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500 West 13th Street
Austin, TX 78701

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Policy Committee Meeting

In-Person: Sheraton Austin Hotel at the Capitol (Austin, TX)

Virtually: Please join the meeting from your computer, tablet or smartphone.

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March 3, 2021

AGENDA

4:00 P.M. Convene

1. Welcome and Introductions
2. Administrative Items [Gabriela Villareal]
 - a. Next meeting: March 25, 2021 @ 9:00 A.M. at the Travis County Administrative Building (700 Lavaca Street, Austin)
3. Policy Committee Attendance Record 2021

Policy Committee Attendance Record 2021												
Policy Committee Members		County	01/06/21	01/28/21	02/25/21 - Canceled	03/03/21	03/25/21	04/22/21	05/20/21	06/10/21	08/19/21	11/18/21
1	Judge Eddie Treviño (Chair)	Cameron	V	V								
2	Judge David Blackburn	Bell	V	V								
3	Comm. Justin Rodriguez	Bexar	V	V								
4	Judge Matt Sebesta	Brazoria	V	V								
5	Comm Susan Fletcher	Collin	V	V								
6	Comm. Theresa Daniel	Dallas	V	V								
7	Comm. Bobbie Mitchell	Denton	X	V								
8	Comm David Stout	El Paso	V	V								
9	Comm. Andy Meyers	Fort Bend	V	V								
10	Comm. Ken Clark	Galveston	X	V								
11	Judge Bill Magers	Grayson	V	P								
12	Judge Lina Hidalgo	Harris	P	P								
13	Judge Richard Cortez	Hidalgo	X	X								
14	Comm. Bo Alfred	Jefferson	X	X								
15	Judge Hal Richards	Kaufman	X	X								
16	Comm. Robin Donnelly	Midland	X	V								
17	Judge Barbara Canales	Nueces	X	P								
18	Judge Glen Whitley	Tarrant	V	V								
19	Comm. Margaret Gomez	Travis	V	V								
20	Judge Bill Gravell	Williamson	X	X								
21	Comm Kevin Burns	Wise County	X	V								
V - Present P - Present by Proxy X - Absent E - Excused Absence												

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

4. Consider the minutes from the January 28, 2021 meeting. [pg. 3]
5. Policy Director's Report [Adam Haynes]
 - a. Bills of Interest
 - b. Senate Bill 1 (General Appropriations Bill) [pg. 6]
 - c. Lieutenant Governor's Top 31 Priorities for the 2021 Session [pg. 11]
 - d. House Bill 3 (Texas Pandemic Response Act) [pg. 13]
6. Discussion of Legislation Regarding Hiring Government Experts [pg. 15]
7. New Business
8. Adjourn

POLICY COMMITTEE MEETING
<https://global.gotomeeting.com/join/398148269>
January 28, 2021
Minutes

Members Present

Judge Eddie Trevino, Cameron County
Judge David Blackburn, Bell County
Commissioner Justin Rodriguez, Bexar County
Judge Matt Sebesta, Brazoria County
Commissioner Susan Fletcher, Collin County
Commissioner Theresa Daniel, Dallas County
Commissioner Bobbie Mitchell, Denton County
Commissioner David Stout, El Paso County
Commissioner Andy Meyers, Fort Bend County
Commissioner Ken Clark, Galveston County
Commissioner Robin Donnelley, Midland County
Judge Glen Whitley, Tarrant County
Commissioner Margaret Gomez, Travis County
Commissioner Kevin Burns, Wise County

Others Present

Commissioner Devan Allen, Tarrant County
Commissioner Jeff Whitmire, Grayson County (Proxy for Judge Magers)
Melissa Shannon, Bexar County
Charles Reed, Dallas County
Daniel Collins, El Paso County
Betsy Keller, El Paso County
Carlos Martinez, El Paso County
Carole Lamont, Harris County
Tammy Narvaez, Harris County
Ender Reed, Harris County (Proxy for Judge Hidalgo)
Belinda Hinojosa-Persohn, Nueces County (Proxy for Judge Canales)
Chandler Merritt, Tarrant County

Russell Schaffner, Tarrant County

Lani Oglewood, Travis County

Melissa Velasquez, Travis County

Julie Wheeler, Travis County

John Dahill, Texas Conference of Urban Counties

Andrea Godoy, 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

Chairman Trevino called the meeting to order at 9:05 A.M.

The Committee discussed agenda **item 2**, administrative items, the next meeting date of 9:00am on Thursday, February 25, 2021.

The Committee discussed agenda **item 3**, policy committee attendance record 2021.

The Committee considered agenda **item 4**, the minutes from the January 6, 2021 meeting. On a motion by Commissioner Margaret Gomez and a second by Commissioner Theresa Daniel, the minutes were approved.

The Committee discussed agenda **item 5**, the Policy Director's Report.

The Committee discussed **item 7**, Discussion of Legislation Regarding Hiring Government Experts.

The Committee considered **item 6**, Consideration of "Whistleblower" Legislation. On a motion by Commissioner Theresa Daniel and a second by Commissioner Margaret Gomez the recommended resolution was passed.

Recommended Resolution:

RESOLVED by the Urban Counties Policy Committee that the Governance and Finance section of the Policy Platform is amended as follows:

Oppose granting whistleblower status to employees unless they report illegal conduct to a person designated by the employing governmental entity to receive such reports, the attorney general, or an appropriate law enforcement authority.

The meeting adjourned at 10:31 A.M.

Judge Eddie Trevino
Vice Chairman of Policy

Date



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February 23, 2021

Senate Finance Committee
P.O. Box 12068 Room: E1-038
Austin, TX 78711-2068

Re: Criminal Justice Grants – Trusteed Office of the Governor

Dear Chair Nelson and Committee Members:

Thank you for giving the Texas Conference of Urban Counties the opportunity to provide testimony on the importance of funding for Criminal Justice Division grants.

In Texas, counties provide the major share of financial support for public safety and court-related activities. We are the state's partners and are directly responsible for juvenile delinquency prevention, crime prevention, law enforcement, victim services, prosecution, indigent defense, drug and other problem-solving courts, corrections, drug and substance abuse treatment and post-correctional support services.

The state contribution to local criminal justice services is much needed. Not only does state aid allow local governments to test new initiatives and coordinate across the justice system to find unique solutions, but state contributions reduce the need to raise property taxes to support those efforts locally. Criminal Justice Division Grants have been a catalyst for many initiatives and have brought about property tax savings for taxpayers while reducing jail populations, battling the cycle of recidivism and reducing the rate of incarceration.

Urban Counties requests restoring of funding for the Criminal Justice Department in the Trusteed Office of The Governor at 2020/2021 levels. This funding is an important tool to improve public safety and support victims of crime by filling system gaps and promoting innovative solutions to common challenges.

This funding helps counties provide resources and opportunities for community programs to coordinate and collaborate services and treatment for individuals and their families. Grantees implement projects include community collaboratives which collectively provide educational services, employment assistance, therapy, counseling, animal-assisted therapy, transportation assistance, outreach and engagement, jail diversion, housing assistance, financial assistance, benefits assistance, and referrals to additional services.

In addition, several grant programs provide direct assistance to local law enforcement officers with body cameras, body armor, and training programs. The loss of grants would result in less funding for law enforcement officers.

Funding for these programs provides the foundation for Texas' counties to build robust capabilities needed to fight crime, manage better outcomes for youth, efficiently administer our diverse criminal justice systems and achieve the highest level of public safety all while providing lower property tax impacts to our joint constituents.

Thank you for your consideration and service to the State of Texas.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Haynes', with a stylized flourish at the end.

Adam Haynes
Policy Director



February 23, 2021

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Senate Finance Committee
P.O. Box 12068 Room: E1-038
Austin, TX 78711-2068

Re: **Texas Indigent Defense Commission and Funding for Indigent Defense Services**

Dear Chair Nelson and Committee Members:

Thank you for giving the Texas Conference of Urban Counties the opportunity to testify on the importance of funding for the Texas Indigent Defense Commission. We respectfully request your support for funding for indigent criminal defense services through the budget of the Texas Indigent Defense Commission.

Since the passage of the Fair Defense Act in 2001, expenditures for defense of indigent persons in criminal cases have increased by more than 230%. Despite assurances the state would increase appropriations as program costs increased, the state has paid, on average, less than 13% of the program costs while county property taxpayers have paid an increased burden each year. To date, county taxpayers have paid out almost \$2.7 billion in property taxes for indigent defense. Worse still, payments from the state continue to decline with less than 11% of program costs being covered by state appropriations in 2019. This trend indicates property taxes will continue to pay an increased share of a mandated state program.

Texas county budgets continue to face daunting times. We are burdened with state mandated property tax increases like indigent defense costs while living under state mandated caps on our ability to raise funds. Compounding the problems with indigent defense costs is the trend in declining court fee collections. The health emergency has accelerated these trends and has resulted in a substantial drop in revenue.

We encourage the legislature restore the 5% funding cut and increase the state funding share for the program to ensure funding is available to provide indigent defense service within our counties and reduce the property tax burden for our joint constituents.

And finally, we encourage the legislature adopt work towards a funding formula to reach 50% state funding. Additional funding would represent a significant state commitment to attain a more equitable balance in the cost of this required service.

Thank you for your time and consideration.

Sincerely,

Adam Haynes
Policy Director



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February 26, 2021

Senate Finance Committee
P.O. Box 12068 Room: E1-038
Austin, TX 78711-2068

Re: **Texas Behavioral Health Funding – Article II**

Dear Chair Nelson and Committee Members:

Thank you for giving the Texas Conference of Urban Counties the opportunity to provide testimony on the importance of funding behavioral health services.

Over the last two sessions the Legislature has taken great strides in recognizing the importance of increasing funding for mental health in Texas. Last session, funding for behavioral health rose by more than \$400 million. We are especially thankful for those efforts and the important upgrades for the state's mental health infrastructure.

Unfortunately, there continues to be a crisis in effectively serving Texans with mental illness. The number of individuals found incompetent to stand trial and added to Texas' waitlist for competency restoration services continues to increase, making our county jails the largest provider of state mental health services. A systemic approach to forensic and diversion services is needed to both reduce the number of individuals entering the criminal justice system and more efficiently utilize resources for individuals who need them.

In addition to the human cost, the consequences of providing inadequate mental health care funding have fiscal implications on property taxpayers. Inmates living with mental illness often serve longer sentences due to repeated rule violations and verbal or physical altercations. Because there are insufficient beds available at state facilities, counties cannot transfer patients for treatment. As a result, counties provide the mental health services for individuals and those costs are born by county property taxpayers.

Counties invest in community health systems, including behavioral health services, and county-based behavioral health services. County governments plan and operate community-based services for persons with mental illnesses and substance abuse conditions. Such services improve community well-being, reduce counties' health care and justice system costs and provide savings to local taxpayers.


We ask the Legislature to continue to prioritize funding grant programs that allow local discretionary programs supporting community based mental health services. The grant programs help local governments provide a range of services for adults and children with serious mental illnesses, including employment and housing assistance, case management (including Assertive Community Treatment), school-based support services, family and parenting education and peer support. These grants improve behavioral health services and reduce the property tax impact on local taxpayers.

Finally, the mental health care system does not have the capacity to meet the full range of consumer need. Waitlists, workforce shortages, and gaps in the care continuum continue to jeopardize the health and wellbeing of Texans. To improve the quality of care delivered to Texans, Texas should increase funding for community-based outpatient programs and sustain the investment in the state hospital redesign and reconstruction.

Again, we are very thankful for the progress Texas has made over the past couple years and see much opportunity to continue to build on that progress.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Haynes', with a stylized flourish at the end.

Adam Haynes
Policy Director

Lt. Gov. Dan Patrick Announces Top 31 Priorities for the 2021 Session

February 23, 2021

Priority Bills by Number

Senate Bill 1 – The State Budget

Senate Bill 2 – ERCOT Reform

Senate Bill 3 – Power Grid Stability

Senate Bill 4 – Star Spangled Banner Protection Act

Senate Bill 5 – Statewide Broadband Access

Senate Bill 6 – Pandemic Liability Protection Act

Senate Bill 7 – Election & Ballot Security

Senate Bill 8 – The Heartbeat Bill

Senate Bill 9 – Abortion Ban Trigger

Senate Bill 10 – Stop Taxpayer Funded Lobbying

Senate Bill 11 – Appellate Court Reorganization

Senate Bill 12 – Protect Free Speech on Social Media

Senate Bill 13 – Oil & Gas Investment Protection

Senate Bill 14 – Business Freedom and Uniformity Act

Senate Bill 15 – Ban Sale of Personal Data from Certain State Agencies

Senate Bill 16 – Protect State-held Personal Data

Senate Bill 17 – Protect Texas Trucking

Senate Bill 18 – Protect Second Amendment Businesses

Senate Bill 19 – Stop Corporate Gun Boycotts

Senate Bill 20 – Second Amendment Protections for Travelers

Senate Bill 21 – Bail Reform

Senate Bill 22 – First Responders Pandemic Care Act

Senate Bill 23 – Stop Local Police Defunding

Senate Bill 24 – Law Enforcement Transparency Act

Senate Bill 25 – Family Nursing Home Visitation Rights

Senate Bill 26 – Protect Our Freedom to Worship

Senate Bill 27 – Expanding Virtual Learning Options

Senate Bill 28 – Charter School Equity Act

Senate Bill 29 – Fair Sports for Women & Girls

Senate Bill 30 – Remove Racist Restrictions from Real Estate Deeds

Senate Bill 31 – Senate Redistricting Act

HB 3 (Burrows) "Texas Pandemic Response Act"

Summary

- Expands Governor's Authority to Suspend Certain Laws
 - Authorizes Governor to suspend provisions of any regulatory statute
 - Upon request of a political subdivision, allows the Governor to waive, or suspend, a deadline imposed on the political subdivision if it is reasonably necessary to cope with the pandemic disaster
 - Permits Governor to temporarily reassign resources, personnel, or functions of state agencies and political subdivisions
 - Authorizes Governor to prescribe routes, modes of transportation, and destinations in connection with an evacuation
- Establishes Pandemic Emergency Management Directors
 - Designates the presiding officer of the governing body of a political subdivision as the pandemic emergency management director for the political subdivision
 - Serve as designated agents of the Governor
 - May exercise powers granted to the Governor under the Act on an appropriate local scale
- Designates Personnel of State or Local Agencies as Members of Texas Military Forces During Evacuation:
 - Considers an officer or employee of a state or local agency to be a member of the Texas military forces if the person is sheltering or housing individuals in connection with the evacuation of an area stricken or threatened by a pandemic disaster. Protects from civil liability
- Suspends Deadlines Imposed by Local Law
 - Automatically suspends a deadline imposed by local law if the political subdivision is wholly or partially located in an area in which a pandemic disaster has been declared by the President or Governor
- Preempts Local Orders
 - Allows for preemption of any local order or rule that is inconsistent with the Governor's or Department of State Health Service (DSHS)'s orders
- Limits on Property Tax Rates
 - Applicable to counties or cities that require closure of businesses, prohibits the adoption of a property tax rate that is the lesser of the NNR tax rate or the voter approved tax rate

- Limits Alterations of Voting Procedures
 - Requires Secretary of State approval for altering any voting standards
- Requires Personnel Surge Capacity Planning
 - With direction of Texas Division of Emergency Management and assistance of DSHS, requires development of a regional plan for personnel surge capacity



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March 3, 2021

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To: Urban Counties Policy Committee

From: Adam Haynes, Policy Director

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Wise County

Re: **Discussion of Legislation Regarding Hiring Government Experts**

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Bills have been filed to ban lobbying for all political subdivisions.

HB 749 by Middleton, SB 234 by Hall include a prohibition on

membership in CUC and provide for residents to seek relief if

a political subdivision engages a lobbyist or is a member of an

association that lobbies. SB 10, a similar bill, has been identified as a

priority by the Lieutenant Governor.

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