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Judge
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Travis County

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Judge Matt Sebesta
Brazoria County

Judge Eddie Treviño
Cameron County

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Member Counties
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Kaufman · Lubbock
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500 West 13th Street
Austin, TX 78701

512.476.6174

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Policy Committee Meeting

Travis County Building | 700 Lavaca Street Austin, Texas 78701
May 8, 2019

9:30 AM Convene.

1. Welcome, Introductions.

2. Consider the minutes from the April 17, 2019 meeting. [pg. 3]

- Administrative items. Next meeting: At 9:30a.m. on Thursday, June 6, 2019 at the Travis County Building 700 Lavaca Street, Austin Texas. [Veronikah Sanford]
- Policy Committee Attendance Record 2019.

Policy Committee Attendance Record 2019									
		01/09/19	02/13/19	03/13/19	04/17/19	05/08/19	06/06/19	08/01/19	11/07/19
Policy Committee Members	County								
Judge Matt Sebesta (Chair)	Brazoria County	V	V	V	X				
Judge David Blackburn	Bell County	V	V	E	V				
Commissioner Kevin Wolff	Bexar County	P	V	V	P				
Judge Eddie Treviño	Cameron County	E	V	V	V				
Commissioner Susan Fletcher	Collin County	V	V	P	V				
Commissioner Theresa Daniel	Dallas County	V	V	P	V				
Commissioner Bobbie Mitchell	Denton County	E	V	P	V				
Commissioner David Stout	El Paso County	V	V	V	V				
Commissioner Andy Meyers	Fort Bend County	X	V	V	V				
Commissioner Ken Clark	Galveston County	V	V	V	V				
Judge Bill Magers	Grayson County	V	V	P	V				
Judge Lina Hidalgo	Harris County		V	P	V				
Judge Richard Cortez	Hidalgo County			X	X				
Commissioner Brent Weaver	Jefferson County	V	V	V	V				
Judge Hal Richards	Kaufman County		X	V	V				
Commissioner Bill McCay	Lubbock County	E	E	V	V				
Commissioner Robin Donnelly	Midland County	V	E	V	V				
Judge Barbara Canales	Nueces County		V	X	P				
Judge Glen Whitley	Tarrant County	V	V	V	V				
Judge Sarah Eckhardt	Travis County	V	V	V	V				
Judge Bill Gravell	Williamson County	V	V	X	X				
Commissioner Kevin Burns	Wise County	V	V	P	V				

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

3. Policy Director's Report. [Adam Haynes]

- Review priority bills of interest list [pg. 6]
- Review bills of interest to date [pg. 13]
- Discussion of Property Tax Reform Legislation

4. New business.

11:30 AM Adjourn.

Policy Committee Meeting

Travis County Building | 700 Lavaca Street, Austin, TX 78701

April 17, 2019

Minutes

Members Present

Judge David Blackburn, Bell County
Commissioner Kevin Wolff, Bexar County (Melissa Shannon)
Judge Eddie Treviño, Cameron County
Commissioner Susan Fletcher, Collin County (Proxy Judge Chris Hill)
Commissioner Theresa Daniel, Dallas County (Proxy Charles Reed)
Commissioner Bobbie Mitchell, Denton County (Proxy Shannon Joski)
Commissioner David Stout, El Paso County
Commissioner Andy Meyers, Fort Bend County
Commissioner Ken Clark, Galveston County
Judge Bill Magers, Grayson County (Proxy Commissioner Jeff Whitmire)
Judge Lina Hidalgo, Harris County (Proxy Donna Warndorf)
Commissioner Brent Weaver, Jefferson County
Judge Glen Whitley, Tarrant County
Judge Sarah Eckhardt, Travis County
Commissioner Kevin Burns, Wise County (Proxy Judge J.D. Clark)

Others Present

Melissa Shannon, Bexar County
Charles Reed, Dallas County
Shannon Joski, Denton County
Judge Andy Eads, Denton County
Claudia Russell, El Paso County
Anna Apodaca, El Paso County
Fred Hill, Texas Conference of Urban Counties Consultant
Donna Warndorf, Harris County
Joe Madden, Harris County
Chandler Merritt, Tarrant County
Russell Schaffner, Tarrant County
Deece Eckstein, Travis County
Peter Einhorn, Travis County
Julie Wheeler, Travis County
John Dahill, Texas Conference of Urban Counties
Adam Haynes, Texas Conference of Urban Counties
Windy Johnson, Texas Conference of Urban Counties
Gabriela Villareal, Texas Conference of Urban Counties
Veronikah Sanford, Texas Conference of Urban Counties
Angelo Zottarelli, Texas Conference of Urban Counties Consultant

9:29 AM Convene.

The Committee considered agenda item 2, Consider the minutes from the March 13, 2019 meeting. On a motion by Commissioner Kevin Burns and a second by Commissioner Susan Fletcher the Minutes were approved as amended.

The Committee discussed agenda item 2a. the next meeting date of 9:30am on Wednesday, May 8, 2019 at the Travis County Building 700 Lavaca Street, Austin, TX 78701.

The Committee discussed agenda item 3, Policy Director's Report.

The Committee discussed agenda item 4, Review bills of interest to date.

The Committee discussed agenda item 5, Consider changes to the Policy Platform.

- a. The Committee discussed agenda item 6a, Discussion of Property Tax Reform Legislation.
- b. The Committee considered agenda item 6b, Consideration of Flood Infrastructure. On a motion by Judge Sarah Eckhardt and a second by Commissioner Theresa Daniel, the recommended resolution was passed as amended.

Recommended Resolution

RESOLVED by the Texas Conference of Urban Counties Policy Committee that the Environment / Disaster Relief, Recovery, and Resilience Section of the Policy Platform is amended as follows:

Oppose and further erosion in the ability of local governments to hold violators of environmental laws and regulations accountable.

- c. The Committee considered agenda item 6c, Proposed Elimination of the May Election Date On a motion by Judge Sarah Eckhardt and a second by Commissioner Theresa Daniel, the recommended resolution was passed as amended.

Recommended Resolution:

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

Oppose any measure that interferes with the authority of a county to select legal counsel and establish the terms of representation.

The Committee considered excusing the absences of all delayed Policy Committee Members under New Business. On a motion by Judge Glen Whitley and a second by Commissioner Brent Weaver the absences of the delayed members were excused.

The meeting adjourned at 11:42 AM.

Judge Matt Sebesta
Vice Chairman of Policy

Date



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May 8, 2019

To: Urban Counties Policy Committee
From: Adam Haynes, Policy Director

Re: **Priority Bills of Interest**

HB 2, by Burrows - Relating to ad valorem taxation.

Summary: *Lowers rollback rate to 2.5% for most counties, cities, and special districts with an automatic election to increase the rate. Includes certificates of obligation in the rollback tax rate calculation. Maintains the 8% rollback rate for hospital districts, emergency service districts, and community college districts. Exempts school districts. Includes provisions to reform the appraisal review board system and increase information to taxpayers.*

Last Action: Laid on the table subject to call

SB 2, by Bettencourt - Relating to ad valorem taxation.

Summary: *Will take effect only if H.B. 3 (the House public school finance bill) becomes law. Caps the vast majority of counties, cities, and special districts at 3.5% and school districts will be subject to a 2% rollback rate. An automatic election is required to exceed the cap. Maintains an 8% cap for hospital districts, junior college districts, and smaller taxing units. Allows a tax rate adjustment for local option residence homestead exemptions. Creates a “de minimis” rate that does not count against the cap. Allows counties and cities that adopt rates below the rollback rate to “bank” the unused increment for future use. Excludes expenditures for indigent health care for public hospitals and hospital districts. Includes provisions to reform the appraisal review board system and increase information to taxpayers.*

Last Action: Set on the Senate Items Eligible Calendar

Concern: Arbitrary limits on local governments undermine the ability of local officials to meet their obligations and local priorities.

HB 359, by Moody - Relating to the employment of certain peace officers, detention officers, county jailers, or firefighters who are injured in the course and scope of duty.

Summary: *Exempts counties that have civil service. Prohibits discharging, suspending or firing a peace officer, detention officer, county jailer, or firefighter due to their inability to perform duties if the person was injured in the course and scope of duty before the person is certified as having reached maximum medical improvement. Waives sovereign immunity for a lawsuit for damages and reinstatement under this provision. "unless the report of the designated doctor indicates the person is unable to return to work." Caps the damages payable by an employer at \$100,000.*

Last Action: Referred to Senate Committee on Senate Business and Commerce

Concern: For those counties that do not have civil service for constables and sheriff department, will require retention of officers even if they cannot perform the duties of the job.

HB 465, by White - Relating to the administrative, civil, and criminal consequences, including fines, fees, and costs, imposed on persons arrested for, charged with, or convicted of certain criminal offenses.

Summary: *When assessing fines and costs, would require a court to consider only the defendant's present ability to pay. Would permit defendants to avoid payment of obligations if payment poses an "undue hardship" without regard to whether the defendant is indigent.*

Last Action: Reported from committee as substituted House Criminal Jurisprudence

Concern: Will reduce payment of fines and costs from defendants that would otherwise pay.

HB 861, by Anchia - Relating to the calculation of penalties and interest resulting from the final determination of an ad valorem tax appeal that changes a property owner's tax liability.

Summary: *Currently, if a taxpayer has an unpaid tax obligation at conclusion of tax appeal, penalties & interest apply to that balance beginning on original delinquency date. Bill gives taxpayer an opportunity to pay the balance by a new due date before those penalties & interest would apply.*

Last Action: Committee action pending Senate Property Tax

Concern: Would allow a taxpayer to pay \$0 until an appeal is decided.

HB 281, by Middleton - Relating to the use by a political subdivision of public money for lobbying activities.

Summary: *Prevents any political subdivision from directly lobbying or joining a group that directly lobbies the legislature to influence the outcome of pending legislation.*

Allows a citizen to challenge an entity in court and recoup attorney fees if they win the challenge.

Last Action: Reported from committee as substituted House State Affairs

SB 29, by Hall - Relating to expenditures for lobbying activities made by certain entities.

Summary: *Local government cannot spend money to influence legislation unless requested by member of the legislature. Local governments cannot join any association unless it does not lobby and only if it is for the benefit of all local officials.*

Last Action: Referred to House Committee on House State Affairs

Concern: Would prohibit participation in Conference of Urban Counties, the County Judges and Commissioners Association of Texas, the Texas Association of Counties, and other similar organizations that allow local governments to share the costs of experienced staff to handle legislative tasks and communications.

HB 1253, by Leman - Relating to establishing actual progress for the purposes of determining the right to repurchase real property from a condemning entity.

Summary: *Companion to SB 554. Property acquired by eminent domain is subject to repurchase if the government cannot show "actual progress" on the public use of the land within 10 years of acquisition. The bill would make showings of "actual progress" more difficult. Instead of showing compliance with at least 2 of 7 factors, government would have to show compliance with at least 3 of 5 factors. The 2 repealed factors are arguably the easiest to meet.*

Last Action: Committee action pending House Land and Resource Management

SB 554, by Schwertner - Relating to establishing actual progress for the purposes of determining the right of repurchase real property from a condemning entity.

Summary: *Property acquired by eminent domain is subject to repurchase if the government cannot show "actual progress" on the public use of the land within 10 years of acquisition. The bill would make showings of "actual progress" more difficult. Instead of showing compliance with at least 2 of 7 factors, government would have to show compliance with at least 3 of 5 factors.*

Last Action: Referred to House Committee on House Land and Resource Management

Concern: Would require significant expenditures for development, labor, and materials to show actual progress or property acquired through eminent domain would be subject to repurchase. Creates an impediment to large projects involving many parcels.

HB 2003, by Leach - Relating to the review and approval of contingent fee contracts for certain public agencies.

Summary: *Companion to SB 970. Prohibits public entities from entering into a contingency-fee contract with an attorney unless it is pre-approved by the Attorney General. Provides an exception for debt collection.*

Last Action: Bill pronounced dead by procedural action

SB 970, by Creighton - Relating to the review and approval of contingent fee contracts for certain public agencies.

Summary: *Prohibits public entities from entering into a contingency-fee contract with an attorney unless it is pre-approved by the Attorney General. Provides an exception for debt collection.*

Last Action: Placed on the Senate Calendar

Concern: *Would limit a county's ability to utilize outside counsel necessary to protect taxpayer's interests in local issues.*

HB 2826, by Bonnen - Relating to procurement of a contingent fee contract for legal services by a state agency or political subdivision.

Summary: *Imposes a slew of requirements before a governmental entity may enter into a contingency fee contract for legal services, including getting approval of the contract from the Attorney General. Attorney General may decline to approve the agreement if the purpose is one the Attorney General can pursue.*

Last Action: Received in the Senate

Concern: *Would limit a county's or city's ability to utilize contingency fee contracts for legal services by requiring the attorney general to approve such arrangements.*

HB 2899, by Leach – Relating to civil liability and responsibility for defects in the plans, specifications, or other documents for the construction or repair of roads, highways, and related improvements.

Summary: *Applicable to tolling entities, absolves contractors from liability for defects in plans and specifications prepared by the governmental entity or a third party retained by the governmental entity.*

Last Action: Meeting set for 8:00 A.M., May 8th E1.016 – Senate Transportation

Concern: *Does not carve out construction-manager-at-risk contracts.*

HB 2748, by Perez - Relating to regulation of the retail sale of fireworks.

Summary: *Removes all of the sales period restrictions and allows sales of fireworks at all time during the year.*

Last Action: Postponed on second reading until 10:00 a.m., Wednesday, May 8, 2019

Concern: Nullifies the ability of commissioners court to consider local conditions, including fire hazards, in determining whether to allow the sale of fireworks.

SB 9, by Hughes - Relating to election integrity.

Summary: *Omnibus elections bill that will require the purchase of voting machines that produce a paper receipt. Requires in a county of 1m or more, for participation in the countywide polling place program, the polling locations be based on the requirements prior to converting to a countywide polling place.*

Last Action: Referred to House Committee on House Elections

Concern: Requires counties to expend funds to replace election equipment prior to the end of its life.

SB 966, by Bettencourt - Relating to the location of certain temporary branch early voting polling places.

Summary: *Provides that moving a temporary branch polling place for a county with a population of 100k or more may only be moved once during a voting period and after half the voting period has concluded.*

Last Action: Meeting set for 8:00 A.M., May 6th E2.016 -- House Elections

Concern: Would limit the use of temporary polling places to provide voting opportunities for rural communities, community colleges and nursing homes.

SB 462, by Campbell - Relating to ballot propositions authorizing certain political subdivisions to issue debt obligations.

Summary: *Requires all local debt proposition ballots to include aggregate amount of debt at the beginning of the fiscal year, the ad valorem debt service tax rate at the time the election is ordered, expressed as a percentage of the adopted tax rate.*

Last Action: Referred to House Committee on House Pensions/Investments/Financial Services

Concern: The required language necessitates programming that is incompatible with election machines. Further, campaign arguments should not be placed on a ballot, and the language creates compliance problems with the SEC and other finance regulations.

SB 652, by Campbell - Relating to procedures and requirements for the issuance of certificates of obligation.

Summary: *A governing body may not authorize a certificate to pay contractual obligations if a bond proposition to authorize the bonds for the same purpose failed voter approval during the preceding six years (rather than 3 years in current law).*

Last Action: Referred to House Committee on House
Pensions/Investments/Financial Services

Concern: Restricts county ability to fund obligations.

SB 1209, by Hancock - Relating to the authority of a political subdivision to regulate certain activities.

Summary: *Prohibits a political subdivision from adopting any ordinance, order requiring an occupational license or meeting any other requirement to engage in that occupation. Exempts the authority of a political subdivision to adopt and enforce a zoning regulation, a restriction on the location where an occupation may be engaged in, or an ordinance that regulates a credit access business.*

Last Action: Referred to House Committee on Licensing and Administrative
Procedures

Concern: Would limit a counties ability to protect the health and safety and quality of life of their residents

SB 1315, by Bettencourt - Relating to periodic zero-based budgeting for certain political subdivisions.

Summary: *Requires cities and counties with a population of 225,000 or more to prepare and post (internet website) a zero-based budget every 12 years starting in 2021.*

Last Action: Recommended for Local/Uncontested Calendar

Concern: Would create a new mandate on the county budgeting process and unnecessary expense.

SB 1582, by Lucio - Relating to benefits for peace officers relating to certain diseases or illnesses.

Summary: *Transfers the requirement from the police officer to the political subdivision to prove a peace officer didn't receive certain illnesses in the line of duty. Includes tuberculosis, heart attack and stroke.*

Last Action: Voted favorably from committee on House Homeland Security and Public Safety

Concern: Would put an almost impossible burden of proof on counties. Would require more stringent physical fitness standards.

SB 1649, by Kolkhorst - Relating to assistance with the establishment and oversight of public defenders' offices and a review of criminal defense attorney's fees by the Texas Indigent Defense Commission.

Summary: *Requires Indigent Defense Commission to offer assistance to counties under 50,000 in establishment and oversight of public defender offices. TIDC to issue policies and procedures for operation and administration of all PD offices. TIDC to annually review all criminal defense fees - private and appointed - to ensure fees are equitable, fair and consistent.*

Last Action: Received in the House

Concern: Mandates TIDC to use a portion of the limited state funding for indigent defense for the sole benefit of counties under 50,000.

SB 2219, by Bettencourt - Relating to ballot propositions authorizing political subdivisions to issue bonds or other debt or to impose or change a tax.

Summary: *Bond elections must be held on the November uniform election date, exception for an emergency declaration by the governor.*

Last Action: Received in the House

Concern: Would increase propositions on ballots, and increase the time required to vote, leading to lines at polling locations.

SB 2318, by Campbell - Relating to the authority of a county to require a person to obtain a building permit from the county for certain portable structures.

Summary: *Prohibits a county from requiring a building permit to construct, improve, or occupy a structure used for retail sale of seasonal goods if structure is portable and smaller than 500 sq. ft.*

Last Action: Received in the House

Concern: Would allow fireworks sales to occur in potentially dangerous buildings.



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May 8, 2019

Chair-Elect
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To: Urban Counties Policy Committee
From: Adam Haynes, Policy Director

Immediate Past Chair
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Denton County

Re: **Bills of Interest Related to the Platform**

Vice-Chairmen
Comm. Kevin Wolff
Bexar County
Judge Matt Sebesta
Brazoria County
Judge Eddie Treviño
Cameron County
Comm. Andy Meyers
Fort Bend County
Comm. Robin Donnelly
Midland County
Judge Glen Whitley
Tarrant County

TAXATION

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.

HB 3, by Huberty – Increases the basic allotment from \$5,140 to \$5,880. The House version raises it to \$6,030. Creates an early education allotment for certain students in kindergarten through third grade to assist districts in funding full-day prekindergarten. Includes a \$5,000 across-the-board salary increase for teachers and librarians. Compresses tier I school property tax rates by 8 cents in the first year and 15 cents in the second year (second year cut contingent upon passage of a sales tax increase) and, in the third year, caps school district property tax revenue growth at 2.5 percent. Creates a \$40,000 homestead exemption, up from \$25,000 in current law if the sales tax increase bill passes.

— ***Set on Senate Intent Calendar***

HB 705, by Geren – Allows a local government to add 2% to sales tax rate in order to buy down 100% of property tax. The sales tax must be equal to the lost property tax as a replacement. — ***In House Calendars Committee***

Require sales price disclosure on sale or transfer of real property.

HB 1841, by Thompson— Limits the appraised value of a housing unit subject to an eligible land use restriction to the amount of the sales price of that unit as recorded in property records. — ***In House Calendars Committee***

Oppose any expansion of the pollution control property tax exemption that would include property used to produce goods or services.

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.

HB 388, by Murphy – Exempts real property used by a Charter School. Owner of the property has to pass along the amount of the tax savings to the charter organization to qualify. — ***In House Calendars Committee***

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Nueces · Potter
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San Patricio · Smith
Tarrant · Travis
Webb · Williamson
Wise*

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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.

Support reforms to process for equity appeals of appraisals.

Oppose reducing the penalty when land that was previously appraised as agricultural or other open space property is converted to another use.

HB 1743, by King – Reduce the number of years for a rollback tax bill for changing timber land to a nontimber use three years and lowers the interest rate imposed on a rollback tax bill from 7% to 5%. — ***Referred to S. Property Tax***

Oppose all new property tax exemptions, expansion of existing exemptions, or any other narrowing of tax base unless approved by the Urban Counties.

HB 827, by Rose – Allows a governmental entity to exempt the assessed value of all property and improvements used to preserve an historical or archeological site. — ***Set on H. Calendar 5/3/19***

HB 948, by Metcalf – Changes the property tax exemption for land of a religious organization from 6 years to 10 years. — ***In House Calendars Committee***

HB 1201, by Raymond – Exempts property owned by a charitable organization for purposes of renting at below-market rates to low-, moderate-income people. — ***Recommended for Local and Consent Calendar***

HB 2441, by Wray – Authorizes an eligible disabled person who is 65 or older to receive both a disabled and an elderly residence homestead exemption in the same year if the person receives the exemptions with respect to taxes levied by different taxing units. — ***Sent to Senate***

SB 129, by Hinojosa – Expands who is eligible as a first responder for a full tax exemption on their residence homestead to include United States Special Investigators; Customs and Border Protection officers, and immigration and deportation officers. Allows qualification for the expanded list if the surviving spouse remarried. — ***Referred to H. Ways and Means***

HB 2958, by VanDeaver – Adds property owned by a nonprofit corporation performing functions of a public purpose are exempt from ad valorem taxes. — ***In House Calendars Committee***

Support a significant increase in the school homestead exemption and ensure adjustments are made in state funding to schools to account for the exemption.

Support property tax transparency and information proposals, including but not limited to:

- a. **Removing projected tax assessment information from the central appraisal district (CAD) notice of assessed value;**
- b. **Requiring proposed tax rates and hearing information be provided to the CAD where they would be made available to taxpayers online;**
- c. **Renaming the “effective” tax rate as the “no-new-revenue” tax rate;**
- d. **Improving training and education requirements for appraisal review board members;**
- e. **Establishing a property tax administration advisory board to help with uniformity of appraisal forms, systems, and reports across districts; and**

f. **Streamlining notice procedures for taxpayers, including separation of individual taxing entities' rates and respective tax amounts.**

Support allowing school districts to increase their tax rate to a previously approved level after a decrease rather than having to hold a second increase ratification election;

Support protections for innocent and unwitting taxpayers that acquire property subject to governmental errors in previous tax years from having to pay back taxes due to those errors.

HB 1885, by Bonnen –Allows the governing body of a taxing unit to waive penalties, interest on a delinquent tax if the property is subject to a mortgage that doesn't require the owner to fund an escrow account for payment of taxes; tax bill was mailed electronically but the mortgagee failed to mail a copy of the bill to the owner as required; and the taxpayer paid the tax by the 21st day after the taxpayer knew or should have known about delinquency.— ***In House Calendars Committee***

Oppose arbitrary limits on local governments to undermine fiscal resources that enable officials to meet their obligations and local priorities.

SB 2, by Bettencourt – Caps the vast majority of counties, cities, and special districts at 3.5% and school districts will be subject to a 2% rollback rate. An automatic election is required to exceed the cap. Reforms the appraisal system and increases information to taxpayers. — ***Set on the Senate Items Eligible Calendar***

Other Bills of Interest in Taxation:

HB 2993, by Geren – Establishes a specific tax appraisal method for calculating property tax levies on property used for low-income and moderate-income housing. — ***Recommended for Local and Consent Calendar***

HB 3086, by Cole – Limits sales tax exemption from all audio and video recording equipment used in motion pictures to just the equipment used for master recording. — ***Meeting set for S. Finance 5/6/19***

HB 3143, by Murphy –Extension of Chapter 312 for economic development agreements. Adds reporting requirements and notice disclosures and extend the Act to 2029. Requires commissioners court agreement. — ***Received in S Natural Resources and Economic Development***

SB 1771, by Bettencourt – Real property owned by government is tax exempt, except the property is subject to tax if leased to a private entity. However, leases in certain enumerated facilities are not subject to taxation. The bill says a lease in a convention center, sports facility, etc. owned by a city is subject to tax by other taxing jurisdictions unless the governing bodies of those taxing jurisdictions vote to approve the exemption. — ***Voted favorably from S Property Tax***

SB 1772, by Bettencourt – Provides for a temporary exemption on tangible personal property and improvements to real property damaged at least 15% during a disaster. Requires property owner to apply for the exemption but would not be required to re-apply in subsequent years. — ***In House Calendars Committee***

SB 1943, by Watson – Defines “heir property” as inherited property and to allow an heir who claims the property as a residence homestead to qualify as if the owner were the sole owner of the property. Provides that grant of a homestead exemption does not operate to transfer title to property and provides that the chief appraiser may not be made party to any

action over the title. Requires the comptroller to prepare a pamphlet describing heirs' rights.

— ***Received in the House***

HB 861, by Anchia – Currently, if a taxpayer has an unpaid tax obligation at conclusion of tax appeal, penalties & interest apply to that balance beginning on original delinquency date. Bill gives taxpayer an opportunity to pay the balance by a new due date before those penalties & interest would apply. The result will be that taxpayers will just pay \$0 until appeal is decided. — ***Pending S. Property Tax***

CRIME AND COURTS

Support full state funding for all mandatory JJAEP placements in an amount adequate for year-round programs.

Support an increase in state funding for indigent defense purposes to cover increased costs incurred by local county taxpayers since the passage of the Fair Defense Act in 2001.

SB 1649, by Kolkhorst – Requires Indigent Defense Commission to prioritize assistance to counties under 100,000 in establishment and oversight of public defender offices. TIDC to issue policies and procedures for operation and administration of all PD offices. TIDC to annually review all criminal defense fees - private and appointed - to ensure fees are equitable, fair and consistent. — ***Received in the House***

HB 1812, by Murr – As Filed: Permits TIDC to issue indigent defense grants directly to an entity that assists counties in improving indigent defense. — ***In House Calendars Committee***

Support additional state funding for juvenile probation departments if the age of criminal responsibility is raised to 18.

HB 344, by Dutton – Raises the age of criminal responsibility from 17 to 18. — ***In House Calendars Committee***

HB 1364, by Wu – Juveniles between 10 and 12 subject to juvenile system for 2nd degree felony and above. Must not be held in custody unless poses a risk to community. Court may waive jurisdiction after hearing and dismiss charges. — ***Received in Senate***

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 to end the practice of the state pushing costs associated with state prisoners onto local county taxpayers.

HB 2559, by Bowers – Bill mandates that TDJC issue a summons instead of a blue warrant for certain parole violators. Blue warrants can only be used if a violator fails to appear. — ***Sent to Senate***

Oppose changes in court costs in criminal cases that are expected to have a negative fiscal impact to counties.

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 pretrial release; and (4) rebuttable presumptions in favor of personal bond.

HB 1323, by Murr – Pretrial reform bill. Permits denial of bail in any case if judge or magistrate determines that bail and conditional release are insufficient to protect community and secure

defendant's appearance in court. Prohibits bond schedules. JPs required to have training regarding appropriately setting bail. Mandates use of pretrial risk assessment to be completed by personal bond office or other trained person. Sheriff cannot be forced to complete the assessment. OCA to make an automated risk assessment tool available at no cost.

A defendant denied bail must be given review hearing not later than 10 days after the denial. — ***In House Calendars Committee***

Maintain current fee structure for the district court records and archives fee, the county court records management and preservation fee, and the records archive fee through 2029.

SB 658, by Zaffirini – Currently the increased amount for records archive, management and preservation fees expire this year. This bill would make permanent that increased amount. — ***Set on Senate Items Eligible Calendar***

Support granting counties authority to judicially designate as uncollectible certain fees and costs of court.

HB 435, by Shaheen – Permits courts to declare fees and costs over 10 years old in civil cases as uncollectable. Will permit all counties to write off uncollectible costs and fines from criminal cases. — ***Voted Favorably from Senate Administration***

HB 2259, by Smith – Removes the bracket to allow all counties to find criminal cases fees and costs uncollectible. — ***In House Calendars Committee***

Other Bills of Interest in Crime and Courts:

HB 2580, by Wu – Requires county jails to provide inmates awaiting trial free telephone calls up to 20 minutes per month with attorney and one 10-minute call per month to anyone else. — ***In House Calendars Committee***

HB 1651, by Gonzalez – Specifies the care a pregnant woman must receive in jail, including restraint and labor procedures. New annual reporting requirement on use of restraints on pregnant inmates. — ***Referred to S Criminal Justice***

HB 1653 by White –CJD must create pretrial diversion database. Counties receiving grants for pretrial diversion must report data. Creates separate funding line for probation depts supervising pretrial diversion participants.— ***In House Calendars Committee***

SB 2191, by Whitmire – Requires inmates (adults and juveniles) awaiting trial be held in Texas. Prohibits kids certified as adults to be sentenced to post-adjudication secure facilities; they must be sent to TJJD secure facility in Texas. – ***In House Calendars***

TRANSPORTATION

Oppose eliminating local tolling options.

HB 1951, by Krause –Places limits on future toll projects that can be initiated. Only allows a toll project on a project costing \$1B or more if TxDot certifies there are no funds for the project. Mandates voter approval. — ***In House Calendars Committee***

Support enhanced funding for freight transportation infrastructure projects to address economic growth and an ever-increasing population.

HB 4280, by Morrison – Amends the formula for TIF grants to apply to overweight permits for vehicles operating oil and gas; vertical or horizontal wells; and eligible only to counties that have

at least 400 active wells to qualify for TIRZ funding. Limits to counties with severance taxes of \$10m in a year and adds competitive bidding requirements. ***Set on House Calendar 5/6/19***

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

HB 1493, by Krause – Excludes from overweight requirements over-the-road-busses. — ***In House Calendars Committee***

Support local option fees for road improvements/additions if the fees are approved by the county's commissioners court.

HB 642, by Raney – Lowers the population threshold for an optional registration fee from 1.5 M to 190,000. — ***Received in the Senate***

HB 924, by Zedler – Allows Commissioner's Court to require a surety bond by concrete plant operators to repair road damage caused by the plant operations. — ***In House Calendars Committee***

HEALTH AND HUMAN SERVICES

Support increased funding for mental health and substance abuse services state-wide.

SB 1, by Nelson/by Zerwas – State Appropriations Act. — ***Conference Committee***

HB 10, by Thompson – Creates the Texas Mental and Behavioral Health Research Institute to create best practices, leadership, and vision for addressing child and adolescent behavioral health needs and to fund research for behavioral health issues. — ***Senate H&HS Meeting 5/7/19***

HB 1669, by Lucio – Requires HHSC to develop and implement a plan to increase mental health workforce. — ***Referred to S. Health and Human Services***

SB 10, by Nelson – Establishes the Texas Mental Health Care Consortium to enhance the state's ability to address mental health care needs. The TMHCC would be composed of 12 health-related institutions of higher education in Texas. Requires parental consent. — ***Pending in H. Public Health***

Support state action related to state participation in the funding of indigent health care to maximize access to available federal funds.

The House and Senate's first drafts of the state budget propose enough funding to cover caseload growth for Medicaid, but do not sufficiently account for the increase in health care costs. This is a recurring approach to funding Texas Medicaid, which will mean that lawmakers would have to once again pass a substantial supplemental budget for health care costs in 2021 to finish out the two-year budget cycle.

HB 25, by Gonzalez – Women's Medicaid coverage for 12 months after giving birth. — ***Pending S. Health and Human Services***

HB 342, by Cortez – Allows children to remain covered for a year once they are deemed Medicaid eligible. — ***In House Calendars Committee***

HB 870, by Price – Provides that services provided via telemedicine are covered for reimbursement through Medicaid. Repeals a provision that requires a health professional is present with the patient during treatment. — ***In House Calendars Committee***

Expand capacity of both forensic and civil beds in the state hospital system.

SB 500, by Nelson – State supplemental appropriations bill. ***Conference Committee***

Support the continuation of the 1115 Medicaid Transformation Waiver.

Support state action related to state participation in the funding of indigent health care to maximize access to available federal funds.

Support the repeal of the Drivers Responsibility Program and the replacement of State funding for trauma care.

HB 2048, by Zerwas**– Drivers Responsibility Program repeal. Increases a fee on auto insurance policies by \$2, 60% allocated to the trauma fund. Raises the state portion of traffic fines on certain moving violations from \$30 to \$50, Lowers the city/county portion from 5% to 4%; however, 30% to trauma fund and 70% to GR. First-time Class B DWI offenders pay a fine of \$3,000 over three years; \$4,500 for second offenders; \$6,000 for third. 30% trauma and 70% to GR.— ***Sent to Senate

Other Bills of Interest in Health and Human Services:

HB 3518, by Gutierrez – Allows a county to require a permit for food service establishments, food stores, mobile food units and roadside food vendors if they are located on county property or in an unincorporated area of the county. – ***Recommended for Local and Consent Calendar***

HB 601 by Price – Cleanup bill for last session for jail inmates who have a mental illness or intellectual disability be assessed by a mental health professional. Amended to require commissioners court to reimburse the LMHA or LIDD for the cost of the assessment. – ***Referred to Senate Criminal Justice***

ENVIRONMENT/DISASTER RELIEF, RECOVERY, AND RESILIENCE

Support full funding for the Texas Emissions Reduction Plan (TERP) and maintain the integrity of the TERP program.

HB 3745 by Bell - Takes the TERP funds out of legislative appropriations. Redefines the TERP fund and account in a manner that permits TCEQ to spend all monies raised by TERP fees to carry out the plan without specific legislative appropriation. Extends the fees until the State reaches attainment. – ***Received in the Senate***

SB 531 by Birdwell/HB 1746 by Lozano – Extends TERP fees until the last day of the fiscal biennium which TCEQ publishes in the register that the state is in attainment. — ***Referred to H. Environmental Regulation / In House Calendar***

Use the TERP funds only for programs that will assist nonattainment and near nonattainment areas in meeting Environmental Protection Agency (EPA) Ozone standards.

Support local administration of the LIRAP and LIP programs to ensure funds collected in the county are used in the county.

SB 1070 by Watson – Converts the LIRAP program to emphasize the LIP options. — ***Senate Calendar***

Support using state funds for financing disaster mitigation, disaster prevention, disaster recovery, and resilience projects as long as local decision making is preserved to ensure local priorities are met.

HB 13, by Phelan/HJR 4, by Phelan – Appropriates \$3.26B from the Economic Stabilization Fund and creates the flood infrastructure fund as a special fund outside of the general fund to be administered by the Texas Water Development Board (TWDB) to award or loan state dollars to political subdivisions in cooperation with others in a region to encourage development of nonstructural and structural flood mitigation. — ***Referred to S. Water and Rural Affairs / Referred to S. Water and Rural Affairs***

HB 2300, by Morrison – Creates a disaster recovery loan program under TX Division of Emergency Management for political subdivisions located wholly or partly in a declared disaster area by Gov or President for damaged infrastructure greater than 50% of the political subdivision's total revenue for current year. Establishes application procedures and loan guidelines. Appropriates \$60m from GR. — ***Received in Senate***

SB 7, by Creighton – Revamps the Floodplain Management Account as a special fund, administered by TX Water Development Board, used for grants, loans, data collection for flood control planning and renames it the TX Infrastructure Resiliency Fund (TIRF). Creates four subaccounts: Floodplain Management (continues to be used for grants, data collection, stream gaging, and outreach), Harvey Recovery, Flood Plan Implementation, Army Corps Projects. Prioritizes projects based on TDEM recommendations, emergency need, funded partially by federal matching funds, increase water supply. Defines flood project as drainage, flood mitigation, or flood control project. Establishes TIRF Advisory Committee (existing members of SWIFT and TDEM). Requires quarterly reports from state agencies that disburse fed dollars for flood-related activity. Adds TWDB transparency requirements. — ***Pending H. Natural Resources***

SB 8, by Perry – Creates an official state flood plan to include a statewide, ranked list of ongoing and proposed flood control projects; evaluation of flood control infrastructure; analysis of development in the 100-year floodplain areas and legislative recommendations; and incorporate regional plans. Creates a “regional flood planning” process in which a regional flood planning group jointly plans for overall regional priorities. The planning group is composed of representatives of governing body of each county located wholly or partially in the flood planning region. In voting on final version of regional flood plan, entitles each county to one vote. — ***Pending H. Natural Resources***

Other Bills of Interest in Environment:

HB 7, by Morrison - Requires TX Division of Emergency Management, in consultation with the other state agencies, to develop a plan to assist political subdivisions with executing contracts for services that political subdivisions are likely to need post-disaster. — ***Referred to S. Business and Commerce***

SB 970, by Creighton/HB 2003, by Leach – Says any "public agency" - entity with authority to operate waste facilities - may not enter into a contingent fee contract with a lawyer unless the attorney general reviews and approves the contract. – ***Placed on S. Calendar / Dead by Procedure***

DEVELOPMENT AND INFRASTRUCTURE

Oppose efforts to require local governments to pay penalties, including an opposing party's attorney fees and court costs in eminent domain proceedings.

SB 552, by Schwertner – Adds additional language to the statement provided to a property owner when surveying a property for potential eminent domain authority purposes, including the

entity has the right to sue to enter the property, the owner has the right to seek to negotiate the terms of the survey and the entity is responsible for any actual damages while surveying. Any written survey permission form provided to a landowner must contain those rights. — ***Referred to H. Land and Resource Management***

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.

SB 554, by Schwertner / HB 1253 by Leman – Property acquired by eminent domain is subject to repurchase if the government cannot show "actual progress" on the public use of the land within 10 years of acquisition. The bill would make showings of "actual progress" more difficult. Instead of showing compliance with at least 2 of 7 factors, government would have to show compliance with at least 3 of 5 factors. The 2 repealed factors are arguably the easiest to meet. — ***Referred to H. Land and Resource Management***

Other Bills of Interest in Development and Infrastructure:

HB 2529, by Leach – Permits a county to appoint at least one commissioner to a county housing authority or a regional housing authority who is a recipient of housing assistance administered through the authority's choice voucher program or project-based rental assistance. — ***S. Intergovernmental Relations 5/6/19***

HB 1999, by Leach – Requires governmental entity alleging a construction defect to give the alleged responsible contractor, architect, or engineer a written report of the alleged defect and the opportunity to correct the defect before being eligible to bring a lawsuit. — ***Received in Senate***

HB 2135, by Shine – Caps retainage at 5% of a contract for a public works project of \$1 million or more. — ***In House Calendars Committee***

HB 3167, by Oliverson – Amends timeline for approval or disapproval of a plat to 30th day after application is received. Considers application to be approved unless application is disapproved within the 30-day time period. Allows for extension of 30-day period for a period not to exceed 30 days. – ***Received in Senate***

PUBLIC SAFETY AND EMERGENCY MANAGEMENT

Support giving all counties the option to adopt a fire code and rules necessary to administer and enforce the fire code.

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.

HB 2748, by Perez – Removes all of the sales period restrictions and allows sales of fireworks at all time during the year. – ***Postponed on second reading until 5/8/19***

SB 2318, by Campbell - Prohibits a county from requiring a building permit to construct, improve, or occupy a structure used for retail sale of seasonal goods if structure is portable and smaller than 500 sq ft. – ***Received in the House***

HB 581, by White – Allows the sale of fireworks five days before and up to Labor Day if permitted by commissioners court. — ***In House Calendars Committee***

HB 582, by White – Permits fireworks sales five days before Juneteenth with commissioners court approval. Clarifies Texas A&M Forestry is the determinant of drought conditions. — ***In House Calendars Committee***

HB 915, by Shaheen – Allows fireworks on Diwali Day. Typically, in October/September. No commissioners court approval required. — ***In House Calendars Committee***

HB 2063, by Stickland – Authorizes sale of fireworks on and before Texas Independence Day (beginning February 25 and ending at midnight on March 2); San Jacinto Day (beginning April 16 and ending at midnight on April 21); and expands sale on and before Cinco de Mayo statewide without approval of commissioners court. — ***In House Calendars Committee***

Protect county authority to restrict or ban the sale and use of fireworks during drought conditions and when included in a local disaster declaration.

Support the current role of local emergency management authorities and the county judge in responding to potential and actual emergencies and disasters.

Support efforts to maintain the long-established prohibition of guns in any portion of a building used by court participants.

Support additional funding for DPS crime labs provided it does not negatively impact existing local crime labs.

ELECTIONS

Support the creation of an online voter registration system.

HB 1897, by Dutton – Requires a voter registrar to adopt procedures to allow completion of a voter registration application online. — ***Set on House Calendar***

Expand the Countywide Polling Place Program for all counties.

SB 1255, by Bettencourt – Stipulates that a countywide polling place must have the same % of polling places as the % of voters in each precinct. In counties of 400k and more, the % of polling places must be equal to the % of voters in each state representative district in the county. — ***Recommended for Local/Uncontested Calendar***

Support state funding to counties for the purchase of new election equipment, including reimbursement for purchases made within the last 3 years.

HB 362, by Israel/SB 2353, by Hall – Creates a GR funded grant for counties/cities to apply to replace voting system equipment for up to 50% of the actual cost, machines must use a paper record or produce a paper receipt. Eligibility criteria shall include number of voters, the age and condition of current equipment, need in both rural and urban areas and whether the governing body has adopted a long-term plan to address needs. — ***In House Calendars Committee / Senate Intent***

Support grandfather provisions for all counties that purchased election equipment, in the last five years, that does not produce a paper audit trail.

Retain the current option to hold elections on uniform election dates.

Other Bills of Interest in Elections:

SB 9, by Hall – Omnibus elections bill. Would require, for the 2024 election, voting machines that must use a paper record or produce a paper receipt. In a county of 1 million or more to use the same methodology for polling locations as prior to using a county wide polling place. \$36m rider provided in SB 1 to retrofit machines purchased between 2014 and 2019. ***Referred to H. Elections***

HB 3578, by Klick – Requires a judge upon conviction of a person for a felony offense, order the persons voter registration cancelled and send the order to the SOS. Prohibits cancelling a person's order on the grounds of a felony without the court order. — ***In House Calendars Committee***

SB 966, by Bettencourt – Provides that moving a temporary branch polling place for a county with a population of 100k or more may only be changed once during a voting period and after half the voting period has concluded. ***House Elections 5/6/19***

SB 323, by Huffman - Mandates that political subdivisions (with more than 120,000 pop) submit ballot proposition language to regional presiding judge of administrative judicial region for review of clarity 123 days before election day. ***Referred to House Elections***

SB 462, by Campbell - Requires all local debt proposition ballots to include aggregate amount of debt at beginning of that fiscal year and the ad valorem debt service tax rate at the time the election is ordered. ***Referred to House Pensions***

SB 1190, by Bettencourt - Prohibits a person from establishing residence for purpose of influencing outcome of an election; at any place the person has not inhabited. For purposes of a voter response to a confirmation notice sent by voter registrar, requires voter to submit a sworn affirmation of voter's current residence and evidence of address. Allows for the use of copy of document to confirm residence. Clarifies that a voter enrolled as a full-time student living on campus at higher ed institution may use address of PO Box on campus or in a dorm. — ***Received in the House***

SB 1613, by Hall – Void a bond election if 25% or less registered voters of the political subdivision vote. — ***In Senate Calendars***

SB 2219, by Bettencourt – Bond elections must be held on the November uniform election date, exception for an emergency declaration by the governor; must go to the voter for an imposition, increase or reduction of a tax to state specific language and may not exceed 5,000 characters or one voting screen. — ***Received in the House***

GOVERNANCE AND FINANCE

Ensure commissioners court authority over county budgeting and contracting decisions.

Protect local taxpayers from unfunded state mandates, which drive local property tax increases, result in reductions in critical services, and infringe local control.

Support local control over compensation and benefits paid by the county.

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.

Support full state funding for representation of indigent parties in child welfare cases.

SB 1293, by Zaffirini – Authorizes counties to create public defender positions to represent persons in commitment proceedings in lieu of private appointed counsel. — ***In House Calendars Committee***

SB 560, by Kolkhorst – Requires the Judicial Council to collect information on manner and costs of court-appointed attorneys CPS cases. Report to be submitted to Legislature. — ***Received in the House***

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 manner or reports that are duplicative of reports already required.

SB 470, by Kolkhorst – Requires every county child welfare board to submit a report of the amount and source of funds received/expended in the preceding fiscal year, including the purpose of expenditures. — *Received in the House*

Support legislation that permits counties to post public notices electronically in lieu of print publication.

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.

HB 440, by Murphy – Would require internet posting of sample ballot for bond proposition if county has website. Maturity date of general obligation bonds for improvements or personal property cannot exceed 120% of expected average economic life of the improvements/property. Unspent bond proceeds can be used for other purposes only after an election approving the new use. ISDs would not have to have an election to spend excess proceeds for other purposes. —

Reported from S Property Tax

HB 477, by Murphy – Local governments with 250 or more registered voters are required to create a voter information document that includes info on existing debt and impact on taxes on proposed bond issuance. Must post to website if local gov has website. Additional information also required by all counties publishing notice to issue COs. No additional language on ballots. —

Reported from S. Property Tax

SB 462, by Campbell – Requires all local debt proposition ballots to include aggregate amount of debt at beginning of that fiscal year expressed as a percentage of the adopted tax rate, and the ad valorem debt service tax rate at the time the election is ordered. — *Hearing in H.*

Pensions/Investments/Financial Services 5/9/19

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.

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.

Oppose restrictions on the ability of local governments to effectively and efficiently communicate with the legislature and other state and federal entities.

SB 29, by Hall – Local government cannot spend money to influence legislation unless requested by member of the legislature. Local governments cannot join any association unless it does not lobby and only if it is for the benefit of all local officials. — *Referred to H. State Affairs*

HB 281, by Middleton – Prevents any political subdivision from directly lobbying or joining a group that directly lobbies the legislature to influence the outcome of pending legislation. Allows a citizen to challenge an entity in Court and recoup attorney fees if they win the challenge. — *In House Calendars Committee*

HB 433, by Shaheen – Political subdivisions must disclose in any required comprehensive annual financial report the total amount spent to compensate lobbyists. — ***In House Calendars Committee***

SB 702, by Bettencourt –Permits a political subdivision to spend money to directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature only if expenditure is authorized by a majority of the governing body in an open meeting of governing body. Requires the political subdivision or entity to report to TX Ethics Commission and publish on the subdivision's website amount of money authorized, name of any person required to register, and copy of contract for services, amount of public money spent for membership fees and dues of any nonprofit state association or organization. Requires Ethics Commission to create a public database concerning such reports. If political subdivision does not comply, entitles any taxpayer to sue for injunctive relief to prevent further activity in violation. Bill does not apply to government officer or employee who is requested to appear by a legislator so long as person does not take a position for or against legislation. — ***Referred to H. State Affairs***

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.

HB 1700, by Hunter – Addresses public information on a personal device. — ***In House Calendars Committee***

SB 944, by Watson – Requires all officials and employees to forward public information on private devices to the PIA officer for the governmental body. Requires governmental bodies to make reasonable efforts to obtain such information if there is a request covering the information. Governments can designate specific mailing and email addresses for PIA requests. — ***In House Calendars Committee***

Other Bills of Interest in Governance & Finance:

HB 1294, by Davis – Expands current requirement of elected law enforcement, county judge, or appointed public officer to an officer, employee, or volunteer of the state or a political subdivision who is a supervisor and whose position includes emergency management responsibilities to receive emergency management training. — ***In House Calendars Committee***

SB 1582, by Lucio – Adds peace officers to those who are presumed to have contracted certain diseases in the line of work. Covers smallpox, tuberculosis, heart attack or stroke. — ***In House Calendars Committee***

HB 1652 by Huberty – If directed by commissioners court, a tax auction of real property must be conducted using online bidding and sale. — ***Sent to the Senate***

SB 652, by Campbell – Currently local governments may not issue COs for same purpose as proposed bond issuance rejected by voters for period of at least 3 years. Bill extends moratorium to 6 years. Adds new requirement to post intent to issue COs continuously on government's website for at least 30 days before approval of the issuance (and website is mandatory). — ***Referred to H Pensions***

SB 1640 by Watson—Addresses walking quorum. Violations require proof that meeting participant knew the series of communications would include a quorum and would constitute a “deliberation.”— ***Reported from House State Affairs***

SB 22, by Campbell – Governmental entities may not contract with abortion provider or affiliate for any goods or services. — ***In House Calendars Committee***

HB 2840, by Canales – Requires a governmental body (includes commissioners court) of a political subdivision to allow each member of the public to address the governing body before or during the body's consideration of an agenda item. Allows the body to adopt reasonable rules to implement. If a governmental body does not use simultaneous translation equipment, requires at least 2x the amount of time provided to the member of the public. Forbids a governmental body from prohibiting public criticism of the governmental body unless otherwise prohibited. – ***Sent to Senate***

HB 2953, by Moody – Creates a grant program to supplement peace officer salaries in counties/cities where the salary is less than \$32.5k CLEAT Bill. — ***In House Calendars Committee***

HB 1927, by Herrero - Requires a county judge to fill a county commissioner vacancy by the 60th day after the date of vacancy, in counties over 300k. – ***Recommended for Local and Consent Calendar***

HB 2826, by Bonnen, G – Imposes a slew of requirements before a governmental entity may enter into a contingency fee contract for legal services, including getting approval of the contract from the AG. AG may decline to approve the agreement if the purpose is one the AG can pursue. This is aimed at stopping local enforcement of environmental regulations. — ***Received in the Senate***

HB 2503, by Kacal – Extends lifetime survivor benefits to surviving spouse of elected or appointed peace officer who dies in the course of employment, even if the spouse remarries. Currently limited to first responders. — ***Set on H Calendar 5/6/19***

HB 359, by Moody – Prohibits discharging, suspending or firing a peace officer, detention officer, county jailer, or firefighter due to their inability to perform duties if the person was injured in the course and scope of duty before the person is certified as having reached maximum medical improvement. Waives sovereign immunity for a lawsuit for damages and reinstatement under this provision. "unless the report of the designated doctor indicates the person is unable to return to work." Caps the damages payable by an employer at \$100,000. Excludes counties that have civil service. — ***Referred to S Business and Commerce***

HB 1929, by Noble – Prohibits contracts of any kind between governmental entities and abortion providers. — ***Voted favorably from committee as substituted House State Affairs***

SB 2104, by Zaffirini – Creates a Texas Veterans County Service Officer task force that consists of House Defense chair, Senate Veterans affair chair, Texas Veterans Commission, Officers from various regions, Texas Coalition of Veterans Organizations to review the role and duties of officers in each county, identify areas in need of officers, determine state assistance needed and submit a report by 2020. — ***Referred to House Committee on House Defense and Veteran's Affairs***

Principles of the Urban Counties Policy Platform

1. Urban Counties believe local government is more responsive and accountable to the citizens and communities and should be utilized for service delivery whenever practical.
2. Urban Counties believe permissive authority provides better policy options while state mandates, revenue restrictions, and one-size-fits-all directives undermine voter self-determination and local responsibility.
3. Urban Counties believe the State increases local property taxes when it imposes obligations on local governments without providing adequate funding.
4. Urban Counties believe State funds collected for specific programs should be allocated based upon population, number of clients, or some other appropriate measure of the need for that program or service.
5. Urban Counties believes that funds collected for a purpose should be used for that purpose and support ending the reliance on dedicated revenues to balance the State budget.

1 Taxation

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 sale or 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. 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.
6. Support reforms to process for equity appeals of appraisals.
7. Oppose reducing the penalty when land that was previously appraised as agricultural or other open space property is converted to another use.
8. Oppose all new property tax exemptions, expansion of existing exemptions, or any other narrowing of tax base unless approved by the Urban Counties.
9. Support a significant increase in the school homestead exemption and ensure adjustments are made in state funding to schools to account for the exemption.
10. Support property tax transparency and information proposals, including but not limited to:
 - a. Removing projected tax assessment information from the central appraisal district (CAD) notice of assessed value;

- b. Requiring proposed tax rates and hearing information be provided to the CAD where they would be made available to taxpayers online;
 - c. Renaming the “effective” tax rate as the “no-new-revenue” tax rate;
 - d. Improving training and education requirements for appraisal review board members;
 - e. Establishing a property tax administration advisory board to help with uniformity of appraisal forms, systems, and reports across districts; and
 - f. Streamlining notice procedures for taxpayers, including separation of individual taxing entities’ rates and respective tax amounts.
11. Support allowing school districts to increase their tax rate to a previously approved level after a decrease rather than having to hold a second increase ratification election;
12. Support protections for innocent and unwitting taxpayers that acquire property subject to governmental errors in previous tax years from having to pay back taxes due to those errors.
13. Oppose arbitrary limits on local governments to undermine fiscal resources that enable officials to meet their obligations and local priorities.

2 Crime and Courts

- 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 to cover increased costs incurred by local county taxpayers since the passage of the Fair Defense Act in 2001.
- 3. Support additional state funding for juvenile probation departments if the age of criminal responsibility is raised to 18.
- 4. 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.
- 5. 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 to end the practice of the state pushing costs associated with state prisoners onto local county taxpayers.
- 6. Oppose changes in court costs in criminal cases that are expected to have a negative fiscal impact to counties.
- 7. 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.
- 8. Maintain current fee structure for the district court records and archives fee, the county court records management and preservation fee, and the records archive fee through 2029.
- 9. Support granting counties authority to judicially designate as uncollectible certain fees and costs of court.

3 Transportation

1. Oppose eliminating local tolling options.
2. Support enhanced funding for freight transportation infrastructure projects to address economic growth and an ever-increasing population.
3. Support current weight requirements for vehicles operating on county roads, except for localized proposals supported by the local commissioners court.
4. Support local option fees for road improvements/additions if the fees are approved by the county's 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. Support the repeal of the Drivers Responsibility Program and the replacement of state funding for trauma care.

5 Environment/Disaster Relief, Recovery, and Resilience

1. Support full funding for the Texas Emissions Reduction Plan (TERP) and maintain the integrity of the TERP program.
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 Environmental Protection Agency (EPA) Ozone standards.
4. Support using state funds for financing disaster mitigation, disaster prevention, disaster recovery, and resilience projects as long as local decision making is preserved to ensure local priorities are met.
5. Oppose any further erosion in the ability of local governments to hold violators of environmental laws and regulations accountable.

6 Development and Infrastructure

1. Oppose efforts to require local governments to pay penalties, including an opposing party's attorney fees and court costs in eminent domain proceedings.
2. 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.

7 Public Safety and Emergency Management

1. Support giving all counties the option to adopt a fire code and rules necessary to administer and enforce the fire code.
2. 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.
3. Protect county authority to restrict or ban the sale and use of fireworks during drought conditions and when included in a local disaster declaration.
4. Support the current role of local emergency management authorities and the county judge in responding to potential and actual emergencies and disasters.
5. Support efforts to maintain the long-established prohibition of guns in any portion of a building used by court participants.
6. Support additional funding for DPS crime labs provided it does not negatively impact existing local crime labs.

8 Elections

1. Support the creation of an online voter registration system.
2. Expand the Countywide Polling Place Program for all counties.
3. Support state funding to counties for the purchase of new election equipment, including reimbursement for purchases made within the last 3 years.
4. Support grandfather provisions for all counties that purchased election equipment, in the last five years, that does not produce a paper audit trail.
5. Retain the current option to hold elections on uniform election dates.

9 Governance and Finance

1. Ensure commissioners court authority over county budgeting and contracting decisions.
2. Protect local taxpayers from unfunded state mandates, which drive local property tax increases, result in reductions in critical services, and infringe local control.
3. Support local control over compensation and benefits paid by the county.
4. 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.
5. Support full state funding for representation of indigent parties in child welfare cases.
6. 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 manner or reports that are duplicative of reports already required.
7. Support legislation that permits counties to post public notices electronically in lieu of print publication.
8. 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.

9. 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.
10. 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.
11. Oppose restrictions on the ability of local governments to effectively and efficiently communicate with the legislature and other state and federal entities.
12. 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.
13. Oppose any measure that interferes with the authority of a county to select its legal counsel and establish the terms of representation.

Other Issues

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

1. VSCO Reports – Support granting commissioners courts discretion regarding oversight of veterans county service officers.
2. Sheriff and Constable Fees – Support the ability for a fee for sheriff or constable services that was previously approved by a county's commissioners court to remain unchanged from the prior fiscal year unless changed by the court.