



**Chairman**  
Judge  
Veronica Escobar  
El Paso County

**Chair Elect**  
Judge  
Robert Hebert  
Fort Bend County

**Immediate Past Chair**  
Commissioner  
Bobbie Mitchell  
Denton County

**Vice-Chairmen**  
Comm. Tim Brown  
Bell County

Judge Ed Emmett  
Harris County

Judge Loyd Neal  
Nueces County

Judge Glen Whitley  
Tarrant County

Judge Dan Gattis  
Williamson County

Comm. Kevin Burns  
Wise County

**Executive Director**  
Donald Lee

**Member Counties**  
Bell ~ Bexar  
Brazoria ~ Brazos  
Cameron ~ Chambers  
Collin ~ Comal  
Dallas ~ Denton  
Ector ~ El Paso  
Fort Bend ~ Galveston  
Grayson ~ Gregg  
Harris ~ Hays  
Hidalgo ~ Jefferson  
Johnson ~ Kaufman  
Lubbock ~ McLennan  
Midland ~ Montgomery  
Nueces ~ Potter  
Randall ~ Rockwall  
San Patricio ~ Smith  
Tarrant ~ Travis  
Webb ~ Williamson  
Wise

500 West 13<sup>th</sup> Street  
Austin, TX 78701

Phone: 512.476.6174  
Fax: 512.476.5122  
www.cuc.org

**Policy Committee Meeting**  
Travis County Building | Austin, TX

**May 10, 2017**

**AGENDA**

10:00 AM Convene.

1. Welcome, Introductions.
2. Administrative items. [Ms. Robin Morris]
  - a) Next Meeting: Thursday, June 8, 2017 at 9:30 AM.
3. Policy Committee Attendance Record 2016-2017.

			01/15/16	04/07/16	08/25/16	12/01/16	01/11/17	02/08/17	03/08/17	04/05/17	05/10/17	06/08/17	09/07/17	11/16/17
	<b>Policy Committee Members</b>	<b>County</b>												
1	Judge Ed Emmett (Chair)	Harris County	V	V	V	V	V	V	V	V				
2	Commissioner Tim Brown	Bell County	V	V	V	V	V	V	V	E				
3	Commissioner Kevin Wolff	Bexar County	P	P	V	P	P	V	P	P				
4	Judge Matt Sebesta	Brazoria County	V	V	V	E	V	V	V	V				
5	Commissioner Alex Dominguez	Cameron County			V	V	V	V	V	V				
6	Commissioner Chris Hill	Collin County	E	V	V	V	E	V	V	V				
7	Commissioner Theresa Daniel	Dallas County	V	V	V	V	V	V	V	V				
8	Commissioner Bobbie Mitchell	Denton County	V	E	E	V	V	V	E	V				
9	Judge Veronica Escobar	El Paso County	V	P	P	V	V	V	V	V				
10	Judge Robert Hebert	Fort Bend County	V	V	V	V	V	V	V	V				
11	Commissioner Ken Clark	Galveston County	V	V	V	V	V	V	V	V				
12	Judge Bill Magers	Grayson County	E	V	P	V	V	V	V	X				
13	Commissioner Joe Palacios	Hidalgo County	E	P	V	X	P	P	P	P				
14	Commissioner Eddie Arnold	Jefferson County	V	E	E	V	V	V	V	V				
15	Judge Bruce Wood	Kaufman County	V	V	V	V	V	V	P	V				
16	Commissioner Bill McCay	Lubbock County	E	V	E	V	V	V	V	V				
17	Judge Mike Bradford	Midland County	P	V	V	V	V	V	P	V				
18	Judge Craig Doyal	Montgomery County	E	V	V	P	V	V	V	V				
19	Judge Loyd Neal	Nueces County	V	V	V	E	V	E	V	V				
20	Judge Glen Whitley	Tarrant County	V	V	V	V	V	P	V	V				
21	Judge Sarah Eckhardt	Travis County					V	V	V	V				
22	Judge Dan Gattis	Williamson County	V	V	V	V	V	V	X	P				
23	Commissioner Kevin Burns	Wise County	V	V	V	V	V	V	V	V				

V - Present | X - Absent | P - Present by Proxy | E - Excused Absence

4. Consider the minutes from the April 7, 2017 meeting. [pg. 9]

5. Discuss penalties and civil liabilities on county for federal immigration detainers. [Donald Lee]. - SB 4 by Perry *Signed by Governor.*
6. Discuss status of taxation legislation.
  - a) Establishing revenue caps on counties and cities. [Donald Lee]. SB 2 by Bettencourt, *Meeting set in H Ways & Means.*
  - b) Banning dark store theory valuations. [Donald Lee]. HB 27 by Springer, *Reported from H Ways & Means.*
  - c) Mandating calculation and publication of “adjusted” effective and rollback tax rates. [Donald Lee]. SB 1426, by Hancock, *Passed H.*
  - d) Increasing attorney’s fees for successful court appeals of property appraisals. [Donald Lee]. SB 1848, by Bettencourt, *H Received.*
  - e) Creating permissive authority for 10-year tax exemption for new businesses in smaller counties (250k or less). [Donald Lee]. HB 102, HJR 18 by Guillen, *Referred to H Ways & Means.*
  - f) Expanding partial exemption for disabled veterans to include a home provided at some cost, up to 50% of cost. [Donald Lee]. HB 150, HJR 21 by Bell; SB 240, SJR 23 by Creighton, *H Passed to third reading.*
  - a) Granting 100% exemption on homestead of surviving spouse of first responders killed in line of duty. [Donald Lee]. SB 15 by Huffines, *Referred to H Ways & Means; SJR 1 by Campbell, Received in the House; HB 570, HJR 86 by Button Pending H Ways & Means. HB 2524, HJR 88 by Fallon Reported from H Ways & Means.*
  - b) Creating permissive property tax exemption for physicians providing indigent care. [Donald Lee]. HB 820, by Shaheen, *Referred to H Ways & Means.*
  - c) Creating mandatory tax exemption for housing for individuals with disabilities. [Donald Lee]. HB 850, by Turner, *Passed to third reading H.*
  - d) Increasing threshold value for taxation of tangible personal property. [Donald Lee]. SB 730, by Bettencourt, *Referred to H & Means.*
  - e) Creating 100% exemption for homestead of very elderly and surviving spouse. [Donald Lee]. HB 1473, by Bohac *Pending H Ways & Means; HB 1772, by Swanson, Referred to H Ways & Means.*
  - f) Creating 100% exemption for a Purple Heart Recipient and surviving spouse. [Donald Lee]. HB 1591, by Bohac, *Reported from H Ways & Means.*
  - g) Creating the disabled veteran’s exemption from dollar amount to percentage of property’s value. [Donald Lee]. HB 1696, by Blanco. *Referred to H Ways & Means.*
  - h) Creating school exemptions to \$71,000 for 2018. [Donald Lee]. HB 2268, by Raymond, *Referred to H Ways & Means.*
  - i) Increasing the amount of disabled veteran’s exemption. [Donald Lee]. HB 2877, HJR 92 by Sanford, *Referred to H Ways & Means.*

- j) Granting additional \$5,000 homestead exemption for 3 years or more of military service. [Donald Lee]. HB 2887, HJR 93 by Thierry, *Referred to H Ways & Means*.
  - k) Creating homestead exemption for a partially disabled veteran, and surviving spouse, equal to disability rating. [Donald Lee]. HB 3002, HJR 97 by Miller, *Reported from H Ways & Means*.
  - l) Defining when tangible personal property is used continually in Texas and therefore subject to taxation. [Donald Lee]. HB 3103 by Darby, *Set on H Calendar 5/8*.
  - m) Granting additional \$10k homestead exemption to first responders. [Donald Lee]. HB 3264, HJR 102 by Anderson, *Referred to H Ways & Means*.
  - n) Creating temporary tax cap on homesteads rendered uninhabitable by natural disaster. [Donald Lee]. HB 3584, HJR 108 by Neave, *H Ways & Means*.
  - o) Granting peace officers in high crime area 100% homestead exemption. [Donald Lee]. HB 3908, HJR 115 by D Bonnen, *Pending to H Ways & Means*.
  - p) Adding retail inventory to special inventory appraisal process. [Donald Lee]. HB 2589 by Button, *Referred to Ways & Means*.
7. Discuss status of open space and agricultural use taxation legislation.
- a) Removing the interest imposed on the 5-year clawback tax. [Donald Lee]. SB 629 by Schwertner *Received in the House*. HB 2314 by Murphy. *Pending House Ways & Means*.
  - b) Expanding ag-use qualification to include veterans and young farmers/ranchers. [Donald Lee]. SB 330 by Rodriguez, *Referred to H Agriculture & Livestock*. HB 950 by Rodriguez, *Pending H Agriculture & Livestock 3/22/17*.
  - c) Lowering the interest rate on the 5-year clawback from 7% to 5%. [Donald Lee]. HB 1211 by Phillips, *Pending H Ways & Means 4/12/17*.
  - d) Repealing the clawback tax. [Donald Lee]. HB 1662, HJR 68 Phelan, *Referred to H Ways & Means 3/22/17*.
  - e) Repealing the clawback tax. [Donald Lee]. HB 801 by Murphy, *H Agriculture & Livestock 2/21/17*. HB 1880 by Hefner, *Referred to H Agriculture & Livestock 3/13/17*.
  - f) Granting continuation of ag exemption when member of military is assigned out-of-state. [Donald Lee]. SB 175 by Nichols, *Referred to S Finance 1/25/17*. HB 777 Ashby, *Recommended for S Local/Uncontested Calendar*.
  - g) Adding guidelines for uncommon agricultural uses, on land under 10 acres. [Donald Lee]. SB 700 by Zaffirini, *Referred to S Finance*; HB 231 by Rodriguez, *Referred to H Agriculture & Livestock*.
  - h) Shortening open space ag clawback by two years. [Donald Lee]. HB 320 by Canales, *Not heard in H Agriculture and Livestock*.
8. Discuss pretrial reform, SB 1338, by Whitmire, *Received in the House*. [John Dahill].

9. Discuss status of courts and criminal justice legislation:

- a) The Sandra Bland Act. [Donald Lee]. HB 2702, by Coleman. *Pending H Homeland Security and Public Safety*
- b) Creating simplified expunctions. [John Dahill]. HB 670 by Canales, *Received in S.*
- c) Permitting recovery of attorney's fees in civil cases from state and local governments. [John Dahill]. HB 744 by Farrar, *Received S*; HB 2457 by Meyer, *Reported from H Judiciary and Civil Jurisprudence.*
- d) Creating local courthouse security committees. [Donald Lee]. SB 42 by Zaffirini, *Reported from H Judiciary and Civil Jurisprudence.*
- e) Requiring the Texas Department of Criminal Justice to reimburse counties for paper ready inmates. [Donald Lee]. HB 1550 by Frank, *Reported from H Corrections.*
- f) Restricting the hours during which a person may be released from jail - 6am to 5pm. [John Dahill]. SB 582, by Whitmire, *Referred to H Public Health.*

10. Discuss status of court costs legislation: [John Dahill]

- a) Permitting courts to refund expunction fees whether or not a person is indigent. [John Dahill]. SB 326 by Burton, *Referred to H Criminal Jurisprudence.*
- b) Mandating waiver of court costs for indigents. [John Dahill]. SB 1913, by Zaffirini. *Received in H.*
- c) Eliminating the Drivers Responsibility Program [Gabriela Villareal]. HB 2068, by Phillips. *Set on S Calendar 5/4.*
- d) Allowing court costs and fines to be waived. [Donald Lee]. HB 50, by White. *Referred to H Criminal Jurisprudence.* HB 351 by Canales. *Referred to S Criminal Justice.*
- e) Mandating waiver of fines in Class C misdemeanors. [Donald Lee]. HB 3729, by White. *Reported from H Criminal Jurisprudence.*

11. Discuss status of health and human services legislation:

- a) Allowing some jail inmates to have their Medicaid benefits suspended rather than terminated. [Windy Johnson]. HB 337 by Collier, *Passed House.*
- b) Requiring the appointment of an attorney ad litem to continue if the child remains in the conservatorship of DFPS. [John Dahill]. HB 3109 by Giddings, *Reported from H Human Services*; SB 469 by West, *Referred to S Health & Human Services.*
- c) Requiring TDCJ to adopt rules to ensure medication continuity. [Windy Johnson]. HB 3428 by Collier, *Set on H Calendar 5/8.*
- d) Allowing a police officer to transfer a person to a paramedic to transfer a person to a mental health facility. [Windy Johnson]. SB 344 by West, *Referred to H Public Health.*
- e) Establishing a grant program to fund county-based mental health community collaboratives. [Windy Johnson]. SB 292 by Huffman, *Set for hearing H Public Health 5/9.*

- f) Establishing a grant program for community mental health programs. [Donald Lee]. HB 13 by Price, *Referred to S Health and Human Services*.
- 12. Discuss status of eminent domain legislation. [John Dahill]. [pg. 15]
- 13. Discuss status of ethics legislation. [John Dahill]. [pg. 17]
- 14. Discuss status of bonds and elections legislation: [Donald Lee].
  - a) Prohibiting a political subdivision from issuing a bond to purchase, construct, or improve personal property if the average maturity date of the bonds exceeds 120 percent of the projected average useful life. SB 460, by Lucio, *Voted from House Investments and Financial Services*. HB 532 by Schofield, *Reported from House Investments and Financial Services*.
  - b) Requiring specific bond election language. SB 461 by Lucio, *Referred to H Elections*.
  - c) Prohibiting a political subdivision from issuing a bond to purchase, construct, or improve personal property if the average maturity date of the bonds exceeds 120 percent of the projected average useful life. HB 3336, by Murphy, *Reported from House Investments and Financial Services*.
  - d) Exempting refunding bonds and capital appreciation bonds for the purposes of financing transportation projects from recently enacted limitations on the ability of local governments to issue capital appreciation bonds. SB 295, by Hinojosa, *Referred from House Investments and Financial Services*.
  - e) Requiring all ballot propositions to be clear so the voters aren't misled, *SB 467 by Lucio, Referred to House Elections*.
  - f) Ending all straight ticket voting. HB 25 by Simmons, *Passed House*.
  - g) Authorizing all counties to participate in countywide polling place program. HB 199 by Bernal, *Reported from H Elections*.
  - h) Requiring all bond elections be held in November and that bond issue be placed on the top of the ballot. [Donald Lee]. HB 212 by Springer, *Referred to H Elections*.
  - i) Requiring expanded ballot language for bond elections. HB 739 by Shaheen, *Referred to H Elections*.
  - j) Increasing requirements to issue certificates of obligation. HB 1356 by Goldman, *Referred to H Urban Affairs*.
  - k) Requiring referendum on any county fee that exceeds 1% of the general fund. SB 1164 by Taylor, *Referred to S IGR*.
  - l) Requiring referendum on certificates of obligation. SB 1611 by Taylor, *Referred to S IGR*.
- 15. Discuss status of overweight truck legislation:
  - a) Authorizing greater weights for vehicles transporting fluid milk. [Donald Lee]. SB 1383 by Perry; HB 2862 by King, *Voted from H Transportation*.
  - b) Authorizing greater weights for intermodal shipping containers exiting a port. [Windy Johnson]. SB 1524 by Nichols, *voted from H Transportation*; HB 3854 by Morrison, *Set on H Calendar 5/8*.

- c) Authorizing 88,000 lb. agricultural products trucks during harvest season. [Windy Johnson]. HB 1876 by Martinez, *Pending H Transportation*.
- d) Increasing weight limits for trucks that carry feed, grain or byproduct up to 12%. [Windy Johnson]. HB 2142 by Kacal, *Reported from H Transportation*.
- e) Increasing natural gas truck weight up to 82k. [Windy Johnson]. HB 2212 by Stephenson, *Reported from H Transportation*. HB 2319 by Paddie, *Received in S*; SB 1102 by Creighton, *Referred to H Transportation*.
- f) Allowing 100,000 lb crane trucks. [Windy Johnson]. HB 3550 by Israel, *Reported from H Transportation*.
- g) Allowing 100,000 lb precast concrete trucks. [Windy Johnson]. HB 3355 by Israel, *Referred from H Transportation*.

16. Discuss public information legislation: [John Dahill].

- a) Limiting use of “competitive harm” exception as it was interpreted prior to 2016 Texas Supreme Court case. SB 407 by Watson, *Referred to H Government Transparency and Operation*.
- b) Clarifies that discretionary exceptions will not support a later claim of “compelling reason” if not timely raised with the AG. SB 1655 by Watson, *Referred to H Government Transparency and Operation*.
- c) Creating an optional, expedited process for responding to requests for information and withholding information as permitted under the Act. HB 2328 by Lucio, *Placed on S Intent Calendar 5/8*.
- d) Providing a process when “public information” is in the possession of current and former officers and employees on personal devices. HB 2670 by Hunter, *Pending H Government Transparency and Operation*.
- e) Addressing “vexatious requestors” and permits limits on staff time spent gathering records before charges apply. HB 3107 by Ashby, *S Received*.
- f) Making “record layouts” public. HB 3581 by Capriglione, *Pending H Government Transparency and Operation*.

17. Discuss status of retainage legislation. [John Dahill].

[pg. 19]

18. Discuss status of fireworks legislation: [Windy Johnson].

- a) Allowing Bexar County to prohibit or restrict the sale or use of fireworks in the unincorporated area of the county. HB 3639 by Gervin-Hawkins, *Set on H Calendar 5/9*; SB 760 by Menendez, *Pending S IGR*.
- b) Allowing a local fire prevention officer to inspect retail fireworks sites. HB 3907 by Frullo, *Recommend for H Local & Consent Calendar*.
- c) Allowing sale of fireworks 5 days before and up to Juneteenth. HB 41 by White, *Recommend for H Local & Consent Calendar*.
- d) Allowing sale of fireworks 5 days before and up to Labor Day. HB 554 by White, *Recommend for H Local & Consent Calendar*.
- e) Allowing a commissioner’s court to prohibit the sale of fireworks by order. HB 1183 by Roberts, *Failed to Pass to Third Reading H*.

- f) Allowing sale of fireworks 5 days before and up to Diwali, no local option. HB 1417 by Rinaldi, *Reported from H County Affairs*.
19. Discuss status of indigent defense legislation: [Donald Lee].
- a) Increasing indigent defense funding by \$19m. SB 2053 by West, *Referred to H Judiciary and Civil Jurisprudence*, HB 3739 by Murr, *Voted from H Judiciary and Civil Jurisprudence*.
  - b) Creating an RPDO succession plan. SB 1214 by Perry, *Received in the House*.
20. Discuss status of clean air legislation. [Windy Johnson].
- a) TERP Omnibus Bill. SB 26 by Estes, *Voted from H Environmental Regulation*.
  - b) TERP tuneup bill. HB 1979 by Landgraf, *Pending H Environmental Regulation*.
  - c) LIRAP Tune-up bill. HB 2682 by Reynolds, *Pending H Environmental Regulation*.
21. Discuss land use and subdivision regulations legislation. [Donald Lee]
- a) Prohibiting a land use rule that was not in effect when the owner acquired it. HB 3787 by Bell, *Reported from H Land & Resource Management*.
  - b) Prohibiting imposing a fee on new construction to offset cost of residential unit. HB 1449 by Simmons, *Received in the S*.
  - c) Permitting advertisements for lots in border counties that have not received final plat approval. HB 1328 by Guillen, *Pending H Land and Resource Management*.
  - d) Permitting the use of contracts for lots in border counties before plat is filed. HB 1386 by Guillen, *Pending H Land and Resource Management*.
  - e) Creating an opportunity to cure violations of county subdivision regulations. HB 3352 by Coleman, *Pending H County Affairs*.
22. Discuss heavy equipment legislation: [Donald Lee].
- a) Extending tax prepayment deadline on dealer's heavy equipment inventory. HB 1346 by Button, *Placed on S Calendar 5/8*.
  - b) Revising tax appraisal on dealer's heavy equipment inventory. HB 2560 by King, *Pending H Ways and Means*.
23. Discuss commissioners court control over judicial positions. [Donald Lee]. HB 4104 by Coleman, *Recommended for Local & Consent Calendar*.
24. Discuss posting notices on website or social media instead of newspaper. [Donald Lee]. HB 1530 by Workman, *Recommended for Local & Consent Calendar*.
25. Discuss disposal of scrap tires. [Donald Lee]. SB 570 by Rodriguez, *Pending H Ways & Means*; HB 3744 by Walle, *Failed in H Environmental Regulation*.
26. Discuss repealing alternate financial accounting and reporting requirements for the state and political subdivisions (GASB). [Donald Lee]. SB 753 by Perry, *Referred to H Government Transparency and Operation*.
27. Discuss legislation requiring Astrodome referendum. [Donald Lee]. SB 884 by Whitmire, *H Received*.

28. Discuss legislation creating a parent's right to view the body of a child before an autopsy. [Donald Lee]. – SB 239 by Campbell; *Referred to H Judiciary and Civil Jurisprudence*; HB 298 by Larson, *Received in the Senate*
29. Discuss expanding whistleblower protections. [John Dahill] HB 563 by Israel, *Reported from H Government Transparency and Operation*.
30. Discuss legislation expanding authority to use of utility right of way for pedestrian and recreation purposes. [Donald Lee]. - HB 931 by Miller, *Set on House Calendar 5/8*.
31. Discuss legislation clarifying underground facility damage prevention standards do not apply to TxDOT excavations in a public right-of-way. [Donald Lee]. HB 3284 by Springer, *Referred to H Energy Resources*.
32. Discuss legislation prohibiting unfunded mandates. [Donald Lee]. HJR 73 by Burns, *Set on House Calendar 5/9*.
33. Discuss legislation requiring SOS to use lists of noncitizens excused or disqualified from jury service to look for voting offenses. [Donald Lee]. - SB 362 by Perry, *Referred to S State Affairs*.
34. Discuss legislation that prevents counties from pursuing civil penalties for TCEQ violations. [John Dahill] HB 2533, by Geren, *Set on H Calendar 5/8*.
35. Discuss legislation limiting OCA's ability to sell court record access. [Donald Lee]. HB 1258, by Clardy, *Set on H-Calendar 5/8*.
36. New Business.
37. Adjourn.

**Policy Committee Meeting**  
Travis County | 700 Lavaca, Austin, TX 78701

**April 5, 2017**

**Minutes**

**Members Present**

Judge Ed Emmett (Chair), Harris County  
Commissioner Kevin Wolff, Bexar County (Proxy Melissa Shannon)  
Judge Matt Sebesta, Brazoria County  
Commissioner Alex Dominguez, Cameron County  
Commissioner Chris Hill, Collin County  
Commissioner Theresa Daniel, Dallas County  
Commissioner Bobbie Mitchell, Denton County  
Judge Veronica Escobar, El Paso County  
Judge Robert Hebert, Fort Bend County  
Commissioner Ken Clark, Galveston County  
Commissioner Joe Palacios, Hidalgo County (Proxy Lizbeth Gonzales)  
Judge Bruce Wood, Kaufman County  
Commissioner Bill McCay, Lubbock County  
Judge Mike Bradford, Midland County  
Judge Craig Doyal, Montgomery County  
Judge Loyd Neal, Nueces County  
Judge Glen Whitley, Tarrant County  
Judge Sarah Eckhardt, Travis County  
Judge Dan Gattis, Williamson County (Proxy Rebecca Clemons)  
Commissioner Kevin Burns, Wise County

**Others Present**

Craig Pardue, Midland & Dallas Counties  
Charles Reed, Dallas County  
Ruben Vogt, El Paso County  
Carole Lamont, Harris County  
Amanda Jones, Harris County  
Joanye Henderson, Harris County  
Donna Warndorf, Harris County  
Beth Wolf, Fort Bend County  
Ann Werlein, Fort Bend County  
Judge Terry Simpson, San Patricio County  
Mark Mendez, Tarrant County  
G. K. Maenius, Tarrant County  
Deece Eckstein, Travis County  
Peter Einhorn, Travis County  
Joseph Green, Travis County  
Josh Meeks, Republic Square Media  
John Bender, John Bender Communications  
John Dahill, Texas Conference of Urban Counties  
Donald Lee, Texas Conference of Urban Counties

Robin Morris, Texas Conference of Urban Counties  
Windy Johnson, Texas Conference of Urban Counties  
Gabriela Villareal, Texas Conference of Urban Counties

Judge Emmett called the meeting to order at 9:30 AM

The Committee discussed agenda **item 2**, administrative issues.

The Committee discussed agenda **item 3**, attendance record. On a motion by Judge Wood and second by Commissioner Burns, Commissioner Brown's absence from the meeting was excused.

The Committee considered agenda **item 4**, approval of the minutes of the March 8, 2017 meeting. Commissioner Hill made a motion to amend item 22 of the minutes on page 4; and with a second by Commissioner Burns the minutes were approved with item 22 amended as follows:

The Committee discussed agenda **item 22**, ethics legislation. Commissioner Hill made a motion in support of ethics bills, there was not a second. There was no further action.

The Committee considered agenda **item 8**, interest in oil or gas for new property. On a motion by Commissioner Burns and a second by Judge Escobar the following was approved as presented:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Taxation section of the Policy Platform is amended as follows:

Support allowing the increase in interests in oil or gas to be counted as new property.

The Committee discussed agenda **item 9**, expanding eligibility for assistance to local governments disproportionately affected by ad valorem tax exemptions to disabled veterans.

The Committee discussed agenda **item 10**, a local option retail inventory exemption from property taxes.

The Committee considered agenda **item 11**, retail inventory appraisal. On a motion by Judge Bradford and a second by Judge Whitley the following was approved as presented:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Taxation Section of the Policy Platform is amended as follows:

Oppose changing the method for appraising retail inventory to calculating one twelfth of annual sales similar to that used for auto sales retailers.

The Committee considered agenda **item 12**, attorney fees in property tax appeals. On a motion by Judge Eckhardt and a second by Judge Whitley the following was approved as presented:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Taxation Section of the Policy Platform is amended as follows:

Oppose increasing the cap on attorney fees for tax exemption appeals.

The Committee considered agenda **item 13**, interest that accrues under the property tax code. On a motion by Judge Escobar and a second by Commissioner Daniel the following was approved as amended:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Taxation Section of the Policy Platform is amended as follows:

Oppose reducing the interest rate used for delinquent taxes under the Property Tax Code.

The Committee discussed agenda **item 14**, jurisdiction of justice courts. Judge Whitley made a motion to support SB 409 and HB 2573, and with a second from Judge Hebert, the following was approved:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Revenue, Budget, & Miscellaneous section of the Policy Platform is amended as follows:

Support increases in the monetary jurisdictional limits of justice courts.

The Committee considered agenda **item 15**, requests for program data information. On a motion by Commissioner Daniel and a second by Commissioner Mitchell the following was approved as presented:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Juvenile and Criminal Justice Section of the Policy Platform is amended as follows:

Oppose requirements to provide information regarding the manner in which electronic data is stored and other requirements reasonably believed to be detrimental to data security.

The Committee considered agenda **item 16**, overweight vehicles on county roads. On a motion by Judge Escobar and a second by Judge Sebesta the following was approved as amended:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Transportation section of the Policy Platform is amended as follows:

Support current weight requirements for vehicles operating on county roads, except for localized proposals supported by the local commissioners court.

The Committee considered agenda **item 17**, a waiver of attorney-client confidentiality under Public Information Act. On a motion by Commissioner Burns and a second by Judge Eckhardt the following was approved as presented:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Revenue, Budget and Miscellaneous section of the Policy Platform is amended as follows:

Support the finding of the Texas Supreme Court that the attorney-client privilege is of such importance that it satisfies the “compelling reason” provision of the Public Information Act.

The Committee considered agenda **item 18**, contract retainage. On a motion by Commissioner Clark and a second by Commissioner Burns the following was approved as presented:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Revenue, Budget and Miscellaneous section of the Policy Platform is amended as follows:

Support a cap on retainage in a public works contract no lower than 5% of the total contract price if there is no requirement to release retainage before completion of the project except as agreed by the parties to the contract.

The Committee considered agenda **item 19**, land use authority for counties. On a motion by Judge Escobar and a second by Commissioner Mitchell the following was approved as presented:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Revenue, Budget, and Miscellaneous Section of the Policy Platform is amended as follows:

Oppose advertisements of land for residential lots in the unincorporated areas of border counties before the land is platted.

The Committee considered agenda **item 20**, land use authority for counties. On a motion by Judge Escobar and a second by Judge Hebert the following was approved as presented:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Revenue, Budget, and Miscellaneous Section of the Policy Platform is amended as follows:

Oppose allowing a cure period for a violation of county subdivision regulations.

The Committee considered agenda **item 21**, land use authority for counties. On a motion by Judge Escobar and a second by Judge Hebert the following was approved as presented. On a motion by Judge Escobar and a second by Commissioner Daniel, this resolution was moved from Support to the Priority section of the Policy Platform:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Revenue, Budget, and Miscellaneous Section of the Policy Platform is amended as follows:

Oppose the use of earnest money contracts for lots in border counties before a plat is filed.

The Committee considered agenda **item 22**, Spanish to English to translation during commissioners court meetings. On a motion by Judge Sebesta and a second by Commissioner McCay the following was approved as presented:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Budget, Miscellaneous, and Revenue section of the Policy Platform is amended as follows:

Oppose requirement that commissioners court meetings be broadcast simultaneously in Spanish.

The Committee discussed agenda **item 23**, the veterans service office. On a motion by Judge Eckhardt and a second by Judge Escobar the following was approved:

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Budget, Miscellaneous, and Revenue section of the Policy Platform is amended as follows:

Oppose mandates on counties regarding the operations of veteran services offices.

The Committee discussed agenda **item 7**, a potential increase of indigent defense funding.

The Committee discussed agenda **item 5**, the status of priority issues.

Under **item 24**, New Business, a discussion was held regarding social media

The Committee discussed agenda **item 6**, appropriations for the biennium.

The meeting adjourned at 11:38 AM

---

Vice Chairman of Policy  
Judge Ed Emmett

---

Date



**Chairman**

Judge  
Veronica Escobar  
El Paso County

**Chair Elect**

Judge  
Robert Hebert  
Fort Bend County

**Immediate Past Chair**

Commissioner  
Bobbie Mitchell  
Denton County

**Vice-Chairmen**

Comm. Tim Brown  
Bell County

Judge Ed Emmett  
Harris County

Judge Loyd Neal  
Nueces County

Judge Glen Whitley  
Tarrant County

Judge Dan Gattis  
Williamson County

Comm. Kevin Burns  
Wise County

**Executive Director**

Donald Lee

**Member Counties**

Bell ~ Bexar

Brazoria ~ Brazos

Cameron ~ Chambers

Collin ~ Comal

Dallas ~ Denton

Ector ~ El Paso

Fort Bend ~ Galveston

Grayson ~ Gregg

Harris ~ Hays

Hidalgo ~ Jefferson

Johnson ~ Kaufman

Lubbock ~ McLennan

Midland ~ Montgomery

Nueces ~ Potter

Randall ~ Rockwall

San Patricio ~ Smith

Tarrant ~ Travis

Webb ~ Williamson

Wise

500 West 13<sup>th</sup> Street  
Austin, TX 78701

Phone: 512.476.6174  
Fax: 512.476.5122

www.cuc.org

May 10, 2017

To: Urban Counties Policy Committee

From: John Dahill, General Counsel

Re: **(8) Discuss Status of Pre-Trial Reform Legislation**

**Background:**

The Policy Platform includes the following position regarding pre-trial reform:

Support changes to pre-trial release to require the use of locally verified evaluation tools to determine a criminal defendant's risk of flight or danger to the community. Promote: (1) establishing pretrial risk assessments; (2) the elimination of bond schedules; (3) greater discretion for magistrates regarding pre-trial release; and (4) rebuttable presumptions in favor of personal bond.

SB 1338 (Whitmire) has passed the Senate. In its current form, the bill requires the Office of Court Administration to develop an automated pre-trial risk assessment tool for use by all courts and magistrates. Courts must use the OCA tool or an alternative risk assessment tool. Results of an assessment must be considered when setting bond, whether personal bond or money bond.

The bill also prohibits judges from adopting a bail schedule or authoring magistrates to make bail decisions without considering individual risk assessments.

The bill does not include a presumption favoring personal bond.

The bill still permits judges and magistrates to consider issues and circumstances beyond the results of risk assessments when setting bonds, and to continue assessing money bonds when personal bonds may be more appropriate. However, the requirement to use risk assessment tools will produce information to gauge the accuracy of those tools. This is a good step.

**Recommended Resolution:**

None.



**Chairman**

Judge  
Veronica Escobar  
*El Paso County*

**Chair Elect**

Judge  
Robert Hebert  
*Fort Bend County*

**Immediate Past Chair**

Commissioner  
Bobbie Mitchell  
*Denton County*

**Vice-Chairmen**

Comm. Tim Brown  
*Bell County*

Judge Ed Emmett  
*Harris County*

Judge Loyd Neal  
*Nueces County*

Judge Glen Whitley  
*Tarrant County*

Judge Dan Gattis  
*Williamson County*

Comm. Kevin Burns  
*Wise County*

**Executive Director**

Donald Lee

**Member Counties**

*Bell ~ Bexar*

*Brazoria ~ Brazos*

*Cameron ~ Chambers*

*Collin ~ Comal*

*Dallas ~ Denton*

*Ector ~ El Paso*

*Fort Bend ~ Galveston*

*Grayson ~ Gregg*

*Harris ~ Hays*

*Hidalgo ~ Jefferson*

*Johnson ~ Kaufman*

*Lubbock ~ McLennan*

*Midland ~ Montgomery*

*Nueces ~ Potter*

*Randall ~ Rockwall*

*San Patricio ~ Smith*

*Tarrant ~ Travis*

*Webb ~ Williamson*

*Wise*

500 West 13<sup>th</sup> Street  
Austin, TX 78701

Phone: 512.476.6174  
Fax: 512.476.5122

www.cuc.org

May 10, 2017

To: Urban Counties Policy Committee

From: John Dahill, General Counsel

Re: **(12) Discuss Status of Eminent Domain Legislation**

**Background:**

The Policy Platform includes the following positions regarding eminent domain:

In the absence of market value transparency, oppose efforts to require local governments to pay an opposing party's attorney fees and court costs in eminent domain proceedings.

Oppose changes to the criteria governments must meet to show "actual progress" on projects to prevent real property acquired through eminent domain to be subject to repurchase if the changes would require significant expenditures for development labor and materials to show actual progress.

SB 740 (Kolkhorst) passed the Senate on Monday, May 1. Provisions granting attorney fees to landowners have been dropped. The bill does include provisions regarding licensing of right-of-way agents, notices to be included in initial offers, and minimum initial offer amounts. Because local governments base initial offers on appraisals and generally do not use contractors for making initial offers, these provisions are expected to have minimal impact.

As of this writing, there is no House bill moving.

SB 628 (Schwertner) regarding "actual progress" is in House Business and Industry. Attached is a memo provided by Urban Counties to all members of the committee.

**Recommended Resolution:**

None.



**Chairman**

Judge  
Veronica Escobar  
*El Paso County*

**Chair Elect**

Judge  
Robert Hebert  
*Fort Bend County*

**Immediate Past Chair**

Commissioner  
Bobbie Mitchell  
*Denton County*

**Vice-Chairmen**

Comm. Tim Brown  
*Bell County*

Judge Ed Emmett  
*Harris County*

Judge Loyd Neal  
*Nueces County*

Judge Glen Whitley  
*Tarrant County*

Judge Dan Gattis  
*Williamson County*

Comm. Kevin Burns  
*Wise County*

**Executive Director**

Donald Lee

**Member Counties**

*Bell ~ Bexar*

*Brazoria ~ Brazos*

*Cameron ~ Chambers*

*Collin ~ Comal*

*Dallas ~ Denton*

*Ector ~ El Paso*

*Fort Bend ~ Galveston*

*Grayson ~ Gregg*

*Harris ~ Hays*

*Hidalgo ~ Jefferson*

*Johnson ~ Kaufman*

*Lubbock ~ McLennan*

*Midland ~ Montgomery*

*Nueces ~ Potter*

*Randall ~ Rockwall*

*San Patricio ~ Smith*

*Tarrant ~ Travis*

*Webb ~ Williamson*

*Wise*

500 West 13<sup>th</sup> Street  
Austin, TX 78701

Phone: 512.476.6174

Fax: 512.476.5122

www.cuc.org

April 26, 2017

Hon. Rene Oliveira

Chairman

House Committee on Business and Industry

**Urban Counties Oppose SB 628 and HB 2076  
Texas Needs to Address Future Road Needs**

Dear Chairman Oliveira:

Texas cities rank among the worst in the country for traffic congestion. Houston ranks 11<sup>th</sup>, Austin ranks 21<sup>st</sup>, San Antonio is 32<sup>nd</sup> and Dallas/Fort Worth is 34<sup>th</sup>.

Traffic congestion in Texas is a direct result of the failure to plan for Texas' extraordinary growth.

**Texans demand better.** State and local transportation leaders know the value of making multi-year plans for traffic capacity.

By requiring governments to begin construction work within 10 years of acquiring a piece of property needed for a road, SB 628 and HB 2076 ignore the reality that big road projects take many years to plan and design. Small road projects to address immediate needs will probably not be impacted by the bills – assuming there is no delay in securing state or federal funding, or other unforeseen circumstances. But long-term planning for growth will be a meaningless exercise.

**The bills will impede the ability to address future road needs, leaving our children and grandchildren a traffic nightmare that will be far more expensive to address.**

The members of the Texas Conference of Urban Counties urge you to not advance these bills.

Sincerely,

Donald Lee

Executive Director

cc: Committee Members

House Committee on Business and Industry



May 10, 2017

**Chairman**

Judge  
Veronica Escobar  
El Paso County

**Chair Elect**

Judge  
Robert Hebert  
Fort Bend County

**Immediate Past Chair**

Commissioner  
Bobbie Mitchell  
Denton County

**Vice-Chairmen**

Comm. Tim Brown  
Bell County

Judge Ed Emmett  
Harris County

Judge Loyd Neal  
Nueces County

Judge Glen Whitley  
Tarrant County

Judge Dan Gattis  
Williamson County

Comm. Kevin Burns  
Wise County

**Executive Director**

Donald Lee

**Member Counties**

Bell ~ Bexar

Brazoria ~ Brazos

Cameron ~ Chambers

Collin ~ Comal

Dallas ~ Denton

Ector ~ El Paso

Fort Bend ~ Galveston

Grayson ~ Gregg

Harris ~ Hays

Hidalgo ~ Jefferson

Johnson ~ Kaufman

Lubbock ~ McLennan

Midland ~ Montgomery

Nueces ~ Potter

Randall ~ Rockwall

San Patricio ~ Smith

Tarrant ~ Travis

Webb ~ Williamson

Wise

500 West 13<sup>th</sup> Street  
Austin, TX 78701

Phone: 512.476.6174  
Fax: 512.476.5122

www.cuc.org

To: Urban Counties Policy Committee

From: John Dahill, General Counsel

Re: **(13) Discuss Status of Ethics Legislation**

**SB 14 (Taylor)** – *In House awaiting referral to committee.* Bills containing the various components of SB 14 (**SB 500 – SB 505**) are *in House General Investigating and Ethics.*

- A person who is a member in a public retirement system wholly or partly because the person held an elected office would be ineligible to receive a service retirement annuity if the member is convicted of a qualifying felony committed while in office and arising directly from the official duties of that elected office.
- Personal financial statements must include disclosure of contracts between governmental entities and the filer, the filer’s spouse, or the filer’s dependent child, or an entity in which one of those persons has at least a 50% ownership interest. This disclosure requirement applies to contracts for the sale of goods or services in the amount of \$2,500 or more, but only if the aggregate cost of goods or services sold under one or more contracts exceed \$10k in the year.
- A person who is required to be a registered lobbyist is not eligible to be a candidate for an elected or appointed public office.
- Registered lobbyists who are former elected officials or candidates may not make political contributions using campaign funds before the 2<sup>nd</sup> anniversary of the date the last term in office ends.

**HB 501 (Capriglione) / SB 501 (Taylor)** – For candidate and office-holder financial disclosures, reduce the reportable ownership interest in business entities from 50% to 5%. The bills also require reporting of contracts with governmental entities if the total amount received by the candidate or officeholder, or their family members, in total receive more than \$10,000 in a year. *HB 501 has been received in Senate; SB 501 is in House General Investigating and Ethics.*

**HB 1377 (Sarah Davis)** - In personal financial statements, the current requirement to report the number of shares of stock held will be limited to nonpublic companies. For public companies, the stock symbol and the category of the number of shares owned must be reported.

Requires persons filing financial statements to create and maintain for 3 years a record of information that is necessary for filing the financial statement. Currently, this requirement does not apply to county officials. *Received in Senate.*

**HB 2471 (Sarah Davis)** - An officer or employee of a political subdivision may not spend public funds to make a political contribution or expenditure, nor directly or indirectly employ a person to use public funds to make an unlawful political contribution or expenditure. Violations are Class A misdemeanors. *Passed House.*

**HB 2473 (Sarah Davis)** - Local government officers and vendors currently are required to disclose gifts from vendors and relationships involving vendors and local officers and their family members. The bill removes gift reporting from local officers and separates gift reporting and relationship reporting for vendors. The threshold for reporting gifts is changed from \$100 / 12 months to \$100 / calendar quarter. Gifts exclude food and beverage accepted as a guest. Vendors must submit quarterly gift reports versus one-time relationship reports.

Each local government must produce and keep current a list of all officers, provide the list to all vendors (including those seeking to do business with the local government), and post the list to government's website. Class C misdemeanor for knowingly failing to file gift disclosure.

A local government officer may not solicit from a vendor a gift on behalf of the local government officer, a family member, or another person, including a local governmental entity or a nonprofit charitable organization. The prohibition does not apply to campaign contributions. *In House Calendars.*

**Recommended Resolution:**

None.



**Chairman**

Judge  
Veronica Escobar  
*El Paso County*

**Chair Elect**

Judge  
Robert Hebert  
*Fort Bend County*

**Immediate Past Chair**

Commissioner  
Bobbie Mitchell  
*Denton County*

**Vice-Chairmen**

Comm. Tim Brown  
*Bell County*

Judge Ed Emmett  
*Harris County*

Judge Loyd Neal  
*Nueces County*

Judge Glen Whitley  
*Tarrant County*

Judge Dan Gattis  
*Williamson County*

Comm. Kevin Burns  
*Wise County*

**Executive Director**

Donald Lee

**Member Counties**

*Bell ~ Bexar*

*Brazoria ~ Brazos*

*Cameron ~ Chambers*

*Collin ~ Comal*

*Dallas ~ Denton*

*Ector ~ El Paso*

*Fort Bend ~ Galveston*

*Grayson ~ Gregg*

*Harris ~ Hays*

*Hidalgo ~ Jefferson*

*Johnson ~ Kaufman*

*Lubbock ~ McLennan*

*Midland ~ Montgomery*

*Nueces ~ Potter*

*Randall ~ Rockwall*

*San Patricio ~ Smith*

*Tarrant ~ Travis*

*Webb ~ Williamson*

*Wise*

500 West 13<sup>th</sup> Street  
Austin, TX 78701

Phone: 512.476.6174  
Fax: 512.476.5122

www.cuc.org

May 10, 2017

To: Urban Counties Policy Committee

From: John Dahill, General Counsel

Re: **(17) Discuss Status of Retainage Legislation**

**Background:**

The Policy Platform includes the following positions regarding retainage:

Support a cap on retainage in a public works contract no lower than 5% of the total contract price if there is no requirement to release retainage before completion of the project except as agreed by the parties to the contract.

HB 3913 (Shine) would have required release of retainage upon a governmental entity attaining “beneficial use” of a project. We pointed out that, although a building may be occupied or a road may be driven on, substantial work may remain.

We have agreed with the proponents of the bill to accept a cap on retainage of 5% for projects valued over \$1 million, and the mandatory release of retainage has been removed.

As of this writing, HB 3913 is in Calendars.

**Recommended Resolution:**

None.

## **Principles**

1. Urban Counties value responsive and accountable government.
2. Urban Counties believe that local government is more responsive and accountable to the citizens and communities and should be utilized for service delivery whenever practical.
3. Urban county citizens hold commissioners court responsible for all county business even though commissioners courts lack authority over many aspects and segments of county business. There is a disconnect between responsibility and authority. This weakens accountability.
4. Urban Counties need greater authority and tools to deal with the problems of contemporary urban society.
5. Urban Counties believe that permissive authority is always good. Restrictions, proscriptions, and mandates are almost always harmful.
6. Urban counties believe that State funds for specific programs should be allocated to counties, regions, or other local areas based upon population, number of clients, or some other appropriate measure of the need for that program or service.
7. Urban Counties believes that funds collected for a purpose should be used for that purpose and supports ending the reliance and utilization of dedicated revenues to balance the State budget.

## **Priority Issues**

*Items in this list are the legislative priorities of the Urban Counties.*

### **① Taxation Policy**

1. Support the significant reduction of property tax rates by measures to reduce the cost of government and by replacing property tax revenue with revenue from other sources.
2. Require sales price disclosure on transfer of real property.
3. Oppose any expansion of the pollution control property tax exemption that would include property used to produce goods or services.
4. Oppose expansion of tax exemptions for property owned by a taxpayer to include leased property other than property leased to a charter school for one or more grades from kindergarten through grade 12.
5. Oppose arbitrary limits on local government that are more restrictive than limits on state government, so long as:
  - a. Commissioners Courts remain limited in their ability to manage county business and control county budgets; and
  - b. There is no constitutional protection against unfunded mandates.
6. Clarify the scope of the tax exemption for nonprofit community business organizations to prevent expansion of the exemption to other entities.
7. Support allowing local taxing units to set a residence homestead exemption as a percentage, a flat-dollar level, or a percentage with a minimum or maximum individual value.

8. Support reforms to process for equity appeals of appraisals.
9. Repeal the loophole allowing leased heavy equipment to be valued for property taxes as 1/12<sup>th</sup> of annual leased revenue rather than market value.
10. Oppose the repeal of the penalty when land that was previously appraised as agricultural property is converted to another use.
11. Oppose all new property tax exemptions, expansion of existing exemptions, or any other narrowing of tax base unless approved by the Urban Counties.
12. Oppose expansion to all taxpayers the right to pay property taxes in installments over the year.
13. Oppose reducing or eliminating agriculture and open-space rollback taxes, but support adjustment of the current 7% annual interest used to calculate rollback taxes.
14. Oppose extending deferment of property taxes beyond the elderly and disabled and support establishing a reasonable indexed rate on deferral.
15. Support, consistent with current court cases, prohibiting the use of the “dark store theory” in the appraisal of business real property.
16. Support a significant increase in the school homestead exemption and ensure adjustments are made in state funding to schools to account for the exemption.
17. Support increasing the taxable value of income-producing tangible personal property to qualify for an exemption.
18. Support allowing the increase in interests in oil or gas to be counted as new property.
19. Oppose changing the method for appraising retail inventory to calculating one twelfth of annual sales similar to that used for auto sales retailers.
20. Oppose increasing the cap on attorney fees for tax exemption appeals.
21. Oppose reducing the interest rate used for delinquent taxes under the Property Tax Code.

## ② Juvenile & Criminal Justice

1. Support full state funding for all mandatory JJAEP placements in an amount adequate for year round programs.
2. Support an increase in state funding for indigent defense purposes.
3. Authorize county jails to take necessary actions that result in the suspension of SSI & Medicaid benefits and their re-instatement on release, rather than termination of those benefits.
4. Support additional state funding for juvenile probation departments if the age of criminal responsibility is raised to 18.
5. Support grandfather provisions for all jails that were not designed for face-to-face visitation but for video visitation in full compliance with existing State law and jail standards.
6. Support sufficient State funding for local juvenile probation departments to pay for the full costs of keeping in local programs, or in regional detention facilities, all children diverted from State facilities through a restructuring of the State Juvenile Justice Department.
7. Support state payment to counties for costs of detaining in county jails technical parole violators and new-offense violators held solely for parole revocation purposes.

8. Oppose changes in court costs in criminal cases that are expected to have a negative fiscal impact to counties.
9. Support changes to pre-trial release to require the use of locally verified evaluation tools to determine a criminal defendant's risk of flight or danger to the community. Promote: (1) establishing pretrial risk assessments; (2) the elimination of bond schedules; (3) greater discretion for magistrates regarding pre-trial release; and (4) rebuttable presumptions in favor of personal bond.
10. Support additional funding for DPS crime labs provided it does not negatively impact existing local crime labs.
11. Oppose efforts to permit a defendant placed on deferred adjudication probation to obtain an expunction without payment of court costs unless the defendant is indigent.
12. Require that the creation of new probate investigator positions in a county must be authorized by the county commissioners court.
13. Oppose requirements to provide information regarding the manner in which electronic data is stored and other requirements reasonably believed to be detrimental to data security.

### **3 Transportation**

1. Oppose eliminating tolling options unless state funding for highways is increased sufficiently to replace lost toll revenue.
2. Support enhanced funding for freight transportation infrastructure projects to address economic growth and an ever increasing population.
3. Support changes to the administrative fees retained by counties to register vehicles only if the new fees are reasonably expected to recoup county costs for providing those services.
4. Oppose the establishment of uniform limits on the fees charged by authorized private deputies for title services.
5. Request and support including counties in any proposed statutory changes for TxDOT intended to mitigate increased and unnecessary road building costs due to delays in utility relocation.
6. Support current weight requirements for vehicles operating on county roads, except for localized proposals supported by the local commissioners court.

### **4 Health and Human Services**

1. Support increased funding for mental health and substance abuse services state-wide.
2. Expand capacity of both forensic and civil beds in the state hospital system.
3. Support the continuation of the 1115 Medicaid Transformation Waiver.
4. Support state action related to state participation in the funding of indigent health care to maximize access to available federal funds.
5. Not oppose the repeal of the Drivers Responsibility Program. If repealed, seek replacement funding for trauma care.

6. Support a dual approach of state funding for jailer mental health training, increase inpatient capacity, and support diversion at the earliest possible point utilizing the Expanded Sequential Intercept Model.
7. Support continued federal funding to local communities for refugee healthcare.
8. Support expansion to additional counties of the Harris County mental health jail diversion pilot program model to reduce recidivism, arrest, and incarceration of individuals with mental illness.
9. Support the following priorities of the Select Committee on Mental Health:
  - Early intervention and prevention measures for school-aged children to prevent more severe mental health issues;
  - Strengthening and expanding jail diversion programs;
  - Addressing the mental health workforce shortages; and
  - Encouraging approaches to health care that integrate both physical and mental care.

## ⑤ Clean Air Act

1. Support full funding for the next biennium for the Texas Emissions Reduction Plan, LIRAP, and LIP programs and maintain the integrity of the TERP, LIRAP, and LIP programs.
2. Support local administration of the LIRAP and LIP programs to ensure funds collected in the county are used in the county.
3. Use the TERP funds only for programs that will assist nonattainment and near nonattainment areas in meeting EPA Ozone standards.

## ⑥ Water

## ⑦ Revenue, Budget, and Miscellaneous

1. Confirm commissioners court authority over the county budget and contracting.
2. No unfunded mandates.
3. Oppose collective bargaining for peace officers unless supported by the commissioners court of the counties affected by the legislation.
4. Support local control over compensation and benefits paid by the county.
5. Establish that any increase in the fees to be paid to attorneys appointed to represent indigent criminal defendants may not take effect until the adoption of the next county budget and require at least 90 day notice of the proposed increase to be provided to the commissioners court.
6. Protect county authority to restrict or ban the sale and use of fireworks during drought conditions and when included in a local disaster declaration.
7. Support the creation of an online voter registration system.
8. Support full state funding for representation of indigent parties in child welfare cases.

9. Support legislation that permits counties to post public notices electronically in lieu of print publication.
10. Oppose financial penalties imposed on local governments by the state for failure to comply with state mandates to enforce or to not enforce federal laws.
11. Support the longstanding constitutional principle that governmental entities must justify substantial burdens on the exercise of religious rights by showing the furtherance of a compelling governmental interest by the least restrictive means.
12. Oppose requirements to include on bond propositions information other than the total amount of bonds to be issued if approved and the proposed uses of the bonds.
13. Support giving all counties the option to adopt a fire code and rules necessary to administer and enforce the fire code.
14. Oppose creation of a new fireworks season unless commissioners courts are granted discretion over the sale of fireworks in that county for the new season.
15. Support the current role of local emergency management authorities and the county judge in responding to potential and actual emergencies and disasters.
16. Oppose prohibiting the use of eminent domain for recreation purposes.
17. Support allowing any county to regulate game rooms.
18. Retain the current option to hold bond elections in May.
19. Require telephone/telegraph facilities to follow the same procedures as other utilities in locating their facilities in the county Right-of-Way.
20. Oppose restrictions on the ability of local governments to effectively and efficiently communicate with the legislature and other state and federal entities.
21. Support financial transparency requirements that permit the use of existing reports and other documents and that minimize the need to express the same information in different manners or formats.
22. Oppose mandates to produce financial reports that are duplicative of reports already required of counties.
23. Support proposals to permit public access to public information on the personal devices of public officers and employees that include reasonable provisions to guard against frivolous and abusive lawsuits against public officers and employees.
24. In the absence of market value transparency, oppose efforts to require local governments to pay an opposing party's attorney fees and court costs in eminent domain proceedings.
25. Support efforts to maintain the long-established prohibition of guns in any portion of a building used by court participants.
26. Establish that the earliest effective date for any increase in salary budgets outside the control of commissioners court shall be the first day of the next county fiscal year following 90 days notice of the proposed increase to be provided to the commissioners court.
27. Oppose changes to the criteria governments must meet to show "actual progress" on projects to prevent real property acquired through eminent domain to be subject to repurchase if the changes would require significant expenditures for development labor and materials to show actual progress.

28. Support continued federal funding for local communities to help cover operational costs for holding undocumented criminal aliens in the criminal justice system and the costs to house them.
29. Support changes to the mandated disclosure of interested parties by vendors to:
  - exempt small contracts and contracts awarded to low bidders, through cooperative purchasing programs, or through interlocal agreements;
  - clarify the mandate applies only to written contracts for goods and services;
  - clarify that contracts remain valid if a vendor fails to accurately make a mandated disclosure; and
  - clarify that a “controlling interest” is an ownership or participating interest in an entity that exceeds 50%.
30. Oppose new mandated reporting of receipt and use of Federal funds by counties.
31. Support commissioners court optional authority to allow blanket approval to a county appraisal district board the authority to lease or convey property.
32. Support removing the limitations on the number of counties that may choose, with Secretary of State authorization, to transition into the Countywide Polling Places program.
33. Oppose injecting commissioners courts as decision makers in condemnation actions not involving their respective counties.
34. Support the current permissive authority of governmental entities to sell property for less than fair market value.
35. Oppose granting whistleblower status to employees unless they report in writing illegal conduct to a person designated by the employing governmental entity to receive such reports, the attorney general, or an appropriate law enforcement authority.
36. Oppose shortening the early voting period.
37. Oppose new requirements that political subdivisions provide advance notice to the Governor before conveying land to the federal government, such conveyance being subject to disapproval by the Governor.
38. Support retaining the ability of governmental bodies to consider economic development information in closed meetings.
39. Support local control of the records of county and district clerks.
40. Oppose any proposal that would require voter approval for the expenditure of general fund revenue and certificates of obligation by any county.
41. Oppose mandated budget reports by counties that do not properly account for independent elected county officials, statutory and constitutional mandates for county funding, or would require significant expenditures to create the report.
42. Support a Constitutional Amendment prohibiting unfunded mandates on counties.
43. Oppose new unfunded mandates on DRE election equipment.
44. Support creating an option for commissioners court to have ESDs within their county transition from appointed to elected boards.

45. Oppose provisions that permit the salary of a district judge to exceed the statutory salary cap by the amount of compensation paid for extrajudicial services so unless such provisions are permissive at the discretion of commissioners courts.
46. Support retaining the current authority of local governments to bring actions to recover penalties from violators of environmental laws and regulations.
47. Oppose unified primary elections.
48. Support increases in the monetary jurisdictional limits of justice courts.
49. Support the finding of the Texas Supreme Court that the attorney-client privilege is of such importance that it satisfies the “compelling reason” provision of the Public Information Act.
50. Support a cap on retainage in a public works contract no lower than 5% of the total contract price if there is no requirement to release retainage before completion of the project except as agreed by the parties to the contract.
51. Oppose advertisements of land for residential lots in the unincorporated areas of border counties before the land is platted.
52. Oppose allowing a cure period for a violation of county subdivision regulations.
53. Oppose the use of earnest money contracts for lots in border counties before a plat is filed.
54. Oppose requirement that commissioners court meetings be broadcast simultaneously in Spanish.
55. Oppose mandates on counties regarding the operations of veteran services offices.

### **Positions on other proposals before the 85<sup>th</sup> Legislature**

*Items in this list are legislative positions regarding initiatives of member counties or other groups or organizations.*

1. **Tax Rate Notice.** Clarify that a county or municipality that opts to use the simplified public notice for proposed tax rates is not also required to comply with additional notice requirements for those tax rates. *Travis County*
2. **Texas Highway Beautification Act.** Support Scenic Texas and other entities asking for a rehearing on the Texas Highway Beautification Act. *Scenic Texas*
3. **Jail Standards Exam.** Support creation of a comprehensive exam for jail commanders on the current rules and standards established by the Texas Commission on Jail Standards. *Mr. Craig Pardue*
4. **EDAP Water Funding.** Support increased funding for the Texas Water Development Board’s Economically Distressed Areas Program. *El Paso County*.
5. **Dishonored Checks.** Support an option to allow a county to contract with an outside collections firm to collect dishonored checks and credit card invoices. *Dallas County*
6. **Jury Summons.** Support allowing counties to include a link to a jury summons questionnaire with the jury summons in lieu of a hardcopy. *Dallas County*
7. **Electronic Monitoring.** Support allowing individuals placed on probation to participate in a County run electronic monitoring program in lieu of jail time. *Dallas County*
8. **Leasing Property.** Support consideration of authorizing counties to utilize a broker for leasing county owned space. *Dallas County*

9. **Drones.** Support prohibiting the operation of a drone over secure penal or correctional facilities. *Travis County*
10. **Venue Taxes for Parks.** Support allowing counties to use venue taxes to fund projects in the parks and recreation system. *Travis County*
11. **County Welfare.** Support removing the limit on the amount of petty cash a commissioners court may provide to a county welfare department in a county with a population greater than 1.3 million. *Harris County*
12. **Supplemental Civil Service Commissions.** Support optional authority of a commissioners court to appoint, and designate the responsibilities of, a supplemental civil service commission to assist the county civil service commission. *Dallas County.*
13. **Firework Authority.** Support allowing a county to prohibit the use of fireworks during hours determined by commissioners court.
14. **Law Library.** Support allowing a county law library to be established anywhere in the county rather than only the county seat and allowing the county law library fund to be used to establish and maintain a self-help center to provide free legal resources to residents.
15. **Bexar County Optional Vehicle Registration Fee.** Support allowing Bexar County to impose, if approved by a majority of qualified voters, an additional \$10 vehicle registration fee for transportation projects chosen by their local RMA. *Bexar County*
16. **Overseas Military E-Mail Ballot Program.** Support the repeal of the expiration date of the Overseas E-Mail Ballot Pilot Program and allow any county to participate in the program. *Bexar County.*
17. **Tax Abatement Removal within a TIRZ.** Support removing the requirement for approval on tax abatements within TIRZ by entities not participating in the zone. *Bexar County*
18. **Super Utilizer Pilot Project.** Support State funding for a Super Utilizer Pilot Project in Bexar County. *Bexar County*
19. **Pretrial Program Fee.** Support allowing county pretrial supervision programs, run outside CSCDs, to collect supervision fees. *Bexar County*
20. **County Building Standards.** Support allowing urban counties to adopt building regulations upon petition from residents and passage of a proposition to authorize said regulations. *Bexar County*
21. **Solid Waste Collection in Unincorporated Areas.** Support authorizing Counties to require the provision of solid waste collection by landlords of two or more leased dwellings located in an unincorporated area. *Bexar County*
22. **Expedited Public Information.** Support creation of expedited processes for responding to public information requests as an option for governmental bodies.
23. **Fireworks Regulation.** Support allowing a county to regulate the sale or use of fireworks.
24. **Tipping Fees.** Support an increase in municipal solid waste fees and an increased allocation to local projects.
25. **Behavioral Health Transfers.** Support allowing a peace officer to transfer a mental health detainee to another person on the mental health transport list.

26. **Open Meetings Act.** Support amending applicability of the Open Meetings Act to district judges performing management or administrative functions and does not involve adjudication of an individual case. *Webb County.*
27. **Conformity of Auditor Salaries.** Support requiring the salaries, set by district judges, for the County Auditor and the Auditor's assistants to be consistent with locally adopted pay plans adopted by commissioners court. *Webb County.*