, and that the notice of the meeting include specific information about the proposed expenditures; and (4) require that, at least annually, the state auditor perform an audit of each law enforcement agency related to asset forfeiture.

S.B. 1719 (Hall) – Licensed Carry: would provide that the holder of a license to carry a handgun who is carrying a handgun and personally given notice that carry is prohibited on property pursuant to Texas Penal Code Sections 30.06 and 30.07 and who promptly departs from the property has an affirmative defense to prosecution for violating those sections. (Companion bill is H.B. 2380 by Swanson.)

S.B. 1736 (Hughes) – Licensed Handgun Carry: would provide that the owner or operator of a business on the premises of which the carrying of a handgun is not otherwise unlawful is immune from civil liability with respect to any claim that is based on the owner's or operator's failure to exercise the option to forbid the carrying of handguns on the premises by customers or employees. (It is unclear how the bill would apply to cities because it does not define “business.”)(Companion bill is H.B. 497 by Rinaldi.)

S.B. 1747 (Hinojosa) – Traffic Stops: would revise the categories of “race or ethnicity” for purposes of recording traffic stops to include the following categories: (1) Alaska native or American Indian, (2) Asian or Pacific Islander, (3) black, (4) white, and (5) Hispanic or Latino. (Companion bill is H.B. 3051 by P. King.)

S.B. 1788 (V. Taylor) - Warrants: would provide that a law enforcement agency shall execute, as soon as practicable, a warrant that is directed to the agency and issued for the return of a
release in the super-intensive supervision program based on a violation of a condition of parole or mandatory supervision related to the electronic monitoring of the release. (Companion bill is H.B. 1824 by Shaheen.)

S.B. 1805 (Lucio) – Training: would provide that the Texas Facilities Commission shall construct a multiuse training and operations center facility to be used by the Department of Public Safety, the Texas military forces, county and municipal law enforcement agencies, and any other military or law enforcement agency, including agencies of the federal government: (1) for training purposes; (2) to house law enforcement assets and equipment; and (3) to support and initiate tactical operations and law enforcement missions.

S.B. 1808 (Huffman) – Offense Against Peace Officer: would: (1) increase the punishment for an offense committed against a person because of bias or prejudice on the basis of the person’s service as a peace officer; (2) provide for an education campaign regarding the importance of peace officers in the community; and (3) increase the punishment for certain unlawful restraint, assault, terrorist threat, and intoxication assault offenses committed against a peace officer. (Companion bill is H.B. 2908 by Hunter.)

S.B. 1823 (Burton) – Search Warrants: would modify the requirements for a warrant authorizing the search of a cellular telephone or other wireless communications device and allow a peace officer to search such a device without a warrant in certain circumstances. (Companion bill is H.B. 2450 by Price.)

S.B. 1825 (Burton) – License Plate Readers: would authorize a law enforcement agency to use an automatic license plate reader, and require that all images and data produced from a reader be destroyed not later than the 90th day after the date of collection unless it is evidence in a criminal investigation or prosecution.

S.B. 1826 (Burton) – Sex Offenders: would require that vehicle registration information of any vehicle owned by a sex offender be included on the registration form filed with a city police department.

S.B. 1828 (Rodriguez) – Juvenile Sex Offenders: would: (1) create a juvenile sex offender registration; (2) provide that juvenile sex offender registration information is not public information and is restricted to use by: (a) law enforcement and criminal justice agencies, (b) the Council on Sex Offender Treatment, (c) the Department of Family and Protective Services, and (d) public or private institutions of higher education; and (3) require that a juvenile who has already registered under chapter 62 of the Code of Criminal Procedure shall be automatically removed from the public registry.

S.B. 1836 (Burton) – Juveniles: would require the Office of Court Administration to study the use of the terms “juvenile,” “child,” and “minor” in criminal statutes.

S.B. 1849 (Whitmire) – Sandra Bland Act: in memory of Sandra Bland, this bill is a product of the House Committee on County Affairs’ interim hearings discussing the circumstances and policies that led to her death. This bill would:
1. require a peace officer to make a good faith effort to divert a person suffering a mental health crisis or substance abuse to a proper treatment center in the officer’s jurisdiction;
2. require a person who is arrested without a warrant and detained in jail on a misdemeanor to be released on personal bond;
3. provide that the Judicial Commission shall adopt reasonable rules establishing minimum standards for jails regarding use of force, prevention of sexual assault, management of intoxicated inmates, and continuity of medication;
4. reduce the timeframe an officer has to complete a training program that includes implicit bias from not later than the second anniversary to not later than the first anniversary of the date the officer is licensed;
5. require training on de-escalation techniques;
6. prohibit an officer from conducting a search based solely on a person’s consent to the search;
7. prohibit an officer from making a stop for an alleged violation of a traffic law or ordinance as a pretext for investigating a violation of another penal law;
8. require that information regarding the complaint process for reporting racial profiling of a law enforcement agency be provided on each ticket, citation, or warning issued by an officer;
9. require a law enforcement agency to review data collected on motor vehicle stops to determine whether the number of vehicles driven by a member of a particular race or ethnicity is disproportionate to the population of that race or ethnicity in the city;
10. provide that the police chief must annually review the data collected on racial profiling to determine if there is an agency-wide or individual racial profiling problem and certify to TCOLE that the review was completed;
11. provide that a law enforcement agency must provide appropriate counseling and training to any officer found to have engaged in racial profiling;
12. require a law enforcement agency to adopt and implement a detailed written policy regarding the administration of a motor vehicle stop;
13. prohibit an officer from arresting a driver during a motor vehicle stop for a traffic violation to conduct a search incident to arrest unless the officer has probably cause to believe that the driver has committed an offense more serious than a class C misdemeanor;
14. require an officer to issue a citation to a person charged with a fine only misdemeanor, that is not an alcohol-related offense, instead of taking the person before a magistrate;
15. require an officer who stops a motor vehicle for a fine only misdemeanor to promptly notify the person that the alleged violation is a misdemeanor punishable by fine only and the officer may not arrest a person solely on the basis of that offense;
16. provide that the complaint process in chapter 614 of the Government Code applies to cities covered by a meet and confer or collective bargaining agreement;
17. require a law enforcement agency to adopt and implement standard procedures for processing a complaint filed by a member of the public;
18. provide that citations issued by police officers must include the e-mail address, telephone number, internet address, and physical location where a complaint can be filed by a member of the public against a peace officer;
19. provide procedures for investigation and disciplinary action based on the complaint against the officer. (Companion bill is H.B. 2702 by Coleman.)

S.B. 1858 (Lucio) – Public Health Alert: would establish a statewide system for public health or safety threat notifications and, among other things, provide that a city must notify the Department of State Health Services of a public health emergency if the city receives notice of a suspected public health emergency, verifies the emergency, and determines it poses a credible threat to the public’s health and safety.

S.B. 1859 (Lucio) – Human Trafficking: would provide that the Department of Public Safety will create a human trafficking unit that shall collaborate with federal and local law enforcement to investigate human trafficking and arrest persons determined to have engaged in human trafficking.

S.B. 1975 (Whitmire) – Committee: would establish the Texas Peace Officers’ Memorial Ceremony Committee to recognize and honor peace officers who were killed in the line of duty. (Companion bill is as H.B. 2820 by Pickett.)

S.B. 2037 (Zaffirini) – 9-1-1 Service by Text Message: would provide that to the extent practicable and within available resources, a public safety answering point must receive emergency 9-1-1 communications by call and text message.

S.B. 2054 (West) – Firearms: would expand the prohibition against carrying a firearm into the secured area of an airport from only the terminal area to any secured area.

S.B. 2076 (Rodriguez) – Vehicle Titling: would make various changes regarding the title of motor vehicles, and: (1) provide that an identification number inspection must be completed under certain circumstances and that such an inspection may be performed only by certain persons (including a law enforcement officer) who has completed appropriate training; (2) allow a city to impose a fee of not more than $40 for an inspection described in (1) which must be credited to the general fund of the city to defray costs associated with the inspection; and (3) change the definition for a “house trailer” in Rules of the Road to mean a recreational vehicle that is less than 45 feet in length (rather than the current 40 feet in length). (Companion bill is H.B. 2462 by Pickett.)

S.B. 2094 (Perry) – Immigration: would provide that the office of the governor shall develop and maintain a grant program that awards grants for the expenses incurred by a local law enforcement agency related to the attendance of a law enforcement officer of the agency in a training program.

S.B. 2135 (Lucio) – Veterans: would: (1) provide that a county shall provide procedures to a city that a city may use to inform the Veterans County Service Office when a veteran has been arrested in the city; and (2) require a city to notify the county service officer of arrested veterans when a veteran has been interested in the city.
S.B. 2137 (Lucio) – Motor Vehicle Inspections: would provide that: (1) if the auto theft unit of a municipal law enforcement agency conducts a vehicle identification number inspection required by the Department of Motor Vehicles (DMV) to verify the identity of a vehicle or part of a vehicle for title transfer, the agency may impose a fee of $40; (2) the municipal treasurer shall credit the fee to the general fund of the municipality, as applicable, to defray the agency’s cost associated with the inspection; and (3) the fee shall be waived by the DMV or agency imposing the fee if the person is applying for an inspection for an assigned identification number and he current registered owner.

S.B. 2205 (Hancock) – Automated Driving Systems: would prohibit a city from imposing a fee, registration, franchise, or regulation on a motor vehicle that contains and automated driving system or its operator.

S.J.R. 8 (Hall) – Immigration: would propose an amendment to the Texas Constitution that would provide that a person taken into custody for committing a felony shall be denied release on bail pending trial of a judge or magistrate if, following a hearing, it is determined that the person is not a citizen or national of the United States and is not lawfully present in the United States.

Transportation

H.B. 100 (Paddie) – Transportation Network Companies: would preempt a city’s authority to regulate transportation network companies (TNCs). Specifically, the bill would provide that:

1. TNC drivers are not common, contract, or motor carriers;
2. the regulation of TNCs is an exclusive power and function of the State of Texas;
3. a city is prohibited from, in relation to a TNC: (a) imposing a tax; (b) requiring an additional license of permit; (c) setting rates; (d) imposing operational or entry requirements, or (e) imposing other requirements;
4. an airport owner or operator may impose regulations on a TNC;
5. a person may not operate a TNC without a permit;
6. the permit shall be issued by the Texas Department of Licensing and Regulation for a fee of $5,000;
7. TNCs and their drivers must have state-mandated insurance coverage;
8. passengers may consent to sharing a digitally prearranged ride;
9. a TNC must disclose to passengers the fare calculation method and provide an option to receive an estimated fare;
10. a TNC must provide the driver’s first name and picture, the make, model, and license plate number of the driver’s vehicle before a passenger enters a vehicle;
11. a driver is prohibited from receiving payment other than through the digital network;
12. a receipt must be provided to the passenger;
13. a TNC must implement an intoxicating substance policy that prohibits a driver from any amount of intoxication;
14. certain requirements on driver eligibility and vehicles are mandated;
15. a TNC must conduct a local, state, and national criminal background check that includes the use of: (a) a commercial multistate and multijurisdiction criminal records locator, and (b) the national sex offender registry database;
16. a TNC must obtain and review a potential driver’s driving record;
17. an individual is prohibited from operating as a driver on the company’s digital network, if the individual: (a) has been convicted of more than three moving violations in the last three years; (b) has been convicted of fleeing or attempting to elude a police officer, reckless driving, or driving without a valid driver’s license in the last three years; or (c) has been convicted of driving while intoxicated, fraud, theft, or terrorism in the last seven years;
18. a driver logged in to a digital network is prohibited from soliciting or providing rides other than through the digital network;
19. a TNC must adopt a nondiscrimination policy; and
any records disclosed to a public entity by a TNC are not subject to disclosure under the Public Information Act.

H.B. 321 (Canales) – Vehicle Registration: would authorize the establishment of a voluntary statewide motor vehicle registration program to prevent transnational motor vehicle theft.

H.B. 354 (Raney) – Transportation: would provide that: (1) a city, on the request of an open enrollment charter school, shall hold a public hearing at least once each calendar year to consider prima facie speed limits on a highway in the municipality, including highway in the state highway system, near the school; (2) a municipality may not reject a request for a prima facie speed limit by a public or private elementary or secondary school, an open enrollment charter school, or an institution of higher education without first making a written finding stating a compelling reason for the rejection; (3) a school or institution may appeal a rejection of a request to the district court of the count in which the school or institution is located not later than the 90th day after the date the written finding is made; and (4) if district court determines that the rejection was not made for a compelling reason, the court shall grant the requested prima facie speed limit.

H.B. 405 (Villalba) – Billboards: would provide that, if a sign located in a city or its extraterritorial jurisdiction is required to be removed because of the widening, construction, or reconstruction of a road by the Texas Department of Transportation (TxDOT), and if relocation of the sign would be allowed under TxDOT rules but is restricted or prohibited by charter, ordinance, or a decision of the city, the city shall reimburse TxDOT for any just compensation paid to the owner or lessee of the sign in a condemnation proceeding.

H.B. 432 (Metcalf) – Transportation Funding: would provide that: (1) in each state fiscal year beginning on or after September 1, 2019, the comptroller shall deposit to the credit of the state highway fund a graduated percentage of the money that is received from the motor vehicle sales tax until that percentage equals 100 percent in 2028; and (2) money deposited to the credit of the state highway fund under this section may not be used for toll roads.

H.B. 652 (Clardy) – Automobile Burglary and Theft Prevention Authority: would require the revenue from the Automobile Burglary and Theft Prevention fee paid by insurers to be
deposited to the credit of a subaccount in the Texas Department of Motor Vehicles fund and provide that the revenue may be appropriated only to the department for purposes of the Automobile Burglary and Theft Prevention Authority.

H.B. 837 (Allen) – Transportation: would provide that a public transportation provider shall notify each individual who resides in the provider’s service area and is eligible to use the provider’s services of the individual right to complementary paratransit service.

H.B. 912 (Romero, Jr.) – Transportation: would provide that the chief of police is required to designate city peace officers or qualified city law enforcement employees to teach the driver education course to a student driver.

H.B. 977 (Y. Davis) – Railroad Crews: would require at least two crew members on freight trains.

H.B. 1140 (Anderson) – Transportation Funding: would, for purposes of allocation categories for state transportation funding, provide that: (1) “large urbanized area” means an urbanized area with a population of 200,000 or more; and (2) “Small urbanized area” means an urbanized area with a population of less than 200,000.

H.B. 1210 (Phillips) – Airport Security Personnel: would: (1) require a city or any person who operates an airport owned or controlled by a city (airport operator) to establish a program to collect complaints regarding passenger security screenings; (2) provide that complaints in (1) are confidential and not subject to public disclosure; (3) require an airport operator to submit an annual analysis of complaints regarding passenger security screenings to the Texas Department of Transportation and Texas homeland security; (4) require the director of Texas homeland security to submit to the Texas congressional delegation an annual analysis of complaints regarding passenger security screenings in the state; and (5) require an airport operator to apply to the Under Secretary of Transportation for Security to participate in the security screening opt-out program and report to certain state officials the disposition of the application.

H.B. 1240 (Zedler) – Traffic Signals: would provide that an operator of a motorcycle or bicycle facing only a steady red signal at a traffic-actuated electric traffic-control signal may proceed if the traffic-actuated electric traffic-control signal fails to register the motorcycle or bicycle after two cycles of the traffic-control signal.

H.B. 1294 (Minjarez) – Highway Closures: would provide that, if a proposed improvement of the state highway system requires the closing of a highway, the Texas Department of Transportation shall coordinate the highway closure by communicating in person or by telephone call, email, or other direct method of communication with public officials from cities affected by the closure to avoid any adverse economic impact on the municipalities during certain periods.

H.B. 1311 (Sanford) – State Highways: would impose a prohibition on converting state highway lanes to tolled or other types of managed lanes.
H.B. 1332 (Parker) – Gas Tax: would provide that fuel purchased for use by certain ambulance services that have an agreement with a local government to provide ambulance services are exempt from the gas tax.

H.B. 1368 (Israel) – Speed Limits: would lower the prima facie speed limit in an urban district on a street other than an alley from 30 to 25 miles per hour.

H.B. 1518 (Leach) – Transportation Funding: would provide that the legislature may not appropriate money deposited to the credit of the state highway fund to construct, maintain, or acquire rights-of-way for a toll project or system. (See H.J.R. 65, below.) (Companion bill is S.B. 639 by Huffines.)

H.B. 1745 (Israel) – Speed Limits: would allow a city with a population of 130,000 or more to lower speed limits to not less than 25 miles per hour on a highway or street, other than an alley, that is not an officially designated or marked highway or road of the state highway system.

H.B. 1795 (Pickett) – Overweight Vehicle Fees: would provide that: (1) the bill applies only to a law enacted after January 1, 2017, that authorizes a new permit fee and does not expressly provide for a portion of the fee to be deposited to the credit of the Texas Department of Motor Vehicles fund; and (2) ten percent of a such a fee collected for the issuance of an overweight vehicle permit by the Texas Department of Public Safety shall be deposited to the credit of the Texas Department of Motor Vehicles fund and the remainder of the fee collected shall be proportionally adjusted and the remainder distributed as required by current law.

H.B. 1956 (Springer) – Off-Highway Vehicles: would: (1) make laws currently applicable to “all-terrain” vehicles applicable to “off-highway” vehicles, including a law that allows a peace officer to operate the vehicle on a public street under certain circumstances; (2) define “off-highway” vehicle to mean an all-terrain vehicle, recreational off-highway vehicle, or a utility vehicle; and (3) define “utility vehicle” to mean a vehicle that is not a golf cart or lawn mower and is: (a) equipped with side-by-side seating; (b) has four tires; (c) is designed for off-highway use only; and (d) is designed primarily for utility work and not for recreational purposes.

H.B. 2166 (Isaac) – Nonconsent Tows: would: (1) authorize the Texas Commission of Licensing and Regulation (commission) to establish, by rule, the maximum amount that may be charged for nonconsent tows and the fees that may be charged in connection with nonconsent tows; and (2) provide that a city may regulate the fees that may be charged or collected in connection with a nonconsent tow originating in the city if the nonconsent tow fees are authorized by commission rule and don’t exceed the maximum amount authorized by commission rule.

H.B. 2212 (Stephenson) – Vehicle Weight Limits: would allow a vehicle powered by an engine fueled primarily by natural gas to exceed any weight limit by an amount equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system, provided that the maximum gross weight of the vehicle may not exceed 82,000 pounds. (Companion bills are H.B. 2319 by Paddie and S.B. 1102 by Creighton.)
H.B. 2319 (Paddie) – Weight Limits: this bill is the same as H.B. 2212, above.

H.B. 2371 (Hernandez) – Motor Vehicle Accident Reports: would provide that Texas Department of Transportation or a governmental entity shall release various accident reports on written request and payment of any required fee to the first lienholder of a vehicle damaged on the accident, including: (1) a vehicle storage facility and is the first lienholder of the vehicle; and (2) a towing company and is the first lienholder of the vehicle.

H.B. 2374 (Blanco) – Border Infrastructure: would require the governor to, each fiscal year, designate at least five percent of funds available to Texas under the Surface Transportation Block Grant program for border infrastructure projects.

H.B. 2508 (Kuempel) – Towing, Booting, and Parking Facilities: would:

1. make various amendments to the Vehicle Storage Facility Act (Occupations Code Chapter 2303), including the following: (a) provide that the law does not, unless expressly provided otherwise, trump a city ordinance or charter or a contract with a governmental entity to provide services for incident management towing; (b) delete the requirement that local law enforcement be informed when a vehicle is accepted by a facility under the Act and replace it with a requirement that law enforcement be informed when a vehicle is accepted under the Texas Towing and Booting Act (Occupations Code Chapter 2308); (c) alter the provisions regarding notification to law enforcement about a vehicle abandoned at a facility; and (d) require the Texas Commission of Licensing and Regulation to adjust governmental vehicle storage facility fees (up or down) in accordance with the Consumer Price Index;

2. make various amendments to the Towing and Booting Act (Occupations Code Chapter 2308), including the following: (a) delete certain references to booting companies and parking facilities; (b) provide that the chapter does not, unless expressly provided otherwise, trump a city ordinance or charter or a contract with a governmental entity to provide incident management towing; (c) establish new requirements for an incident management towing permit, private property towing permit, and consent towing permit; (d) provide that when a tow truck is used for a nonconsent tow initiated by a peace officer, the permit holder is an agent of law enforcement and is not liable for damage to personal property or failure to exercise authority; (e) prohibit a license holder from charging a fee for a private property tow or incident management tow that is greater than a fee established in the Act or authorized by a political subdivision; (f) authorize a city to adopt an ordinance regulating booting companies and operators; and (g) provide that if a court finds that a person or law enforcement agency authorized, with probable cause, the towing and storage of a vehicle, the person who requested the hearing shall pay the costs of towing and storage, and if the court finds it was without probable cause, the towing company, facility, or law enforcement agency that authorized the tow shall pay the costs of towing and storage; and

3. add new provisions in the Property Code, to be cited as the Texas Parking Facility Act, that include the following: (a) define “parking facility” to include public property used for restricted or paid vehicle parking, including a commercial lot or right-of-way on
government-owned property that is leased to a private person; (b) define “parking facility owner” to include any legal entity owning or operating a parking facility; (c) establish certain prohibitions against parking unattended vehicles in certain areas of a parking facility, and provide an exception for emergency vehicles; (d) provide for the towing and storage of an unauthorized vehicle at a parking facility; (e) establish prohibitions for parking vehicles on a parking facility of an apartment complex and provide for the towing and storage of the same; (f) provide that a parking facility may not have an unauthorized vehicle towed from the facility except as provided by the Act, a city ordinance that complies with the Towing and Booting Act, or under the direction of a peace officer of the owner/operator of the vehicle; (g) provide for signs prohibiting unauthorized vehicles and notice requirements for designating restricted parking areas; and (h) establish the circumstances under which a parking facility owner or towing company may tow an unauthorized vehicle from public roadway parking facilities.

H.B. 2513 (Uresti) – Diesel Fuel Tax: would increase the state’s diesel fuel tax rate from 20 to 22 cents per gallon.

H.B. 2550 (Frullo) – Taxicabs: would require a city that regulates taxicab service to include in the ordinance that a person providing taxicab service must maintain adequate motor vehicle liability insurance as provided by the bill.

H.B. 2584 (Raymond) – Billboards: would prohibit the Texas Department of Transportation, in regulating outdoor advertising located inside a city, from including an electronic sign owned by a city in spacing distance calculations.

H.B. 2615 (Goldman) – Towing and Vehicle Storage: would authorize a person holding an incident management towing operator’s license, private property towing operator’s license, or a consent towing operator’s license to work at a vehicle storage facility, and would prohibit a person from working at a vehicle storage facility unless the person holds one of the aforementioned towing licenses or a vehicle storage facility license.

H.B. 2696 (Workman) – Traffic Signals: would provide that the Texas Department of Transportation’s manual on uniform traffic control devices and specifications must provide for the placement and maintenance of a traffic-control signal that permits an emergency vehicle to safely enter a highway in a city at a location to be determined by the city.

H.B. 2813 (Darby) – Transportation Infrastructure Fund: would: (1) make various modifications to the Transportation Reinvestment Zone statute; and (2) abolish the Transportation Infrastructure Fund. (Companion bill is S.B. 1305 by Nichols.)

H.B. 2862 (S. King) – Milk Trucks: would, among other things: (1) modify weight limits for certain vehicles transporting fluid milk; and (2) provide that, unless otherwise provided by state or federal law, a county or city may not require a permit, fee, or license for the operation of certain vehicle combinations transporting fluid milk. (Companion bill is S.B. 1383 by Perry.)
H.B. 3087 (Morrison) – Service Vehicle Lighting: would require certain vehicles, including some city vehicles, to have certain lighting equipment as directed by the Texas Department of Transportation when working near a highway.

H.B. 3184 (E. Thompson) – Tolls: would exempt certain vehicles exempt from paying registration fees (including government-owned, fire-fighting, and law enforcement vehicles) from paying toll fees.

H.B. 3207 (L. Gonzales) – Texas Department of Transportation: this is the Texas Department of Transportation sunset bill. Of interest to cities, the bill would – among other things – continue the department until September 1, 2029, and provide that:

1. The Statewide Transportation Plan must, among other things, contain specific and clearly defined transportation system strategies, long-term transportation goals for the state and measurable targets for each goal, and other related performance measures.
2. In selecting transportation projects, the department shall consider the transportation system strategies, goals and measurable targets, and other related performance measures.
3. The department shall prepare a long-term plan for a statewide passenger rail system and update the plan at least once every five years, and the plan shall include: (a) an analysis of short-term and long-term effects of each proposed passenger rail system on state and local road connectivity, including effects on oversize or overweight vehicles and other commercial traffic; and (b) an analysis of the effect of each proposed passenger rail system on statewide transportation planning, including the effect on future state and local road construction and road maintenance needs.
4. The department shall develop and prominently display on the department’s Internet website a dashboard that clearly communicates to the public: (a) the transportation system strategies, goals and measurable targets, and other related performance measures established by the department and the department’s progress, including trends over time, in meeting the strategies, goals and targets, and other related performance measures described by (a).
5. The department shall conduct a comprehensive analysis regarding the effect of funding allocations made to various funding categories and project selection decisions on accomplishing the goals described in the statewide transportation plan.
6. The Texas Transportation Commission by rule shall: (a) adopt a policy comprehensively explaining the department’s approach to public involvement and transparency related to the unified transportation program; and (2) require the department to, at a minimum, make a report on any change to the unified transportation program available on the department’s Internet website and provide the report to the commission in a public meeting, regardless of any rules adopted for public hearings and approvals.
7. The department shall conduct a review of project development activities in each district’s project portfolio on a regular basis and use the review to monitor and evaluate the performance of each district, and shall, when appropriate, seek input from key stakeholders, such as local government project sponsors or metropolitan planning organizations.
8. The commission shall adopt rules governing the alignment of the department’s state and federal funding forecasts, including the annual funding forecast, with the funding
forecasts of metropolitan planning organizations, including the funding forecasts used for long-term planning and the 10-year transportation plan.

9. A city by ordinance may require the person in charge of a garage or repair shop where a motor vehicle is brought if the vehicle shows evidence of having been involved in an accident if the accident resulted in injury to or the death of a person or damage to the property of any one person to the apparent extent of $1,000 or more.

10. Certain provisions relating to the preparation and release of accident reports are modified.

(Companion bill is S.B. 312 by Nichols.)

H.B. 3212 (Isaac) – Commercial Motor Vehicle Fines: would reduce from 110 percent to 50 percent the amount of the preceding year’s fines that a city may retain for enforcement of commercial motor vehicle safety standards.

H.B. 3339 (Alonzo) – Political Signs: would provide that: (1) a person, including a candidate or campaign treasurer, who instructs another person to place a political advertising sign alongside a public road within the corporate boundaries of a city shall remove or cause the removal of the sign not later than the 30th day after the date of the last occurring election to which the sign pertains; (2) if a political advertising sign is not removed in accordance with (1), the city in which the sign is located shall remove the sign at the expense of a person responsible for the sign as soon as practicable; and (3) a person who violates (1) commits a Class C misdemeanor.

H.B. 3350 (Israel) – Mobile Cranes: would: (1) mandate that the Texas Department of Transportation grant a permit for the transportation of a mobile crane with a gross weight of less than 100,000 pounds; (2) provide that a vehicle issued a permit under the bill may operate on a state, county, or municipal road; and (3) prohibit a county or city from requiring a permit, fee, or license for the operation of a vehicle issued a permit under the bill.

H.B. 3351 (Vallalba) – Billboards: would prohibit the Texas Transportation Commission from regulating the height of outdoor advertising located in the corporate boundaries or extraterritorial jurisdiction of a city.

H.B. 3355 (Israel) – Precast Concrete Trucks: would: (1) mandate that the Texas Department of Transportation grant a permit for the transportation of precast concrete with a gross weight of less than 100,000 pounds; (2) provide that a vehicle issued a permit under the bill may operate on a state, county, or municipal road; and (3) prohibit a county or city from requiring a permit, fee, or license for the operation of a vehicle issued a permit under the bill.

H.B. 3475 (Geren) – Automated Motor Vehicles: would: (1) authorize the operation of automated motor vehicles (AMV) on Texas highways, and authorize the operation of such a vehicle with the automatic driving system (ADS) engaged if, among other things, the owner provides evidence of insurance, a surety bond, or proof of self-insurance in the amount of at least $10 million; (2) allow only the Texas Department of Motor Vehicles to implement the provisions of the bill, impose requirements, and adopt regulations regarding the operation of an AMV or ADS; (3) prohibit a city from imposing a local fee, registration requirement, franchise, or other regulation related to an AMV or ADS; (4) require an owner or operator of an AMV used to offer
a transportation service to individual passengers to make publicly available a privacy statement disclosing the data handling practices of the owner or operator; and (5) waive manufacturer liability for damage that arises from modifications to an AMV or ADS made by any person other than the manufacturer or without the manufacturer’s consent.

H.B. 3500 (M. Gonzalez) – Vehicle Safety: would provide that, when approaching a vehicle that is working on an electrical power line, a vehicle operator shall: (1) vacate the lane closest to the maintenance vehicle when driving on a highway with two or more lanes; (2) slow to a speed of 20 miles per hour less than the posted speed limit, if the posted speed limit is 25 miles per hour or more; or (3) slow to five miles per hour, if the posted speed limit is less than 25 miles per hour.

H.B. 3511 (Faircloth) – Vehicle Weight: would provide that the Texas Department of Transportation may issue an annual permit to allow the operation on a state highway of equipment that exceeds weight and size limits provided by law for the movement of an intermodal shipping container moving in international commerce, if certain requirements are met.

H.B. 3805 (Burns) – Vehicle Weight Enforcement: would prohibit a city police officer who is authorized to enforce weight restrictions from doing so on an interstate highway or United States highway if the vehicle that is the subject of the enforcement is against a single vehicle with a tandem axle weight not heavier than 44,000 pounds, single axle weight not heavier than 21,000 pounds, and gross weight is not heavier than 64,000 pounds.

H.B. 3807 (Burns) – Agricultural Trucking: would allow vehicles transporting certain agricultural products to have a gross weight of up to 90,000 pounds if transporting from place of production to place of first processing/marketing.

H.B. 3854 (Morrison) – Shipping Container Transports: would allow vehicles transporting certain agricultural products to have a gross weight of up to 90,000 pounds if transporting from place of production to place of first processing/marketing.

H.B. 3855 (Morrison) – Signs: would, in regard to certain signs regulated by the Texas Department of Transportation, replace references to “outdoor advertising” and “off-premise sign” with the term “commercial sign” and define the term “commercial sign” to mean a sign that is intended to be leased, or for which payment of any type is intended to be or is received, for the display of any good, service, brand, slogan, message, product, or company. (Note: This bill may be an attempt to address the holding in Auspro v. Texas Dep’t of Transportation.)

H.B. 3860 (Wray) – Signs: would, in regard to signs regulated by the Texas Department of Transportation, provide that: (1) a sign may not be higher than 65 feet excluding a cutout that extends above the rectangular border; and (2) for a sign that is required to be removed as the result of a highway construction project, the sign owner may choose to relocate the sign to a new location, and the relocated sign may be constructed with the number of poles and type of materials as permitted for a newly constructed sign.
H.B. 3961 (Uresti) – State Gas Tax: would increase the state’s gas and diesel taxes from 20 to 22 cents per gallon.

H.B. 3985 (L. Gonzales) – Immigration: would make various changes to the planning and procurement process of the Texas Department of Transportation.

H.B. 3989 (E. Johnson) – Licensed Carry: would modify the definition of “amusement park” for purposes of where a license holder may carry a handgun.

H.B. 4160 (Pickett) – Commuter Rail: would provide that a political subdivision may not accept, including through the Texas Department of Transportation, or use federal funds for the construction, maintenance, or operation of a commuter rail or other commuter rail project, including for the repayment of debt issued for a project, unless approved at an election in the city.

H.J.R. 65 (Leach) – Transportation Funding: would amend the Texas Constitution to provide that the state may not issue bonds or use vehicle registration or gas tax revenue to pay for the construction of toll roads. (See H.B. 1518, above.) (Companion bill is S.J.R. 35 by Huffines.)

S.B. 113 (Huffines) – Transportation Network Companies: would: (1) prohibit registered sex offenders from providing passenger transportation through an online application; and (2) prohibit cities from regulating: (a) street-hail taxicab services, (b) prearranged limo service, and (c) prearranged rides through an online application.

S.B. 176 (Schwertner) – Transportation Network Companies: would provide, among other things, that: (1) transportation network companies (TNCs) and drivers accessing a transportation network company's digital network (drivers) are governed exclusively by the bill; (2) a city or other local entity may not: (a) impose a tax on or require a license for a TNC or a driver; or (b) subject a TNC or driver to the city's or other local entity's rate, entry, operational, or other requirements; (3) a person may not operate a TNC without obtaining and maintaining a state permit; (4) the Texas Department of Licensing and Regulation (TDLR) shall issue a two-year permit to each applicant that meets the requirements of the bill; (5) TDLR shall collect fees from TNCs of up to $125,000 per year, depending on the TNCs number of drivers, to obtain a permit; (6) before allowing an individual to act as a driver on, a TNC must: (a) require the individual to submit an application to the company that includes information regarding the individual's address, age, driver's license, driving history, motor vehicle registration, motor vehicle liability insurance, and other information required by the company; (b) conduct, or have a third party conduct, a local and national criminal background check for each individual that includes the use of a commercial multistate and multijurisdictional criminal records locator with primary source validation and the national sex offender registry database maintained by the United States Department of Justice; and (c) obtain and review the individual’s driving record; (7) a TNC may not permit to act as a driver a person who is under 19 years of age or who has been convicted of certain criminal offenses; (8) a TNC must adopt a drug and alcohol use policy and a discrimination policy and suspend any driver who violates the policies; (9) a driver may not solicit or accept street hails; (10) a TNC shall provide passengers an opportunity to indicate
whether they require a wheelchair-accessible vehicle, and – if a TNC is unable to arrange wheelchair-accessible service, the company shall direct the passenger to an alternate provider of wheelchair-accessible service – if available; and (11) taxis and limousine services are exempted from the bill.

S.B. 288 (Watson) – Transportation: would provide that motorcycle operators are allowed to drive a safe distance between lanes of traffic on a limited-access or controlled-access highway during periods of traffic congestion if the motorcycle operator operates the motorcycle at a speed not more than five miles per hour greater than the speed of the other traffic and in traffic that is moving at a speed of 20 miles per hour of less.

S.B. 312 (Nichols) – Texas Department of Transportation: this bill is the same as H.B. 3207, above.

S.B. 346 (Watson) – Transportation: would provide that an operator of a vehicle facing a steady red signal at a traffic-actuated electric traffic-control signal may proceed if the signal fails to register the vehicle in a reasonable period of time after one complete cycle.

S.B. 361 (Nichols) – Transportation Network Companies: would: (1) provide that a city ordinance or policy related to a Transportation Network Company (TNC) or TNC driver that contradicts or is otherwise inconsistent with the bill is void and has no effect; (2) provide that TNC drivers are not common, contract, or motor carriers; (3) require that TNCs and drivers maintain required insurance; (4) permit passengers to share a digitally prearranged ride if the passengers consent to sharing the ride; (5) require a TNC to disclose to passengers the fare calculation method and provide an option to receive an estimated fare; (6) require a TNC to provide the driver’s first name and picture and the make, model, and license plate number of the driver’s vehicle; (7) prohibit a driver from receiving payment other than through the digital network and require a TNC to provide a receipt to the passenger; (8) require a TNC to implement an intoxicating substance policy that prohibits a driver from working under any amount of intoxication; (9) provide requirements on driver eligibility; (10) require a TNC to conduct a local, state, and national criminal background check that includes the use of: (a) a commercial multistate and multijurisdictional criminal records locator, and (b) the national sex offender registry database; (11) require a TNC to obtain and review a potential driver’s driving record; (12) prohibit a TNC from permitting an individual to operate as a driver on the company’s digital network if the individual: (a) has been convicted of more than three moving violations in the last three years, or (b) has been convicted of fleeing or attempting to elude a police officer, reckless driving, or driving without a valid driver’s license in the last three years; (13) prohibit a driver logged in to a digital network from soliciting or providing rides other than through the digital network; (14) mandate certain vehicle requirements; and (15) require a TNC to adopt a nondiscrimination policy.

S.B. 402 (Zaffirini) – Public Transportation Services: would provide that, to the extent practicable within available resources, a public transportation provider that provides public transportation services designed for people with disabilities who are unable to use the provider’s bus or rail services shall notify individuals who are certified by the provider as eligible to use the
provider’s services that the individuals are entitled to use another provider’s service for not more than 21 days without an additional application.

**S.B. 639 (Huffines) – Transportation Funding:** would provide that the legislature may not appropriate money deposited to the credit of the state highway fund to construct, maintain, or acquire rights-of-way for a toll project or system. (See S.J.R. 35, below.)

**S.B. 684 (Seliger) – Utility and All-Terrain Vehicles:** would authorize a local authority to allow and regulate the operation of a utility vehicle and an all-terrain vehicle on all or part of a public roadway in the jurisdiction of the authority.

**S.B. 1244 (Rodriguez) – Speed Limits:** would lower the prima facie speed limit in an urban district on a street other than an alley from 30 to 25 miles per hour. (Companion bill is H.B. 1368 by Israel.)

**S.B. 1294 (Garcia) – Highway Closures:** would provide that, if a proposed improvement of the state highway system requires the closing of a highway, the Texas Department of Transportation shall coordinate the highway closure by communicating in person or by telephone call, email, or other direct method of communication with public officials from cities affected by the closure to avoid any adverse economic impact on the municipalities during certain periods. (Companion bill is H.B. 1294 by Minjarez.)

**S.B. 1305 (Nichols) – Transportation Infrastructure Fund:** this bill is the same as H.B. 2813, above.

**S.B. 1327 (Seliger) – Speed Limits:** would authorize a district engineer for the Texas Department of Transportation to temporarily lower a prima facie speed limit for a highway if the engineer finds the speed limit unreasonable or unsafe because of a hazard.

**S.B. 1334 (Hinojosa) – Transportation Funding:** would, for purposes of allocation of state funding of public transportation, define “large urbanized area” as “an urbanized area with a population of 200,000 or more” and “small urbanized area” as “an urbanized area with a population of less than 200,000.”

**S.B. 1351 (Watson) – Traffic Control Signals:** this bill is the same as H.B. 2696, above.

**S.B. 1383 (Perry) – Milk Trucks:** this bill is the same as H.B. 2862, above.

**S.B. 1588 (Huffines) – Vehicle Inspections:** would eliminate regular mandatory vehicle safety inspections.

**S.B. 1608 (Creighton) – Precast Concrete Trucks:** would: (1) mandate that the Texas Department of Transportation grant a permit for the transportation of precast concrete with a gross weight of less than 100,000 pounds; (2) provide that a vehicle issued a permit under the bill may operate on a state, county, or municipal road; and (3) prohibit a county or city from requiring a permit, fee, or license for the operation of a vehicle issued a permit under the bill.
S.B. 1608 (Creighton) – Mobile Cranes: would: (1) mandate that the Texas Department of Transportation grant a permit for the transportation of a mobile crane with a gross weight of less than 100,000 pounds; (2) provide that a vehicle issued a permit under the bill may operate on a state, county, or municipal road; and (3) prohibit a county or city from requiring a permit, fee, or license for the operation of a vehicle issued a permit under the bill.

S.B. 1652 (Watson) – Towing: would provide that a city may designate, after posting signs, a segment of highway in the city’s jurisdiction as an area in which the immediate removal of unattended vehicles is necessary to prevent traffic safety hazards.

S.B. 2006 (Watson) – Signs: would, in regard to certain signs regulated by the Texas Department of Transportation: (1) replace references to “outdoor advertising” and “off-premise sign” with the term “commercial sign” and define the term “commercial sign” to mean a sign that is intended to be leased, or for which payment of any type is intended to be or is received, for the display of any good, service, brand, slogan, message, product, or company; (2) adopt wind load pressure requirements and height restrictions for commercial signs; (3) adopt spacing requirements for commercial signs, including: (a) a requirement that a commercial sign located in a city on a primary system freeway not be closer than 500 feet to another commercial sign that is on the same side of the highway and inside the city boundaries; and (b) a requirement that a commercial sign inside a city on a non-freeway primary system highway not be closer than 750 feet to another commercial sign that is on the same side of the highway in an unincorporated area or 300 feet to another commercial sign on the same side of the highway inside the city’s corporate boundaries (Note: This bill may be an attempt, in part, to address the holding in Auspro v. Texas Dep’t of Transportation.)

S.B. 2102 (Garcia) – Speed Limits: would allow a city with a population of 130,000 or more to lower speed limits to not less than 25 miles per hour on a highway or street, other than an alley, that is not an officially designated or marked highway or road of the state highway system. (Companion bill is H.B. 1745 by Israel.)

S.B. 2103 (Garcia) – Speed Limits: would allow a city to declare a speed of not less than 20 miles per hour for a highway in the city that is not an officially designated or marked highway of the state highway system, if the city council determines that the prima facie speed limit on a highway is unreasonable or unsafe.

S.J.R. 35 (Huffines) – Transportation Funding: would amend the Texas Constitution to provide that the state may not issue bonds or use vehicle registration or gas tax revenue to pay for the construction of toll roads. (See S.B. 639, above.)

S.J.R. 48 (Miles) – State Highway Fund: would propose an amendment to the Texas Constitution that would expand the use of the state highway fund to include public transportation, public bicycle paths, and public sidewalks.

Utilities and Environment
H.B. 31 (Larson) – Regulation of Groundwater: would provide: (1) that a groundwater conservation district may not require that information in addition to the statutory requirements be included in an application for a permit; and (2) the conditions under which a groundwater conservation district may adopt a moratorium on the issuance of permits.

H.B. 98 (Martinez) – NPDES Permit: would require the Texas Commission on Environmental Quality to publish newspaper notice of a public meeting for a National Pollutant Discharge Elimination System (NPDES) permit in the city in which the facility is located or proposed to be located.

H.B. 173 (Lucio) – Rainwater Harvesting: would create a rainwater harvesting license program regulated by the Texas Commission on Environmental Quality.

H.B. 174 (Lucio) – Texas Water Development Board Funding: would limit funding for political subdivision’s water pollution control projects to the Texas Water Development Board’s safe drinking water resolving fund.

H.B. 407 (Tinderholt) – Electric Grid Protection: would provide: (1) that the Public Utility Commission by rule shall identify and implement design standards for the electric power transmission and distribution system to limit electromagnetic field levels and protect the transmission and distribution system; the commission by rule shall require ERCOT to consider electromagnetic field levels when determining the public need for a transmission line; (2) for the creation of the electrical power grid reliability task force to study the likely effectiveness and costs of various measures to protect and strengthen the electric power transmission and distribution system against all hazards and to prepare and submit to the governor and the legislature a report of the task force's findings and recommendations.

H.B. 484 (Springer) – TCEQ Licensing: would require the Texas Commission on Environmental Quality to provide all training required to qualify for or renew a license: (1) online; or (2) at a location within 100 miles of the licensee’s place of employment.

H.B. 489 (Gonzalez) – Waste Tire Dumping: would require: (1) a seller to collect a fee on the sale of a new or used tire; (2) a seller to remit the fee collected to the comptroller; and (3) the Texas Commission on Environmental Quality to develop and implement a grant program using the fees collected to assist local law enforcement in enforcement of laws related to the illegal dumping of tires.

H.B. 544 (Anderson) – Rural Water Assistance Fund: would allow the Texas Water Development Board to use the Rural Water Assistance Fund to assist rural political subdivisions with water planning.

H.B. 605 (Workman) – Water Rights Applications: would require an applicant for a new or amended water right to submit an economic impact study that assesses how approval or denial of the new or amended water right will economically impact affected communities.
H.B. 614 (Leach) – Water Rights: would: (1) amend the Texas Commission on Environmental Quality’s (TCEQ) review of an application for a water right, including adding a requirement that the executive director determine whether the applicable water conservation and drought contingency plans of the applicant are adequate; and (2) prohibit the TCEQ from referring an issue regarding a water right application to the State Office of Administrative Hearings, unless the issue is a disputed question of fact and is relevant and material to a decision on the application.

H.B. 623 (Leach) – Water District Appointments: would provide that a director of a conservation and reclamation district (e.g., the North Texas Municipal Water District), who is appointed by the governing body of a municipality, serves at the pleasure of the governing body and may be removed by the governing body at any time without cause.

H.B. 642 (Phillips) – Railroad Commission: would change the name of the Texas Railroad Commission to the Texas Energy Commission. (See H.J.R. 47, below.)

H.B. 645 (Lucio) – Water Wells: would require a groundwater conservation district to consider the service needs of the retail public utility, which includes a city, that serves the territory where production is regulated by the district in regulating production of groundwater based on tract size or acreage.

H.B. 787 (Parker) – Electric Grid: would provide that ERCOT shall collect and compile information, which would not be subject to the Public Information Act, related to the security of the electric grid.

H.B. 788 (Parker) – Electric Grid: would provide that the Public Utility Commission shall establish a program to pay expenses incurred to increase the security of the electric grid in ERCOT.

H.B. 815 (Burkett) – Environmental Rules: would require the Texas Commission on Environmental Quality to: (1) conduct a regulatory analysis before adopting an environmental rule; and (2) when giving notice, incorporate more detailed information on the compliance costs for local governments into a fiscal note.

H.B. 838 (Allen) – Air Permitting: would require the Texas Commission on Environmental Quality, when granting a permit, to consider not only whether if emissions from the permitted facility will affect the public’s health and physical property, but also the cumulative effects on the public’s health and physical property from emissions from the permitted facility and from other facilities located less than three miles away.

H.B. 963 (Perez) – System Benefit Fund: would provide that a retail electric provider, municipally owned utility, or electric cooperative that provided reduced rates to customers using support from the former system benefit fund shall provide to those customers, at least one time, written notice of each bill payment assistance program that might be available to assist those customers.
**H.B. 965 (Springer) – Water Conservation:** would allow a city owned utility to require a correctional facility that receives water from the city to comply with the water conservation measures adopted or implemented by the city.

**H.B. 1115 (Dutton) – Contested Case Hearings:** would expand the definition of “affected person” to include members of a city council for certain types of contested case hearings held by or for the Texas Commission on Environmental Quality.

**H.B. 1190 (Bell) – One Call:** would: (1) subject the Texas Underground Facility Corporation (corporation) to a review under the Texas Sunset Act and require the corporation to pay for the review; and (2) require the review to assess the corporation’s governance, management, operating structure, and compliance with legislative requirements.

**H.B. 1224 (Bell) – One-Call:** would require a plaintiff, in a civil action brought against an excavator for damages related to an excavation, to show that the proximate cause of the damages was the excavator’s failure to comply with their duty to notify.

**H.B. 1318 (Lucio) – Groundwater Conservation Districts:** would provide that, when a groundwater conservation district regulates the production of groundwater based on tract size or acreage, the district must consider the aggregate acreage owned by a municipally owned utility and the utility’s customers inside the district and may subtract permitted wells from that acreage.

**H.B. 1475 (Y. Davis) – Electric Service:** would, among other things, provide that: (1) a person who is not a customer of a retail electric provider at an address may not discontinue the service provided by the retail electric provider at that address and initiate service with a different retail electric provider at that address unless the customer for that address consents; (2) a person who violates (1) commits a Class C misdemeanor; and (3) a retail electric provider may not initiate service for a customer at an address unless it has determined that no other retail electric provider is currently providing service for a different customer at that address.

**H.B. 1493 (M. Gonzalez) – Pipelines:** would require a person seeking to construct a pipeline in a city or a city’s extraterritorial jurisdiction to hold at least one public meeting in the city before beginning construction.

**H.B. 1519 (M. Gonzalez) – Natural Gas Pipelines:** would provide that a person seeking to construct a natural gas pipeline may not begin construction of the pipeline unless the person first performs an analysis to identify and assess potential impacts on the natural and human environment that could result from the construction and operation of the pipeline and submits the analysis to the Texas Railroad Commission in writing.

**H.B. 1536 (Farrar) – Stormwater:** would require the Texas Commission on Environmental Quality to study the installation and use of green stormwater infrastructure in Texas.

**H.B. 1573 (Price) – Water Loss Audits:** would require the Texas Water Development Board to implement rules requiring city water loss audits to be completed by a person trained to conduct water loss audits.
H.B. 1584 (T. King) – Solid Waste Collection: would authorize a county to regulate solid waste collection, handling, storage, and disposal in the extraterritorial jurisdiction of a city, regardless of whether the city consents to the regulation.

H.B. 1619 (Shine) – Outdoor Burning: would provide that, if outdoor burning violates a Texas Commission on Environmental Quality rule and city ordinance, the conduct may only be prosecuted under the city ordinance unless it is a subsequent violation or involves the burning of heavy oils, asphaltic materials, potentially explosive materials, or chemical wastes.

H.B. 1633 (Rodriguez) – Bill Payment Assistance: would remove the requirement that an individual must have been threatened with disconnection of service for nonpayment of bills in order to qualify for utility bill payment assistance funded from the first lien against the revenue of a city owned utility. (Note: this bill applies to cities with a population of more than one million but less than two million.) (Companion bill is S.B. 758 by Menendez.)

H.B. 1648 (Price) – Water Conservation Plan: would require a city that provides potable water service to 3,300 or more connections to designate an employee as the water conservation coordinator in the water conservation plan submitted to the Texas Water Development Board.

H.B. 1672 (Ashby) – Outdoor Burning: would require the Texas Commission on Environmental Quality to authorize a certified and insured prescribed burn manager to direct a prescribed burn of waste.

H.B. 1818 (L. Gonzales) – Railroad Commission: this is the Texas Railroad Commission sunset bill. Of interest to cities, the bill would provide: (1) that the oil and gas division of the commission shall develop and publish an annual plan to use the oil and gas monitoring and enforcement resources of the commission strategically to best ensure public safety and minimize damage to the environment; (2) that the commission by rule may establish pipeline safety and regulatory fees to be assessed for permits or registrations for pipelines under the jurisdiction of the commission’s pipeline safety and regulatory program; and (3) for certain additional regulatory over intra- and interstate pipelines.

H.B. 1837 (Springer) – Outdoor Burning: would allow the commissioners court of a county to require a person to notify a city, as specified by the commissioners court, before starting an outdoor fire in the county.

H.B. 1863 (Lucio) – Pollution Control: would: (1) limit the disbursement of state water pollution control funds to projects eligible for assistance under Section 603(c) of the Federal Water Pollution Control Act; and (2) extend the term of the loan from 20 years to the lesser of 30 years or the projected useful life of the project. (Companion bill is S.B. 866 by Perry.)

H.B. 1874 (R. Anderson) – Battery Recycling Program: would require a producer of covered batteries to implement a stewardship program providing for the collection of covered batteries.
H.B. 1946 (Parker) – Water Districts: would provide that certain contracts or leases submitted to the attorney general by certain water districts are incontestable.

H.B. 1964 (Murphy) – Master Water Meters: would make various changes to the authority and liability of owners and managers of apartment houses, manufactured home rental communities, condominiums, and multiple use facilities in charging tenants for submetered and nonsubmetered master metered water and wastewater services.

H.B. 1979 (Landgraf) – Emissions Reduction: would, among other things, establish a governmental alternative fuel fleet grant program to assist cities in purchasing or leasing new motor vehicles that operate primarily on an alternative fuel. (Companion bill is S.B. 26 by Estes.)

H.B. 2005 (Larson) – Aquifer Storage and Recovery: would require the Texas Water Development Board to work with potential sponsors of aquifer storage and recovery projects identified in the state water plan to conduct a study and prepare a report of the most favorable areas for aquifer storage and recovery to be submitted to the governor, lieutenant governor, and speaker of the house.

H.B. 2046 (Walle) – Solid Waste Disposal Fee: would increase the amount of the solid waste disposal fee and the allocation of revenue from the fee.

H.B. 2086 (Walle) – TCEQ Standard Permits: would provide that a plot plan is required on an application for the issuance of a standard permit for air quality through the Texas Commission on Environmental Quality.

H.B. 2092 (Morrison) – Grease Trap Waste: would prohibit the Texas Commission on Environmental Quality from issuing a permit, registration, or other authorization for land application of grit or grease trap waste. (Note: this would not apply to a permit issue to an entity for the disposal of grit or grease trap waste at a municipal solid waste Type V facility.) (This bill is similar to S.B. 746 by Kolkhorst.)

H.B. 2114 (Perez) – Bill Payment Assistance: would allow the Public Utility Commission to use information from the Health and Human Services Commission on persons who receive medical or nutritional assistance to assist a city-owned utility in providing bill payment assistance to customers.

H.B. 2187 (Lucio) – Certificates of Convenience and Necessity: would, among other things: (1) extend the time in which the Public Utility Commission must grant a application for a water certificate of convenience and necessity (CCN) from 60 to 90 days; (2) provide that the commission may not grant a petition for expedited release from a CCN if, before the 30th day after the date the landowner files the petition, the CCN holder demonstrates that, through planning, design, construction of facilities, or contractual obligations to serve the tract of land, it has made service available to the tract; and (3) modify the procedures for determining how much a petitioner requesting decertification from an existing CCN must pay the CCN holder upon decertification.
H.B. 2204 (Kacal) – Texas Water Development Board Financial Assistance: would provide: (1) a definition of “iron and steel products;” and (2) that a contract for a water project may allow the use of iron and steel products that are not produced in the United States, so long as the use is incidental or de minimis.

H.B. 2240 (Lucio) – Texas Water Development Board Financial Assistance: would require a city to have enforceable time-of-day outdoor watering limitations as part of the city’s water conservation program in order to apply for financial assistance provided by the Texas Water Development Board.

H.B. 2252 (Faircloth) – Coastal Barrier System: would provide that the legislature shall establish a joint interim committee to continue to study the feasibility and desirability of creating and maintaining a coastal barrier system in this state that includes a series of gates and barriers to prevent storm surge damage to gulf beaches or coastal ports, industry, or property. (Companion bill is S.B. 1000 by Taylor.)

H.B. 2359 (Ortega) – Nuisance: would provide that the delivery, possession, manufacture, or use of other item in violation of the Texas Substance Control Act, criminal trespass, disorderly conduct, arson, criminal mischief that causes a pecuniary loss of $500 or more and a graffiti offense are activities added to the common nuisance statute.

H.B. 2369 (Nevarez) – Water Rates: would: (1) require that a city utility that provides water or sewer service to a public school district charge the district the lowest rates the utility charges commercial businesses or nonprofit organizations that receive water or sewer service; (2) allow a public school district to appeal the water rates charged to the district by a city by filing a petition with the Public Utility Commission; (3) place the burden of proof on the city to establish that the rates are just and reasonable; and (4) prohibit a city owned utility from charging a school district a fee based on the number of district students or employees.

H.B. 2377 (Larson) – Brackish Groundwater Development: would: (1) require groundwater conservation districts to adopt rules for the issuance of permits to withdraw brackish groundwater from a well in a designated brackish groundwater production zone for a project designed to treat brackish groundwater to drinking water standards; (2) provide for a minimum term of 30 years for a permit issued for a well the produces brackish groundwater from a designated brackish groundwater production zone; and (3) require the holder of a permit to report to the groundwater conservation district on the amount of brackish groundwater withdrawn and aquifer levels.

H.B. 2378 (Larson) – Groundwater Conservation District: would automatically extend the term of a permit to transfer groundwater outside of a groundwater conservation district to a term not shorter than the term of the operating permit and for each additional term an operating permit is renewed. (Companion bill is S.B. 774 by Perry.)

H.B. 2386 (Bailes) – Outdoor Burning: would allow a person to burn outdoor waste under the supervision of a volunteer firefighter. (Companion bill is S.B. 1064 by Nichols.)
H.B. 2476 (S. Davis) – Environmental Lawsuits: would provide that a public agency, including a city, may not enter into a contingent fee contract to bring a suit under the Water Code in which the Texas Commission on Environmental Quality is a necessary and indispensable party without review and approval of the contract by the comptroller.

H.B. 2479 (Bell) – Solid Waste Facility Permits: would: (1) require the Texas Commission on Environmental Quality to deny a permit application for a solid waste facility that TCEQ finds to be incomplete or inaccurate, if a previous version was returned as incomplete or inaccurate; and (2) prohibit TCEQ from approving a subsequent application for a solid waste facility at the site that was the subject of the denied permit application. (Companion bill is S.B. 551 by Kolkhorst.)

H.B. 2517 (Stephenson) – Grease Trap Waste: would prohibit the Texas Commission on Environmental Quality from issuing a permit, registration, or other authorization for land application of grit or grease trap waste. (Note: this would not apply to a permit issue to an entity for the disposal of grit or grease trap waste at a municipal solid waste landfill.) (Companion bill is S.B. 746 by Kolkhorst.)

H.B. 2533 (Geren) – Civil Environmental Law Suits: would: (1) remove the requirement that a city must wait 121 days after a complaint is filed to determine if TCEQ will file suit, before bringing its own law suit; and (2) require a city to provide notice to the attorney general of each alleged violation and wait 90 days before initiating a suit.

H.B. 2628 (Pickett) – Texas Emissions Reduction Funding: would repeal the provision requiring $5 of each fee collected for a vehicle title to be deposited into the Texas emission reduction plan fund. (Note: Instead, the entire fee collected would be deposited to the credit of the Texas mobility fund.)

H.B. 2654 (Stucky) – Water and Energy Savings Assessments: would provide that a county assessor-collector and other elected officials of a local government are not personally liable as a result of entering into an agreement for the collection of assessments imposed by a local government to fund water and energy savings improvements.

H.B. 2682 (Reynolds) – Emissions Reduction: would: (1) provide a definition of “clean transportation triangle” to include counties in the areas connecting the cities of Houston, San Antonio, Dallas and Fort Worth, San Antonio, Corpus Christi, and Laredo; and (2) require TCEQ to provide fueling facilities in the clean transportation triangle to enable an alternative fuel vehicle to travel in those areas.

H.B. 2771 (Phelan) – On-Site Wastewater Fee: would repeal the $10 fee that cities collect and remit to the TCEQ for each on-site wastewater treatment permit application processed.

H.B. 2799 (Farrar) – Water Use Permit Applications: would require an applicant for certain water use and solid waste application to: (1) post a copy of the application on a publicly
accessible website; (2) post any subsequent revision or supplement to the application; and (3) maintain the posting until the TCEQ takes final action on the application.

H.B. 2838 (Geren) – Small Cellular Network Deployment: this bill is sought by wireless industry vendors (“network providers”) to quickly install small cellular equipment (“network nodes”) and/or towers in a city’s rights-of-way. It would make various findings related to the deployment of cellular network nodes in the public rights-of-way and municipal authority over those rights-of-way, and – substantively – would provide that:

1. Except as provided by the bill, a city may not prohibit, regulate, or charge for the installation or collocation of network nodes in a public right-of-way.
2. A city may not directly or indirectly require, as a condition for issuing a permit required under the bill, that the applicant perform services unrelated to the installation or collocation for which the permit is sought, including in-kind contributions such as reserving fiber, conduit, or pole space for the city’s use.
3. A city may not enter into an exclusive arrangement with any person for use of the public rights-of-way for the construction, operation, marketing, or maintenance of network nodes or node support poles, and any regulations must be nondiscriminatory and competitively neutral.
4. A city can never impose a moratorium on network nodes or support poles.
5. A city may require a network provider to obtain one or more permits (up to 30 in one “batch application”) to install a network node or node support pole in a public right-of-way only if the permit: (a) is of general applicability to users of the public rights-of-way; and (b) does not apply exclusively to network nodes. (This is essentially a construction permit that can’t require more than a city would of a land-line user of the right-of-way.)
6. A 30-day “shot clock” is imposed on a city to notify a network provider that its application is complete.
7. A 150-day shot clock is imposed on a city to approve or deny a completed application for a new node support pole and a 90-day shot clock is imposed for any other application (e.g. a node to be placed on an existing pole).
8. Detailed procedures must be followed if a city denies a permit.
9. A network provider shall begin the installation for which a permit is granted not later than the 90th day after the date the permit is approved and shall complete the installation not later than the 180th day after the date the installation begins, unless a city grants a longer time.
10. A city may charge an application fee for a permit only if it requires the payment of the fee for similar types of commercial development inside the city’s territorial jurisdiction, and any fee must be cost-based and not contingent-based. (This restriction is for permits to access the right-of-way. An additional rental fee is provided for in (1), below.)
11. A city may not require a network provider to submit an application for: (a) routine maintenance that does not require excavation or closing of sidewalks or vehicular lanes in a public right-of-way; or (b) replacing or upgrading a network node or pole with a node or pole that is substantially similar in size (defined as not more than 10 percent higher than existing equipment) or smaller and that does not require excavation or closing of sidewalks or vehicular lanes in a public right-of-way.
12. A city that chooses to allow collocation of network nodes on municipal poles must do so in a non-discriminatory manner.

13. Subject to the bill’s provisions and to applicable federal and state law: (a) a city may continue to exercise zoning, land use, planning, and permitting authority in the city’s boundaries, including with respect to utility poles; and (b) a city may exercise that authority to impose police-power-based regulations for the management of the public rights-of-way that apply to all persons to the extent that the regulations are reasonably necessary to protect the health, safety, and welfare of the public.

14. A network provider must indemnify a city for damages caused solely by the negligent act, error, or omission of the provider, but not for liability resulting from the negligence of the city, its officers, employees, contractors, or subcontractors.

15. A network provider shall relocate or adjust network nodes in a timely manner and without cost to the city if the city requires the relocation or adjustment to accommodate public improvements constructed on behalf of the city in a public right-of-way.

16. A network provider shall ensure that the operation of a network node does not cause any harmful radio frequency interference to a Federal Communications Commission-authorized mobile telecommunications operation of the city operating at the time the network node was initially installed or constructed, and a network provider shall take all steps reasonably necessary to remedy any harmful interference.

Additionally, with regard to the use of and rental compensation for the use of a city’s rights-of-way, the bill would provide that:

1. A public right-of-way rate or fee for use of the public rights-of-way may not exceed an annual amount equal to $1,000 multiplied by the number of node support poles (i.e., those installed by a private company dedicated to cell service) and utility poles (i.e., those that provide electric or telecommunications service), other than municipally owned utility poles, inside the municipality’s corporate boundaries on which the network provider has installed a network node. (The fee is adjusted annually to reflect changes in inflation based on the consumer product index.)

2. At the city’s discretion, it may charge a network provider a lower rate or fee if the lower rate or fee is: (a) nondiscriminatory; (b) related to the use of the public rights-of-way; and (c) not a prohibited gift of public property.

3. The current-law access line compensation system for right-of-way use applies to telecommunications network facilities, other than network nodes, installed by a network provider. (For purposes of calculating that fee, each network node is considered an end-use customer termination point.)

4. Subject to the approval of a permit application (if required by the city) and to any applicable building codes, a network provider is entitled, as a permitted use that is not subject to zoning review or similar approval, and is not subject to further land use approval in an area that is not zoned, to do the following in the public rights-of-way: (a) construct, modify, maintain, and operate a network node; (b) construct, modify, maintain, and operate a utility pole or network support pole; and (3) collocate on a pole with the discretionary, nondiscriminatory, and express written consent of the pole’s owner.

5. A network provider shall construct and maintain its structures and facilities in a manner that does not: (a) obstruct, impede, or hinder the usual travel or public safety on a public
right-of-way; (b) obstruct the legal use of a public right-of-way by other utility providers; (c) violate applicable codes; (d) violate or conflict with the city’s publicly-disclosed public rights-of-way design specifications; or (e) violate the federal Americans with Disabilities Act.

6. A network provider shall ensure that each new, modified, or replacement utility pole or node support pole installed in a public right-of-way in relation to which the network provider received approval of a permit application: (a) does not exceed the greater of: (i) 10 feet in height above the tallest existing utility pole located within 500 linear feet of the new pole in the same public right-of-way; or (ii) 50 feet above ground level; and (b) is spaced at least 300 linear feet from the nearest existing pole that is capable of supporting network nodes and is located in a public right-of-way.

7. A network provider may not install a new node support pole in a public right-of-way without the city’s discretionary, nondiscriminatory, and written consent if the public right-of-way is adjacent to a street or thoroughfare: (a) that is not more than 50 feet wide; and (b) both sides of which are adjacent to single-family residential lots or other multifamily residences.

8. A network provider shall ensure that the vertical height of an equipment cabinet installed as part of a network node does not exceed certain height limitations, subject to approval of the pole’s owner if applicable.

9. A network provider shall, in relation to installation for which a city approved a permit application, comply with nondiscriminatory undergrounding requirements, except in relation to existing structures.

10. A city may adopt a design manual for the installation and construction of network nodes and new node support poles in the public rights-of-way that includes additional installation and construction details that do not conflict with the bill.

(Companion bill is S.B. 1004 by Hancock.)

**H.B. 2885 (Larson) – Return Flows**: would require TCEQ to: (1) authorize the discharge, diversion, and reuse of a person’s existing return flows derived from privately-owned groundwater if the groundwater is treated brackish groundwater and the person is authorized to discharge the groundwater; and (2) grant a water right or an amendment to a permit to an applicant who proposes to divert the applicant’s existing return flows from treated brackish groundwater and transfer those flows to another river basin.

**H.B. 2894 (Lucio) – Desalination**: would entitle an existing water right holder that begins using desalinated seawater to expedited consideration of their application for an amendment to the water right, provided that certain conditions are met.

**H.B. 2910 (Flynn) – Electric Rates**: would provide that the Public Utility Commission shall initiate an inquiry concerning the rates of an investor owned electric utility in the ERCOT region if those rates exceed a certain amount.

**H.B. 2932 (Anchia) – Railroad Commission Fines**: would: (1) increase the daily maximum penalty that can be imposed by the Texas Railroad Commission from $10,000 to $25,000; and (2) provide that the commission’s penalty guidelines must provide for different penalties for
different violations based on the seriousness of the violation and any hazard to the health or safety of the public resulting from the violation.

**H.B. 2943 (Larson) – State Water Pollution Control Fund**: would: (1) provide that persons for projects eligible for assistance under Section 603(c) of the Federal Water Pollution Control Act are eligible for state funding administered through the Water Development Board; and (2) allow the TWDB to use the revolving fund for loans for a term not to exceed the lesser of 30 years or the projected useful life.

**H.B. 2948 (Larson) – Interregional Water Planning Council**: would require the Texas Water Development Board to appoint an interregional planning council consisting of one member from each regional water planning group to improve coordination among the regional water planning groups.

**H.B. 2958 (E. Thompson) – Municipal Solid Waste**: would impose a temporary moratorium (until September 1, 2019) on municipal solid waste facilities and mandate that TCEQ conduct a study on the safety and regulation of such facilities.

**H.B. 3004 (Isaac) – Wastewater Discharge Permits**: would require the Texas Commission on Environmental Quality to dismiss a city’s protest of a wastewater discharge permit if the city is subject to less stringent wastewater treatment requirements than the requirements established by the permit.

**H.B. 3028 (Burns) – Groundwater Ownership**: would provide: (1) a definition of “fair share” as a reasonable quantification, based on the best available science, of the amount of groundwater in place beneath each tract of land overlying an aquifer, subdivision of an aquifer, or geologic formation that may be produced; (2) that groundwater ownership and rights entitle a person to be afforded a fair share of groundwater when the right to drill a well and produce groundwater is regulated by groundwater conservation districts.

**H.B. 3037 (Workman) – Groundwater Management Areas**: would provide that the Texas Water Development Board and Texas Commission on Environmental Quality shall designate groundwater management areas so that each major and minor aquifer is assigned to a groundwater management area designated solely for that aquifer.

**H.B. 3073 (E. Rodriguez) – Electric Utilities**: would provide for financing programs for certain low income customers of investor owned electric utilities.

**H.B. 3090 (Cyrier) – Outdoor Burning**: would allow a peace officer to enforce rules and provisions prohibiting outdoor burning of waste.

**H.B. 3116 (Allen) – Solid Waste Permits**: would require a solid waste facility permit application to contain a certification from the applicant that the applicant mailed an explanation of the site’s proposed operations and a questionnaire seeking community comments to each resident living one mile or less from the site and each community organization, nonprofit organization, or civic club located two miles or less from the site.
H.B. 3153 (Sheffield) – Water Fluoridation: would provide that an owner, agent, manager, operator, or other person in charge of a public water supply system that furnishes for public or private use drinking water containing added fluoride may not reduce the amount of fluoride in the water or terminate the fluoridation of the water unless they provide written notice to the customers of the system and the Texas Commission on Environmental Quality at least 60 days before the reduction or termination.

H.B. 3175 (Reynolds) – Energy Efficiency: would provide, among other things, that the Public Utility Commission by rule shall establish a grant program through which electric utilities, municipally owned utilities, and electric cooperatives may receive money from the greenhouse gas emissions fee account.

H.B. 3177 (Lucio) – Contested Cases: would add an additional allowance for the executive director of TCEQ to act on an application or request if the matter has become uncontested before parties are named because each person who requested a contested case hearing has withdrawn the request or agreed in writing to the action to be taken by the executive director.

H.B. 3200 (Murr) – Aggregate Production Operations: would: (1) provide for the regulation of aggregate productions by the Texas Commission on Environmental Quality that are first required to be registered on or after January 1, 2016, occupy at least 10 acres, and are located inside a city’s extraterritorial jurisdiction (ETJ); and (2) require a city with an aggregation production in its ETJ as described in (1) to consider and possibly approve amendments to a reclamation plan under certain circumstances.

H.B. 3240 (Springer) – Gas Pipelines: would provide that an investor-owned gas utility that inspects, constructs, or repairs a gas pipeline owned or operated by a governmental unit or an institution of higher education is not liable to a claimant for personal injury, property damage, or death arising from the performance of the inspection, construction, or repair if, at the time of the personal injury, property damage, or death, the gas utility was providing services or materials at the request of the governmental unit or institution of higher education in response to an emergency, and the personal injury, property damage, or death was not caused by the gas utility’s willful misconduct.

H.B. 3314 (Frank) – Water Right Amendments: would provide that an application for an amendment to a water right is exempt from any statutory requirements or commission rules regarding notice and hearing or technical review, if certain conditions are met.


H.B. 3479 (Pickett) – Texas Emissions Reduction Plan: would: (1) expand the programs that can be funded through the Texas Emissions Reduction Plan fund; and (2) temporarily suspend the collection of the Texas Emissions Reduction Plan surcharge.
H.B. 3501 (Isaac) – Drainage Fees: would: (1) allow a city to exempt open-enrollment charter schools from municipal drainage fees; and (2) prohibit a city from solely granting the exemption to a school district or open-enrollment charter school (i.e., the city must grant neither or both exemption). (Companion bill is S.B. 601 by Campbell.)

H.B. 3525 (Price) – Water Rights: would prohibit the TCEQ from referring an issue regarding a water right application to the State Office of Administrative Hearings, unless the issue is a disputed question of fact and is relevant and material to a decision on the application. (Companion bill is S.B. 225 by V. Taylor.)

H.B. 3642 (Burns) – Domestic Septage: would differentiate between “Class B sludge” and “domestic septage” for purposes of a land application or permit. (Companion bill is S.B. 1724 by Birdwell.)

H.B. 3695 (Farrar) – Lead Service Lines: would require a public water system, which includes a city, to replace lead service lines in each public school, private school, or child care facility that is served by the system. (Companion bill is S.B. 1587 by Garcia.)

H.B. 3717 (T. King) – Landscape Incentives: would: (1) require a city that operates a landscape incentive program funded with public money to register the program with the Department of Agriculture; and (2) allow a city that operates a program to provide monetary incentives for the purchase and installation of irrigation or sprinkler controls that make adjustments based on weather conditions.

H.B. 3742 (Phelan) – Surface Water Permits: would provide that an applicant for a surface water permit may request a contested case hearing, and the TCEQ must provide a contested case hearing on the application.

H.B. 3889 (Rodriguez) – Public Drinking Water: would require the Texas Commission on Environmental Quality to study the public drinking water infrastructure in the state and provide a recommended schedule of improvement.

H.B. 3987 (Larson) – Financial Assistance: would allow the Texas Water Development Board to use the state participation account of the water development fund to provide financial assistance for desalination or aquifer storage and recovery facilities. (Companion bill is S.B. 1775 by Hinojosa.)

H.B. 3991 (Larson) – Aquifer Storage and Recovery: would provide for an expedited procedure for an application for a water right involving an aquifer storage and recovery project.

H.B. 3995 (Simmons) – Vehicle Inspections: would eliminate regular mandatory vehicle safety inspections. (Companion bill is S.B. 1588 by Huffines.)

H.B. 4012 (Paul) – Water Utility Disconnection: would: (1) require a utility to send written notice of service disconnection to a city before disconnecting a nonsubmetered master metered multifamily property for nonpayment; (2) require the utility to mail notice to the customer; (3)
provide that a city is not prohibited from adopting additional customer safeguards; and (4) provide that a city may provide the Texas Commission on Environmental Quality with an authorized representative to whom the required notice be sent.

**H.B. 4025 (Rodriguez) – Environmental Violations**: would: (1) require the Texas Commission on Environmental Quality to ensure the amount of a penalty for a violation is at least equal to the value of any economic benefit gained by the violator through the violation; and (2) allow a city to defer payment on any portion of the penalty attributable to the consideration of economic benefit on the condition that the city complies with the schedule and terms of the enforcement order associated with the violation.

**H.B. 4113 (Alonzo) – Railroad Commission**: would change the name of the Texas Railroad Commission to the Texas Energy Commission.

**H.B. 4192 (Pickett) – Utility Relocation**: would, among other things, provide that the governing body of a city or the commissioners court of a county authorized by law to require the owner or operator of a utility to relocate the utility’s facility for the purposes of a transportation project that is located in a public right-of-way in which the city or county has an interest may, if the governing body or commissioners court determines that the utility is delaying making a timely relocation of the facility without good cause: (1) contract with a third party to relocate the facility at the sole cost and expense of the utility; and (2) deny a permit application made by a utility or revoke a permit granted by the city or county to the utility for any of the utility’s facilities.

**H.B. 4221 (Elkins) – Sewer Utility Service**: would: (1) require a city that provides sewer utility service to report the current condition of the city’s sewer system to the Texas Commission on Environmental Quality; and (2) provide that the report must be signed by an engineer and the city council.

**H.B. 4230 (Wu) – Flood Mitigation**: would: (1) authorize the Texas Water Development Board (TWDB) to provide financial assistance from the state water pollution control revolving fund for a flood control or mitigation project; and (2) require the TWDB to adopt rules providing for an expedited application procedure for a city’s application for a flood control or mitigation project.

**H.J.R. 36 (Gonzalez) – Texas Water Development Board Funding**: would amend the Texas Constitution to authorize the Texas Water Development Board to issue additional general obligation bonds for economically distressed areas.

**H.J.R. 47 (Phillips) – Railroad Commission**: would amend the Texas Constitution to change the name of the Texas Railroad Commission to the Texas Energy Commission. (See H.B. 642, above.)

**H.J.R. 101 (Workman) – Water Funding**: would propose an amendment to the Texas Constitution that would provide – with certain exceptions – that, in each state fiscal year, the comptroller shall deposit to the credit of a separate account in the Texas Water Development Fund II $1 billion of the net revenue derived from the state sales and use tax that exceeds the first $30.5 billion of that revenue coming into the treasury in that state fiscal year.
S.B. 26 (Estes) – Emissions Reduction: would, among other things, establish a governmental alternative fuel fleet grant program to assist cities in purchasing or leasing new motor vehicles that operate primarily on an alternative fuel.

S.B. 83 (Hall) – Electric Grid Security: would: (1) establish the Electromagnetic Task Force, the Electric Grid Security Program, and the Electric Grid Security Advisory Committee; (2) provide that a municipally owned utility operating in ERCOT shall assess and report to the technological hazards unit of the Texas Division of Emergency Management the vulnerabilities the equipment, facilitates, and systems the utility uses to provide power have from the following: (a) a high altitude electromagnetic pulse device; (b) geomagnetic storms; and (c) intentional electromagnetic interference; (3) provide that a municipally owned utility operating in ERCOT shall complete enhancements to transformers, control centers, substations, and other equipment sufficient to comply with a list of standards, as applicable, to the equipment or facility by December 31, 2021; and (4) allow an utility to recover costs incurred in completing enhancements from the Electric Grid Security Program.

S.B. 103 (Hall) – Plastic Bags: would provide that: (1) a business that sells an item to a customer may provide to the customer at the point of sale a bag or other container made from any material; and (2) a city may not adopt or enforce an ordinance or regulation that purports to restrict or prohibit a business from, require a business to charge a customer for, or tax or impose penalties on a business for providing to a customer at the point of sale a bag or other container made from any material.

S.B. 225 (V. Taylor) – Water Rights: would prohibit the Texas Commission on Environmental Quality from referring an issue regarding a water right application to the State Office of Administrative Hearings, unless the issue is a disputed question of fact and is relevant and material to a decision on the application.

S.B. 225 (V. Taylor) – Railroad Commission: this is the Texas Railroad Commission sunset bill. Of interest to cities, the bill would provide: (1) that the oil and gas division of the commission shall develop and publish an annual plan to use the oil and gas monitoring and enforcement resources of the commission strategically to best ensure public safety and minimize damage to the environment; (2) that the commission by rule may establish pipeline safety and regulatory fees to be assessed for permits or registrations for pipelines under the jurisdiction of the commission’s pipeline safety and regulatory program; and (3) for certain additional regulatory over intra- and interstate pipelines. (Companion bill is H.B. 1818 by L. Gonzales.)

S.B. 347 (Watson) – Regional Water Planning Groups: would make each regional water planning group subject to the Public Information and Open Meetings Acts.

S.B. 551 (Kolkhorst) – Solid Waste Facility Permits: would: (1) require the Texas Commission on Environmental Quality to deny a permit application for a solid waste facility that TCEQ finds to be incomplete or inaccurate, if a previous version was returned as incomplete or inaccurate; and (2) prohibit TCEQ from approving a subsequent application for a solid waste facility at the site that was the subject of the denied permit application.
S.B. 567 (Rodriguez) – Railroad Commission: would increase the maximum penalty amount from $10,000 a day to $25,000 a day for the violation of statutes under the jurisdiction of the Railroad Commission.

S.B. 568 (Rodriguez) – Railroad Commission: would require the Railroad Commission to post comprehensive information on violation enforcement on its website. (Companion bill is H.B. 247 by Anchia.)

S.B. 569 (Rodriguez) – Railroad Commission: would require the Railroad Commission to: (1) review the commission’s rules regarding the prevention, reporting, and documentation of unpermitted discharges of oil and gas waste; and (2) submit a report that details the existing rules and provides proposed changes to the senate and house of representatives.

S.B. 601 (Campbell) – Drainage Fees: would: (1) allow a city to exempt open-enrollment charter schools from municipal drainage fees; and (2) prohibit a city from solely granting the exemption to a school district or open-enrollment charter school (Note: under this bill, a city must choose to exempt both or neither).

S.B. 735 (Hancock) – Electric Rate Adjustments: would, among other things, provide that the Public Utility Commission shall adopt rules establishing rate adjustments, on a periodic basis determined by the commission, to reflect changed transmission cost for: (1) depreciation; (2) plant retirement; and (3) other factors that reduce rates.

S.B. 746 (Kolkhorst) – Grease Trap Waste: would prohibit the Texas Commission on Environmental Quality from issuing a permit, registration, or other authorization for land application of grit or grease trap waste. (Note: This would not apply to a permit issue to an entity for the disposal of grit or grease trap waste at a municipal solid waste landfill.)

S.B. 747 (Kolkhorst) – Commercial Surface Disposal Facility: would prohibit the Railroad Commission from approving an application for a facility that provides surface disposal of oil field fluids or oil and gas waste, if any part of the site of the facility is located less than five miles from the corporate boundaries of a city.

S.B. 758 (Menendez) – Bill Payment Assistance: would remove the requirement that an individual must have been threatened with disconnection of service for nonpayment of bills in order to qualify for utility bill payment assistance funded from the first lien against the revenue of a city owned utility. (Note: this bill applies to cities with a population of more than one million but less than two million.)

S.B. 768 (Zaffirini) – Texas Emissions Reduction Plan: would: (1) extend the expiration of the TERP grant program; and (2) include the interstate highways connecting San Antonio to Corpus Christi and Laredo and the highways connecting Corpus Christi and Laredo to the clean transportation triangle list.

S.B. 774 (Perry) – Groundwater Conservation District: would automatically extend the term of a permit to transfer groundwater outside of a groundwater conservation district to a term not
shorter than the term of the operating permit and for each additional term an operating permit is renewed.

S.B. 785 (Hinojosa) – Rural Water Assistance Fund: would allow the Texas Water Development Board to use the Rural Water Assistance Fund to assist rural political subdivisions with water planning. (Companion bill is H.B. 544 by Anderson.)

S.B. 793 (Miles) – Concrete Crushing Facilities: would provide that the Texas Commission on Environmental Quality by rule shall prohibit the operation of a concrete crushing facility within 440 yards of the following additional places: (1) a place of business where employees of the business perform outdoor work near the concrete crushing facility; or (2) a park or other outdoor recreational facility, including a playing field.

S.B. 821 (Seliger) – Texas Water Development Board: would require one member of the Texas Water Development Board to be actively engaged in the business of farming or another business related to agriculture.

S.B. 862 (Perry) – Groundwater Conservation District: would allow a prevailing party, in a suit in which a groundwater conservation district is a party, to seek attorney’s fees.

S.B. 866 (Perry) – Pollution Control: would: (1) limit the disbursement of state water pollution control funds to projects eligible for assistance under Section 603(c) of the Federal Water Pollution Control Act; and (2) extend the term of the loan from 20 years to the lesser of 30 years or the projected useful life of the project. (Companion bill is H.B. 1863 by Lucio.)

S.B. 873 (Creighton) – Master Water Meters: this bill is the same as H.B. 1964, above.

S.B. 939 (Bettencourt) – Environmental Rules: would: (1) require the Texas Commission on Environmental Quality to conduct a regulatory analysis that identifies the costs and environmental effects expected to result from implementation of and compliance with the rule; and (2) require TCEQ to incorporate a draft impact analysis describing the anticipated effects of the proposed rule into the fiscal note.

S.B. 960 (Nichols) – Outdoor Burning: would require the Texas Commission on Environmental Quality to authorize a certified and insured prescribed burn manager to direct a prescribed burn of waste. (Companion bill is H.B. 1672 by Ashby.)

S.B. 1000 (L. Taylor) – Coastal Barrier System: would provide that the legislature shall establish a joint interim committee to continue to study the feasibility and desirability of creating and maintaining a coastal barrier system in this state that includes a series of gates and barriers to prevent storm surge damage to gulf beaches or coastal ports, industry, or property. (Companion bill is H.B. 2252 by Faircloth.)

S.B. 1004 (Hancock) – Small Cellular Network Deployment: this bill is sought by wireless industry vendors (“network providers”) to quickly install small cellular equipment (“network nodes”) and/or towers in a city’s rights-of-way. It would make various findings related to the
deployment of cellular network nodes in the public rights-of-way and municipal authority over those rights-of-way, and – substantively – would provide that:

17. Except as provided by the bill, a city may not prohibit, regulate, or charge for the installation or collocation of network nodes in a public right-of-way.
18. A city may not directly or indirectly require, as a condition for issuing a permit required under the bill, that the applicant perform services unrelated to the installation or collocation for which the permit is sought, including in-kind contributions such as reserving fiber, conduit, or pole space for the city’s use.
19. A city may not enter into an exclusive arrangement with any person for use of the public rights-of-way for the construction, operation, marketing, or maintenance of network nodes or node support poles, and any regulations must be nondiscriminatory and competitively neutral.
20. A city can never impose a moratorium on network nodes or support poles.
21. A city may require a network provider to obtain one or more permits (up to 30 in one “batch application”) to install a network node or node support pole in a public right-of-way only if the permit: (a) is of general applicability to users of the public rights-of-way; and (b) does not apply exclusively to network nodes. (This is essentially a construction permit that can’t require more than a city would of a land-line user of the right-of-way.)
22. A 30-day “shot clock” is imposed on a city to notify a network provider that its application is complete.
23. A 150-day shot clock is imposed on a city to approve or deny a completed application for a new node support pole and a 90-day shot clock is imposed for any other application (e.g. a node to be placed on an existing pole).
24. Detailed procedures must be followed if a city denies a permit.
25. A network provider shall begin the installation for which a permit is granted not later than the 90th day after the date the permit is approved and shall complete the installation not later than the 180th day after the date the installation begins, unless a city grants a longer time.
26. A city may charge an application fee for a permit only if it requires the payment of the fee for similar types of commercial development inside the city’s territorial jurisdiction, and any fee must be cost-based and not contingent-based. (This restriction is for permits to access the right-of-way. An additional rental fee is provided for in (1), below.)
27. A city may not require a network provider to submit an application for: (a) routine maintenance that does not require excavation or closing of sidewalks or vehicular lanes in a public right-of-way; or (b) replacing or upgrading a network node or pole with a node or pole that is substantially similar in size (defined as not more than 10 percent higher than existing equipment) or smaller and that does not require excavation or closing of sidewalks or vehicular lanes in a public right-of-way.
28. A city that chooses to allow collocation of network nodes on municipal poles must do so in a non-discriminatory manner.
29. Subject to the bill’s provisions and to applicable federal and state law: (a) a city may continue to exercise zoning, land use, planning, and permitting authority in the city’s boundaries, including with respect to utility poles; and (b) a city may exercise that authority to impose police-power-based regulations for the management of the public
rights-of-way that apply to all persons to the extent that the regulations are reasonably necessary to protect the health, safety, and welfare of the public.

30. A network provider must indemnify a city for damages caused solely by the negligent act, error, or omission of the provider, but not for liability resulting from the negligence of the city, its officers, employees, contractors, or subcontractors.

31. A network provider shall relocate or adjust network nodes in a timely manner and without cost to the city if the city requires the relocation or adjustment to accommodate public improvements constructed on behalf of the city in a public right-of-way.

32. A network provider shall ensure that the operation of a network node does not cause any harmful radio frequency interference to a Federal Communications Commission-authorized mobile telecommunications operation of the city operating at the time the network node was initially installed or constructed, and a network provider shall take all steps reasonably necessary to remedy any harmful interference.

Additionally, with regard to the use of and rental compensation for the use of a city’s rights-of-way, the bill would provide that:

11. A public right-of-way rate or fee for use of the public rights-of-way may not exceed an annual amount equal to $1,000 multiplied by the number of node support poles (i.e., those installed by a private company dedicated to cell service) and utility poles (i.e., those that provide electric or telecommunications service), other than municipally owned utility poles, inside the municipality’s corporate boundaries on which the network provider has installed a network node. (The fee is adjusted annually to reflect changes in inflation based on the consumer product index.)

12. At the city’s discretion, it may charge a network provider a lower rate or fee if the lower rate or fee is: (a) nondiscriminatory; (b) related to the use of the public rights-of-way; and (c) not a prohibited gift of public property.

13. The current-law access line compensation system for right-of-way use applies to telecommunications network facilities, other than network nodes, installed by a network provider. (For purposes of calculating that fee, each network node is considered an end-use customer termination point.)

14. Subject to the approval of a permit application (if required by the city) and to any applicable building codes, a network provider is entitled, as a permitted use that is not subject to zoning review or similar approval, and is not subject to further land use approval in an area that is not zoned, to do the following in the public rights-of-way: (a) construct, modify, maintain, and operate a network node; (b) construct, modify, maintain, and operate a utility pole or network support pole; and (3) collocate on a pole with the discretionary, nondiscriminatory, and express written consent of the pole’s owner.

15. A network provider shall construct and maintain its structures and facilities in a manner that does not: (a) obstruct, impede, or hinder the usual travel or public safety on a public right-of-way; (b) obstruct the legal use of a public right-of-way by other utility providers; (c) violate applicable codes; (d) violate or conflict with the city’s publicly-disclosed public rights-of-way design specifications; or (e) violate the federal Americans with Disabilities Act.

16. A network provider shall ensure that each new, modified, or replacement utility pole or node support pole installed in a public right-of-way in relation to which the network
provider received approval of a permit application: (a) does not exceed the greater of: (i) 10 feet in height above the tallest existing utility pole located within 500 linear feet of the new pole in the same public right-of-way; or (ii) 50 feet above ground level; and (b) is spaced at least 300 linear feet from the nearest existing pole that is capable of supporting network nodes and is located in a public right-of-way.

17. A network provider may not install a new node support pole in a public right-of-way without the city’s discretionary, nondiscriminatory, and written consent if the public right-of-way is adjacent to a street or thoroughfare: (a) that is not more than 50 feet wide; and (b) both sides of which are adjacent to single-family residential lots or other multifamily residences.

18. A network provider shall ensure that the vertical height of an equipment cabinet installed as part of a network node does not exceed certain height limitations, subject to approval of the pole’s owner if applicable.

19. A network provider shall, in relation to installation for which a city approved a permit application, comply with nondiscriminatory undergrounding requirements, except in relation to existing structures.

20. A city may adopt a design manual for the installation and construction of network nodes and new node support poles in the public rights-of-way that includes additional installation and construction details that do not conflict with the bill.

S.B. 1045 (Estes) – Air Quality Permits: would allow an applicant for an air quality permit to combine the notice of intent and notice of preliminary decision into one notice, if: (1) before the 16th day after the application is received, the TCEQ determines the application to be administratively complete; and (2) the preliminary decision and draft permit are available at the time of the TCEQ’s determination.

S.B. 1053 (Perry) – Desired Future Conditions: would expand the definition of “affected person” able to appeal a groundwater conservation district’s adoption of desired future conditions.

S.B. 1064 (Nichols) – Outdoor Burning: would allow a volunteer firefighter to supervise a person burning waste. (Companion bill is H.B. 2386 by Bailes.)

S.B. 1229 (Menendez) – Solid Waste Service: this bill is the same as H.B. 2763, above.

S.B. 1392 (Perry) – Groundwater Conservation Districts: would: (1) add a definition of “common reservoir” to the Water Code; (2) require groundwater conservation districts to act jointly with other groundwater conservation districts to manage groundwater; (3) allow groundwater production limits based on the amount of land owned by a landowner; and (4) repeal the Water Code provision providing that groundwater ownership and rights do not entitle a landowner to the right to capture a specific amount of groundwater below the surface of a landowner’s land.

S.B. 1416 (Perry) – Texas Water Development Board Financial Assistance: would provide: (1) a definition of “iron and steel products;” and (2) that a contract for a water project may allow
the use of iron and steel products that are not produced in the United States, so long as the use is incidental or *de minimis*. (Companion bill is **H.B. 2204** by Kacal.)

**S.B. 1430 (Perry) – Desalination**: would entitle an existing water right holder that begins using desalinated seawater to expedited consideration of an application for an amendment to the water right, provided that certain conditions are met. (Companion bill is **H.B. 2894** by Lucio.)

**S.B. 1451 (Seliger) – Water Conservation Plan**: would require a city that provides potable water service to 3,300 or more connections to designate an employee as the water conservation coordinator in the water conservation plan that is submitted to the Texas Water Development Board. (Companion bill is **H.B. 1648** by Price.)

**S.B. 1507 (Hinojosa) – Return Flows**: would require the TCEQ to: (1) authorize the discharge, diversion, and reuse of a person’s existing return flows derived from privately-owned groundwater, if the groundwater is treated brackish groundwater and the person is authorized to discharge the groundwater; and (2) grant a water right or an amendment to a permit to an applicant who proposes to divert the applicant’s existing return flows from treated brackish groundwater and transfer those flows to another river basin. (Companion bill is **H.B. 2885** by Larson.)

**S.B. 1511 (Perry) – Water Planning**: would require: (1) the Texas Water Development Board to adopt rules specifying the manner for prioritizing projects for regional water planning groups; and (2) a regional water planning group to consider amending the approved regional water plan to include a feasible water management strategy or project that was to be addressed by a strategy or project declared infeasible.

**S.B. 1515 (Hancock) – Small Cell Deployment/Municipal Preemption**: would provide that: (1) a cell provider may install wireless facilities and wireless support structures in a right-of-way owned or managed by a political subdivision or municipally owned utility; (2) a political subdivision or municipally owned utility may not require a wireless service provider that installs a wireless facility or wireless support structure under (1) to compensate the political subdivision or municipally owned utility at a rate that is higher than a rate that is sufficient to cover the direct cost of managing the right-of-way.

**S.B. 1525 (Perry) – Water Availability**: would require a study by the Texas Water Development Board of water needs and availability in this state.

**S.B. 1580 (Garcia) – Water Fountains**: would require: (1) the Texas Commission on Environmental Quality (TCEQ) to test the levels of lead and copper in the water from all drinking water fountains operated by a city; (2) a city responsible for the maintenance of a water fountain to repair or replace the drinking water fountain according to the plan created by TCEQ; and (3) a city to post the results of TCEQ’s testing and the repair schedule on its internet website.

**S.B. 1587 (Garcia) – Drinking Water**: would provide procedures under which each public water system shall fully replace lead service lines in each public school, private school, or child care facility that is served by the public water system.
S.B. 1598 (Miles) – Permits: would require: (1) the Texas Commission on Environmental Quality to hold a public hearing in a neighborhood where either: (a) 30 percent or more of the population lives below the federal poverty level, or (b) 50 percent or more of the population consists of minority groups, if an applicant for a permit plans to locate a facility in the neighborhood; and (2) an applicant to provide newspaper notice and written notice of the hearing to the neighborhood affected, environmental groups, and local and state elected officials who represent the community.

S.B. 1628 (Estes) – Environmental Permits: would replace the contested case hearing process for certain environmental permits with a process to petition the Texas Commission on Environmental Quality for an administrative review of the permit application.

S.B. 1724 (Birdwell) – Domestic Septage: would differentiate between “Class B sludge” and “domestic septage” for purposes of a land application or permit. (Companion bill is H.B. 3642 by Burns.)

S.B. 1775 (Hinojosa) – Financial Assistance: would allow the Texas Water Development Board to use the state participation account of the water development fund to provide financial assistance for desalination or aquifer storage and recovery facilities.

S.B. 1842 (Lucio) – Certificates of Convenience and Necessity: would make numerous modifications to the CCN process for water districts.

S.B. 1915 (Buckingham) – Outdoor Burning: would provide that if outdoor burning violates a Texas Commission on Environmental Quality rule and city ordinance, then the conduct may only be prosecuted under the city ordinance unless it is a subsequent violation or involves the burning of heavy oils, asphalitic materials, potentially explosive materials, or chemical wastes. (Companion bill is H.B. 1619 by Shine.)

S.B. 2099 (Hall) – Preemption: would preempt any city regulations relating to oil and gas intra- and interstate pipelines and other hazardous liquid pipelines.

S.B. 2120 (Seliger) – Railroad Commission: would continue the Railroad Commission until September 1, 2029.

S.B. 2154 (Zaffirini) – Municipal Landfill: would: (1) prohibit a permitted municipal solid waste landfill from accepting Class 1 industrial solid waste if it is more than 20% of the total amount of waste accepted during the previous year; (2) provide an exception to entities authorized to do so by their existing permit; and (3) provide for the Texas Commission on Environmental to allow an increase in the rate, if certain conditions are met.

S.B. 2155 (Zaffirini) – Municipal Landfill: would: (1) prohibit the Texas Commission on Environmental Quality from issuing a permit for a new or expanded municipal landfill in a special flood hazard area, unless the applicant has obtained a letter from the Federal Emergency Management Agency demonstrating that the entire facility has been removed from the special
flood area; and (2) provide that TCEQ may allow a new municipal solid waste landfill facility to be in a special flood hazard area, if certain conditions are met.

S.B. 2193 (Buckingham) – Aggregate Production Operations: would: (1) provide for the regulation of aggregate productions by the Texas Commission on Environmental Quality that are first required to be registered on or after January 1, 2016, occupy at least 10 acres, and are located inside a city’s extraterritorial jurisdiction (ETJ); and (2) require a city with an aggregation production in its ETJ as described in (1) to consider and possibly approve amendments to a reclamation plan under certain circumstances. (Companion bill is H.B. 3200 by Murr.)

S.J.R. 36 (Perry) – Wholesale Water: would amend the Texas Constitution to prohibit a tax on the sale or purchase of water at wholesale.