City-Related Bills Filed

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Property Tax

H.B. 54 (Zerwas) – Property Tax Appeals: 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 the comptroller to establish and supervise a training program on property tax law for the training and education of arbitrators; (3) require the comptroller to prepare an appraisal review board survey form that allows certain individuals to submit comments and suggestions to the comptroller regarding an appraisal review board; (4) apply a term limit of three terms to appraisal review board members only in counties with a population of 120,000 or more; and (5) provide that the appraisal review board may not determine the appraised value of the property that is subject of a protest to be an amount greater than the appraised value of the property as shown in the appraisal records submitted to the board by the chief appraiser.

H.B. 97 (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. 160 (Raymond) – Property Tax Exemption: would, among other things, provide a local option property tax exemption for a residence homestead owned by a parent or guardian of a minor who is disabled and who resides with the parent or guardian. (See H.J.R. 19, below.)

H.B. 164 (Raymond) – Property Appraisal: would require the chief appraiser to exclude from the market value of real property any improvement, or feature incorporated into an improvement, made to a property if the primary purpose of the improvement or feature is compliance with the requirements of the 2010 Americans with Disabilities Act Standards for Accessible Design or any successor standards. (See H.J.R. 20, below.)

H.B. 185 (Bernal) – Sales Price Disclosure: would require the comptroller to conduct a study of the impact, feasibility, and advisability of adopting a property tax system in which the disclosure of the sales price of real property is required by law.

H.B. 240 (Bernal) – Property Tax Installment Payments: would provide that any individual who qualifies for a residential homestead exemption may pay off property taxes in installment payments.

H.B. 275 (Miller) – Property Tax Exemption: would exempt from property taxes the residence homestead of the surviving spouse of a member of the armed services who is fatally injured in the line of duty. (See H.J.R. 23, below.)

H.B. 322 (Geren) – Property Tax Limitation: would establish a mandatory property tax freeze for all taxing units on the residence homesteads of individuals who are disabled or over 65 and their surviving spouses. (See H.J.R. 26, below.)

H.B. 380 (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. 383 (Bohac) – Appraisal Cap: would reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See H.J.R. 28, below.)

H.B. 384 (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 the residence homestead exemption 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. 29, below.)

**H.B. 388 (Murphy) – Property Tax Exemption:** would exempt from property taxation the portion of 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. 31, below.)

**H.B. 470 (Paul) – Revenue Cap:** would, among other things, for a taxing unit other than a school district with a population of 40,000 or more: (1) lower the property tax rollback rate from eight percent to four percent; and (2) require the 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 requires an election only after receipt of a petition from the citizens).

**H.B. 483 (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. 490 (Shine) – Property Tax System:** would impose major reforms on the property tax system. The bill would, among other things:

1. rename the “effective tax rate” and “effective maintenance and operations rate” the “no-new-revenue tax rate” and “no-new-revenue maintenance and operations rate,” respectively;
2. 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;
3. require the comptroller to prescribe tax rate calculation forms to be used by the
designated officer or employee of each taxing unit to calculate and submit the no-new-
revenue tax rate and rollback tax rate for the taxing unit;

4. require the forms described in Section 3, above, to be in an electronic format and: (a)
have blanks that can be filled in electronically; (b) be capable of being certified by the
designated officer or employee after completion as accurately calculating the applicable
tax rates and using values that are the same as the values shown in the taxing unit’s
certified appraisal roll; and (c) be capable of being submitted electronically to the chief
appraiser of each appraisal district in which the taxing unit is located;

5. provide that the designated officer or employee of a taxing unit may not submit the no-
new-revenue tax rate and the rollback tax rate to the governing body of the taxing unit
and the taxing unit may not adopt a tax rate until the designated officer or employee has
accurately calculated the tax rates and has used values that are the same as the values
shown in the taxing unit’s certified appraisal roll in performing the calculations;

6. by August 7 or as soon as practicable, require the chief appraiser of each appraisal district
to deliver by regular mail or email to each owner of property located in the appraisal
district 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 property tax
database maintained by the appraisal district;

7. authorize a property owner to seek an injunction prohibiting the taxing unit in which the
property is taxable from adopting a tax rate if the assessor or designated officer or
employee of the taxing unit, the chief appraiser of the applicable appraisal district, or the
taxing unit, as applicable, has not complied with the computation, publication, or posting
requirement;

8. provide that it is a defense in an action for an injunction under Section 7, above, that the
failure to comply was in good faith;

9. prohibit the governing body of a taxing unit other than a school district from holding a
public hearing on a proposed tax rate or a public meeting to adopt a tax rate until the
seventh day after the date the chief appraiser of each appraisal district in which the taxing
unit participates has: (a) delivered the notice described by Section 6, above; and (b) made
the relevant tax rate information available to the public through the property tax database;

10. authorize a property owner to seek 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 truth-
in-taxation requirements;

11. provide that it is a defense in an action for an injunction under Section 10, above, if the
failure to comply was in good faith;

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

13. 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;

14. provide that, if a property owner pays the taxes and subsequently prevails in an action,
the property owner is entitled to a refund of the taxes paid, together with reasonable
attorney’s fees and court costs and is not required to apply to the collector for the taxing
unit to receive the refund;
15. allow a taxing unit with a low tax levy to post notice of the proposed tax rate prominently on the home page of the Internet website maintained by the taxing unit, if applicable, in lieu of mailing notice or publishing notice in the newspaper;

16. require the chief appraiser of each appraisal district to create and maintain a property tax database that: (a) is identified by the name of the county in which the appraisal district is established instead of the name of the appraisal district; (b) contains information that is provided by designated officers or employees of the taxing units that are located in the appraisal district in the manner required by the comptroller; (c) is continuously updated as preliminary and revised data become available to and are provided by the designated officers or employees of taxing units; (d) is accessible to the public; and (e) is searchable by property address and owner to the extent allowed by law;

17. require the property tax database to include, with respect to each property listed on the appraisal roll for the appraisal district: (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-revenue tax rate; and (ii) the rollback tax rate; (f) for each school district in which the property is located: (i) the tax 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-revenue 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 no-new-revenue tax rate; 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 tax 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; (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; and (n) for each taxing unit in which the property is located, an e-mail address at which the taxing unit is capable of receiving written comments regarding the proposed tax rate of the taxing unit;

18. require the property tax database to provide a link to the Internet website used by each taxing unit in which the property is located to post the budget and tax rate information required by Section 22, below;

19. require the officer or employee designated by the governing body of each taxing unit in which the property is located to calculate the no-new-revenue tax rate and the rollback tax rate for the taxing unit to electronically incorporate into the database: (a) the
information described by Subsections e, f, g, l, and m of Section 17, above; and (b) the tax rate calculation forms at the same time the designated officer or employee submits the tax rates to the governing body of the taxing unit;

20. require the chief appraiser to make the information described in Section 19, above, available to the public not later than the third business day after the date the information and forms are incorporated into the database;

21. require each taxing unit to maintain an Internet website or have access to a generally accessible Internet website that may be used for the purposes of posting tax rate and budget information; and

22. require each taxing unit to post on its Internet website the following information in a format prescribed by the comptroller: (a) the name of 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 official contact information for each member of the governing body of the taxing unit, if different from the information described by Subsection b; (d) the taxing unit’s budget for the preceding two years; (e) the taxing unit’s proposed or adopted budget for the current year; (f) the change in the amount of the taxing unit’s budget from the preceding year to the current year, by dollar amount and percentage; (g) 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; (h) the tax rate for both maintenance and operations and debt service, respectively, adopted by the taxing unit for the preceding two years; (i) the tax rate for both maintenance and operations and debt service, respectively, adopted by the taxing unit for current year; and (j) the most recent financial audit of the taxing unit.

H.B. 491 (Shine) – Appraisal Review Boards: would, among other things: (1) authorize the board of directors of an appraisal district established in a county with a population of less than 120,000 to elect to allow the local administrative district judge to appoint the members of the appraisal review board under certain circumstances; (2) require an appraisal review board for an appraisal district established in a county with a population of 120,000 or more to establish a checking account with the appraisal district’s depository for the sole purpose of paying: (a) the per diem for members of the appraisal review board; (b) actual and necessary expenses incurred in the performance of board functions; and (c) compensation for auxiliary appraisal review board members; and (3) require the appraisal office to provide clerical assistance to the appraisal review board, including assisting the board with the scheduling and arranging of hearings.

H.B. 492 (Shine) – Property Tax Exemption: would, among other things:

1. define “qualified property” for purposes of a property tax exemption under Section 2, below, to mean property that: (a) consists of tangible personal property used for the production of income or an improvement to real property; (b) is located in an area declared by the governor to be a disaster area following a disaster; (c) is at least 15 percent damaged by the disaster, as determined by the chief appraiser; and (d) for tangible personal property used for the production of income, is the subject of a rendition statement or property report filed by the property owner that demonstrates that the
property had taxable situs in the disaster area for the tax year in which the disaster occurred;

2. provide that a person is entitled to an exemption from taxation by a taxing unit of a portion of the appraised value of qualified property that the person owns if the exemption is adopted by the governing body of the taxing unit in the manner provided by law for official action by the body;

3. require an exemption adopted under Section 2, above, to: (a) specify the disaster to which the exemption pertains; and (b) be adopted not later than the 60th day after the date the governor first declares territory in the taxing unit to be a disaster area as a result of the disaster;

4. require the governing body of a taxing unit that adopts an exemption under Section 2, above, to provide notice of the adoption of the exemption to the chief appraiser of each appraisal district in which the taxing unit participates, the assessor for the taxing unit, and the comptroller not later than the seventh day after the date the governing body adopts the exemption;

5. upon receiving an application for the exemption, require the chief appraiser to determine whether any item of qualified property that is the subject of the application is at least 15 percent damaged by the disaster and assign to each such item of qualified property a damage assessment rating of Level I, Level II, Level III, or Level IV, as appropriate;

6. provide that the amount of the property tax exemption is determined by multiplying the appraised value, determined for the tax year in which the disaster occurred, by: (a) 15 percent if the property is assigned a Level I damage assessment rating; (b) 30 percent if the property is assigned a Level II damage assessment rating; (c) 60 percent if the property is assigned a Level III damage assessment rating; or (d) 100 percent if the property is assigned a Level IV damage assessment rating;

7. provide that, if a person qualifies for the exemption after the beginning of the tax year, the amount of the exemption is calculated by multiplying the amount determined under Section 6, above, by a fraction, the denominator of which is 365 and the numerator of which is the number of days remaining in the tax year after the day on which the governor first declares the area in which the person’s qualified property is located to be a disaster area;

8. provide that, if a person qualifies for the exemption after the amount of the tax due on the qualified property is calculated and the effect of the qualification is to reduce the amount of the tax due on the property, the assessor for each taxing unit that has adopted the exemption shall recalculate the amount of the tax due on the property and correct the tax roll;

9. provide that if the tax bill has been mailed and the tax on the property has not been paid, the assessor shall mail a corrected tax bill to the person in whose name the property is listed on the tax roll or to the person’s authorized agent;

10. provide that if the tax on the property has been paid, the tax collector for the taxing unit shall refund to the person who paid the tax the amount by which the payment exceeded the tax due;

11. provide that no interest is due on an amount refunded under Section 10, above;

12. provide that the property tax exemption for property damaged in a disaster expires as to an item of qualified property on January 1 of the first tax year in which the property is reappraised; and
13. repeal the existing state statute authorizing reappraisal of property damaged in a disaster area.

(See H.J.R. 34, below.)

**H.B. 493 (Shine) – Property Tax Exemption:** this bill is substantially the same as H.B. 492, above, with additional language that would: (1) entitle a taxing unit that adopts the exemption to a disaster exemption assistance payment from the state if the taxing unit pays a refund to a person as a result of an exemption granted for certain property damaged by a disaster; and (2) require the taxing unit to submit an application to the comptroller for the disaster exemption assistance payment not later than April 1 of the year following the tax year for which the disaster exemption assistance payment is sought. (See **H.J.R. 35**, below.)

**H.J.R. 19 (Raymond) – Property Tax Exemption:** would, among other things, amend the Texas Constitution to authorize a local option property tax exemption for a residence homestead owned by a parent or guardian of a minor who is disabled and who resides with the parent or guardian. (See **H.B. 160**, above.)

**H.J.R. 20 (Raymond) – Property Tax Exemption:** would amend the Texas Constitution to authorize the legislature to exclude from the market value of real property any improvement, or feature incorporated into an improvement, made to a property if the primary purpose of the improvement or feature is compliance with the requirements of the 2010 Americans with Disabilities Act Standards for Accessible Design or any successor standards. (See **H.B. 164**, above.)

**H.J.R. 23 (Miller) – Property Tax Exemption:** would amend the Texas Constitution to authorize the legislature to exempt from property taxes the residence homestead of the surviving spouse of a member of the armed services who is fatally injured in the line of duty. (See **H.B. 275**, above.)

**H.J.R. 24 (Geren) – Public School Finance:** would amend the Texas Constitution to: (1) require the state to pay at least 50 percent of the cost of maintaining and operating the public school system; and (2) prohibit the comptroller from certifying legislation containing an appropriation for public education unless the requirement in (1), above, is met.

**H.J.R. 26 (Geren) – Property Tax Limitation:** would amend the Texas Constitution to establish a mandatory property tax freeze for all taxing units on the residence homesteads of individuals who are disabled or over 65 and their surviving spouses. (See **H.B. 322**, above.)

**H.J.R. 28 (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. 383**, above.)

**H.J.R. 29 (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 the residence homestead exemption for at least the preceding ten years (See H.B. 384, above.)

H.J.R. 31 (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. 388, above.)

H.J.R. 34 (Shine) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to provide that a person who owns property located in an area declared by the governor to be a disaster area is entitled to a temporary property tax exemption by a political subdivision of a portion of the appraised value of that property if the exemption is adopted by the governing body of the political subdivision. (See H.B. 492, above.)

H.J.R. 35 (Shine) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to: (1) provide that a person who owns property located in an area declared by the governor to be a disaster area is entitled to a temporary property tax exemption by a political subdivision of a portion of the appraised value of that property if the exemption is adopted by the governing body of the political subdivision; and (2) authorize the use of state money to reimburse a political subdivision for a refund paid by the political subdivision to a person as a result of the exemption authorized by (1), above. (See H.B. 493, above.)

S.B. 58 (Zaffirini) – 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 that: (a) is leased to an organization that is exempt from federal income taxation as a 501(c)(3); (b) is used exclusively by the organization for religious, educational, or charitable purposes; and (c) would be exempt from taxation if the vehicle were owned by the organization.

S.B. 67 (Nelson) – Property Tax Appeals: 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 the comptroller to establish and supervise a training program on property tax law for the training and education of arbitrators; (3) require the comptroller to prepare an appraisal review board survey form that allows certain individuals to submit comments and suggestions to the comptroller regarding an appraisal review board; (4) apply a term limit of three terms to appraisal review board members in counties with a population of 120,000 or more only; and (5) provide that the appraisal review board may not determine the appraised value of the property that is subject of a protest to be an amount greater than the appraised value of the property as shown in the appraisal records submitted to the board by the chief appraiser.

S.B. 129 (Hinojosa) – Property Tax Exemption: would: (1) for purposes of the property tax exemption on the residence homestead of the surviving spouse of a first responder, expand the definition of “first responder” to include: (a) certain special federal investigators; (b) Customs and Border Protection Officers or Border Patrol Agents of the United States Customs and Border Protection; and (c) immigration enforcement agents or deportation officer of the Department of Homeland Security; and (2) in the case of the surviving spouse of a first responder described by
(1), above, provide that the surviving spouse is entitled to an exemption if the surviving spouse has not remarried since the death of the first responder and was a resident of this state at the time of the first responder’s death.

S.B. 196 (Campbell) – Property Tax Exemption: would exempt from property taxes the residence homestead of the surviving spouse of a member of the armed services who is fatally injured in the line of duty. (Companion bill is H.B. 325 by Miller.)

S.B. 202 (Huffman) – Property Tax Appraisal: would, among other things: (1) 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 that the Federal Emergency Management Agency or its successor agency estimates to have sustained five percent or greater damage as a result of the disaster at its market value immediately after the disaster; (2) allow a property owner to refuse to have the owner’s property reappraised under (1), above; and (3) require the chief appraiser to complete the reappraisal not later than the 45th day after the date the governor declares the area to be a disaster area, or as soon as practicable after the damage estimates are completed.

S.B. 211 (Flores) – Property Tax Protests: would, among other things, require the appraisal review board and the chief appraiser to review the evidence or argument provided by a property owner before the hearing on the protest.

Sales Tax

H.B. 21 (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. 311 (Howard) – Sales Tax Exemption: would exempt feminine hygiene products from the sales tax.

H.B. 313 (Howard) – Sales Tax Exemption: would exempt child and adult diapers from the sales tax.

H.B. 315 (Howard) – Sales Tax Exemption: would exempt condoms from the sales tax.

H.B. 385 (Bohac) – Sales Tax Exemption: would: (1) exempt from sales 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, gaming console, personal computer, smartphone, or tablet computer from sales taxes if the device: (a) is purchased during a specified weekend preceding the beginning of the school year; (b) has a sales price of less than $750; and (c) is not purchased over the Internet.
H.B. 451 (C. 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 Monday in May.

S.B. 61 (Zaffirini) – **Sales Tax Exemption**: would exempt the sale, storage, use, or other consumption of firearm safety supplies from the sales tax.

S.B. 70 (Nelson) – **Local Sales and Use Taxes on Remote Sales**: would, in relation to the collection of sales taxes on remote sales:

1. provide that a remote seller required to collect and remit local use taxes in connection with a sale of a taxable item compute the amount to collect and remit using either: (a) the combined rate of all applicable local use taxes; or (b) the single local use tax rate;
2. require a remote seller that elects to use the single local use tax rate to notify the comptroller of the election before using the rate;
3. provide that the single local use tax rate effective in a calendar year is equal to the estimated average rate of local sales and use taxes imposed in the state during the preceding state fiscal year;
4. before the beginning of a calendar year, require the comptroller to publish in the Texas Register notice of the single local use tax rate that will be in effect for that calendar year;
5. as soon as practicable after the end of a state fiscal year, require the comptroller to determine the estimated average rate of local sales and use taxes imposed in this state during the preceding state fiscal year by: (a) dividing the total amount of net local sales and use taxes remitted to the comptroller during the preceding state fiscal year by the total amount of net state sales and use taxes remitted to the comptroller during that same state fiscal year; (b) multiplying the amount in (a) by the rate provided by the state sales tax rate (6.25); and (c) rounding the amount computed under (b) to the nearest .0025;
6. authorize a purchaser to apply for a refund of any amount by which the amount of use tax computed using the single local use tax rate and paid by the purchaser exceeds the amount the purchaser would have paid if that tax had been computed using the rate described by (1)(a), above;
7. provide that a person storing, using, or consuming a taxable item in this state purchased from a remote seller is not liable for any additional amount of local use tax if the remote seller elects to use the single local use tax rate and the person pays to the remote seller the amount of local use tax computed on the purchase using the single local use tax rate;
8. require the comptroller to administer, collect, and enforce local use taxes computed using the single local use tax rate;
9. require the comptroller to deposit revenue remitted to the comptroller from taxes computed using the single local use tax rate in the state treasury to be held in trust for the benefit of eligible taxing units;
10. provide that a local taxing unit is an eligible taxing unit if it has adopted a sales and use tax;
11. require, on a monthly basis, the comptroller to transmit to each eligible taxing unit’s treasurer (or the officer performing the functions of that office) the taxing unit’s share of revenue.
money held in trust together with the pro rata share of any penalty or interest on
delinquent taxes computed using the single local use tax rate that may be collected;
12. authorize the comptroller to deduct two percent of each taxing unit’s share as a charge by
the state for the administration of the tax and deposit that amount in the state treasury to
the credit of the comptroller’s operating fund;
13. require the comptroller to retain a portion of each eligible taxing unit’s share of money
held in trust by the comptroller, not to exceed five percent of the amount eligible to be
transmitted to the taxing unit, to make refunds for overpayments of taxes computed using
the single local use tax rate, make refunds to purchasers pursuant to (6), above, and to
redeem dishonored checks and drafts deposited under (9), above;
14. require the comptroller to compute for each calendar month the percentage of total sales
and use tax allocations to each taxing unit under current allocation laws and rules;
15. require the comptroller to determine each eligible taxing unit’s share of the new money
held in trust from deposits for a given month by applying the percentage computed for
the eligible taxing unit under current laws and rules to the total amount held in trust from
deposits for that month; and
16. authorize the comptroller to combine an eligible taxing unit’s share of the money held in
trust under (9), above, with other money held for that taxing unit.

S.B. 119 (West) – Remote Sales and Use Taxes: would: (1) provide that a retailer is engaged in
business in the state for purposes of collecting sales and use taxes if, in the previous calendar
year or the current calendar year, the retailer: (a) has total receipts of more than $100,000 from
taxable items delivered in the state, including taxable items delivered electronically to purchasers
in this state; or (b) has at least 200 sales of taxable items delivered in the state, including taxable
items delivered electronically to purchasers in the state; and (2) require the comptroller to deposit
to the credit of the property tax relief fund for school district maintenance and operations the
amount of the proceeds from the state sales and use taxes attributable to the collection of the tax
by retailers considered to be engaged in business in the state solely on the basis described in (1),
above.

S.B. 146 (Rodriguez) – Sales Tax Exemption: would exempt certain feminine hygiene products
from the sales tax.

S.B. 184 (Miles) – Sales Tax Exemption: would exempt certain school supplies from sales taxes
if the school supply is purchased by a teacher employed by a public school district or open-
enrollment charter school for use in the teacher’s classroom during a particular weekend in July.

S.B. 203 (Huffman) – Sales Tax Exemption: would exempt firearm safety equipment from sales
taxes.

Purchasing

H.B. 28 (Romero) – Public Works Contracts: would: (1) prohibit a contractor who is awarded
a public works contract by a public body (including a city) or such contractor’s subcontractor
from improperly classifying a worker employed by said contractor or subcontractor as an
independent contract for the purpose of avoiding to pay the worker the prevailing wage rate; (2) impose a penalty of $90 to each contractor or subcontractor for each worker misclassified as an independent contractor for each calendar day or part of the day that the worker is misclassified; (3) require that the public body include the penalty described under (2) in the contract; (4) require an audit, by the public body, of the public work contract for compliance with the provisions of (2) throughout the term of the contract and not later than the 30th day before the date the work is schedule to be completed on the contract; and (5) provide that payment of wages for a public work may only be satisfied by payment to the employee in the form of per diem wages.

H.B. 216 (Reynolds) – Professional Services: would add attorneys to the list of professionals that must be procured according to the Professional Services Procurement Act.

S.B. 45 (Zaffirini) – Expression of Breast Milk: would provide that a public employer that engages in or contracts for the construction or renovation of any building open to the public in which the public employer is housed shall ensure that the building includes a publicly accessible place, other than a bathroom that is shielded from view and free from intrusion of another person where a member of the public can express breast milk.

Elections

H.B. 22 (Romero) – Direct Recording Electronic Voting Machines: would provide that, beginning on September 1, 2021, 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.

H.B. 73 (Romero) – Voter Assistance: would provide, among other things, that a voter who requires assistance by reason of blindness, disability, or inability to read or write, or who requires an interpreter to comprehend the language in which the ballot is printed or to communicate with an election officer, may be given assistance by: (1) a person of the voter’s choice, other than the voter’s employer, an agent of that employer, or an officer or agent of a labor union to which the voter belongs; or (2) if the voter does not choose a person under (1), two election officers.

H.B. 88 (Swanson) – Runoff Ballot: would provide that the order of the candidates’ names on the ballot of any 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. 151 (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. 154 (Swanson) – Voter Identification: would: (1) authorize an election officer to copy identifying documentation presented by a voter or record information from the identifying documentation; (2) authorize an election officer to photograph the entire face of a voter who is
accepted for voting if: (a) the identifying documentation presented by a voter is not
documentation issued by the Department of Public Safety containing the person’s photograph; or
(b) the election official questions the authenticity of the identifying documentation presented by
a voter, regardless of whether the documentation is issued by the Department of Public Safety
and contains the person’s photograph; (3) provide that a voter may be photographed under (2),
above, only while being accepted for voting and may not be photographed while the voter is
occupying a voting station; (4) make information copied or recorded under (1) or (2), above,
confidential except for use in a criminal investigation or prosecution or a civil court proceeding;
and (5) require all information collected under (1) and (2), above, to be provided to the Secretary
of State for election-related purposes.

H.B. 177 (Bernal) – Countywide Polling Place: would authorize the secretary of state to select
any county to participate in the countywide polling place program. (Companion bill is S.B. 101
by Menendez.)

H.B. 273 (Swanson) – Voting by Mail: would require 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 is earlier than
the 38th day before election day, the balloting materials shall be mailed not later than the 30th
day before election day.

H.B. 325 (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. 164 by Rodriguez.)

H.B. 358 (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 not later than December 31, 2019.

H.B. 362 (Israel) – Voting System Fund: would: (1) create a voting system fund as an account
in the general revenue fund; (2) provide that a city may apply to the Secretary of State for a grant
to replace voting system equipment with the grant being equal to not more than 50 percent of the
total cost of voting equipment; and (3) provide that the Secretary of State shall develop criteria
for the fair and proportional distribution of grants.

H.B. 365 (Cain) – Uniform Election Date: would, among other things: (1) eliminate the May
uniform election date; (2) establish one uniform election date on the first Tuesday after the first
Monday in November in an even-numbered year only; (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 in an even-numbered year not later than December 31, 2019, so long as the governing body does so in a manner that does not cause an officer’s term to exceed any applicable constitutional limits.

H.B. 423 (Nevarez) – Voter Identification: would, among other things, 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. 424 (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. 430 (Shaheen) – Bond Ballot Propositions: would provide that: (1) a ballot printed for an election to authorize a local government to issue general obligation bonds must include with the ballot proposition a statement that includes the following amounts, with each stated as total amount and as a per capita amount for the current population of the local government at the time the statement is prepared: (a) the current general obligation debt of the local government at the time the statement is prepared; (b) the maximum amount of additional general obligation debt of the local government that would be authorized if the proposition is passed; and (c) the maximum estimated cost to repay the general obligation debt that would be authorized by the proposition, including principal and interest, as a stated likely interest rate; and (2) for the purposes of the information required by (1), the treasurer of the local government, or another person as determined by the governing body of the local government, shall: (a) certify the current general obligation debt of the local government; (b) determine a likely interest rate for the proposed bonds; and (c) compute the estimated maximum repayment cost in accordance with the likely interest rate as determined under (b).

H.B. 431 (Shaheen) – Poll Watchers: 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. 438 (Shaheen) – Photos at Voting Station: would provide that a person occupying a voting station may use a mechanical or electronic device to photograph the person’s completed ballot.

S.B. 74 (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. 101 (Menendez) – Countywide Polling Place: would authorize the secretary of state to select any county to participate in the countywide polling place program. (Companion bill is H.B. 177 by Bernal.)

S.B. 102 (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. 104 (Menendez) – Voter Identification: would, among other things, eliminate the photo identification requirement and expand the types of documentation that are considered acceptable forms of identification for purposes of voting.

S.B. 164 (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. 165 (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.

**Open Government**

**H.B. 81 (Canales) – Public Information:** would provide that: (1) information related to the receipt or expenditure of public or other funds by a governmental body for a parade, concert, or other entertainment event open to the general public and paid for in whole or part with public funds may not be withheld under the exception concerning information related to competition or bidding; and (2) a person, including a governmental body, may not include a provision in a contract related to an event described above that prohibits or would otherwise prevent the disclosure of information; and (3) a contract provision that violates the bill is void.

**H.B. 147 (Moody) – Public Information:** would allow information concerning law enforcement or prosecutor investigations that did not result in a conviction or deferred adjudication to be released if: (1) each person who is the subject of the information, record, or notation: (a) is deceased; or (b) 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. 305 (Paul) – Website Requirement:** would require any state agency or political subdivision with the authority to impose a tax to create and maintain a publicly accessible Internet website with the following information: (1) the state agency or political subdivision’s contact information, including a mailing address, telephone number, and email address; (2) each elected officer of the state agency or political subdivision; (3) each candidate for an elected office of the state agency or political subdivision; (4) the date and location of the next election for officers of the state agency or political subdivision; (5) each notice of an open meeting; and (6) all minutes or recordings of an open meeting.

**S.B. 57 (Zaffirini) – Motor Vehicle Accident Reports:** would allow the authorized representative of a medical, legal, or other professional involved in a suit arising from the provision of professional services by the professional in connection with a motor vehicle accident to obtain a motor vehicle accident report on written request and payment of any required fee to the Department of Transportation or the governmental entity that possesses the report.

**S.B. 84 (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.

Other Finance and Administration

H.B. 78 (Raymond) – Eight-Liners: would authorize a local option election to legalize or prohibit the operation of eight-liners. (See H.J.R. 18, below.)

H.B. 135 (White) – Working Animals: would provide that a county or city may not adopt or enforce a charter provision, ordinance, order, or other regulation that prohibits, directly or indirectly, the use of an animal for the purpose of performing a specific duty for a business, including entertainment, transportation, or exhibition.

H.B. 168 (Canales) – Bilingual Zones: would require the comptroller, in cooperation with the secretary of state and other entities, to conduct a study to evaluate the creation in certain areas of the state of bilingual zones, which are designated areas in which: (1) English and Spanish are official languages, (2) residents have the right to receive services from state and local governmental entities in both official languages, (3) residents may be heard before the state court system in the official language of their choice, (4) state and local laws are published in both official languages, and (5) both official languages have equal status in state and local governmental employment.

H.B. 230 (Krause) – Federal Funds: 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 governor 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 proposed use of those federal funds.

H.B. 234 (Krause) – Sale of Lemonade: would provide that a city, county, or other local public health authority may not adopt or enforce an ordinance, order, or rule that prohibits an individual younger than 18 years of age from temporarily selling lemonade or other nonalcoholic beverage from a stand on private property.
H.B. 243 (Farrar) – Breastfeeding: would provide that: (1) a mother is entitled to breastfeed her baby in any location in which the mother’s and child’s presence on the premises is otherwise authorized; (2) the authorization may not be revoked solely because the mother is breastfeeding the child; (3) a person may not interfere with or restrict the right of a mother to breastfeed in accordance with the bill; (4) a mother may bring a civil action against a person who allegedly violates the mother’s right to breastfeed a child; and (5) a mother who prevails in an action under the bill is entitled to obtain: (a) injunctive relief; (b) damages in an amount not to exceed $500 for each day the violation occurs; and (c) reasonable attorney’s fees and court costs.

H.B. 244 (Farrar) – Discrimination: would, among other things: (1) prohibit a person from denying an individual full and equal accommodations in any place of public accommodation because of such individual’s sexual orientation or gender identity or expression; (2) allow an aggrieved person to file a civil action in district court to recover actual and punitive damages, attorney’s fees, and injunctive relief; (3) prohibit employment discrimination on the basis of sexual orientation or gender identity or expression; (4) prohibit a labor organization from excluding, expelling from membership or limiting a member or an applicant for membership on the basis of sexual orientation or gender identity or expression; (5) prohibit an elected official from discriminating, on the basis of sexual orientation or gender identity or expression, against an individual who is an employee or applicant for employment to serve on the official’s staff; (6) prohibit a person from refusing to sell or rent a dwelling to an individual because of such individual’s sexual orientation or gender identity or expression; and (7) prohibit the referral of a complaint of housing discrimination to a city if the complaint alleges discrimination based on sexual orientation or gender identity or expression and the city does not have laws prohibiting the alleged discrimination.

H.B. 254 (Bernal) – Discrimination: would, among other things: (1) prohibit a person from denying an individual full and equal accommodations in any place of public accommodation because of such individual’s sexual orientation or gender identity or expression; (2) allow an aggrieved person to file a civil action in district court to recover actual and punitive damages, attorney’s fees, and injunctive relief; (3) prohibit employment discrimination on the basis of sexual orientation or gender identity or expression; (4) prohibit a labor organization from excluding, expelling from membership or limiting a member or an applicant for membership on the basis of sexual orientation or gender identity or expression; (5) prohibit an elected official from discriminating, on the basis of sexual orientation or gender identity or expression, against an individual who is an employee or applicant for employment to serve on the official’s staff; (6) prohibit a person from refusing to sell or rent a dwelling to an individual because of such individual’s sexual orientation or gender identity or expression; and (7) prohibit the referral of a complaint of housing discrimination to a city if the complaint alleges discrimination based on sexual orientation or gender identity or expression and the city does not have laws prohibiting the alleged discrimination.

H.B. 291 (Springer) – Architectural Barriers: would provide that: (1) the Texas Commission Licensing and Regulation shall impose an administrative penalty on a political subdivision that issues a building construction permit or a final certificate of occupancy without verifying that the building has been registered with the Texas Department of Licensing and Regulation; (2) the total amount of an administrative penalty under this section is the amount calculated by
multiplying the population of the political subdivision by one cent; and (3) a penalty collected under the bill may be appropriated only to the office of the governor for the purpose of informing organizations and the general public of disability issues.

H.B. 304 (Paul) – Municipal Management Districts: would make various changes to the governance and operation of municipal management districts.

H.B. 415 (Guerra) – State Agency Rules: would require a state agency that is made aware that a proposed rule may have an adverse economic effect on small businesses, micro-businesses, or rural communities after notice of the proposed rule has been published to: (1) prepare an economic impact statement and regulatory flexibility analysis; (2) publish the statement and analysis in the Texas Register as an amendment to the proposed rule; and (3) provide a copy of the statement and the analysis to the standing committee of each house of the legislature charged with reviewing the proposed rule.

H.B. 433 (Shaheen) – Lobbying: 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. 440 (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; (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 weighted average maturity of the issue of bonds to finance the improvements or personal property exceeds 120 percent of the reasonably expected weighted average economic life of the improvements or personal property financed with the issue of bonds; (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 authorized; (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), above, 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), above, in the same manner as an election to issue bonds in the political subdivision.

H.B. 444 (Meyer) – Misuse of Official Information: would provide the following penalty 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 $150,000; (2) a felony of the second degree if the net pecuniary gain is $150,000 or more but less than $300,000; and (3) a felony of the first degree if the net pecuniary gain is $300,000 or more.

**H.B. 477 (Murphy) – Local Debt**: would:

1. require the document ordering an election to authorize a political subdivision to issue debt obligations to distinctly state the aggregate amount of the outstanding interest on debt obligations of the political subdivision as of the date the election is ordered, which may be based on the political subdivision’s expectations relative to variable rate debt obligations;
2. require the ballot for a measure seeking voter approval of the issuance of debt obligations by a political subdivision to specifically state: (a) a general description of the purposes for which the debt obligations are to be authorized; (b) the total principal amount of the debt obligations to be authorized; and (c) that taxes sufficient to pay the principal of and interest on the debt obligations will be imposed;
3. require a political subdivision with at least 250 registered voters to specifically state on the ballot the estimated maximum annual increase in the amount of taxes that would be imposed on a residence homestead with an appraised value of $100,000 to repay the debt obligations (based upon assumptions made by the governing body of the political subdivision);
4. require the political subdivision to identify in the debt obligation order the major assumptions made in connection with the statement in Section 3, above, including: (a) the amortization of the political subdivision’s debt obligations, including outstanding debt obligations and the proposed debt obligations; (b) changes in estimated future appraised values within the political subdivision; and (c) the assumed interest rate on the proposed debt obligations;
5. require a political subdivision with at least 250 registered voters to prepare a voter information document for each proposition to be voted on at the election;
6. require the voter information document to be posted: (a) on election day and during early voting in a prominent location at each polling place; (b) not later than the 21st day before the election, in three public places in the boundaries of the political subdivision holding the election; and (c) during the 21 days before the election, on the political subdivision’s website;
7. authorize a political subdivision to include the voter information document in the debt obligation election order;
8. require the voter information document to distinctly state: (a) the language that will appear on the ballot; (b) the following information formatted as a table: (i) the principal of the debt obligations to be authorized; (ii) the estimated interest for the debt obligations to be authorized; (iii) the estimated combined principal and interest required to pay on time and in full the debt obligations to be authorized; and (iv) as of the date the political subdivision adopts the debt election order: (A) the principal of all outstanding debt obligations of the political subdivision; (B) the estimated remaining interest on all outstanding debt obligations of the political subdivision, which may be based on the political subdivision’s expectations relative to the interest due on any variable rate debt obligations; (C) the estimated combined principal and interest required to pay on time...
and in full all outstanding debt obligations of the political subdivision, which may be based on the political subdivision’s expectations relative to the interest due on any variable rate debt obligations; and (D) any other information that the political subdivision considers relevant or necessary to explain the information required to be included in the voter information document;

9. require a political subdivision that maintains a website to provide the information in Section 8, above, on its website in an easily accessible manner beginning not later than the 21st day before election day and ending on the day after the date of the debt obligation election;

10. 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;

11. 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

12. require that the notice of intention to issue a CO include the following information: (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, which may be based on the issuer’s expectations relative to the interest due on any variable rate debt obligations; (c) the maximum principal amount 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 interest rate for the COs to be authorized or that the maximum interest rate for the certificates may not exceed the maximum legal interest rate; and (f) the maximum maturity date of the COs to be authorized.

**H.B. 494 (Deshotel) – Gambling:** would authorize certain forms of gambling in coastal areas and provide that a portion of a gaming tax on the casinos be used to fund a catastrophic flooding assistance program and the Texas Windstorm Insurance Association. (See **H.J.R. 36**, below.)

**H.J.R. 18 (Raymond) – Eight-Liners:** would amend the Texas Constitution to: (1) authorize the legislature to regulate the operation of eight-liners and similar gaming devices; (2) require that eight-liner regulations provide for a local option election to legalize or prohibit the operation of the devices; and (3) authorize the legislature to impose a fee on gaming devices or allow political subdivisions to impose a fee on gaming devices. (See H.B. 78, above.)

**H.J.R. 30 (Burns) – Unfunded Mandates:** would amend the Texas Constitution to provide that a law enacted by the legislature on or after January 1, 2020, that requires a city or county to establish, expand, or modify a duty or activity that requires the expenditure of revenue is not effective unless the legislature appropriates or otherwise provides, from a source other than the city or county revenue, for the payment or reimbursement of the costs incurred for the biennium in complying with the requirement. (Companion bill is **S.J.R. 10** by Buckingham.)

**H.J.R. 36 (Deshotel) – Gambling:** would amend the Texas Constitution to authorize certain forms of gambling in coastal areas and provide that a portion of a gaming tax on the casinos be used to fund a catastrophic flooding assistance program and the Texas Windstorm Insurance Association. (See **H.B. 494**, above.)
S.B. 62 (Zaffirini) – Unfunded Mandates: would create and spell out the duties of an unfunded mandate interagency work group.

S.B. 64 (Nelson) – Cybersecurity: would provide that: (1) the Texas Department of Information Resources must include in the Department’s biennial cybersecurity report an evaluation of a program that provides an information security officer to assist local governments that are unable to justify hiring a full-time information security officer; (2) the Department shall establish an information sharing and analysis organization to provide a forum for state agencies, local governments, public and private institutions of higher education, and the private sector to share information regarding cybersecurity threats, best practices, and remediation strategies; and (3) the Public Utility Commission shall establish a program to coordinate cybersecurity efforts among electric utilities, including a municipally owned electric utility, to provide guidance on best practices in cybersecurity and facilitate the sharing of cybersecurity information between utilities; (4) the PUC shall create and periodically update a list of approved vendors of information technology providers; (5) a utility, including a municipally owned electric utility may not enter into a contract with an information technology provider that is not listed as a PUC-approved vendor.

S.B. 80 (Hall) – Milk Regulation: would: (1) authorize a person who holds a permit to sell raw milk or raw milk products at retail to sell it directly to a consumer at the person’s place of business, the consumer’s residence, or a farmer’s market; (2) establish labeling, storing, handling, and transportation regulations on raw milk and raw milk products available for retail sale; and (3) repeal the authority of a city to adopt an ordinance that allows only pasteurized milk and pasteurized milk products to be sold at retail in that city.

S.B. 82 (Hall) – Lobbying Restrictions: would provide that a political subdivision that receives state funds may not pay: (1) lobbying expenses incurred by the political subdivision; (2) a person or entity that is required to register as a lobbyist with the Texas Ethics Commission; or (3) a person or entity that has been hired to represent associations or other entities for the purpose of affecting the outcome of legislation, agency rules, ordinances, or other government policies.

S.B. 151 (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. 163 (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.J.R. 9 (Rodríguez/Hinojosa/Whitmire) – Marriage: would repeal the constitutional provision providing that marriage in this state consists only of the union of one man and one woman and prohibiting this state or a political subdivision of this state from creating or recognizing any legal status identical or similar to marriage.

S.J.R. 10 (Buckingham) – Unfunded Mandates: would amend the Texas Constitution to provide that a law enacted by the legislature on or after January 1, 2020, that requires a city or county to establish, expand, or modify a duty or activity that requires the expenditure of revenue is not effective unless the legislature appropriates or otherwise provides, from a source other than the city or county revenue, for the payment or reimbursement of the costs incurred for the biennium in complying with the requirement.

Municipal Courts

H.B. 51 (Canales) – Municipal Court: would: (1) require the Office of Court Administration to create, promulgate, and update standard forms for use in criminal actions for: (a) waiving a jury trial and entering a plea of guilty or nolo contendere in a misdemeanor case; (b) a trial court to admonish a defendant; and (c) a defendant who receives admonitions in writing to acknowledge that the defendant understands the admonitions and is aware of the consequences of the defendant’s plea; and (2) provide that the Texas Supreme Court by rule shall set the date by which all courts must adopt and use the forms.

H.B. 64 (Canales) – Expunction: would entitle a person who was placed under custodial or noncustodial arrest for certain misdemeanor offense to have all records and files related to the arrest expunged if: (1) the person was placed on deferred adjudication community supervision for the misdemeanor offense and subsequently received a dismissal and discharge; (2) the person was not required to register as a sex offender; (3) the person has not been convicted or placed on deferred adjudication community supervision for an offense, other than a traffic offense punishable by fine only, committed after the date of the misdemeanor offense for which the person was placed on deferred adjudication community supervision; (4) the person has no charges pending against him for the commission of any offense, other than a traffic offense punishable by fine only; and (5) a period of not less than five years has passed since the date on which the person received the dismissal and discharge of the deferred adjudication community service. The person must submit an ex parte petition for expunction to the court that placed the person on deferred adjudication community supervision. The petition must contain the information described in section 2(b), Art. 55.02 of the Code of Criminal Procedure and the information described above. The court shall enter an order directing expunction if the court
finds that the petitioner is entitled to expunction of any arrest records and file that are the subject of the petition. The expunction fee shall be waived for the expunction described above.

H.B. 110 (Canales) – Class C Misdemeanors: would provide that the Office of Court Administration of the Texas Judicial System shall conduct a study to determine the feasibility, efficiency, and potential cost savings of converting certain Class C misdemeanors to civil violations.

H.B. 178 (Canales) – Jail Credit: would require a judge to give a defendant, at a rate of $100 per day, credit toward payment of costs imposed on the defendant for each day of confinement in jail or another facility before sentencing.

H.B. 196 (Stephenson) – Financial Responsibility: would authorize a justice or municipal court to access the financial responsibility verification program.

H.B. 229 (Gervin-Hawkins) – Expunction: would: (1) require a trial court presiding over a case in which the defendant’s most serious conviction or deferral was a nonviolent Class B or Class C misdemeanor to order that all records and files relating to the arrest or prosecution be kept confidential; (2) provide that the records remain confidential until the expunction of the records and files unless the defendant is arrested for or charge with a violent offense before the expunction occurs; (3) provide that the records shall be automatically expunged by the trial court not later than the 30th day after: (a) the first anniversary of the date the defendant’s sentence was discharged or the defendant received a discharge and dismissal, if the most defendant’s most serious offense was a Class C misdemeanor; or (b) the second anniversary of the date the defendant’s sentence was discharged or the defendant received discharge and dismissal, if the defendant’s most serious offense was a Class B misdemeanor.

H.B. 250 (Farrar) – Cruelly Treated Animals: would, in a county or city with a population of at least 700,000, authorize a court to order payment of attorney’s fees by the owner of an animal who has been found to have cruelly treated the animal.

H.B. 344 (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. 465 (White) – Fines, Fees, and Costs: would, among other things: (1) provide that, in determining a defendant’s ability to pay, a court shall only consider the defendant’s present ability to pay; (2) authorize a magistrate dealing with a person accused of a misdemeanor to require the accused to give a bond, and remove the magistrate’s authority to issue an arrest warrant for failure to appear; (3) require a court to hold a hearing to determine whether a fine or costs imposed by the court imposes an undue hardship when certain defendants notify the court that the defendant has difficulty paying the fine or costs; (4) limit when a court may issue a capias pro fine; (5) authorize a defendant to elect to perform certain community service in the county in which the defendant resides; (6) provide various things that a court may consider in determining that alternative methods of discharging a fine impose an undue hardship, and authorize a court to waive costs imposed on certain defendants if the defendant is indigent or has insufficient resources to pay the costs or was a child at the time of the offense; (7) provide that a
defendant who voluntarily appears before a justice or judge to resolve an unpaid fine or cost may not be arrested, during or immediately before or after the appearance, on a warrant or capias pro fine; (8) allow a defendant to appear by phone or videoconference if a judge or justice determines appearing in person would impose an undue hardship; (9) provide that information about an outstanding warrant or fine provided by a city to the Texas Department of Motor Vehicles (DMV) or the county assessor-collector, and used to prohibit a person from registering a vehicle, expires after two years; (10) require that a city immediately notify the DMV that there is no cause to deny a person’s driver’s license renewal if certain fees have been paid and the denial or renewal is based on the person’s previous failure to appear; and (11) limit the number of $30 administrative fees DMV may impose on a person who fails to appear for a complaint or citation.

S.B. 40 (Zaffirini) – Municipal Courts: would provide, among other things, that – If a disaster precludes a municipal court (or municipal court of record) from conducting its proceedings at the location assigned for the proceedings – the presiding judge of the administrative judicial region, with the approval of the judge of the affected municipal court, may designate for the proceedings an alternate location: (a) in the corporate limits of the municipality; or (b) outside the corporate limits of the municipality at the location the presiding judge of the administrative judicial region determines is closest in proximity to the municipality that allows the court to safely and practicably conduct its proceedings.

S.B. 171 (Perry) – Fees: would increase, from $50 to $75, the fee paid by a defendant for a peace officer’s services in executing or processing an arrest warrant, capias, or capias pro fine.

Community and Economic Development

H.B. 31 (Longoria) – Texas Leverage Fund: would, among other things: (1) establish the Texas leverage fund, which consists of: (a) proceeds from the issuance of revenue-based bonds by the Texas Economic Development Bank; (b) payments of principal and interest on loans made by the Texas Economic Development Bank; (c) loan origination fees imposed on loans made by the Texas Economic Development Bank; (d) investment earnings of the Texas leverage fund; and (e) any other money received by the Texas Economic Development Bank; (2) provide that the Texas leverage fund may only be used to: (a) make loans to economic development corporations (EDCs) for eligible projects; (b) pay the bank’s necessary and reasonable costs of administering the program; (c) pay the principal of and interest on bonds; (d) pay reasonable fees and other costs incurred by the bank in administering the leverage fund; and (e) pay for any other purpose authorized by law; (3) authorize a Type A or Type B EDC to obtain a loan from the Texas leverage fund program for eligible projects; and (4) authorize a Type A or Type B EDC to pledge revenue from the EDC sales and use tax to secure the loan. (Companion bill is S.B. 132 by Hinojosa.)

H.B. 36 (Ortega) – Substandard Buildings: would: (1) authorize an appeal from an interlocutory order denying a motion filed by a city related to a substandard building determination; and (2) require a court to expedite a proceeding, including an appeal, related to certain substandard building determinations.
H.B. 59 (Swanson) – Low Income Housing Tax Credits: would increase the weight given to a written statement from a state representative who represents the district containing the proposed development site for any low income housing tax credit application submitted to the Texas Department of Housing and Community Affairs.

H.B. 190 (Bernal) – Payday and Auto Title Lending: would provide that a credit services organization may not obtain for a consumer or assist a consumer in obtaining an extension of consumer credit, unless the credit organization uses independently verifiable documentation of income and obligations to find that the consumer can reasonably: (1) repay the extension of consumer credit and all associated fees in cash, in accordance with the time and schedule of payments established by contract and applicable law; and (2) pay due payments on all known obligations of the consumer concurrently.

H.B. 219 (Reynolds) – Comprehensive Plan: would require a city’s comprehensive plan to be updated at least every five years and include an environmental evaluation report.

H.B. 242 (Bernal) – 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; (2) provide that, if a municipal ordinance conflicts with a provision of state law, the more stringent regulation controls; (3) 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; (4) 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; (5) 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; (6) 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; (7) require a credit access business to require certain types of documentation to establish a consumer’s income for purposes of extending credit; (8) 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; (9) 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; (10) 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; (11) 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; (12) 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 (13) 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. 280 (Ortega) – Substandard Property: would expand those persons a court may appoint as a receiver for a substandard property to include any individual that the city demonstrates is competent and able to fulfill the duties of a receiver.

H.B. 347 (P. King) – Annexation: would essentially eliminate most unilateral annexations by any city, regardless of population or location. Specifically, the bill would: (1) eliminate the distinction between Tier 1 and Tier 2 cities and counties created by S.B. 6 (2017); (2) eliminate existing annexation authority that applied to Tier 1 cities and make most annexations subject to the three consent annexation procedures created by S.B. 6 (2017), which allow for annexation: (a) on request of the each owner of the land; (b) of an area with a population of less than 200 by petition of voters and, if required, owners in the area; and (c) of an area with a population of at least 200 by election of voters and, if required, petition of landowners; and (3) authorize certain narrowly-defined types of annexation (e.g., city-owned airports, navigable streams, etc.) to continue using a service plan, notice, and hearing annexation procedure.

H.B. 360 (Murphy) – Tax Abatements: would extend the expiration date of the Property Redevelopment and Tax Abatement Act from September 1, 2019, to September 1, 2029. (Companion bill is S.B. 118 by West.)

H.B. 390 (Blanco) – Defense Communities: would make various changes relating to defense economic readjustment zones.

H.B. 416 (Guerra) – Low Income Housing Tax Credits: would eliminate the written statement from the state representative who represents the district containing a proposed development site as a criteria used by the Texas Department of Housing and Community Affairs to rank low income housing tax credit applications.

H.B. 478 (Phelan) – Flood Projects: would, among other things: (1) require the Texas Water Development Board to adopt rules establishing criteria for flood control planning money that prioritizes counties with a median household income that is not greater than 85 percent of the median state household income; (2) define “flood control planning” to mean any work related to planning for flood protection, preparing applications for and obtaining regulatory approvals, activities associated with administrative or legal proceedings by regulatory agencies, and preparing engineering plans for structural and nonstructural flood mitigation and drainage; (3) create a flood infrastructure fund to make loans and grants to eligible political subdivisions; (4) provide that the fund consist of various sources of revenue including appropriations from the legislature, proceeds of general obligation bonds issued for the program, and repayments of loans made from the fund; and (5) require local governments to cooperate on large-scale flood planning and mitigation projects in order to receive loans and grants from the fund.
H.B. 499 (Button) – Tax Abatements: would extend the expiration date of the Property Redevelopment and Tax Abatement Act from September 1, 2019, to September 1, 2029. (Companion bills are H.B. 360 by Murphy and S.B. 118 by West.)

S.B. 110 (Menendez) – Payday and Auto Title Lenders: would provide that the amount of a fee paid or to be paid to a credit services organization 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. 118 (West) – Tax Abatements: would extend the expiration date of the Property Redevelopment and Tax Abatement Act from September 1, 2019, to September 1, 2029.

S.B. 132 (Hinojosa) – Texas Leverage Fund: would, among other things: (1) establish the Texas leverage fund, a trust fund held outside the state treasury by the comptroller as trustee, that consists of: (a) proceeds from the issuance of revenue-based bonds by the Texas Economic Development Bank; (b) payments of principal and interest on loans made by the Texas Economic Development Bank; (c) loan origination fees imposed on loans made by the Texas Economic Development Bank; (d) investment earnings of the Texas leverage fund; and (e) any other money received by the Texas Economic Development Bank; (2) provide that the Texas leverage fund may be used only to: (a) make loans to economic development corporations (EDCs) for eligible projects; (b) pay the bank’s necessary and reasonable costs of administering the program; (c) pay the principal of and interest on bonds; (d) pay reasonable fees and other costs incurred by the bank in administering the leverage fund; and (e) pay for any other purpose authorized by law; (3) authorize a Type A or Type B EDC to obtain a loan from the Texas leverage fund program for eligible projects; and (4) authorize a Type A or Type B EDC to pledge revenue from the EDC sales and use tax to secure the loan. (Companion bill is H.B. 31 by Longoria.)

S.B. 182 (Miles) – Payday Lending: would provide that 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 prove that the consumer has committed theft or issued a bad check: (1) file a criminal complaint or threaten to file a criminal complaint related to an extension of consumer credit against the consumer; or (2) 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.

S.B. 208 (Campbell) – Concrete Plants: would extend from 440 yards to 880 yards the distance within which a concrete plant or crushing facility must be from a single- or multi-family residence, school, or place of worship.

S.B. 226 (Fallon) – Monuments and Memorials: would: (1) define “monument or memorial” to include a permanent monument, memorial, or other designation, including a statue, portrait, plaque, seal, symbol, building name, park name, area name, or street name that honors an event or person of historical significance; (2) provide that a monument or memorial that has been
located on city property for at least 20 years may be removed, relocated, or altered only by
approval of a majority of voters of the city voting at an election held for that purpose, and
prohibit the expenditure of public funds for any such removal, relocation, or alteration; (3)
except from the prohibition in (2) the removal, relocation, or alteration of a monument or
memorial that is necessary to accommodate construction, repair, or improvements to the
monument or memorial or the surrounding property, and require that any permanent removal of
the monument or memorial to be relocated to a prominent location; and (4) authorize the attorney
general to enforce the prohibition in (2) through civil penalty and equitable relief.

Personnel

H.B. 48 (M. Gonzalez) – Wage Theft: would require: (1) the Texas Workforce Commission
(Commission) to make available on its Internet website a publicly accessible list of all employers
in the state who have been: (a) assessed an administrative penalty by the Commission, a
Commission examiner, or a wage claim appeal tribunal for acting in bad faith in not paying
wages; (b) ordered to pay wages by a final order of the Commission or have failed to comply
with such order; (c) been convicted for failure to pay wages; and (d) for an employer that is a
business entity, the name under which the entity operates, the name of each individual who is an
owner of the entity and actively involved in the management of the entity; (2) the Commission to
provide notice to an employer not later than the 180th day before the date the employer is listed
in the database; (3) the Commission, by rule, establish a process by which an employer may, at
any time after receiving the notice described under (2), dispute the employer’s inclusion in the
database and afford the Commission time to investigate and make a final determination
regarding such dispute; (4) the Commission list an employer in the database until the third
anniversary of the date the penalty is assessed or the employer is convicted; and (5) the district
attorney report to the Commission the name of each employer that is prosecuted and convicted in
the attorney’s jurisdiction for failure to pay wages or theft of service.

H.B. 83 (Romero) – Unpaid Wages: would require the Texas Workforce Commission (TWC), a
TWC examiner, or a wage claim appeal tribunal, upon a finding that an employer acted in bad
faith in not paying wages to an employee, to assess an administrative penalty against the
employer.

H.B. 106 (E. Rodriguez) – Unpaid Wages: would, among other things: (1) prohibit an
employer from retaliating against an employee who in good faith seeks to recover wages owed to
the employee; (2) allow an employee who prevails in a lawsuit brought as a result of retaliation
for seeking to recoup unpaid wages to recover: (a) reasonable damages incurred by the employee
as a result of the adverse employment action; (b) additional damages in an amount equal to the
average wages the employee earns during a two-week period, plus $500; (c) court costs and
reasonable attorney’s fees incurred by the employee in the suit; (d) reinstatement to the
employee’s former position or a position that is comparable in terms of compensation, benefits
and other conditions of employment; and (e) reinstatement of any benefits and seniority rights
lost because of the adverse employment action; and (3) provide that a failure to comply with the
wage payment recordkeeping requirements creates a rebuttable presumption that the employee’s
hours worked, pay rate, and earnings are equal to those amount’s provided in the employee’s testimony or presented records.

**H.B. 144 (Canales) – Credit Reports:** would prohibit an employer from taking an adverse employment action against an employee or applicant based wholly or partly on a credit report unless the employer provides a copy of the report along with instructions regarding how the employee or applicant may provide additional information about the report.

**H.B. 194 (Reynolds) – Minimum Wage:** would increase the minimum wage to not less than the greater of $15 an hour or the federal minimum wage (currently at $7.25).

**H.B. 215 (Reynolds) – Peace Officers:** would, in relation to an officer-involved injury or death case: (1) disqualify a prosecuting attorney from prosecuting a peace officer who is employed by a political subdivision that is also served by the attorney, and require that the attorney general appoint a special prosecutor; and (2) require a law enforcement agency to report the incident to the attorney general as soon as practicable, and cooperate with a special prosecutor in the prosecution of any related offense.

**H.B. 222 (Krause) – Paid Sick Leave:** would: (1) prohibit the governing body of a city from adopting or enforcing any ordinance, rule or regulation that requires an employer to provide employee paid sick leave; and (2) make such ordinance, rule, or regulation void and unenforceable.

**H.B. 287 (S. Thompson) – Pay Discrimination:** would: (1) extend the statute of limitations on pay discrimination claims to include each time: (a) a discriminatory compensation decision or other practice is adopted; (b) an individual becomes subject to a discriminatory compensation decision or other practice; (c) an individual is adversely affected by application of a discriminatory compensation decision or other practice, including each time wages affected wholly or partly by the decision or other practice are paid; and (2) allow, in certain instances, liability and back pay and benefit damages to accrue for up to two years preceding the date of filing a complaint for pay discrimination.

**H.B. 290 (S. Thompson) – Minimum Wage:** would provide for a phased-in minimum wage that will result in the following higher wages by 2024: (1) not less than the greater of $10.10 an hour or the federal minimum wage (currently at $7.25 per hour); and (2) for a tipped employee, tips, plus $2.85 an hour.

**H.B. 328 (Ortega) – Local Minimum Wage:** would, among other things, allow: (1) a city to adopt a minimum wage that exceeds the federal minimum wage to be paid by an employer to each of its employees for services performed in the city; and (2) a county to adopt a minimum wage that exceeds the federal minimum wage to be paid by an employer to each of its employees for services performed in the unincorporated areas of the county, including areas located within the extraterritorial jurisdiction of a city.
H.B. 354 (Herrero) – Jury Service: would allow the following individuals to be exempted from jury service: (1) a firefighter employed by a city, county, or special district; and (2) a police officer employed by a police department of a city or county.

H.B. 359 (Moody) – Workers’ Compensation: would, among other things: (1) prohibit a non-civil service city from discharging, indefinitely suspending or terminating, from employment, a peace officer, detention officer, or firefighter who is unable to perform his or her duties due to a compensable injury before such person has reached maximum medical improvement (unless a designated doctor indicates that the employee is unable to return to work); (2) entitle an employee who is discharged, indefinitely suspended or terminated as described in (1) to reinstatement in the employee’s former position of employment and damages not to exceed $100,000; and (3) waive immunity for a city that violates the provision described in (1).

H.B. 381 (Holland) – Peace Officers: would provide that a training officer who is killed in the line of duty is eligible to have his or her name added to the Texas Peace Officers’ Memorial Monument.

H.B. 393 (Blanco) – Wage History: would, among other things: (1) provide that the following actions constitute an unlawful employment practice: (a) including a question regarding an applicant’s wage history information on an employment form; (b) inquiring into an applicant’s wage history information; (c) considering an applicant’s wage history in determining whether to hire the applicant or the wages or fringe benefits to provide to the applicant; (d) obtaining an applicant’s wage history information from a previous employer or other source, unless such wages are disclosable under the Texas Public Information Act; (2) prohibit an employer from taking an adverse action or discriminating against a person that opposes, seeks to enforce, or testifies against an unlawful employment action; and (3) require an employer to provide to an applicant a pay scale for the employment position for which the applicant is applying.

H.B. 495 (Deshotel) – Criminal History: would, with the exception of positions for which consideration of a criminal history record is required by law, prohibit an employer from: (1) including a question regarding an applicant’s criminal history record information on an initial employment application form; (2) inquiring into or considering an applicant’s criminal history record information before the employer has determined that the applicant is otherwise qualified and has conditionally offered the applicant employment or has invited the applicant to an interview; and (3) considering any criminal history record information regarding an offense that occurred or was alleged to have occurred more than seven years before the date of the employment decision.

S.B. 46 (Zaffirini) – Sexual Harassment: would, among other things, expand the definition of employer, for the purposes of the prohibition of sexual harassment of unpaid interns, to include a person who employees one or more employees or someone who acts directly or indirectly in the interests of the employer.

S.B. 91 (Menéndez) – Nondisclosure Agreements: would, among other things: (1) provide that a nondisclosure or confidentiality agreement or other agreement between an employer and an employee void and unenforceable to the extent the agreement prohibits the employee from
notifying or limits the employee’s ability to notify, a local or state law enforcement agency or any state or federal regulatory agency of a criminal offense committed: (a) by an employee of the employer; or (b) at the employee’s place of employment; and (2) prohibit an employer from requiring, as a condition of employment or receipt of employment benefit, an employee or applicant for employment to enter into an agreement described in (1); and (3) prohibit an employer from retaliating against an individual who refuses to enter into an agreement described in (1).

S.B. 112 (Menéndez) – Pay Discrimination: would: (1) extend the statute of limitations on pay discrimination claims to include each time: (a) a discriminatory compensation decision or other practice is adopted; (b) an individual becomes subject to a discriminatory compensation decision or other practice; (c) an individual is adversely affected by application of a discriminatory compensation decision or other practice, including each time wages affected wholly or partly by the decision or other practice are paid; and (2) allow, in certain instances, liability and back pay and benefit damages to accrue for up to two years preceding the date of filing a complaint for pay discrimination.

S.B. 113 (Menéndez) – Minimum Wage: would, among other things, require an employer to pay a minimum wage that is not less than the greater of $10.10 an hour or the federal minimum wage (currently at $7.25 per hour). (See S.J.R. 5, below.)

S.B. 159 (Rodriguez) – Nondisclosure Agreements: would: (1) provide that a nondisclosure or confidentiality agreement or other agreement between an employer and employee is void and unenforceable if such agreement prohibits or limits the employee from notifying a local or state law enforcement agency or any state or federal regulatory agency of sexual assault or sexual harassment committed by the employee or at the employee’s place of employment; (2) provide that a mandatory arbitration agreement between an employer and employee is void and unenforceable if the such agreement requires mandatory arbitration of a dispute involving an allegation of sexual assault or sexual harassment; and (3) prohibit an employer from discriminating against an individual in connection with an employment relationship because the individual refuses to sign an agreement described in (1) and (2).

S.B. 160 (Rodriguez) – Sex Discrimination: would, among other things: (1) provide that the following actions constitute discrimination on the basis of sex unless the applicant has provided, after receiving a written offer of employment that includes the applicant’s wages, prior written authorization to a prospective employer to confirm the employee’s compensation: (a) including a question regarding an applicant’s wage history information on an employment application form; (b) inquiring into or considering an applicant’s wage history information; and (c) obtaining an applicant’s wage history information from a previous employer, unless such wages are subject to disclosure under the Public Information Act; (2) prohibit an employer from paying wages to an employee at a rate less than the rate at which the employer pays wages to another employee of the opposite sex for the same or substantially similar work on jobs, which requires equally or substantially similar skill, effort or responsibility, and which are performed under similar working conditions; (3) prohibit an employer from retaliating or otherwise discriminating against the person because the person: (a) opposes an illegal act or practice; (b) seeks to enforce protected rights; or (c) testifies, assisted or participated in any manner in an investigation,
hearing or other proceeding; (4) prohibit an employer from discharging, discriminating, coercing, intimidating, threatening or interfering with an employee or other person because: (a) the person inquired about, disclosed, compared or otherwise discussed an employee’s wages; or (b) exercised, enjoyed, aided, or encouraged another person to exercise or enjoy any right granted under (1); and (5) require each employer to post in a conspicuous place on the employer’s premises a notice setting forth the requirements of the bill.

S.B. 161 (Rodriguez) – Local Minimum Wage: would, among other things, allow: (1) a city to adopt a minimum wage that is greater than the minimum wage established by state or federal law to be paid by an employer to each employee for services performed in the city; (2) a county to adopt a minimum wage that greater than the minimum wage established by state or federal law to be paid by each employee for services performed in the unincorporated areas of the county, including areas located within the extraterritorial jurisdiction of a city.

S.J.R. 5 (Menéndez) – Minimum Wage: would amend the Texas Constitution to provide that an employer shall pay an employee not less than the greater of $10.10 an hour or the federal minimum wage (currently at $7.25 per hour).

S.J.R. 22 (Menendez) – Minimum Wage: would amend the Texas Constitution to provide that an employer shall pay an employee not less than the greater of $10.10 an hour or the federal minimum wage (currently at $7.25 per hour).

Public Safety

H.B. 34 (Raymond) – Disaster Alert System: would require the Texas Division of Emergency Management (Division) to develop and implement a statewide disaster alert system that provides for the following: (1) activation of the system in the event of a disaster affecting any location in the state; (2) operation of the system in conjunction with any other emergency alert system required by federal or state law; (3) notification of persons statewide of a disaster affecting any location in the state; (4) provision of notification through public and commercial television or radio broadcasts, a system of dynamic message signs located across the state, reverse 9-11 calls, texts messages, e-mails, social media, and other instant messaging systems; (5) allowing persons to register for a preferred method of receiving notification; (6) immediate activation of the system upon a determination by the Division that a disaster has occurred or the occurrence or threat of disaster is imminent, or upon being notified of a declaration of disaster; (7) issuance of updated notifications for the duration of the disaster; (8) notification that includes all information necessary to enable a person who may be affected by the disaster to make informed decisions regarding the person’s safety; (9) notification that enables a person in another location in the state to assist an affected person; (10) notification that includes real-time information regarding the availability of gas, food, lodging, 24-hour pharmacy services, medical care, and the disposition of a deceased individual; (11) for a hurricane, notification of the category of classification of the hurricane, including updated information on changes in the category classification, expected time and location of landfall for the hurricane, and other detailed information about the hurricane; (12) termination of the system when the Division determines that the threat or danger has passed or the disaster has been addressed to the extent that
emergency conditions no longer apply; and (13) termination of the system when the governor terminates a declared state of disaster.

H.B. 38 (Canales) – Unmarked Firearms: would provide that a law enforcement agency that purchases or otherwise obtains ownership of an unmarked firearm (e.g., a firearm without a serial number, with certain exceptions) shall destroy the firearm.

H.B. 63 (Moody) – Reduction of Penalties for Small Amounts of Marihuana: would reduce the civil and criminal penalties for possession of certain small amounts of marihuana and provide an exception to prosecution for possession of associated drug paraphernalia. (Companion bill S.B. 156.)

H.B. 91 (Martinez) – Disaster Identification System: would establish, for use in an area subject to a declaration of a state disaster, a disaster identification system that would allow any person to use an illuminating display to communicate with disaster relief personnel.

H.B. 121 (Swanson) – Licensed Carry: would provide that a license holder who is carrying a handgun and is personally given notice that carry has been prohibited on the property, and who promptly departs, has an affirmative defense to prosecution.

H.B. 131 (Moody) – Extreme Risk Protective Order: would create an extreme risk protective order and provide, among other things, that: (1) a court may prohibit the person who is subject to the order from purchasing, owning, possessing, or controlling a firearm for the duration of the order and order the person to relinquish, without delay, any firearms owned by or in the actual or constructive possession or control of the person to a law enforcement agency for holding as described by the bill; (2) a law enforcement officer who takes possession of a firearm from a person shall immediately provide the person a written copy of the receipt for the firearm and a written notice of the procedure for the return of a firearm under the bill; (3) not later than the seventh day after the date a firearm is received, the law enforcement agency holding the firearm shall notify the court that the person has relinquished the firearm; and (4) prior to releasing the firearm after the expiration of the order, the law enforcement agency shall conduct a check of state and national criminal history record information to verify whether the person may lawfully possess a firearm and follow certain procedures under the bill based on the results. (Companion bill is S.B. 157 by Rodriguez.)

H.B. 143 (Swanson) – Secure Weapons Storage in Public Buildings: would: (1) 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 is prohibited; (2) provide that, for such a building, the political subdivision must provide temporary secure weapon storage lockers directly outside or immediately inside the entrance to the building; and (3) mandate many requirements for the lockers.

H.B. 152 (Minjarez) – Sexual Assault Evidence: would: (1) apply portions of the Sexual Assault Prevention and Crisis Services Act to sex offenses other than just sexual assault; (2) allow a health care facility to collect evidence of a sexual assault or other sex offense and release
the evidence to a law enforcement agency; (3) require that a health care facility or other entity that performs a medical examination to collect evidence of a sexual assault or other sex offense: (a) provide the survivor with certain information about the storage and destruction of the evidence; and (b) store the evidence for at least one year; and (4) decrease the time in which a law enforcement agency must submit evidence of a sexual assault or sex offense to a crime lab from 30 to 14 days, and require the crime lab to analyze the evidence within 60 days of receipt of the evidence.

H.B. 171 (Canales) – Forfeiture Proceeding: would: (1) provide that contraband is not subject to seizure and forfeiture if the property is not otherwise unlawful to possess and the admissibility of the property as evidence would be prohibited in the prosecution of the underlying offense; and (2) limit the admissibility of evidence in an asset forfeiture proceeding.

H.B. 172 (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 adopted 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. 182 (Canales) – Forfeiture Proceeding: would: (1) 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 and forfeiture hearings; (2) limit the transfer of forfeitable property to the federal government; and (3) limit law enforcement agency or Texas National Guard cooperation in federal forfeiture actions.

H.B. 209 (Reynolds) – Medical Marihuana: would authorize the possession, use, cultivation, distribution, transportation, and delivery of medical cannabis for medical use by qualifying patients with certain debilitating medical conditions. (Companion bill S.B. 90 by Menendez.)

H.B. 213 (Gervin-Hawkins) – Public Transportation System Vehicles: would increase the criminal penalty for certain offenses committed in a vehicle operated by a public transportation system.

H.B. 224 (Gervin-Hawkins) – Aggressive Dogs: would (1) define “aggressive dog” to be a dog that makes an unprovoked attack on a domestic animal or livestock that: (a) causes bodily injury to the animal or livestock; and (b) occurs in a place other than an enclosure in which the dog was being kept, and that is reasonably secured to prevent the dog from leaving the enclosure; and (2) provide that municipal animal control authority may impound and manage dangerous dogs and aggressive dogs in the extraterritorial jurisdiction of the city if: (a) the authority receives a petition signed by at least three residents from three different households in the extraterritorial jurisdiction requesting assistance from the authority and alleging that: dangerous dogs or aggressive dogs have repeatedly attacked humans, domestic animals, or livestock within the extraterritorial jurisdiction, and due to the presence of dangerous dogs or aggressive dogs, the extraterritorial jurisdiction is an unsafe environment for humans, domestic animals, or livestock;
and (b) in the extraterritorial jurisdiction, no animal control authority is authorized to operate, or the operating animal control authority does not provide for the impoundment or management of dangerous dogs or aggressive dogs.

H.B. 235 (Gervin-Hawkins) – Public Transportation System Vehicles: would increase the criminal penalty for certain offenses committed in a vehicle operated by a public transportation system.

H.B. 238 (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. 257 (Blanco) – School Marshals: would apply to any school district, open-enrollment charter school, private school, or junior college that appoints a school marshal or authorizes any other individual to carry a handgun for security purposes under written regulations or written authorization and would provide that: (1) the governing body of the school shall adopt a policy regarding communication and coordination with local law enforcement agencies that includes information detailed in the bill; and (2) information provided to a law enforcement agency under a policy adopted under the bill regarding the identity or place of employment of an individual authorized to carry a handgun is confidential.

H.B. 262 (E. Thompson) – Red Light Cameras: would: (1) prohibit a local authority, including a city, from implementing or operating an automated traffic control system used to enforce speed limits or red lights; and (2) provide that a local authority that violates (1) is liable for certain civil penalties.

H.B. 265 (Blanco) – Immigration/Racial Profiling: would provide that the racial profiling policy adopted by each law enforcement agency in this state, which requires collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, include information relating to whether the peace officer inquired as to the immigration status of the individual detained and – if so – the reason for the inquiry.

H.B. 274 (S. Harris) – Disaster Fund: would create a $15 million disaster reinvestment and infrastructure planning revolving fund, to be funded in perpetuity under the administration of the Water Development Board, for the purpose of providing loans and grants to: (1) a Category I qualifying political subdivision (a political subdivision, including a city, located wholly or partly in an area declared by the governor to be a disaster area that FEMA has determined is eligible to receive financial assistance from FEMA in response to the disaster); and (2) a Category II qualifying political subdivision (a political subdivision, including a city, located wholly or partly
in an area declared by the governor to be a disaster area that FEMA has determined is ineligible to receive financial assistance from the agency in response to the disaster).

**H.B. 292 (S. Thompson) – Peace Officer Curriculum:** would include instruction on the trafficking of persons in the basic training curriculum for peace officers.

**H.B. 299 (Murr) – Drug Free Zones:** would increase certain controlled substance offenses to a felony of the first degree if it is shown on the trial of the offense that the offense was committed in, on, or within 1,000 feet of any real property that is owned, rented or leased to a school or school board, the premises of public or private youth center, or playground; or on a school bus.

**H.B. 319 (K. King) – Fire Department Grants:** would provide that: (1) the Texas Commission on Fire Protection shall establish and administer a grant program to provide financial assistance to a fire department or volunteer fire department seeking to purchase fire-fighting equipment or a machine to clean fire-fighting equipment; (2) a fire department or volunteer fire department receiving a grant under the bill must, as soon as practicable after receiving the grant, provide to the commission proof of purchase of fire-fighting equipment or a machine to clean fire-fighting equipment, including the price of each piece of equipment or machine and the number of items purchased; and (3) not later than December 1 of each year, the commission shall submit a report to the Legislative Budget Board reporting the following information for the preceding state fiscal year: (a) the name of each fire department and volunteer fire department that applied for a grant under this section, (b) the amount of money distributed to each department that received a grant under this section, and (c) the number and a description of items purchased by each department.

**H.B. 335 (Dutton) – Marihuana Possession:** would reduce the penalty for the possession of marijuana to a Class C misdemeanor if the amount of marihuana possessed is one ounce or less, with some exceptions.

**H.B. 350 (Blanco) – Cybersecurity:** would provide that the Texas Cybersecurity Council must include a member who is an employee of the Elections Division of the Office of the Secretary of State.

**H.B. 351 (Blanco) – Cybersecurity:** would provide that: (1) a cyber attack is defined as an attempt to damage, disrupt, or gain unauthorized access to a computer, computer network, or computer system; and (2) a cyber attack is added to the list of disasters under the Texas Disaster Act.

**H.B. 352 (Blanco) – Cell Site Information:** would, among other things:

1. provide that a search warrant may be issued to search for and seize cell site information;
2. define “cell site information” as any information, including the content of a wire communication or electronic communication, that is obtained from a cellular telephone or other wireless communications device by operation of a cell site simulator device and that concerns the location of the telephone or device or reveals the identity of the subscriber or customer of a communication common carrier, an electronic communications service, or a remote computing service;
3. define “cell site simulator device” as an international mobile subscriber identity catcher or other device or equipment that mimics a cellular telephone tower by transmitting to cellular telephones or other wireless communications devices within range of the device a signal that causes those cellular telephones or other wireless communications devices to send cell site information to the device;

4. provide that a district judge may issue a warrant for the use of a cell site simulator device to obtain cell site information from a cellular telephone or other wireless communications device only on the application of an authorized peace officer with certain requirements for the peace officer’s affidavit;

5. provide location restrictions for where the warrant may be issued;

6. provide that the warrant expires after 90 days, but that a judge can be extend the duration of the warrant for an additional 90-day period for good cause shown;

7. require that the authorized peace officer who requested the warrant deliver a copy of the warrant to the owner or possessor of the cellular telephone or other wireless communications device not later than the seventh day after the date of the expiration of a warrant or the date of the expiration of any additional period;

8. provide certain exceptions to the requirement for a warrant for cell site information;

9. provide that a peace officer may not obtain or use cell site information to assist with, participate in, provide material support or resources for, or enable or facilitate an investigation conducted by a law enforcement agency of the federal government or of another state: (a) without the effective consent of the owner or possessor of the cellular telephone or other wireless communications device, or a warrant; or (b) unless certain exceptions apply;

10. provide that only the Department of Public Safety or a county or municipal law enforcement agency is authorized to own, possess, install, operate, or monitor a cell site simulator device;

11. provide that state or local law enforcement agency that obtains or uses a cell site simulator device shall adopt a written policy for promptly deleting any cell site information collected by the device that: (a) is not relevant to a warrant issued under this subchapter authorizing the use of the device; or (b) does not provide the agency with a reasonable suspicion that other criminal activity has been, is being, or will be committed;

12. provide that the state may not withhold from a criminal defendant any portion of a document, an item, or information that was obtained as a result of the execution of a warrant for cell site information and that is otherwise discoverable on a claim of confidentiality arising under a contract with any party, including under a nondisclosure agreement;

13. modify the Public Information Act to provide that information regarding the purchase, sale, receipt, possession, or use of investigatory equipment by a state or local law enforcement agency or by a criminal justice agency of the state or of a political subdivision of the state is public information and not excepted from disclosure;

14. provide that a person commits a criminal offense if the person knowingly: (a) installs or uses a cell site simulator device to obtain cell site information from a cellular telephone or other wireless communications device; or (b) obtains or uses cell site information to assist with, participate in, provide material support or resources for, or enable or facilitate an investigation conducted by a law enforcement agency of the federal government or of another state;
15. provide that an affirmative defense to criminal prosecution in (14) if: (a) the owner or possessor of the cellular telephone or other wireless communications device gave effective consent to the actor’s retrieval of cell site information from the telephone or device; (b) a warrant was obtained under (4); or (c) an exception to the warrant requirement applies.

H.B. 353 (Blanco) – Cell Site Information: would: (1) provide that a search warrant may be issued to search for and seize cell site information; and (2) define “cell site information” as information that reveals the location of a cellular telephone or other wireless communications device and that is derived from the device’s connections to radio antennas through which a provider of an electronic communications service or provider of a remote computing service provides wireless service to that device.

H.B. 357 (Stickland) – Handguns: would provide, among other things, that: (1) a person who is at least 21 years of age and not otherwise prohibited by law may, without a license, openly or concealed carry a handgun; (2) a city may not regulate the carrying of a firearm at a public park or parade, rally, or political meeting in the city; and (3) 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.

H.B. 363 (J. Johnson) – Ombudsman: would: (1) create the office of independent oversight ombudsman for the Texas Department of Criminal Justice; (2) allow the ombudsman access to local law enforcement agency information relating to any offender; and (3) require local law enforcement agency to fully cooperate and collaborate with the office of independent oversight ombudsman. (Companion bill is S.B. 188 by Miles.)

H.B. 439 (Shaheen) – Suspicious Activity: would prohibit a civil lawsuit against a person who reports suspicious activity to an appropriate law enforcement authority if the person acted: (1) as a reasonable person would in the same or similar circumstances; and (2) with a reasonable belief that the suspicious activity constituted or was in furtherance of a crime, including an act of terrorism.

H.B. 445 (M. Gonzalez) – Immigration: would provide that a local entity, including the governing body of a city, a police officer, or a city attorney, does not violate the provisions of S.B. 4 (2017), relating to the enforcement of immigration laws by local governments, by prohibiting a peace officer from assisting or cooperating with a federal immigration officer if the assistance or cooperation occurs: (1) on the property of a school district, open-enrollment charter school, or private school; (2) at an institution of higher education; or (3) at a hospital, emergency clinic, outpatient clinic, birthing center, ambulatory surgical center, or other facility providing health care services.

H.B. 482 (S. Thompson) – Misdemeanor Arrests: would (1) require law enforcement agencies to adopt a written policy for the issuance of citations for misdemeanor offenses, including traffic offenses that are punishable by fine only, which must include a procedure for a peace officer employed by the agency to verify a person’s identity and issue a citation to a person who fails to present proof of identification; (2) provide that a peace officer or any other person cannot,
without a warrant, arrest an offender for a misdemeanor punishable by a fine only, with a few limited exceptions; (3) require that a peace officer charging a person with committing an offense that is punishable by a fine only shall, instead of taking the person before a magistrate, issue a citation to the person requiring certain information, including a written notice of the time and place the person must appear before a magistrate; (4) provide that a peace officer who is charging a person, including a child, with committing an offense for assault under Penal Code § 22.01(a)(2) or (3) may, instead of taking the person before a magistrate, issue a citation to the person that contains all of the information required in (3); (5) restrict a peace officer from arresting, without a warrant, a person committing one or more misdemeanors punishable by fine only for violations of Transportation Code, Subtitle C – Rules of the Road; and (6) modify when a peace officer shall issue a written notice to appear to be only when the offense charged is a misdemeanor punishable by fine only and the person makes a written promise to appear in court.

H.J.R. 21 (Rodriguez) – Medical Marihuana: would amend the Texas Constitution to provide that the legislature by law shall authorize and regulate the possession, cultivation, and sale of cannabis for medical use in Texas. (Companion bill is S.J.R. 7 by Rodriguez.)

H.J.R. 22 (Reynolds) – Officer-Involved Death or Injury: would amend the Texas Constitution to provide that the attorney general shall appoint a special prosecutor to perform the duties of a prosecuting attorney in any prosecution of a peace officer for an offense arising out of an officer-involved injury or death, from which the prosecuting attorney is disqualified.

S.B. 43 (Zaffirini) – Cell Phone Ban: would provide: (1) that a vehicle operator commits an offense if the operator uses a portable wireless communication device while operating a motor vehicle, unless the vehicle is stopped outside a lane of travel; (2) for an affirmative defense (except for a person under 18 years of age or by a person operating a school bus with a minor passenger on the bus) for the use of a portable wireless communications device: (a) in conjunction with a handsfree device; (b) to contact emergency services; or (3) that was mounted in or on the vehicle solely to continuously record or broadcast video inside or outside of the vehicle.

S.B. 53 (Zaffirini) – 9-1-1 Service: would: (1) to the extent practicable and within available resources, require a public safety answering point to receive emergency 9-1-1 communications by calls and text messages; and (2) require a provider or user to provide to the public safety answering point any other relevant and available contact information of a person requesting emergency services using a device not associated with a telephone number.

S.B. 77 (Hall) – Red Light Cameras: would: (1) prohibit a governmental entity from using information from traffic surveillance technology (technology that records or reads license plates) for any purpose; and (2) except from the prohibition in (1) toll enforcement, school bus cameras, and certain technology that is physically held by a law enforcement officer.

S.B. 78 (Hall) – License Plate Readers: would provide that: (1) a law enforcement agency may use an automatic license plate reader; (2) images and any related data produced from an automatic license plate reader may be used only for a law enforcement purpose; (3) images and any related data produced from an automatic license plate reader used by a municipal parking
enforcement authority may be used only by the authority to issue a citation at the time of an alleged violation of a vehicle parking ordinance; (4) images and any related data produced from an automatic license plate reader must be destroyed promptly after collection, unless the image or data is from a motor vehicle that: (a) is involved in a criminal offense or an ongoing criminal investigation; or (b) is registered to a person who is involved in a criminal offense or an ongoing criminal investigation; and (5) a law enforcement agency or municipal parking enforcement authority may not enter into an agreement with a private person to provide images or any related data produced from an automatic license plate reader to the person for a commercial purpose.

S.B. 86 (Hall) – Regulation of Raising Six or Fewer Chickens: would provide that (1) a political subdivision may not impose a governmental requirement that prohibits an individual from raising or keeping six or fewer chickens in the boundaries of the political subdivision; and (2) a city may impose reasonable governmental requirements on the raising or keeping of poultry in the boundaries of the city 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.

S.B. 87 (Hall) – Driver Responsibility Program: would repeal the driver responsibility program and the vehicle safety inspection program for certain vehicles.

S.B. 90 (Menendez) – Medical Marihuana: would authorize the possession, use, cultivation, distribution, transportation, and delivery of medical cannabis for medical use by qualifying patients with certain debilitating medical conditions. (Companion bill H.B. 209 by Reynolds.)

S.B. 120 (West) – Criminal History Record Information: would: (1) apply only to private entities that compile and disseminates for compensation criminal history record information (CHRI) of individuals and that provide CHRI to a customer on request without verifying the information after receipt of the request; (2) provide that the private entity shall destroy and may not disseminate any CHRI when the entity receives a certified or noncertified copy of the order showing or notice from Department of Public Safety (DPS) that an order of expunction has been issued or order of nondisclosure of CHRI been issued; (3) provide that a private entity that purchases or otherwise obtains CHRI that originates from DPS, a custodian of the court, or another government agency or entity of the state may disseminate that information: (a) if, within the 60-day period preceding the date of dissemination, the private entity verifies the CHRI was obtained from or verified by DPS, a custodian of court records, or another governmental agency or entity of the state within the same 60-day period; or (b) with a notice that CHRI was received from the governmental source more than 60 days before the date it was provided and may not reflect the current state of the CHRI and should be verified before taking any action based on the CHRI to a law enforcement agency or an investigation agency, consumer reporting agency with certain requirements; and (4) a private entity shall disclose to each purchaser or recipient of CHRI at the time the information is provided: (a) the name of the governmental entity from which the information originated; and (b) the date on which the information was last received from or updated by the governmental entity.
S.B. 156 (Rodriguez) – Marihuana: would reduce the civil and criminal penalties for possession of certain small amounts of marihuana and provide an exception to prosecution for possession of associated drug paraphernalia. (Companion bill H.B. 63 by Moody.)

S.B. 166 (Rodriguez) – Immigration Enforcement: would provide that a local entity, including the governing body of a city, a police officer, or a city attorney, does not violate the provisions of S.B. 4 (2017), relating to the enforcement of immigration laws by local governments, by prohibiting a peace officer from inquiring into the immigration status of a person who is under lawful detention, rather than under arrest.

S.B. 167 (Rodriguez) – Immigration Enforcement: would provide that a local entity, including the governing body of a city, a police officer, or a city attorney, does not violate the provisions of S.B. 4 (2017), relating to the enforcement of immigration laws by local governments, by merely endorsing a policy under which the entity or department prohibits or materially limits the enforcement of immigration laws.

S.B. 168 (Rodriguez) – Immigration Enforcement: would remove the provision in S.B. 4 (2017), relating to the enforcement of immigration laws by local governments, that provides for the forfeiture of elective or appointive office by a person who violates the immigration-related proscriptions in the bill.

S.B. 187 (Miles) – False Alarms or Reports ("Swatting") : would increase the criminal penalty for making a false alarm or report where it is found that the defendant: (1) causes a law enforcement agency to take action against another person; and (2) the person is intentionally targeted because of the defendant’s bias or prejudice against a group identified by race, color, disability, religion, national origin or ancestry, age, gender, sexual preference, or by status as a peace officer or judge.

S.B. 191 (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: (a) $30 to $50, if a person enters a plea or is convicted of an offense before September 1, 2022; or (b) $40, if a person enters a plea or is convicted of an offense after September 1, 2022; (3) reallocate the state traffic fine allocation to give: (a) before September 1, 2022, 50 percent to the state’s general fund and 50 percent to the state’s designated trauma facility and emergency services account; and (b) after September 1, 2022, 100 percent to the state’s designated trauma facility and emergency services account; and (4) provide that the formulas in the bill expire on September 1, 2025.

S.J.R. 7 (Rodriguez) – Legalization of Medical Marihuana: would amend the Texas Constitution to provide that the legislature by law shall authorize and regulate the possession, cultivation, and sale of cannabis for medical use in Texas. (Companion bill is H.J.R. 21 by Reynolds.)

S.J.R. 8 (Rodriguez) – Legalization of Marihuana: would amend the Texas Constitution to provide that the legislature by law shall authorize and regulate the possession, cultivation, and sale of cannabis in Texas.
**Transportation**

**H.B. 44 (Romero) – Impact Fees:** would require the Texas Department of Transportation to conduct a study on the use of city impact fees for roadway facilities.

**H.B. 119 (Minjarez) – Automated Vehicles:** would provide that: (1) the manufacturer of an automated motor vehicle is not liable for damage that arises from an accident involving the vehicle if a person other than the manufacturer modified or attempted to modify the vehicle without the manufacturer’s consent and: (a) the modification or attempted modification of the vehicle was the direct cause of the accident; or (b) the modification or attempted modification of the vehicle interfered with the normal operation of the vehicle; and (2) an accident report prepared by the Texas Department of Public Safety must include a way to indicate whether: (a) an automated motor vehicle was at fault or otherwise involved in the accident; and (b) the owner of an automated motor vehicle involved in the accident was contacted.

**H.B. 293 (Pickett) – Transportation Funding:** would provide that: (1) in each state fiscal year beginning on or after September 1, 2011, the comptroller shall deposit an additional 40 percent of the motor vehicle sales tax revenue in excess of the first $5 billion to the credit of the state highway fund; and (2) money deposited to the credit of the state highway fund under the bill may be appropriated only to: (a) construct, maintain, or acquire rights-of-way for public roadways other than toll roads; or (b) repay the principal of and interest on general obligation bonds issued for transportation projects.

**H.B. 339 (Murr) – Work Zones:** would require an entity that sets a lower speed limit on a road or highway for a construction or maintenance work zone to place a sign at the end of the zone indicating the speed limit after the zone ends.

**Utilities and Environment**

**H.B. 137 (Hinojosa) – Hazardous Dam Reporting:** would require the Texas Commission on Environmental Quality to provide a report of a dam that has a hazard classification of high or significant to the emergency management director for the political subdivision in which the dam is located.

**H.B. 296 (Perez) – Electric Bill Assistance:** would provide that a municipally owned utility that provided reduced rates to customers using support from the former system benefit fund shall include with a notice of disconnection for nonpayment sent to a customer who received a reduced rate a statement describing payment assistance, alternative payment arrangements, deferred payment plans, or other payment plan options offered by the utility.

**H.B. 400 (Tinderholt) – Electric Grid Security:** would provide that: (1) the governor shall appoint members of the grid security council; (2) the council shall monitor economic, environmental, regulatory, and technological developments that may affect the security of the
electric grid; and (3) not later than the November 1 preceding each regular session of the legislature, the council shall prepare and submit a report to the legislature analyzing grid security. (Companion bill is S.B. 76 by Hall.)

H.B. 458 (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. 509 (Wilson) – Aggregate Production Operations: would (1) make the regulation of aggregate production operations subject to the jurisdiction of the Railroad Commission of Texas; (2) require that the Railroad Commission establish a process for coordinating the review and issuance of permits for aggregate production operations and coordinate and streamline the procedures in cooperation with the appropriate cities and other state agencies to the extent possible; (3) require that the Railroad Commission send notice of a permit application to planning agencies, sewage and water treatment authorities, special districts with jurisdiction over water, cities, and other political subdivisions with relevant jurisdiction at the proposed site; (4) require a period established by the Railroad Commission where a federal or state agency, a political subdivision, or any other affected person may submit written comments on the potential effects of the proposed aggregate production operation on the environment or economy of the locality of the operation; (5) allow for a federal or state agency, a political subdivision, or any other affected person to submit written objections within 30 days to a proposed aggregate production operation to the Railroad Commission, which will be made available to the public; (6) require that the Railroad Commission provide written notification to the applicant and each person who submitted an objection that the permit application for an aggregate production operation has been approved or denied; and (7) provide that the Railroad Commission may deny a permit for an aggregate production operation based on, among other things, a comment or objection submitted under (5), above.

S.B. 76 (Hall) – Electric Grid Security: would provide that: (1) the governor shall appoint members of the grid security council; (2) the council shall monitor economic, environmental, regulatory, and technological developments that may affect the security of the electric grid; and (3) not later than the November 1 preceding each regular session of the legislature, the council shall prepare and submit a report to the legislature analyzing grid security.

S.B. 180 (Miles) – Environmental Justice Reports: would:

1. define “affecting facility” as a facility required to obtain a permit from the Texas Commission on Environmental Quality for wastewater discharge, injection wells, and under the Solid Waste Disposal Act and Clean Air Act;
2. define “environmental justice community” as a United States census block group, as determined in accordance with the most recent United States census, for which: (a) 30 percent or more of the noninstitutionalized population consists of persons who have an
income below 200 percent of the federal poverty level; or (b) 50 percent or more of the population consists of members of racial minority or ethnic minority groups;

3. require that a person applying for a permit for a new affecting facility or the expansion of an affecting facility submit to TCEQ an environmental justice report stating whether the facility or expansion is to be located in an environmental justice community and include demographic information to support the applicant’s conclusion as to whether the facility or expansion is to be located in an environmental justice community;

4. require that TCEQ review the environmental justice report and determine whether the affecting facility or expansion is to be located in an environmental justice community and publish its determination and findings in writing;

5. provide that if TCEQ determines that the affecting facility or expansion is to be located in an environmental justice community, the applicant must, before the commission may issue a permit: (a) file with TCEQ a public participation plan that meets the requirements of (6) and obtain TCEQ’s approval of the plan; (b) consult with the chief elected official of the city in which the facility or expansion is to be located (if it will be located in a city) to evaluate the need for a community environmental benefit agreement in accordance with (8); and (c) participate in a public hearing under (7);

6. provide that a public participation plan must: (a) contain measures to facilitate effective public participation in the regulatory process, including measures that allow residents of the environmental justice community to have an appropriate opportunity to participate in decisions about a proposed affecting facility or expansion that may adversely affect residents’ environment or health, and seek out and facilitate the participation of those who potentially would be affected by the facility or expansion; and (b) include a certification that the applicant will undertake the measures contained in the plan;

7. provide that, if TCEQ determines that an affecting facility or expansion is to be located in an environmental justice community, TCEQ shall provide notice and conduct a hearing to address issues of environmental justice posed by the construction or expansion of the facility;

8. provide that a city or county and the owner or developer of an affecting facility may enter into a community environmental benefit agreement under which the owner or developer agrees to mitigate adverse impacts reasonably related to the facility, including impacts on the environment, traffic, parking, and noise; and

9. provide that, before negotiating the terms of a community environmental benefit agreement, the city or county shall provide a reasonable and public opportunity for residents of the potentially affected environmental justice community to be heard concerning the need for, and terms of, an agreement.