



June 10, 2021

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**To:** All Urban Counties

**From:** Adam Haynes, Policy Director  
Windy Johnson, Program Manager  
Gabriela Villareal, Program Manager

**Re:** Report on Legislation of Interest from the 87th Regular Session

For the 87<sup>th</sup> Legislative Session there were 7,148 House and Senate bills and joint resolutions filed. The Urban Counties tracked 2,951 of those initiatives. As of Sine Die, 1,081 bills passed and were sent to the Governor. We continue to track 384 of those bills.

Despite continued and consistent attacks from numerous sources, county officials prevailed on matters important to their constituents. At the start of the 87<sup>th</sup> Session, we knew we were facing a unified effort to cap essential governmental services, infringe on the idea of local governance, and eliminate Constitutional rights of free speech, association, or redress by petition or remonstrance. Fortunately for county government, many CUC members were directly involved, and we were able to work with our allies to mitigate many of the negative efforts targeting local control.

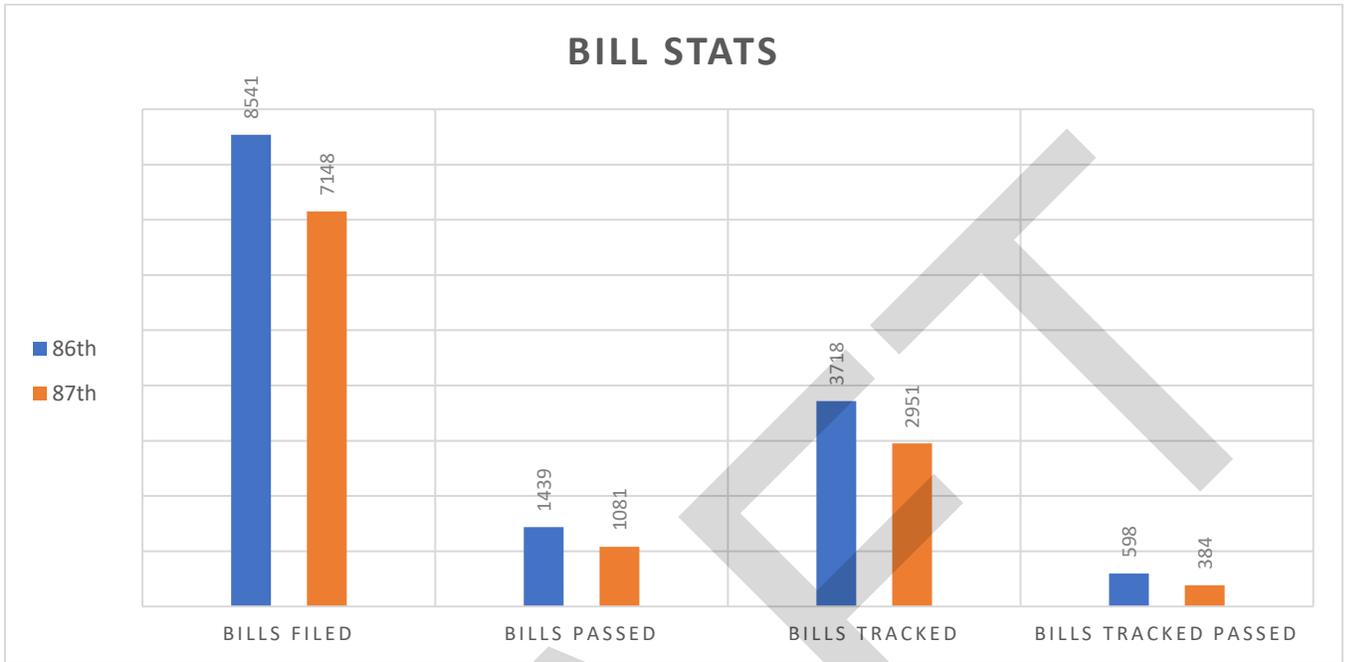
While there are successes to celebrate, many challenges remain. The CUC staff continues to monitor these issues and will keep you apprised of developments at the state level. We expect limiting local control to be at the center of efforts from special interest groups who would like nothing better than to silence your voices, as that amplifies those interests' ability to game the system to the detriment of local taxpayers.

The following summarizes bills of interest from the 87<sup>th</sup> Legislative Session that impact urban counties.

## Table of Contents

Bill Status .....	3
Budget.....	4
Taxation .....	8
Failed .....	10
Crime and Courts .....	19
Failed .....	23
Transportation .....	27
Failed .....	30
Health and Human Services.....	31
Failed .....	34
Environment and Disaster Relief.....	36
Failed .....	38
Development and Infrastructure .....	39
Failed .....	41
Public Safety Emergency Management .....	42
Failed .....	44
Elections.....	48
Failed .....	52
Governance and Finance .....	64
Failed .....	66

# 87th Legislature Stats



	86th	87th
Bills Filed	8541	7148
Bills Passed	1439	1081
Bills Tracked	3718	2951
Bills Tracked Passed	598	384

# Budget

## All-Funds Budget

2020-2021 All Funds, Senate Bill 1 & House Bill 2 supplemental: \$262.1 billion

2022-2023 All Funds in SB 1: \$248.6 billion

Change: \$13.6 billion less (a 5.2% decrease)

## General Revenue Budget

2020-2021 General Revenue originally appropriated in 2019: \$118.3 billion

2022-2023 General Revenue in SB 1: \$116.4 billion

Change: \$1.9 billion less (a 1.6% decrease)

The budget now assumes that local school property values and taxes will increase by 1.84 percent in tax year 2021 and 4.36 percent in tax year 2022, up slightly from previous forecasts of 0.29 and 3.92 percent, respectively. The assumed value for the previous biennium was 5.76% and 4.01%.

## All Funds:

	2020 / 2021	2022 / 2023	\$ Change	% Change
General Government	\$7,452,689,424	\$6,919,582,325	(\$533,107,099)	-8%
Health and Human Services	\$84,303,829,071	\$86,677,994,175	\$2,374,165,104	3%
Education	\$95,901,920,858	\$93,505,591,333	(\$2,396,329,525)	-3%
Judiciary	\$933,755,098	\$928,245,755	(\$5,509,343)	-1%
Public Safety	\$12,548,895,438	\$12,892,393,114	\$343,497,676	3%
Natural Resources	\$9,012,375,041	\$7,507,554,371	(\$1,504,820,670)	-20%
Business and Economic Dev.	\$37,061,108,187	\$36,546,796,195	(\$514,311,992)	-1%
Regulatory	\$707,033,698	\$728,038,491	\$21,004,793	3%
General Provisions	\$0	\$2,435,297,492	\$2,435,297,492	100%
Legislature	\$218,378,662	\$410,383,332	\$192,004,670	47%
Total All Articles	\$248,139,985,477	\$248,551,876,583	\$411,891,106	0.17%

## Budget

MOF Type <i>(in millions)</i>	2020–21	SB1 2022–23	Biennial Change	% Change
General Revenue Funds	\$110,269.6	\$116,368.2	\$6,098.6	5.5%
General Revenue–Dedicated Funds	\$6,563.2	\$6,315.2	(\$248.0)	(3.8%)
Other Funds	\$44,990.3	\$41,100.0	(\$3,890.3)	(8.6%)
<b>TOTAL, GR / GR-D / Other Funds</b>	<b>\$161,823.1</b>	<b>\$163,783.4</b>	<b>\$1,960.3</b>	<b>1.2%</b>
Federal Funds	\$100,281.4	\$84,767.1	(\$15,514.3)	(15.5%)
<b>ALL FUNDS</b>	<b>\$262,104.5</b>	<b>\$248,550.5</b>	<b>(\$13,554.0)</b>	<b>(5.2%)</b>

### All-Funds Budget

- 2020-2021 All Funds, Senate Bill 1 & House Bill 2 supplemental: \$262.1 billion
- 2022-2023 All Funds in SB 1: \$248.6 billion
- Change: \$13.6 billion less (a 5.2% decrease)

Sb 1 “Method of Finance” –federal aid totals \$84.8 billion. In comparison, federal aid in 2020-2021 is estimated at \$100.3 billion, including HB 2. In other words, a \$15.5 billion decrease in federal aid is behind the apparent decrease in SB 1.

### General Revenue Budget

- 2020-2021 General Revenue originally appropriated in 2019: \$118.3 billion.
- 2022-2023 General Revenue in SB 1: \$116.4 billion
- Change: \$1.9 billion less (a 1.6% decrease)

The Comptroller estimated in January 2021 that a \$946 million General Revenue shortfall for 2021, combined with net GR collections of \$113.5 billion, gave legislators a net amount of \$112.5 billion GR to appropriate for 2022-2023. In May 2021, he revised the estimate to give state lawmakers an additional \$3.1 billion in General Revenue to use for the 2022-2023 budget.

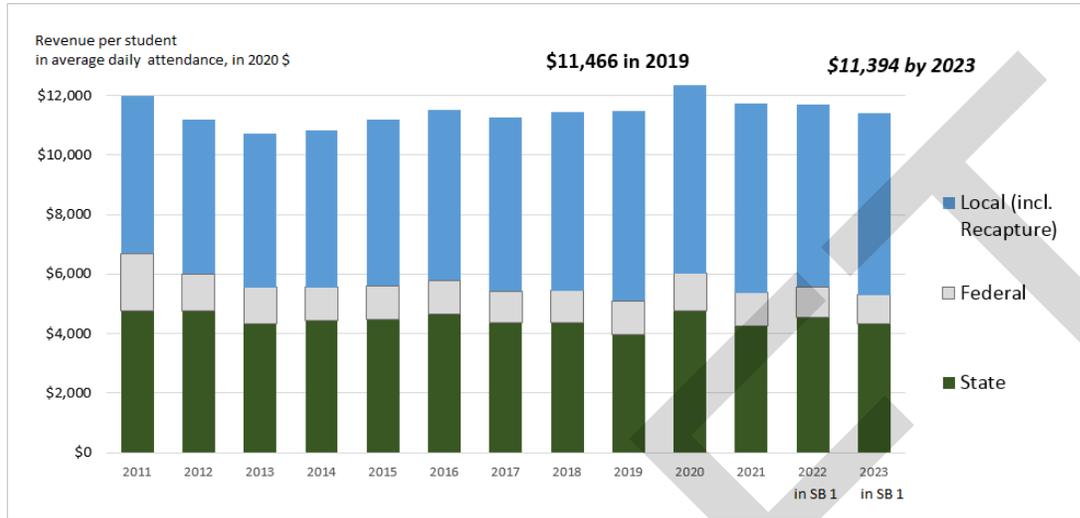
Along with this revenue forecast that improved during the regular session, the 2020-2021 and 2022-2023 budgets come into balance through HB 2 (the supplemental appropriations proposal) and related interim developments for fiscal 2020. Combined, these have reduced 2020-21 General Revenue-related spending by roughly \$10 billion.

### Education Funding

- 2020-2021 General Revenue appropriated in 2019: \$49.7 billion
- 2020-2021 GR as of May 2021: \$44.6 billion, a decrease of \$5.1 billion

# Budget

- 2022-2023 General Revenue in SB 1: \$46.6 billion



Foundation School Program: The All-Funds state-budget cost of the Foundation School Program totals \$51.8 billion in SB 1. This is an increase of \$2.7 billion, or 5.6 percent, from 2020-2021 revised levels.

The budget now assumes that local school property values and taxes will increase by 1.84 percent in tax year 2021 and 4.36 percent in tax year 2022, up slightly from previous forecasts of 0.29 and 3.92 percent, respectively. The assumed value for the previous biennium was 5.76% and 4.01%.

## Behavioral Health and Substance Abuse Services

- 2020-2021 General Revenue budgeted: \$3.304 billion
- 2022-2023 General Revenue in SB 1: \$3.405 billion
- Funding Change: \$101 million more (a 3% increase)

SB 1 provides \$8.4b for behavioral health and substance abuse services to 25 state agencies. HB 2 provides \$321m in ESF to cover capital construction costs for state hospitals in Austin, San Antonio, and Dallas.

**CPS Staffing and Purchased Services:** SB 1 allocates \$2.1 billion for direct delivery CPS staff, program support for those workers, day care, Preparation for Adult Living, substance abuse, and various other purchased services for kids in the DFPS system.

# Budget

Foster care, adoption subsidy, permanency care assistance, and relative caregiver payments: SB 1 includes \$1.8 billion All Funds for payments to support children. Monthly average DFPS-paid foster care caseloads are budgeted at 16,308 children a year in SB 1, down from 16,767 in 2019.

## **Public Safety Funding**

Provides \$139.2 million for law enforcement salary increases at the Texas Department of Public Safety, Texas Parks and Wildlife Department, Texas Alcohol and Beverage Commission and other state commissioned law enforcement personnel.

In addition to targeted salary increases for DPS troopers, the legislature provides funding for 100 new troopers along the border and 74 additional DPS troopers and staff to enhance the security throughout the Capitol complex.

Includes \$34.1 million for a 3% pay increase for correctional officers at the Texas Department of Criminal Justice working on maximum-security correctional facilities.

## **Other Funding**

Provides \$30.2 billion in All Funds to the Department of Transportation, which includes \$26.5 billion for highway planning and design, right-of-way acquisition, construction, and maintenance and preservation.

Provides \$4.2 million to enhance the Public Utility Commission and other regulatory response related to oversight of ERCOT activities.

## **American Rescue Plan Act**

Other funds that remain available to fund state services include \$11.6 billion in the Economic Stabilization Fund (ESF or “rainy day fund”) and \$15.8 billion from the State and Local Fiscal Recovery Fund of the American Rescue Plan Act of 2021, approved by Congress in March.

# Taxes - Passed

## Appraisals

### **SB 63 by Nelson / Meyer** - Comprehensive reforms for appraisal systems

- Allows Comptroller to send electronic tax notices;
- Allows appraisal review board (ARB) members to complete required training and continuing education courses with distance learning courses;
- Creates new restrictions for Central Appraisal District (CAD) directors, including (1) prohibitions on individuals who have served for all or parts of five terms; (2) has been in business of appraising property during the last three years; (3) has represented individuals for pay in front of the ARB within the last three years; or (4) has been an employee of the District within the last three years;
- Establishes a process to remove an ARB member by vote of most Board members and a 90-day appeal in which a local administrative district judge, or judge's designee would have to remove the member or find by official action that the member's removal was not warranted;
- Establishes an exemption from taxation of real property installed to generate wind and solar power;
- Specifies timeframes for the initial and final determination of a request for an exemption by an applicant, including a 90-day final decision period to issue a ruling; and
- Prohibits an appraiser from introducing new topics in a hearing not included in the appeal notice to the taxpayer establishing the hearing.

**SB 916 by Seliger / Meyer** - Requires Texas Department of Licensing and Regulation to include a link to each biennial review conducted by the Comptroller of a CADs performance and property value study in the record of the CAD's registered professional appraiser.

**SB 1421 by Bettencourt / Thierry** - Allows Districts to adjust inaccuracies in the appraised value of a taxpayers tangible personal property for up to two years.

**SB 1854 by Powell / Schofield** - Provides taxes are not considered delinquent on property subject to an appeal if the owner defers collection which is still in effect.

**SB 1919 by Lucio / Schofield** - Mandates videoconferencing of a tax protest hearing if requested but limits it to counties of greater than 100,000 in population or one lacking technological capability to conduct a videoconference.

# Taxes - Passed

## Community Land Trusts

**SB 113 by West / Rodriguez** - Amends provisions of community land trusts to focus on the development of low-income and reduced-rent housing projects to continue property tax appraisal reductions.

## Delinquency

**HB 533 by Shine / Bettencourt** - Allows Commissioner Courts to conduct online auctions of seized property for all counties regardless of population, including posting the information.

**SB 1764 by Bettencourt / Shine** Allows tax assessor to require delinquent taxes and expenses be paid in cash, certified or cashier's check, or an electronic funds transfer. Applies to property seized under a tax warrant or subject to a court order.

## Exemptions

**HB 1197 by Metcalf / Campbell** - Changes the property tax exemption from 6 to 10 years for a tract of land owned by a religious organization.

**HB 3610 by Gervin-Hawkins / Springer** - Exempts from taxation any property leased or purchased by a charter school, an independent school district, or community college district if used exclusively by the school and is reasonably necessary and requires the landlord to apply any tax savings to the leasing entity

**SB 611 and SJR 35 by Campbell / Lopez** - Expands exemption for surviving spouse of armed services member who is killed or fatally injured in the line of duty. Current exemption applies to armed services member who is killed or fatally injured in "action."

## Mixed Beverage Tax

**HB 1256 by Ashby / Huffman** - Allows the state portion of the mixed beverage tax to be used to fund specialty courts. Does not impact county portion of the tax.

## Sales Tax

**SB 313 by Huffman / Meyer** Exempts firearm safety equipment from sales and use taxes.

## Tax Rate

**SB 1438 by Bettencourt / Meyer** - Reduces the disaster calculation for property taxes to areas with physical damage from tornados, hurricane, flood, wildfire and specifically disallows droughts, epidemic, or pandemic. Maintains the disaster, voter-approval tax rate at 1.08% if there is qualified property damaged by disaster but limits the rate to 1.035% for non-physical damaged areas. Allows for the increase until the earliest of the first tax year when values increase or three years. Exempts ISDs and special taxing units from this change.

## Taxes - Failed

### Appraisals

**HB 96 / HJR 8 by Toth** - Calculates the appraised value limitation on the date of purchase and would continue until the property transfers to a different owner

**HB 281 by Stephenson** - Increases ARB members from 3 to 5 to be elected at the general election for state and county officers with one member from each county commissioner's precinct and one at large serving two-year terms on January 1 of odd numbered years.

**HB 283 by Stephenson / HB 1166 by Metcalf HB 3171 by Slaton** - Requires election for a chief appraiser position.

**HB 299 by Vasut** - Lowers from 10% to 3.5% the increase on appraisals for residences.

**HB 494 by White** - Mandates the chief appraiser to add omitted property to the rolls. Changes that to permissive authority unless otherwise required by law.

**HB 528 / HJR 30 by White** - Establishes an appraisal cap of 3.5% on the value of commercial property as determined by the appraisal office based on market value and all new improvements to the property.

**HB 529 / HJR 31 by White** - Reduces the residence homestead appraisal cap from 10 to 2.5%.

**HB 534 by Shine** - Mandates a reduction in the valuation of a property by the amount of sales commission paid for a similar sale.

**HB 798 by Larson** - Establishes a 5% tax cap increase on the valuation of property subject to an agreement reached in a protest for the subsequent year.

**HB 940 by Raymond** - Adds that open-space land appraisal applies to acquired land that is currently devoted principally to agricultural use to the degree of intensity in the area, was acquired by a person who owns the land that is acquired.

**HB 951 / HJR 50 by Raymond** - Adds ADA compliance improvements as a criterion for exemption from property taxes.

**HB 986 by Shine** - Allows appointment of ARB members by CAD in counties of 120,000 or less if the CAD does not elect to allow the local administrative judge to appoint ARB or in a CAD with over 120,000 if each member of the CAD Board (except county assessor-collector) serves as a member of a governing body of a taxing unit and the CAD elects to appoint members to the ARB.

## Taxes - Failed

**HB 988 by Shine** - Provides that a governing body of each taxing unit entitled to vote for CAD Board shall determine its vote by resolution for CADs in a county with a population of 120,000 or more. Provides that a member of the governing body, officer, or employee of a taxing unit commits a misdemeanor if the person directly or indirectly communicates with the CAD for the purpose of influencing property values unless the person owns / leases the property.

**HB 989 by Shine** - Allows an ARB to correct an error regarding the unequal appraisal or excessive market value of a property on the motion of the owner or chief appraiser prior to tax delinquency status.

**HB 1167 by Metcalf** - Provides for the direct election of appraisal review boards of five members serving staggered terms.

**HB 1469 by Hefner** - Allows qualified open-space land to maintain status following transfer between family members for appraisal purposes.

**HB 1567 by Middleton / SB 1840 by Eckhardt** - Repeals exception for twenty-four-month rule comparing property values even if there are not sufficient sales for comparison.

**HB 1577 / HJR 81 by Davis** - Allows governing body of a city, county, or school district to temporarily cap increases in the appraised values of homesteads and vacant lots.

**HB 1789 by Vasut** - Allows the Chief Appraiser or property owner to request a change in the valuation of a property for the current and preceding two years to be listed as the sales price of the property if it is a homestead and at least 10% less than the appraised value.

**HB 2100 by Middleton** - Creates new ineligibility standards for an ARB director. Adds a restriction to employment by an appraisal district. Requires chief appraiser to include notice for modifying or denying an application. Allows owners of real or personal property to request delivery of notices by email. Creates 90-day period to determine removal of an ARB member. Requires 90-day period to make determination of an exemption; agricultural designation; right to appraisal. Requires an ARB hearing within 90 days if there is no agreement for a correction to an appraisal. Requires ARB hearing on protest within 90 days from filed notice.

**HB 2212 by Munoz** - Establishes a system for the Comptroller to audit a CAD if all taxing units within the district request such

**HB 2413 by Shine / SB 449 by Hancock** - Allows a property owner to bring a limited suit against an appraisal district to compel a hearing or other procedural issue under protest.

**HB 2425 by Murr** - Requires the landowner to be a member of local predation management organization and allow the local predation management organization or TX Wildlife Services reasonable access to the land.

## Taxes - Failed

**HB 2428 by Murr** - Requires the CAD to consider the effect that the presence of the applicable disease or pest or area designation has on net income from land for open-space and agriculture adjustments.

**HB 2715 by Lucio** - Requires ARBs to certify approval of appraisal records and that all statutory requirements for appraisal records have been met.

**HB 2790 by Shaheen / SB 1735 by Springer** - For a county of 1 million or more, makes a person ineligible to serve on an ARB if the individual served one previous term as a board member or auxiliary board member on an ARB.

**HB 4209 by Murr** - Removes any income received from hunting or recreational leases from the valuation of qualified open-space land.

**HB 4319 by Shine / SB 1994 by Springer** - Makes eligible land used to raise or keep bees as qualified open-space land.

**HB 4320 by Shine / SB 1995 by Springer** - Moves submission date of an agriculture land application from May 1 to April 1. Allows CAD by written order to extend deadline to June 1.

**HB 4411 by T. King** - Makes eligible land used to raise or keep bees as qualified open-space land.

**HB 4495 by Murphy** - Allows for a change in allocation of value for a fleet of vessels used outside of state.

**HJR 106 by White / HJR 149 by Sanford** - Constitutional amendment to repeal provision that subjects land designated for agricultural use to additional tax when land is diverted another purpose or sold.

**HJR 118 by Allison** - Constitutional amendment providing for appraisal of real property based on its purchase price.

**HJR 132 by Metcalf / SJR 31 Kolkhorst / SB 1096 by Creighton** - Lowers the appraisal cap for residence homesteads from 10% to 5%.

**SB 134 by Johnson** - Limits appraisal valuations to properties within the boundaries of the appraisal district for comparison purposes during an ad valorem tax protest or appeal.

**SB 361 by Miles** - Allows appraisal limit to expire on residence homestead if the owner, owner's surviving spouse, or the first heir does not qualify for residence homestead exemption.

**SB 1368 by Creighton** - Adds a statute of limitations on a suit brought against an appraiser for damages arising from an appraisal of a property to two years of when a person should have known or five total years.

## Taxes - Failed

**SJR 26 by Miles** - Constitutional amendment to authorize the legislature to provide for the continuation of a limitation on the maximum appraised value of a residence homestead.

### Collections

**HB 469 by J. Gonzalez** - Allows a person to defer property taxes on a homestead if the appraisal is less than 105% of the past year and provides the taxing entity can only charge up to 5% interest on the taxes deferred.

**HB 535 by Shine** - Changes rate at which interest accrues under the deferral or abatement of the collection of ad valorem taxes on residence homestead of an elderly, disable, or disabled veteran from 5% to the 10-year Constant Maturity Treasury Rate reported by the Federal Reserve Board.

**HB 991 by Shine** - Provides a discount on property taxes paid by owners on a homestead if those taxes are paid early. Sets the schedule of reductions in statute. Allows a taxing entity to offer similar reductions to other property owners.

**HB 992 by Shine / HB 2342 by Zwiener** - Provides an installment payment provision for taxpayers on a property with a resident homestead exemption.

**HB 1828 by Martinez-Fischer** - Creates an installment payment plan for disabled veterans to pay property taxes in equal payments over the year.

**SB 329 by Paxton** - Establishes a process for to receive property tax credits for taxes assessed during a disaster declaration imposed by the Governor or local official.

**SB 1423 by Bettencourt** - Allows a property owner to force a taxing unit to enter a contract and create an escrow account for paying property taxes over the course of the year.

### Delinquency

**HB 990 by Shine** - Removes the penalty from being assessed on delinquent taxes applied to a property qualifying for a homestead exemption.

**HB 4563 by Guillen** - Requires tax assessor to post on county's website the form a person eligible to buy real property must use to request a written statement of any delinquent taxes owed.

**HJR 43 by Wilson** - Constitutional amendment protecting a residence qualified as a homestead from foreclosure or sale to pay delinquent taxes or penalties.

**SB 1886 by Campbell** - Requires collector for a taxing unit to indicate on each delinquent tax roll whether a delinquent tax is deferred or abated.

## Taxes - Failed

### Digital Advertising Tax

**HB 4467 by Martinez-Fischer** - Imposes a digital advertising tax on person whose assessable base is at least \$1 million and gross revenue is at least \$100 million.

### Economic Development

**HB 4351 by Moody / SB 1906 by Blanco** - Adds an administrative office and a distribution warehouse as eligible property for tax benefits under TX Economic Development Act.

### Exemptions

**HB 186 / HJR 17 by Zwiener** - Provides for a property tax exemption for the appraised value attributable to the installation of a rainwater harvesting system or graywater system.

**HB 649 by Raymond** - Creates tax exemption of property owned by a charitable organization for renting the property at / below-market rates to low income and moderate-income households.

**HB 987 / HJR 53 by Shine** - Increases the value of income-producing tangible personal property exemption from \$500 to \$5000 and allows for a 20% exemption for income-producing tangible personal property valued between \$5,000 - \$500,000.

**HB 1022 / HJR 57 by Murphy / SB 670 / SJR 38 by Springer** - Creates tax exemption for property used by an open-enrollment charter school.

**HJR 124 by Ellzey** - Constitutional amendment to increase the exemption amounts for disabled vets.

**SB 1422 / SJR 57 by Bettencourt** - Provides that the Freeport exemption applies to qualifying goods transported out of the state within 365 days of acquisition or movement into the state.

### Franchise Tax Credit

**HB 209 by Thierry / SB 358 by Miles** - Qualifies a taxable entity for a franchise tax credit if the taxable entity opens a grocery or healthy corner store in a food desert in a low- or moderate-income area and accepts WIC and supplemental nutrition assistance benefits within 90 days of opening.

**HB 361 by Sherman** - Creates franchise credit for entity with under 1500 employers that provides family care leave.

**HB 381 / HJR 22 by Pacheco / HB 1705 by Schofield** - Extends property tax freeze for a homestead of an individual 65 or older and / or a disabled individual to all taxing units.

## Taxes - Failed

**HB 1751 by Parker** - Provides a franchise tax credit on tangible personal property used in a qualified enterprise project in an enterprise zone business.

### Gas Tax

**HB 207 by Lopez** - Increases the current motor fuels tax by two cents and index it to the consumer price index.

**HB 878, HB 879 by Hinojosa / SB 127 by Johnson** - Ends the high-cost gas tax exemption on wells drilled after 9 / 1 / 2021.

**HB 2931 by Israel / SB 1041 by Eckhardt** - Increases the rate of tax on gasoline and diesel from \$.20 to \$.40 per gallon.

### Homestead Exemptions

**HB 122 by Bernal** - Exempts 100% of the value of a qualified caregiver's homestead from local taxes.

**HB 183 by Bernal** - Creates a 'lifetime' exemption for property qualified as a homestead for at least 15 consecutive years.

**HB 457 / HJR 25 by Shaheen** - Provides a county optional homestead exemption to a physician residing in the county who provides health care services to qualifying county residents that are indigent or on Medicaid for which the physician does not receive reimbursement for those services from any source.

**HB 650 / HJR 38 by Raymond** - Provides exemption of at least \$3,000 for a homestead of parent or guardian of a person who is disabled and resides with parent or guardian.

**HB 993 by Shine** - Expands the disabled and elderly exemption for homesteads to all individuals who qualify and prevents a taxing entity from limiting the exemption.

**HB 994 / HJR 55 by Shine** - Establishes an additional 5% exemption for property taxes on homesteads.

**HB 1393 by Middleton** - Increases the percentage amount of homestead exemption a taxing unit can adopt from 20 to 100%.

**HB 1601 / HJR 83 by Allison** - Allows a taxing unit to designate a "high-need" area and offer homestead exemptions to peace officers living in that area.

**HB 1858 by Rodriguez / SB 1041 by Eckhardt** - Establishes a \$25,000 ceiling for homestead exemptions for all taxing entities if approved by that taxing unit.

## Taxes - Failed

**HB 2711 by Hinojosa** - Provides that a qualified residential structure does not lose its character as a residence homestead when the owner who qualifies for the exemption temporarily stops occupying it as a principal residence if that owner does not establish a different principal residence and the absence is caused by the owner's service outside of the United States as a foreign service officer employed by the United States Department of State.

**HB 2832 by Patterson** - Grants a total exemption of the qualifying disabled first responder's residence homestead.

**HB 3070 by Ellzey** - Creates a tiered exemption based on a veterans disability rating.

**HB 3321 by Metcalf** - Lowers annual homestead exemption cap from 10% to 5%.

**HB 4317 by Stephenson** - Provides homesteads qualifying for elderly or disabled exemptions will not see increases if the taxing unit repeals a homestead exemption in subsequent years.

**HJR 88 by Jarvis Johnson** - Provides an exemption from property taxes of the homestead of an elderly homeowner who is 80 years or older and has received homestead exemptions on the homestead for at least the preceding 10 years.

**SB 266 / SJR 18 by West** - Authorizes commissioners court to adopt a flat dollar exemption on an individual's homestead.

### Hotel Occupancy Taxes

**HB 1962 by Beckley** - Allows short-term marketplace owners to collect and remit hotel taxes for the owner.

**SB 1787 by Gutierrez** - Requires the Comptroller to provide Hotel Occupancy Tax reports to counties and cities.

### Property Tax Relief Fund

**HB 958 by Oliverson** - Establishes a 104% cap on state revenues and mandates the comptroller to deposit 90% of general revenue funds which exceed that amount to the property tax relief fund.

### Sales Price Disclosure

**HB 203 by Bernal** - Creates a study on the impact of adopting a property tax system in which sales price disclosure is required.

## Taxes - Failed

### Sales Tax

**HB 89 by Canales / HB 1992 by Thierry / SB 438 by Blanco** - Adds to the emergency preparation item sales tax exemption holiday the inclusion of face masks, gloves, and disinfectants.

**HB 174 by Canales HB 406 by Hernandez** - Creates a sales tax holiday for textbooks used by university and college students.

**HB 211 by Thierry** - Creates .05 cent tax rate on e-cigarettes and alternative nicotine products to fund youth vaping prevention and awareness programs.

**HB 321 by Howard / HB 388 by Pacheco / HB 490 by Wu / SB 148 by Powell** - Creates sales tax exemption for feminine hygiene products.

**HB 322 by Howard** - Extends the sales tax exemption to child and adult diapers.

**HB 940 by Raymond** - Exempts beer and ale from sales tax on July 4.

**HB 1255 by Allison / HB 1523 by Thierry / SB 216 by Johnson** - Adds e-cigarettes to the tax, regulatory, and enforcement mechanisms under the health and safety and tax codes.

**HB 2663 by Howard** - Creates a sales tax on massage parlors, escort services, and Turkish baths of 18.75%, with 12.5% to be used for sexual assault prevention and crisis services.

**HB 3195 by Meza** - Creates a sales tax exemption for devices used to assist a person with an intellectual, developmental, or cognitive disability.

**HB 3304 by Metcalf** - Exempts vehicles purchased out-of-state from sales tax if the vehicle is brought into TX by active-duty, military members, or their spouse.

**HB 3779 by Holland / SB 934 by Creighton** - Creates a sales tax holiday for the last weekend in August for hunting supplies, firearms, and ammunition.

**HB 4098 by Talarico** - Creates a sales tax exemption for teachers purchasing school materials used in their job as an educator.

**HB 4114 by Burrows** - Exempts movie theaters from sales taxes if they had to cease operations due to an order by the Governor or other official in response to a disaster.

**SB 60 by Zaffirini** - Adds to sales tax holiday firearm safety supplies.

**SB 1853 by Powell** - Allows for a sales tax exemption for PPE until January 1, 2022.

## Taxes - Failed

### State Taxation

**HJR 36 by Raymond** - Constitutional amendment to identify state-imposed charges as state taxes.

**HJR 39 by Raymond** - Constitutional amendment to protect of dedicated accounts subject to a 2 / 3 vote before being used for something other than the purpose.

### Tax Rate

**HB 1391 by Middleton** - Regarding an automatic election to approve tax rates and sets the taxing unit's tax rate as the lesser of the taxing unit's voter-approval tax rate or the no-new-revenue rate if the election fails.

**SB 1131 by Paxton** - Changes rate calculation to the total value of property subject to court appeals minus the average share of value lost in appeals over the past five years.

# Crimes and Courts - Passed

## Passed

### Obstructing Roadway / Police

**HB 9 by Klick / Campbell** - Creates state felony for obstructing emergency vehicle or access to hospital. If probation is granted to a defendant, requires at least 10 days of confinement in county jail.

**HB 2366 by Buckley / Hughes** - Increases penalty for use of a laser pointer to a felony of the third degree if the conduct causes bodily injury to law enforcement officer or a felony of the first degree if the conduct causes serious bodily injury.

Creates a state jail felony if a person explodes or ignites fireworks with the intent to interfere with law enforcement or flee from an officer.

### Choke Holds and Excessive Force

**SB 69 by Miles / White** - Bans the use of choke holds by law enforcement unless necessary to prevent serious bodily injury. Adds a duty of peace officers to intervene and report if they witness another officer use excessive force.

### Associate Judge

**HB 79 by Murr / Zaffirini** - Requires presiding judge of each administrative judicial region to determine whether those courts require appointment of a full-time or part-time associate judge to assist with guardianship proceedings or protective services proceedings. Strikes state money from source of required compensation of associate judge.

### Inappropriate Conduct

**HB 246 by Murr / Bettencourt** - Criminalizes a student sexually touching a school employee.

**HB 375 by Smith / Zaffirini** - New offense for sex assault of disabled person.

### Indigent Defense Grants

**HB 295 by Murr / Zaffirini** - Expands those eligible to receive indigent defense grants to include a nonprofit corporation that provides indigent defense services or indigent defense support services. Includes public defender offices to the no new revenue rate, only applies to revenue rate after 1 / 1 / 2022.

### Fines and Costs

**HB 569 by Sanford / West** - Requires a justice or judge to include on a failure to appear notice a statement that the defendant may be eligible for a credit towards any fines or costs due to confinement in prison / jail.

## Crimes and Courts - Passed

### Driver's License Suspension

**SB 181 by Johnson / White** - Lowers standard for automatic suspension of driver's license based on conviction of a felony drug offense or a misdemeanor drug offense drug offense if person convicted of a drug offense 3 years prior.

### Defund the Police

**HB 1900 by Goldman / Huffman** - Defines defunding as a city with a population of 250k that adopts a budget that reduces appropriation to the local governments law enforcement agency, the number of peace officers, funding for over time, or funding for recruitment of new peace officers and for which the Criminal Justice Division of the Governor's Office issues a written determination.

Limits tax rate on "defunding" tax unit to the lesser of no-new-revenue rate or voter-approval tax rate. **Fixed to apply only to cities.**

**SB 23 by Huffman / Oliverson** - Mandate's election if county with a population of more than 1M wants to reduce the budget of the law enforcement agency with primary responsibility for criminal investigation or answering calls or wants to reallocate funding to another law enforcement agency.

### Judicial Eligibility

**SJR 47 by Huffman / Landgraf** - Would amend the Texas Constitution to change the eligibility requirements to serve on the Texas Supreme Court. Doubles (from 4 to 8) the number of years as an attorney and / or judge that a person must have to be eligible to be elected or appointed as a district judge.

### Law Enforcement Discovery

**SB 111 by West / Collier** - Requires law enforcement agencies to submit to state's attorney a written statement acknowledging all documents, items, and information in possession of the agency that are subject to disclosure to a defendant has been transmitted to the state's attorney.

### Probation Reforms

**HB 385 by Pacheco / Hughes** - Permits court to waive probation fees or require community service if defendant unable to pay. Removes requirement that a defendant have paid all outstanding fines and fees in order to be eligible to have probation period reduced.

### Sexual Assault Response Teams

**SB 476 by Nelson / Stucky** - Requires every commissioner's court to establish an adult sexual assault response team to strengthen collaborative response for sexual assault survivors. Includes chief program admin, prosecutor over sexual assault cases, police chief, sheriff, either a sexual assault nurse examiner or a rep from a health provider, and

## Crimes and Courts - Passed

a behavioral health service provider. Allows two or more contiguous counties of 250k or less to form a multicounty team. Each team to draft a protocol to ensure coordination between agencies involved in sexual assault cases.

### Specialty Courts

**HB 454 by Metcalf / Creighton** - Permits a commissioner's court to create a family drug court program for parents / adults who live with a juvenile offender to obtain treatment for substance abuse. Program participants may be required to pay for the cost of treatment based on ability to pay.

**SB 1093 by Creighton / Metcalf** - Permits veterans to participate in veteran treatment court program in a county adjacent to the county where the defendant works or resides.

### Constitutional Carry

**HB 1927 by Schaefer / Schwertner** - Permits anyone over the age of 21 to carry a handgun in public, either concealed or in a holster. Allows for the posting of signs that specify if firearms are prohibited. **Fixed.**

### Omnibus Court Creation Bill

**HB 3774 by Leach / Huffman** - Increases the amount the state reimburses counties with statutory probate judges from \$40,000 annually to an annual amount equal to 60 percent of the annual base salary of a district judge as set in the General Appropriations Act (\$84,000). Permits OCA to make the statewide court database available to the public for view and charge a fee for "optional features."

- Gives jurors an option to donate a specified amount of a person's daily jury reimbursement to a veteran's county service office. Donations may not be used to supplant county funds.
- Repeals the \$3 per meal cap for jurors hearing civil cases in district court.

### Police Reality Shows

**HB 54 by Talarico / Whitmire** - Bans law enforcement participation in realty policing shows.

### Public Camping Ban

**HB 1925 by Capriglione / Buckingham** - Creates a Class C misdemeanor for camping in a public space. A political subdivision that desires to designate a space for camping by homeless must receive approval from Texas Department of Housing and Urban Affairs, and parks are not permitted. Loss of grant funds for a local jurisdiction that violates.

## Crimes and Courts - Passed

### Bail Reform

**HB 20 by Murr / Huffman** - Would expand the offenses for which bail could be denied, and expand the offenses for which personal bond is not permitted. Required the use of a pretrial risk assessment in making bail decisions.

**HJR 4 by Kacal / Huffman** - Would expand the offenses for which defendants may be denied bail.

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## Crimes and Courts - Failed

### George Floyd Act

**HB 88 by Thompson, SB 161 by West** - George Floyd Act. Waives qualified immunity and liability caps if peace officer deprives person of constitutional rights. Employing gov entity to indemnify liable officer unless officer convicted of a crime. Mandatory cite & release for fine-only offenses. Peace officers subject to discipline for failing to de-escalate force incidents. New limitations on use of force.

### Juvenile Prosecutions

**HB 162 by Thierry / HB 1275 by Crockett** - Prohibits prosecuting a person under 17 years old for prostitution.

**HB 169 by Thompson** - Reduces the penalty for the possession of penalty group one drugs from a state jail felony to a class a misdemeanor.

**HB 177 by Bernal** - Allows a law enforcement agency to not perform duties related to immigration detainer requests with respect to a person who is under 18 years of age.

**HB 193 by Rose / Blanco** - Requires a juvenile court to order the destruction of juvenile records for a person referred to a juvenile probation department who was found to have been a victim of sex trafficking. Exempts records used for statistical purposes.

### Immigration

**HB 182 by Bernal** - Repeals, during an investigation, a peace officer's ability to ask a victim or witness about nationality or immigration status

### Recording

**HB 228 by Murr** - Allows commissioners court to authorize use of an electronic recording device to report proceedings before a county and district court

### Probation

**HB 232 by Thompson** - Creates new straight and deferred adjudication probation for defendant who is primary caregiver to child under 18. Confinement in jail cannot be a condition of probation.

### Firearm Sales

**HB 245 by Bernal / HB 52 by Reynolds / HB 70 by Goodwin / HB 1765 by Anchia** - Creates a Class A misdemeanor for selling a firearm at a gun show and not doing a criminal background check, not maintaining the record of sale. Creates a Class A misdemeanor to a gun show promoter if with gross negligence they permit a sale of a firearm to someone without a background check. Allows for a fee. Requires the promoter to provide written notice of details of the show to local law officials within 30 days before the show.

## Crimes and Courts - Failed

### Drug Testing

**HB 253 by Murr** - Requires testing a possible controlled substance evidence for fentanyl if submitted to a lab.

### Probate Expenses

**HB 262 by Murr** - Allows for reimbursement, from the estate to a county for expenses for compensation and expenses of a statutory probate judge who is assigned to hear a contested matter.

### Possession

**HB 266 by Thompson** - Clarifies possession of marijuana offense is more than .02 grams.

### Court Forms

**HB 267 by Canales** - Directs OCA to promulgate a number of standard forms that must be used by courts in criminal cases.

### Handgun

**HB 276 by Murr** - Adds retired judge, current judge, AG, US Attorney, district attorney, criminal attorney, county attorney, to those authorized to carry a handgun in prohibited place.

### Obstruction

**HB 285 by Murr** - Expands the offense of obstruction or retaliation to include a person victimized due to serving as a public servant.

### Sexual Assault

**HB 302 by Collier** - Expands manner of committing sex assault to include when victim is incapable of consenting because intoxicated and caregiver that exploits victim's dependency.

**HB 435 by Gervin-Hawkins** - Increases criminal penalty to the punishment prescribed for the next higher category of offense for sexual offenses, assault, or robbery committed on a public transportation vehicle, with a minimum increase of 180 days.

### Marijuana

**HB 307 by Collier** - Creates a defense of prosecution for an item that is labeled as, controls or was sold as hemp.

**HB 439 by Canales** - Makes distinction between marijuana and marijuana concentrate for purpose of determining penalty levels.

**HB 441 by Zweiner** - Makes possession of marijuana a Class C misdemeanor with auto deferred adjudication and right to expunction. \$30 fee to JP court for expunction.

**HB 447 by Moody** - Legalizes possession of marijuana. Sets forth licensing regulations & tax.

## Crimes and Courts - Failed

**HB 498 by Wu** - Makes possession of 1 oz or less of marijuana a Class C misdemeanor.

### Non-Disclosure

**HB 309 by Collier** - Requires automatic non-disclosure order for most misdemeanants that successfully complete probation. \$28 court fee for the order.

### Probation Revocation

**HB 358 by Sherman** - Creates new requirements before probation can be revoked.

### Suspicious Activity

**HB 459 by Shaheen** - Would prohibit a civil lawsuit against a person who reports suspicious activity to an appropriate authority if the person acted as a reasonable person would in the same or similar circumstances; and belief that the suspicious activity constituted or was in furtherance of a crime.

### Juveniles

**HB 486 by Wu / HB 487 by Wu / HB 1273 by Crockett / SB 85 by Miles** - Raises age of criminal responsibility to 18. Extends Juvenile Court jurisdiction accordingly. Effective 9 /1/ 21.

**HB 488 by Wu** - Limits use of restraints on juveniles appearing in juvenile court.

### Fines and Fees

**HB 497 by Wu** - Prohibits county and district clerks from keeping a fee upon return of bail bond funds if the defendant was found not guilty or if the case is dismissed.

**HB 576 by White / HB 1319 by Noble / SB 185 by Perry** - Requires trial courts to render final order within 90 days of the start of trial in suits to terminate parental rights when DFPS has custody of the child.

### Counsel at Magistration

**HB 277 by Collier** - Requires appointment of counsel for an indigent person at magistration.

### Grand Jury Room

**HB 179 by Thompson** - Would permit attorneys for witnesses in grand jury room. Suspects could file a claim for attorney fees and "other related expenses" if position of prosecutor was vexatious, frivolous, or in bad faith. Waives governmental immunity.

### Civil Forfeiture

**HB 251 by Thompson** - Ends civil forfeiture except in limited circumstances, so property suspected of being implements of crime is not subject to forfeiture without a conviction of the actor.

## Crimes and Courts - Failed

### No Knock Warrants

**HB 492** - Prohibits no-knock warrants.

### Mandatory Pretrial Diversion

**HB 3315 by Crockett** - Mandates all counties to create pretrial intervention program for person 18 or younger charged with any Class B or above, but prosecutor must consent for each person to be eligible. Require adult probation to supervise all participants. Reasonable reimbursement fees may be assessed.

### Statewide Sentencing Database

**HB 3334 by Turner** - Requires the Office of Court Administration (OCA) to create and maintain a database to collect, compile, and analyze data regarding the sentencing of defendants.

### Texas Sentencing Commission

**HB 3586 by Sherman** - Creates permanent commission to make recommendations regarding criminal sentences.

# Transportation - Passed

## Administration

**HB 3282 by Canales / Nichols** - Allows a TxDOT district engineer to lower speed limits along state roadways for a set period based on construction activity in the area.

**SB 858 by Johnson / Davis** - Allows regional transportation entities to exempt certain trip, toll, and demographic data from open records requirements.

**SB 941 by Buckingham / Morales** - Establishes a Scenic Byways Program to allow local entities to participate in the program and apply for and receive federal grants for the purpose of establishing a scenic byway in their area.

**SB 1270 by Seliger / Thompson** - Allows TxDOT to avoid competitive bidding requirements for small amounts of materials and traffic control devices used in projects.

## Registration

**HB 1698 by Raney / Schwertner** - Expands county bracket for approval of higher vehicle registration fees for transportation purposes.

- Applies to Cameron, Hidalgo, Webb, counties of more than 1.5m that is coterminous w / a RMA, and Brazos, removes bracket to allow commissioners courts to increase the additional fee, capped at \$20, if approved by voters.
- If Cameron, Hidalgo, or Webb, is authorized to increase amount, requires 50% to be credited to county road and bridge fund - unless county requires vehicles pass emissions inspections.

**HB 2152 by Meyer / Nichols** - Allows for an online vehicle registration process maintained by DMV.

**SB 876 by Hancock / Thompson** - Permits an owner to apply for title and registration with any county tax assessor willing to accept the application and required to transfer the appropriate funds to the county where to vehicle is domiciled.

## Financing / Development

**HB 692 by Shine / Creighton** - Limits the amount of funds a public entity can retain after the completion of a public works project to ensure compliance and completion with the terms of the contract.

**HJR 99 by Canales / Nichols** - Constitutional amendment expanding authorization to counties to issue tax increment financing bonds for transportation improvements but limits pledging repayment more than 65% of increases in property tax revenues annually or use proceeds to finance construction of ROW of a toll road.

# Transportation - Passed

## Toll Projects

**HB 1116 by Thompson / Alvarado** - Limits the ability to use toll money for purposes other than those related to the initial toll projects.

## Right of Way

**HB 1257 by Ashby / Nichols** - Add to property that may be removed from the right of way, for public safety by the regional transportation authority, an unattended mobile home.

## Online Vehicle Registration

**HB 2152 by Meyer / Nichols** - Allows an eligible person to register their vehicle through a system maintained by the DMV.

## Impact Study

**HB 2223 by Canales / Nichols** - Requires TxDOT and transportation industry entities to study the impact on the roads and bridges by motor vehicles classifications and recommend changes to existing tax or fee structures.

**SB 1907 by Blanco / Martinez** - Requires TTI and TxDOT conduct a feasibility study on collocating federal and state vehicle inspections at each point of entry.

## Transportation - Failed

### Wireless Communications

**HB 86 by Swanson** - Prohibits a local authority from additional restrictions on the use of a wireless communication device. Repeals rules over seeing local regulation.

### School Buses

**HB 130 by Rodriguez** - Exempts public school buses that are already exempt from registration fees from toll fees.

### Electric Registration Fee

**HB 427 by King** - Adds an additional registration fee to electric and hybrid vehicles of \$200 and \$100 respectively each year. Fees are deposited in Fund 6.

### License Plates

**HB 502 by Wu** - Authorizes display of a license plate only on the rear of a motor vehicle if the applicant for the vehicle's registration pays an annual fee of \$50.

## **Health and Human Services - Passed**

### **Telemedicine, Telehealth, and Technology**

**HB 4 by Price / Buckingham** - Expands ability to receive mental health and health care and makes COVID-19 telehealth and audio-only flexibilities permanent.

### **Drug Savings Programs for Uninsured Individuals**

**HB 18 by Oliverson / Kolkhorst** - Establishes the prescription drug savings program for certain uninsured individuals. Provides for a drug formulary, net costs of the drugs to enrollees, cost to the state, and other items as decided by the Commission.

### **Medicaid Eligibility for Pregnant Women**

**HB 133 by Rose / Kolkhorst** - Provides that a woman who miscarries is provided medical assistance an additional 6 months through the women infant program. Transitions case management for children and pregnant women program services and Health Texas Women program services to a managed care program.

### **Expedited Death Certificates**

**HB 1011 by Turner / Zaffirini** - Allows a commissioner's court to authorize the issuance of expedited death certificates for religious purposes. Applies only to counties with a medical examiner and provides an exemption for counties that have a medical examiner that is shared regionally.

### **Court Reporter for Involuntary Detention of a Person with Mental Health**

**HB 1213 by Drew Darby / Kel Seliger** - Adds the costs of a court reporter to emergency mental health detainer hearings. \*

### **Sale of Prepared Food**

**HB 1276 by Parker / Springer** - Allows restaurants to sell non-prepared food products directly to a consumer.

### **Pregnant Women in Jails**

**HB 1307 by Mary Gonzalez / Jose Menendez** - Creates new duties following miscarriage or physical / sexual abuse of pregnant individual in county jail.

- Requires sheriff to ensure that an appropriate health care professional, including OB / GYN and mental health, to promptly review health care service provided to individual and orders additional health care services as appropriate. \*

### **LPPF Harris County**

## Health and Human Services - Passed

**HB 1338 by Garnet Coleman / Borris Miles** - Expands the Harris County LPPF through 2023 and makes small amendments on payments. Makes it optional for each health district to submit financial data.

### Petition to Create Hospital Districts

**HB 1618 by Leman / Kolkhorst** - Adds an alternative to create a hospital district to be the greater of a petition signed by 3% of registered voters in the territory of the county judge or the current requirement of 100 registered voters.

### 911 Overdose

**HB 1694 by Raney / Schwertner** - Creates a defense to prosecution for person calling 911 to aid an individual who appears to have overdosed.

### Quarantine Leave

**HB 2073 by Burrows / Springer** - Requires a political subdivision to develop a paid quarantine leave plan for leave a fire fighter, peace officer, detention officer, or EMT employed by the subdivision due to a possible or known exposure to a communicable disease while on duty.

Must include;

- All benefits and compensation for the duration of leave;
- Reimbursement of reasonable costs; including lodging, medical and transportation;
- The leave be ordered by the persons supervisor or health authority. \*

### Juvenile IDD Services

**HB 2107 by Wu / Menendez** - Allows the court to support the services or treatment for mental illness or intellectual disability, as appropriate, in place of detention when a juvenile court or jury determines a child is unfit to proceed with the court proceedings due to mental illness or an intellectual disability.

### ESD Benefit Buy In

**HB 2171 by Metcalf / Creighton** - Expands who can request buy in for continued health coverage at retirement to include a firefighter or EMS provider from the ESD in a county of 150k or more.

### Child Criminal Record

**HB 2669 by Guillen / Zaffirini** - Makes confidential all records regarding fine-only offense, other than traffic violation, against a child.

# Health and Human Services - Passed

## Presumption Coverage for First Responders

**SB 22 by Springer / Patterson** - For benefits, creates a presumption that a firefighter, peace officer, EMT worker, detention officer, custodial officer contracted COVID-19 in the scope of their work duty if the disease is the basis for a governor's disaster declaration. \*

## **PPE Reserve**

**SB 437 by Blanco / Turner** - Requires TDEM to create a Personal Protective Equipment Reserve Advisory Committee to make recommendations for the creation of a depository

## Contagious Diseases

**SB 464 by Lucio / Lopez** - Allows a part-time health authority to coordinate with the director of the county's local health dept to report the presence of contagious, infectious, and dangerous epidemic diseases in the jurisdiction.

## Federal Health Care Funds Reporting

**SB 509 by Kolkhorst / Oliverson** - Requires health care institutions who have received federal funding during the coronavirus disease public health emergency, to provide a monthly report of the funding received to the Health and Human Services Commission (HHSC). HHSC would be required to compile the information received from health care institutions and submit a quarterly written report to the Legislature.

## Public Health Orders

**SB 967 by Kolkhorst / Klick** - Makes the expiration of a public health order on the 15th day following the date it is issued unless, before the 8th day, the commissioner court or city council extends the order. Applies only to public health order imposed on more than one individual, animal, place, or object. In the case of a jointly appointed health authority, it is the county that reviews and extends the order.

## Public Health Disasters

**SB 968 by Kolkhorst / Klick** - Requires Texas Division of Emergency Management (TDEM)'s collaboration with applicable counties and cities to ensure wellness checks are conducted on each medically fragile individual listed in the emergency assistance registry and located in an area where there is an extended power, water, or gas outage; declared state of disaster; or any other necessary event.

- Prohibits government entities from issuing COVID-19 passports.
- Prohibits presiding officer of political subdivision from issuing an order during a declared state or local disaster that would limit or prohibit construction and related services. Designates the Department of State Health Services (DSHS) as the preemptive authority of communicable disease control and requires the

## Health and Human Services - Passed

coordination of statewide or regional efforts to protect public health and collaboration with local elected officials.

- During a declared state or local disaster, requires DSHS to ensure educational materials regarding immunizations are available to local health authorities. \*

### Health Care Data Reporting

- **SB 984 by Kolkhorst / Klick** - Requires each trauma service area regional advisory council to collect from each hospital the de-identified health care data necessary for the state and area to plan / respond to public health disasters. This is not required to be implemented if funds aren't appropriated. **State Mandated Property Tax \***

## Health and Human Services - Failed

### Medicaid

**HB 143 by Bernal** - Requires the executive commissioner of HHS to apply for Medicaid expansion for residents of the county if requested.

**HB 171 by Bernal / HB 4406 by Ramos / SB 118 by Johnson** - Expands Medicaid eligibility to all persons who apply and for whom federal matching funds are available.

**HB 290 by Cortez / Kolkhorst / SB 39 by Zaffirini** - Provides 12-month continuous eligibility in Children's Medicaid.

**HB 389 by Israel / HB 398 by Bucy / SB 38 by Zaffirini / SB 119 by Johnson** - Expands Medicaid eligibility to all persons who apply and for whom federal matching funds are available.

**HB 484 by Shaheen** - Requires HHSC create a pilot program to implement a direct primary care model in Medicaid where a recipient enters an agreement for a direct fee of \$40 / month for under 18 and \$70 / month for over 18.

**HB 509 by Beckley** - Establishes Medicaid for all if federal matching funds are available.

**HB 510 by Beckley** - Creates a buy in program for Medicaid for persons on Medicaid and whose household income increased and made them ineligible. Commissioner creates eligibility rules.

**HB 513 by Beckley** - Requires HHSC to apply for an 1115 waiver to expand Medicaid in a county upon request of the commissioner's court.

### Group Homes

**HB 149 by Reynolds / Kolkhorst** - Requires HHSC to study state and local regulation of group homes.

### Telehealth

**HB 280 by Cortez** - Requires HHSC to create an action plan to expand telehealth services throughout the state.

**HB 515 by Oliverson / HB 522 by Johnson / HB 980 by Fierro / SB 228 by Blanco** - Expands telemedicine insurance coverage and parity for behavioral health. Requires reimbursement parity for providers and clarifies that mental health services are subject to existing parity laws.

### Recovery Housing

**HB 292 by Murr / HB 544 by Minjarez** - Prohibits county or city from adopting an ordinance that prevents a recovery house from operating in a residential community.

## Health and Human Services - Failed

### Animal Control

**HB 337 by Rosenthal** - Requires preparation and maintenance of intake and disposition records for animal shelters and releasing agencies for three years. Requires records to be made public by posting on agency's website.

**HB 399 by Shaheen** - Creates a Class C misdemeanor for restraining a dog outside and / or unattended without adequate shelter unless the dog is restrained temporarily while the owner is completing an activity that requires the dog to be restrained. Adds that training for hunting / hunting or leaving a dog in an open air truck bed to complete a temporary task are exceptions.

### Identification Documentations

**HB 338 by Rosenthal / SB 210 by Eckhardt** - Allows a person born in TX to apply for the issuance of a new birth certificate with a change to name and sex by providing documentation to the state registrar. Prohibits sex offenders and convicted felons from being able to change their sex on their vital records, but they can petition for a name change. Authorizes a record of birth, death or fetal death accepted by a local registrar to be changed in compliance with the bill.

# Environment and Disaster Relief - Passed

## Weatherization

**SB 3 by Schwertner / Paddie.** - Provides for the preparation for, prevention of, and response to extreme weather emergencies and extended power outages and establish related requirements for the Public Utility Commission (PUC), the ERCOT organization, the Railroad Commission (RRC), the Texas Division of Emergency Management (TDEM), and the Texas Commission on Environmental Quality (TCEQ).

## Natural Gas Vehicles

**HB 963 by Lozano / Zaffirini.** Allows a used natural gas vehicle to qualify for the natural gas vehicle grant program.

## Burn Boss

**HB 2004 by Ashby / Nichols.** - If a burn boss is a certified, insured prescribed burn manager, removes liability for property damage, personal injury, or death caused by smoke that occurs more than 300 ft from the burn.

## Drilling Facilities

**HB 2201, Ashby / Nichols.** - Requires Railroad Commission to establish standards governing permissible locations for commercial oil, gas disposal facilities.

## TERP

**HB 2361 by Landgraf / Birdwell.** - Removes the grant eligibility requirement that mandates reductions in flaring emissions and other site emissions be utilized to capture waste heat to generate electricity solely for on-site service and therefore simply allows for the installation of systems that reduce flaring emissions and other site emissions.

Allows for grants to be used for the lease of new technology projects and allows grant recipients to use the grant for the costs of operating and maintaining the emissions-reducing equipment.

**HB 4472 by Landgraf / Birdwell.** - Expanding TERP eligible projects to include:

- air monitoring equipment;
- fee-based contracts for the purchase of reductions in nitrogen oxides (NOx) emissions; and
- the energy efficiency loan guarantee program.
- Contracts to purchase NOx reductions. TCEQ would have to establish a program to enter into fee-based contracts for the purchase of reductions in NOx emissions that would:
  - specify the types of projects that were eligible, such as marine emission capture systems;

## Environment and Disaster Relief - Passed

- measure NOx emissions input and output on a continuous basis;
- require reduced NOx emissions to be verified and certified;
- assign a dollar per ton fee based solely on the cost of the reduction in NOx emissions;
- require payments under the contract to be made only for actual emissions reductions; and
- authorize TCEQ to enter into multiyear contracts

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## Environment and Disaster Relief - Failed

### Droughts and Wildfires

**HB 2166 by Raymond** - Requires TDEM to study potential effects of droughts and wildfires over the next 50 years.

**HB 152 by Buckley** - Creates a study on the groundwater conditions for the Trinity Edwards Aquifer in Bell, Burnet, Milam, Travis and Williamson County.

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## Development an Infrastructure - Passed

### Broadband

**HB 5 by Ashby / Nichols** - Expands broadband services statewide. Creates a Broadband Development Office and establishes a Broadband Development Program to award financial incentives to expand access.

### Retainage

**HB 692 by Shine / Creighton** - Retainage under a public works contract may not exceed 10% for contracts less than \$5 million and 5% for contracts of \$5 million or more.

### Contractor Liability for Plans

**SB 219 by Hughes / Leach** - Contractor not liable for defects in plans prepared by another. Contractor has duty to disclose known defects.

### Civil Works

**HB 2581 by Kacal / Hancock** - If competitive sealed proposals are solicited for a civil works project, requires that price must be at least 50% of score. If the governing body determines a lower percentage is in the public interest, price may be not less than 36.9% of the scoring. Requires scores and evaluations be released by 7th business day after contract award.

### Construction Defects

**HB 3069 by Holland / Hughes** - Shortens the statute of limitations for governments to bring claims for defective or unsafe improvements or equipment against architects, engineers, interior designers and landscape architects who design, plan, or inspect construction from 10 years to 8 years. Same shortening for claims against contractor who did construction. Applies to vertical construction, not streets.

### Eminent Domain

**HB 2730 by Deshotel / Kolkhorst** - Most of the bill applies only to private entities with eminent domain authority. Requires the landowner's bill of rights to be provided with initial offers. Sets deadlines for the appointment of special commissioners.

**SB 157 by Perry / Craddick** - Currently all entities with eminent domain authority must file a report annually with the Comptroller. Allows small entities (population less than 25,000) to simply attest to no changes to prior year report.

**SB 721 by Schwertner / Leman** - All appraisals on subject property to be used at special commissioners hearing must be disclosed to owner prior to the hearing.

## Development an Infrastructure - Passed

**SB 726 by Schwertner / Leman** - Reduces the means by which “actual progress” may be shown on a project to avoid the right of repurchase arising for property taken through eminent domain.

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## **Development an Infrastructure - Failed**

### **Contracts**

**HB 3221 by Leach / SB 1871 by Creighton** - As of 2019, governmental entities cannot bring action for construction defect until they notify responsible party in writing of the specific defect and condition of the project. States a cause of action does not accrue until the postmark date of that report.

### **Disaster Reinvestment and Infrastructure Planning Board**

**SB 995 / SJR 44 by Powell** - Establishes a disaster reinvestment and infrastructure planning board and creates a special revolving fund to be used by the board for responding to a disaster including money transferred / deposited by law; any dedicated fee or tax; proceeds of sales of bonds; and investment earnings.

### **Eminent Domain**

**HB 902 by Burns** - Bolsters the notice of rights to landowners and sets minimum standards for initial offers (which local governments already meet).

### **Land Use**

**HB 623 by Morales / SB 595 by Gutierrez** - Bracketed to border counties with a national recreation area, permits commissioners court to prohibit windmills in parts of unincorporated county in collaboration with military aviation facility.

**HB1348 by Deshotel / SB 487 by Hughes** - Requires a political subdivision to consider an open-enrollment charter school a public school district for purposes of zoning, project permitting, platting and replatting processes, business licensing, or franchises

**SB 1169 by Campbell** - Prohibits a county from requiring a building permit to construct a temporary structure if the structure is portable and smaller than 500 square feet.

### **Subdivisions**

**HB 4426 by T. King / SB 1878 by Zaffirini** - Expands the areas in which economically distressed border counties may cancel platted, undeveloped subdivisions.

# Public Safety and Emergency Management - Passed

## Disaster Authority and Management

**HB 1500 by Hefner / SB 18 Creighton** - Prohibits restrictions being placed on firearms manufacturer / wholesaler / supplier, retailer, or shooting range in connection with a disaster.

**SB 966 by Kolkhorst / Klick** - Establishes a Legislative Public Health Oversight Board to provide supervision over state declarations of public health disasters.

**SB 968 by Kolkhorst / Klick** Comprehensive reform of public health disaster preparedness

- Requires Texas Division of Emergency Management (TDEM)'s to ensure wellness checks are conducted on each medically fragile individual listed in the emergency assistance registry where an extended power, water, or gas outage, or any other necessary event exists during a disaster; wellness checks performed by county and city personnel.\*
- Prohibits government entities from issuing COVID-19 passports;
- Prohibits presiding officer of political subdivision from issuing an order during a declared state or local disaster that would limit or prohibit construction and related services;
- Designates the Department of State Health Services (DSHS) as the preemptive authority of communicable disease control and requires the coordination of statewide or regional efforts to protect public health and collaboration with local elected officials; and
- During a declared state or local disaster, requires DSHS to ensure educational materials regarding immunizations are available to local health authorities.

**STATE-MANDATED PROPERTY TAX, ACTION REQUIRED**

## Filming Peace Officers

**HB 54 by Talarico / Whitmire** - Prohibits law enforcement agencies from authorizing the accompaniment and filming of peace officers for reality TV shows. Effective date May 26, 2021.

## Prescribed Burning

**HB 222 by Murr / Springer** - Adds criteria for burn boss to qualify for limited liability during a prescribed burn – must be trained, experienced, and have liability insurance. Does not apply to a burn boss who commits gross negligence or intentionally causes property damage, personal injury, or death.

# Public Safety and Emergency Management - Passed

## Public Health

**SB 967 by Kolkhorst / Klick** - Makes the expiration of a local public health order on the 15th day following the date it is issued unless, before the 15th day, the commissioner court or city council extends the order. In the case of a jointly appointed health authority, authorizes the county to extend the order. Applies only to a public health order imposed on more than one individual, animal, place, or object.

**SB 969 by Kolkhorst / Klick** - Requires DSHS to collaborate with local health authorities, hospitals, and labs to plan for standardized information sharing method. Requires the provision of information to the public during a public health disaster by DSHS and each trauma service area regional advisory council. During a public health disaster, requires DSHS to make available, in a timely manner, data regarding the public health disaster on its website.

## Texas Active Shooter Alert System

**HB 103 by Landgraf / Zaffirini** - Requires Department of Public Safety (DPS) to develop and implement an alert system to be activated on report of an active shooter. Requires DPS, on the request of a local law enforcement agency that has verified that specified criteria regarding an active shooter situation have been met or as DPS determines appropriate, to activate the alert system. Limits liability of local law enforcement agency and DPS for failure to activate the alert system.

# Public Safety and Emergency Management - Failed

## Disaster Authority and Management

**HB 3 by Burrows / Birdwell** - Comprehensive reforms to state and local government responses to a pandemic disaster

- During declared pandemic disaster, provides that only the legislature has authority to restrict business operations and allows the legislature to do the same in a county after consulting with the county judge;
- Creates preemption of local disaster declaration;
- Provides that a directive issued during state of emergency applies only within the impacted county or city;
- Prohibits Governor from renewing a state of disaster beyond 60 days or for declaring a new state of disaster based on same / similar findings as previous declaration that exists in at least 2 / 5 of counties or at least 50% of state population;
- Requires Governor to publish list of regulations that may require suspension on the Governor's website;
- Requires each state agency impacted by suspension of statutes to publish on agency's website a list of those statutes within 24 hours of suspension;
- Prohibits Governor from suspending a provision of the Disaster Act, State of Emergency Chapter, or law related to Sunset Act;
- Allows for suspension of Criminal Procedure, Elections, or Penal Codes only during first 30 days of disaster; and
- Repeals Governor's ability to restrict sales of alcohol and firearms.

**HB 311 by Vasut** - Replaces renewal authority of a state of disaster with the legislature by law, rather than with the Governor

**HB 655 by Raymond / SB 865 Creighton** - Requires TDEM to study the creation of a statewide disaster alert system

**HB 905 by Krause** - Mandates withholding of county or city presiding officer's pay if the presiding officer of a county or city declares a local state of disaster and restricts or prohibits regular business operations during a local state of disaster.

**HB 906 by Krause** - Prohibits the presiding officer of a political subdivision or the governor from issuing an order during a declared state of disaster that distinguish between essential and nonessential services.

**HB 1406 by Schaefer** - Allows a person to file suit to challenge a provision of a disaster declaration order by the Governor or a political subdivision; or a public health order if the provision is alleged to cause injury or burden

## Public Safety and Emergency Management - Failed

**HB 1557 by Martinez-Fischer** - If a Governor's state of disaster requires renewal and the legislature is not in session, requires Governor to convene the legislature.

**HB 1656 by Murphy** - Makes a Governor's executive order prevail over an order by the presiding officer of the governing body of a political subdivision.

**HB 1978 / HJR 42 by Toth** - Prohibits Governor from declaring a disaster due to COVID-19.

**HB 2097 by Schaefer** - Prohibits Governor and a local official from issuing an executive order that requires a person to wear a mask or personal protective equipment.

**HB 2196 by Schaefer** - Prohibits the Governor from suspending a state agency order or rule during a state of disaster through executive order.

**HB 2358 by J. Turner** - Adds to Task Force on Infectious Disease Preparedness and Response's responsibilities the development of a strategic emergency plan for use by local governments and agencies. Requires appointment of at least one county judge in county w / population of 1 million or more.

**HB 2662 by Krause** - Eliminates regulations waived during COVID-19. Authorizes meetings from remote locations by phone calls for governmental bodies and allows meetings from one or more remote locations by videoconference.

**HB 3154 by Beckley / HB 3167 Crockett** - Requires the Department of Public Safety (DPS) to request that FEMA notify residents of a state of disaster by issuing a wireless emergency alert to cell phones.

**HB 3241 by Schofield** - Entitles a business owner to bring an action against a government for compensation due to a governmental ordinance that decreases or closes a business. Does not apply to a nuisance, violation of law, licensing issue, or taxing issue.

**HB 4444 by Neave** - Authorizes counties to prohibit evictions during federal, state, or local disaster declarations.

**HB 4450 by Raymond** - Requires members of the Emergency Management Council to complete 16 hours of training on emergency management every two years. Requires members of State Emergency Response Commission to complete 40 hours of training on emergency management every two years.

**HB 4482 by Slawson / SB 422 Springer** - Establishes Emergency Powers Board to provide oversight during a declared state of disaster.

**HJR 47 by Krause** - Constitutional amendment requiring Governor to convene the legislature in special session when the Governor proposes to renew an order or proclamation declaring a state of disaster or emergency.

## Public Safety and Emergency Management - Failed

**HJR 153 by Landgraf** - Constitutional amendment authorizing the legislature to provide legislative review of state agency rules in response to a threat to public health.

**SB 1880 by Bettencourt** - Requires declaration of local disaster continuing beyond seven days to have consent of governing body of political subdivision in a public meeting. Thereafter, declaration after 30 days may only be renewed by governing body of political subdivision in a public meeting.

### Emergency Health Resources

**HB 1409 by Guillen** - Requires the state to proportionally distribute any vaccine for responding to a pandemic.

### Emergency Services District

**HB 553 by Thompson** - Requires emergency services districts to submit budgets and proposed tax rates to commissioner's court, which has the authority to reject one or both.

### Fireworks

**HB 83 by Toth / HB 2569 by Cortez** - Expands the sale of fireworks through July 5th instead of July 4th.

**HB 466 by Shaheen / SB 1162 by Huffman** - Allows for the sale of fireworks five days before to midnight on Diwali.

**HB 504 by White** - Permits fireworks sales five days before Juneteenth with commissioners court approval.

**HB 505 by White** - Allows the sale of fireworks five days before and up to Labor Day if permitted by commissioners court.

**HB 2267 by Paul / Nichols** - Restricts sale of retail fireworks permits to a website provided by the Insurance Commissioner

**HB 3337 by Bowers** - In counties of 100,000 population or more, requires signage about the illegal possession of fireworks to be displayed at a retail fireworks site.

**HB 3342 by Bowers** - Expands definition of illegal fireworks to include fireworks manufactured or sold in violation of an ordinance or order enacted by a county or city prohibiting or further regulating fireworks.

**HB 3967 by Cortez** - Establishes that a fireworks restriction included in a declaration of a local disaster does not authorize a county to prohibit or restrict sale of fireworks.

**HB 4519 by Guillen** - Creates mandatory sales period for fireworks on Cinco de Mayo, Juneteenth Holiday; and Labor Day

## **Public Safety and Emergency Management - Failed**

**SB 2003 by Lucio** - Permits the sale of fireworks on June 19 (Juneteenth) and five days before Labor Day. Repeals commissioners court authority requirement.

### **Liability for Discrimination**

**HB 173 by Rosenthal** - Creates civil liability for submitting discriminatory false reports.

### **Limit on Assessment of Fees and Taxes**

**HB 1137 by Cain** - Prohibits assessment of any tax or fee on a business whose operation is restricted by a Governor-issued executive order during the time restricted by the order.

### **Public Safety**

**HB 170 by Ortega / SB 1067 by Blanco** - Amends hours of public consumption of alcohol to apply to all businesses.

**HB 4325 by Martinez** - Authorizes a county with a population over 250,000 that has adopted a fire code, or a county adjacent to such a county that has adopted a fire code, to require the county fire marshal to be certified by the Texas Commission on Fire Protection as head of a prevention only fire department.

# Elections - Passed

## Passed

### Election Funding Gifts

**HB 2283 by King / Creighton** - Prohibits the acceptance of a gift to oversee an election over the amount of \$1000 without the consent of the SOS.

- The SOS must get approval from the Lt. Governor, Governor, and Speaker of the House unanimously to accept. The gift must be equitably distributed throughout the State.
- Doesn't prohibit acceptance of other state or fed funds made available to political subdivisions to perform elections; an offer for use of a public or private building for conducting an election; in-kind contribution of food or beverage for election workers.

### Election Equipment

**SB 598 by Kolkhorst / Jetton** - Requires an audit of a selected statewide race or measure. Requires a pilot program in 11 / 8 / 2022 of at least 5 counties, including one with a population of 500k or more.

- Prohibits voting equipment being connected to an internet network or wireless communication system as of 9 / 1 / 26.
- Prohibits the use of DRE machine, requires a paper trail for all voting machines.
- Allows a county that has a DRE to use federal / state funds to upgrade the machine by 9 / 1 / 2021, if converted by that date the upgrades are 100% reimbursable, and up to 50% if converted by 11 / 3 / 2026.
- \$39m provided in SB 1

**SB 1387 by Creighton / Clardy** - Requires, as of 9 / 1 / 21, that a voting system used in an election is manufactured, stored and held in the USA.

- Specifies manufacturing is the final assembly of the system and all firmware and software is installed and tested in the US.
- Requires the equipment company headquarters are in the US.

### Invalid Vote Counting

**HB 574 by Bonnen / Taylor** - Creates a second-degree felony for failing to count valid votes or to count votes that are knowingly invalid.

## Elections - Passed

### Confidential Information

**HB 1082 by King / Zaffirini** - Makes confidential the home address, home telephone, emergency contact, and SSN of all elected officials (current statewide elected and legislators).

### Lawfully Present in Polling Place

**HB 1128 by Jetton / Kolkhorst** - Allows a person to be lawfully present in a polling place if the person is an election judge or clerk; a watcher; state or federal inspector; person admitted to vote; child who is w / parent admitted to vote; person providing assistance; a special peace officer; county chair of political party conducting primary; voting system tech; a representative of the SOS, an election administrator, a sheriff deputy, or election staff delivering supplies. Includes a person assisting a person with a disability.

### Reporting of Deceased Registrants

**HB 1264 by Bell / Springer** - Shortens days required to report a deceased registered voter to the SOS from 10 days to 7 days.

### Voter Application Tracking

**HB 1382 by Bucy / Hughes** - Requires the SOS to develop and maintain an electronic tracking system for a voter application and ballot. Requires each envelope be numbered sequentially.

### Early Voting Totals

**HB 1622 by Guillen / Hughes** - Allows a registered voter to submit a complaint to the SOS regarding a clerk not submitting early voting totals in the time required. SOS is to compile a report on complaints.

### Redistricting

**HB 2025 by Hunter / Huffman** - Allows commissioners court to act on published reports or counts in carrying out duties of redistricting, regardless of the date the reports are published.

### SOS Election Bill

**HB 3107 by Clardy / Zaffirini** - In the case of an election in which any members of a political subdivision's governing body are elected from territorial units such as single-member districts, the state laws governing the election of unopposed candidates apply if each candidate for an office that is to appear on the ballot in that territorial unit is unopposed and no opposed at-large race is to appear on the ballot;

- require the notice of a general or special election to state the internet website of the authority conducting the election;
- provide that an election services contract may not change a political subdivision's requirement to keep an election officer's office open for election duties for at least

## Elections - Passed

three hours each day, during regular office hours, on regular business days during a specified period of time prior to election day and ending not earlier than the 40th day after election day;

- expand the methods of notice that an election authority conducting the drawing to order names of candidates on the ballot may use to notify candidates of the date, hour, and place of the drawing in include telephone, email, and personal written notice;
- require an election officer at the polling place to maintain a registration omissions list;
- provide that if the name of a voter who is offering to vote is not on the precinct list of registered voters, an election officer may contact the voter registrar regarding the voter's registration status;
- provide that provisional voting records are not available for public inspection until the first business day after the date the early voting ballot board completes the verification and counting of provisional ballots and delivers the provisional ballots and other provisional voting records to the general custodian of election records;
- provide that a voter may deliver a marked mail ballot in person to the main early voting polling place only while the polls are open during the early voting period or on election day;
- require the authority with whom an application for a place on the ballot must be filed to designate an email address in the notice of deadlines for filing an application for a place on the ballot;
- provide that for cities conducting recall elections, a vacancy in an officer's office occurs on the date of the final canvass of a successful recall election; and
- eliminate the requirement that an election precinct established for an election ordered by a city may not divide a county election precinct except as necessary to follow the city's boundary.
- would allow vote by mail applications to be hand-delivered to a county clerk's office up to the day of the deadline.
- Allows the SOS to order an election administrator to correct offending conduct. Requires the current county of residence be included.
- Allows a county of 100k or less to not be uniform for a temporary branch.

### Absentee Voting

**HB 3920 by Dean / Hughes** - Expands the definition of disability for the purpose of voting by mail to include a person confined for childbirth up to three weeks before or after election day, exempts a person who 1) lacks transportation, 2) has an illness that doesn't prevent leaving the home or appearing at the place of employment and 3) is required to

## **Elections - Passed**

appear at their place of employment on election day. Requires an affidavit that states you physically are unable to enter a polling place without assistance.

### **Felony Candidates**

**HB 4555 by Guillen / Hinojosa** - Requires for a person to run for public office they provide proof of eligibility if previously convicted of a felony.

### **County Election Officer Training**

**SB 231 by Seliger / Cain** – Requires the SOS provide a training program and materials for county election officers.

### **Voter Interpreter**

**SB 331 by Johnson / Button** - Allows an election officer to appoint an interpreter for a voter who has not selected their own.

### **Residence Confirmation**

**SB 1111 by Bettencourt / Paul** - Modifies the definition of “residence” for purposes of elections to provide that a person may not establish residence for the purpose of influencing the outcome of a certain election; a person may not establish a residence at any place the person has not inhabited; and a person may not designate a previous residence as a home and fixed place of habitation unless the person inhabits the place at the time of designation and intends to remain. Allows a voter register to request confirmation of residence if the address is a commercial post office box or similar.

### **Withholding Funds**

**SB 1113 by Bettencourt / Cain** - SOS may withhold funds if a registrar fails to timely cancel voter registrations.

### **Election Posting**

**SB 1116 by Bettencourt / Bucy** - A county that holds or provides election services, and a city or independent school district that holds an election, and maintains an Internet website, shall publish the following as soon as practicable after the election: (a) the results of each election; (b) the total number of votes cast; and (c) the total number of votes cast for each candidate or for or against each measure; and such information to be accessible without having to make more than two selections or view more than two network locations after accessing the Internet website home page of the county, city, or district, as applicable.

### **Early Voting Board Compensation**

**SB 1418 by Schwertner / Wilson** - Allows for the presiding judge of an early ballot voting board be compensated at a higher rate at the discretion of the authority.

## Elections - Failed

### Election Reform - Failed

#### SB 7 by Hughes / HB 6 by Caine - Election Reform

- **Voter registration process changes:** an individual's voter registration, if determined that the individual no longer resides in the county that they are registered in, shall be forwarded to the new county of residence and the voter's registration in the previous county canceled. If a registrar determines that a person is not eligible to vote (and is registered to vote or voted in an election), the registrar shall send the information to the attorney general, secretary of state, and county district attorney.
- The secretary of state shall monitor each county's list of registered voters to make sure that the county's list is not equal to or greater than the number of people eligible to register to vote in the county. If the secretary of state makes that determination, the county is given thirty (30) days to 1) refute the determination or 2) develop a remediation plan and send to the secretary of state's office. If a county registrar does not comply, the secretary of state shall require the registrar to attend a three (3) hour training course publish notice, on the secretary of state's website that the county is undergoing an audit, audit the voter registration list, and identify voter roll maintenance provisions that are not being followed. If the voter registrar has not complied with the secretary of state's processes within fourteen (14) days, the secretary of state shall 1) withhold distribution of state fund for financing voter registration until compliant and 2) inform the attorney general that the county may be subject to a civil penalty. The civil penalty is \$1,000 per day after the fourteenth (14th) day after failure to comply.
- **Conduct and security of elections:** Prohibition on a polling place being located in a tent or similarly temporary moveable structure or in a facility primarily designed for motor vehicles.
- Restrictions are placed on voters casting ballots from inside a motor vehicle.
- The secretary of state shall develop a form for spoiled ballot registry.
- Beginning on January 1, 2024, voting equipment to tabulate votes may not be used if any wireless connectivity capability of the equipment has not been disabled or removed.
- Early voting hours are now restricted from 6 a.m. to 9 p.m, for a period of not less than nine (9) hours. If a voter has not voted by the scheduled time, the voter may vote at that location if the voter is in line by closing time.
- If a suitable room is not available inside a branch office for a polling place, the polling place may be located inside the same building. The location cannot be moved to a tent or similar moveable structure, parking garage, parking lot, or similar facility designed for motor vehicles.

## Elections - Failed

- For a temporary branch polling place, where countywide polling places are used, the commissioners court shall employ the same methodology for countywide polling places as for temporary branch polling places.
- Prohibits ballots being “arranged in a manner that allows a political party’s candidates to be selected in one motion or gesture.”
- A video surveillance system is required that retains a record of all areas containing voted ballots 1) from the time the voted ballots are delivered to the central county station until the canvass of precinct election returns; 2) from the time the voted ballots are delivered to the signature certification committee or early voting ballot board until the canvass of precinct election returns.
- The video from the surveillance system must be available to the public by a livestream in a county with a population of 100,000 or more. The video must be retained until the end of the calendar year in which the election is held or until election contest filed in the county is resolved.
- **Poll watcher duties:** an election officer commits an offense (Class B misdemeanor) if the officer refuses to accept a poll watcher for service.
- The election officer must be presented with a poll watcher’s certificate of appointment and the watcher must take an oath, “I swear (or affirm) that I will not disrupt the voting process or harass voters in the discharge of my duties.”
- Requires a watcher to be able to “see and hear” the election officer conducting the activity (unless prohibited by the bill).
- A watcher may not be denied free movement and is entitled to observe an election activity may sit or stand enough to see and hear the activity.
- The watcher must also be allowed to watch activities related to closing the polling place (including sealing and transfer of memory card, flash drive, hard drive, data storage device, and other medium existing or later developed that is used by voting system equipment).
- A watcher that has been accepted may follow elections materials from the polling place to the central counting station.
- The central counting station must accept watchers for service.
- A person commits an offense if they knowingly obstruct the view of a watcher that would make the watcher’s observation not “reasonably effective”.
- A watcher or the watcher’s appointing authority may seek injunctive relief, a *writ of mandamus*, or another remedy under law.
- Adds a list of individuals authorized to be in a polling place, central counting station, or early voting ballot board room.

## Elections - Failed

- Includes a provision where an in-person delivery of a marked ballot must be received by an election officer, the voter's name, signature, and type of ID provided recorded on a roster.
- Makes communications between voting system vendors and "a public official" public information and not confidential (this does not include communication related to the bidding process).
- For a county over 250,000 in population, the county central station manager and presiding judge of the counting station shall develop a protocol and the use of software regarding an electronic device inside a counting station necessary to count votes. The protocol must include the input activity that is tracked to be printed and delivered to the secretary of state not later than the fifth (5<sup>th</sup>) day after counting is complete.
- After January 1, 2024, an authority operating a central county station may not purchase or use optical ballot scan system that uses a data storage disc on which information can be modified. The bill requires voting systems have a paper audit trail and auditable voting system. \$34 million was included in SB 1 for new and retrofitted machines.
- The presiding judge of a central counting station shall provide written attestation to written reconciliation of votes and voters at the close of tabulation for an election and at the last meeting regarding late-arriving and provisional ballots. The form shall be posted on a county website.
- **Voting by mail provisions:** Changes qualifications for voting due to a disability. The voter must now be "not capable of" appearing at the polling place on election day due to the voter's 1) illness, 2) injury, 3) medical confinement ordered by a health care professional or 4) mental or physical disability.
- Prohibits the following reasons to qualify as a disability: 1) lack of transportation, 2) illness, injury, or disability that does not prevent the voter from appearing at a polling place on election day, or 3) requirement to appear at the voter's place of employment on election day.
- The absentee ballot application must include specifically selected grounds for why the voter is unable to appear. The application must be submitted in writing and signed by the applicant using ink on paper (no electronic or photocopied signatures). An early voting ballot application must include the applicant's driver's license or personal identification card (issued by DPS) number; the last four digits of the applicant's social security number; or a statement by the applicant has not been issued a such a number.
- A voter who has been sent a vote by mail ballot but fails to return the ballot, may vote a provisional ballot if an election judge permits. The carrier envelop must include space (hidden from view) for the following voter-entered information: 1) driver's license or personal ID card information, 2) last four digits of the voter's

## Elections - Failed

social security number, and 3) statement that the applicant has not been issued a number described (an expired DL or personal ID card can be used to meet these provisions). The early voting ballot board will have to match the information provided on the envelop and the voter application, including the signature. The board shall request from the Department of Public Safety any signature of the voter on file with the department and compare the signature on the ballot application and carrier envelop with the signature provided by DPS. The signature can also be compared to any known signature of the voter on file with the county clerk or voter registrar.

- The early voting clerk shall deliver to the attorney general not later than the thirtieth (30<sup>th</sup>) day after an election any ballot rejected by the early voting ballot board verification committee determined that another violation of the election code occurred (this is an addition to the existing five reasons that a ballot was rejected). Ballots voted by mail now must be kept separate and tabulated separately on returns from ballots voted in person. Both sides of any vote by mail application, envelop, or ballot recorded and all records provided to the early voting ballot board and signature verification committee must be made into electronic records.
- **Assistance of voters:** Requires that a person who is accompanying a voter inside a motor vehicle while the voter votes must also be eligible to accompany the voter to the voting station under law.
- A person who assists three (3) or more voters voting by providing transportation to the polling place must complete and sign a form (this provision does not apply if the person assisting is related within the second degree of affinity or third degree of consanguinity; or father / mother-in-law or great-grandchildren, nephews / nieces, aunts / uncles).
- An individual assisting a voter must fill out a form describing the individual's name and address, relationship to the voter, and whether the person assisting the voter received any form of compensation or other benefit from a candidate, campaign, or political committee.
- The individual providing assistance, other than an election officer, must swear an oath – the bill makes significant modifications of the oath to include “under penalty of perjury”. A person assisting a voter must enter information on the official carrier envelop of the voter (person name, relationship to the person, and whether the individual assisting received any form of compensation or other benefit from the candidate).
- It is an offense (state jail felony) if a person compensates or offers to compensate another person for assisting voters, solicits, receives, or accepts compensation for assisting voters.
- **Fraud and other unlawful practices:** An election judge commits an offense (state jail felony) if the judge provides a voter with a form for an affidavit (for purposes of proof of person at the time of voting) that contains information entered by the judge that was knowingly false.

## Elections - Failed

- Additional offenses include altering the ballot of another or by otherwise causing a ballot not to reflect the intent of the voter; count vote that are invalid or not count votes that were lawfully cast; prevent a voter from casting a legal ballot in an election; provide false information to a voter with the intent of preventing the voter from voting.
- The bill includes new provisions regarding “vote harvesting” (in-person interaction with one or more voters, involving an official ballot, a ballot voted by mail, or an application for ballot by mail, intended to deliver votes for a specific candidate or measure”). A person commits an offense (third degree felony) if the person, directly or through a third party, provides compensation or other benefit for vote harvesting services, or a person knowingly collects or possesses a mail ballot or official carrier envelope in connection with vote harvesting services (this does not apply to an activity not performed for compensation / benefit, interactions not related to a ballot, interactions that are not conducted in-person with a voter, or activity that is not designed to deliver votes for or against a specific candidate or measure).
- If a candidate or party suffers harm from vote harvesting services (by a preponderance of the evidence), the person who offered vote harvesting services is civilly liable and the aggrieved party can receive 1) the compensation paid, 2) fair market value of any benefit given or received in exchange for vote harvesting, 3) a penalty of \$35,000, and 4) reasonable and necessary attorney’s fees, court costs, witness fees, and discovery costs. A party whose candidate can demonstrate that the number of voters contacted by the vote harvesting activity exceeds the number of vote by which the party lost the election shall recover damages in the amount of 1) party’s campaign expenditures properly filed on a finance report in connection with the election or any fees and expenses incurred by the party in filing and securing a place on the ballot.
- The bill adds an offense for an unlawful solicitation and distribution of application to vote by mail. While acting in an official capacity, a public official commits an offense (state jail felony) if 1) solicits the submission of an application to vote by mail from a person who did not request an application, 2) distributes an application to vote by mail to a person who did not request the application, 3) authorizes or approves the expenditure of public funds to facilitate third-party distribution of an application to vote by mail who did not request it, and 4) completes any part of the of the application to vote by mail and distributes it.
- An early voting clerk or other election official commits an offense (state jail felony) if the individual knowingly mails or provides an early voting ballot by mail or other materials who did not submit an application. An individual commits perjury (and a state jail felony) if the individual makes a false statement or swears to the truth of a false statement.
- **Enforcement:** A county that’s voter registrar does not correct violations within 30 days of notice by the secretary of state on the county’s voter rolls is liable of a civil penalty of \$1,000 for each violation that is subsequently corrected by the

## Elections - Failed

secretary of state. The bill outlines twenty-one (21) meanings of an “election official” (Section 31.126, Tex. Election Code).

- A person may not serve as an election official if the person has been convicted of an offense under this code.
- The venue for a statewide office election contest is expanded to not only be Travis County but any county where a contestee resides as the time of election.
- If a candidate files a petition alleging fraud in an election, the election results may be overturned if the number of votes illegally cast in the election is equal to or greater than the number of votes necessary to change the outcome of an election. The court may declare the election void.
- If a contestee or their agent commits a violation, the contestee is liable for \$1,000 per violation.
- A court is directed to award damages to the contestant even if actual damages are not awarded. Reasonable attorney’s fees to the prevailing party may also be awarded.
- The bill makes clear that the trial courts are to prioritize over any other proceedings (unless it’s a death penalty case or would otherwise interfere with a constitutional right) election related cases filed on or after 120<sup>th</sup> day before a general or special election.
- **Ineligible voters:** For an individual that is eighteen (18) years old or older and has been found guilty of a felony, the court will instruct the defendant regarding how the felony conviction will impact the defendant’s right to vote. An individual commits an offense if the person knowingly votes in a state election where a federal office appears on the ballot and voted in another state for the same election.
- **Internet posting and database:** A county must, before the twenty-first (21<sup>st</sup>) day before an election, post on its internet website for an election administered by the county 1) the date of the election, 2) the location of each polling place, 3) each candidate for an elected office on the ballot, and 4) each measure on the ballot (cities and school districts have the same requirements).
- The secretary of state shall post on its website a database containing information from each authority responsible for giving notice of an election in this state. The database must include 1) the name of the authority, 2) each office to be filled at the election, 3) whether the office is elected at large or by district, and 4) the dates of the preceding and next election for the office. The secretary of state shall create a database containing information about each holder of and candidate for any elected office in this state.

### Curbside Voting

**HB 22 by Swanson / HB 478 by Gonzalez** – Requires the main polling location have two parking spaces reserved for curbside voting for a person unable to enter.

## Elections - Failed

**HB 32 by Fierro** - Expands curbside voting to include a parent or legal guardian that currently has possession of the child.

### Vote by Mail

**HB 25 by Swanson / SB 208 by Bettencourt** - Clarifies mailing of an early voting application can not go outside current statute.

**By 46 by Fierro** - adds a space for a voter registrants email address and authorizes the registrar to reject the application if no response is received by the fourth day after an attempt has been made to reach the individual through the email address. Before rejecting an application due to an error the registrar shall make a reasonable effort to contact the applicant to notify of the error. They applicant may appear at the early voting clerks office or submit a new application.

**HB 61 by Swanson** - Repeals fax signature as acceptable signature for voter registration. Requires an application to be ink on paper, and prohibits electronic or photocopied signature.

**HB 76 by Meza / HB 221 by Ortega / HB 200 by Bucy / HB 583 by Cole / HB 802 by Morales / HB 1232 by Crockett / SB 95 by Menendez** - Permits early voting for all qualified voters by mail.

**HB 482 by Gonzalez** - Extends the deadline for returning a mail in ballot to the 5<sup>th</sup> day after election day if postmarked by election day.

**HB 1464 by Hinojosa / SB 1018 by Zaffirini** - Makes an application for ballot by mail serve as change of address submission. Allows voter to correct defective ballot by mail.

**HB 1465 by Hinojosa** – Adds caretaker to class of voters who can qualify for ballot by mail.

**HB 1466 by Hinojosa / HB 1807 by Gonzalez** - Provides opportunity for a cured ballot for signature and incomplete information.

**HB 1725 by Paul** - Prohibits dropping off in person a mail in ballot.

**HB 1832 by Rosenthal** – Provides for multi-year application for ballot by mail.

**HB 1892 by Schofield** - Restricts any political party indication on the envelope of a ballot to a partisan primary election.

**HB 1901 by Beckley** – Two year application for ballot by mail submitted with even-year general election ballot by mail.

**HB 2060 by Bucy** - Requires a request for a mail in ballot also serves as a ballot for any runoff elections.

**HB 483 by Gonzalez** - Creates a way for a person to request a mail in ballot and register at the same time. Makes the information on the request confidential.

## Elections - Failed

### Straight Party Voting

**HB 49 by Fierro / HB 120 by Reynolds / HB 1175 by Crockett / HB 2871 by Anchia** - Reinstates straight-party voting.

### Voter Registration

**HB 58 by Fierro / HB 1809 by Gonzalez** - Reduces the age allowed to preregister to vote from 17 and 10 months to just 17.

**HB 104 by Reynolds / HB 1546** - SOS to create online voter registration.

**HB 111 by Minjarez / HB 124 by Reynolds / HB 584 by Cole / SB 98 by Menendez /**

**HB 1630 by Guerra** - Automatic registration upon issuance or change of drivers license at DPS.

**HB 134 by Meza / HB 1174 by Crockett** – Requires the SOS to create electronic voter registration.

**HB 161 by Thompson / HB 595 by Sherman / SB 187 by Eckhardt** - Allows finally convicted felons to be eligible to vote if not currently incarcerated.

**HB 350 by Israel / HB 527 by Pacheco / HB 1808 by Gonzalez** - Requires the secretary of state to permit a voter to fill out a voter registration online, print it out, and mail it to the county registrar.

**HB 364 by Cain** - Allows for online voter registration at DPS.

**HB 1738 by Romero / SB 254 by Menendez** - Allows a volunteer deputy register to serve statewide.

**HB 1924 by Schofield / HB 2253 by Slawson / SB 1700 by Bettencourt** - Requires immediate voter registration cancellation for voters who have acknowledged non-citizenship at any governmental agency.

**HB 1933 by Dutton** - Permits individuals who have completed any term of incarceration to be eligible for voter registration.

**HB 1945 by Crockett** - Requires Secretary of State to develop a voter education pamphlet for long-term care facility residents.

### Voting Day

**HB 93 by Hinojosa / SB 342 by West** - Requires commissioners court to designate a polling place at the main campus of a teaching institution if 8,000 students are enrolled.

**HB 110 by Reynolds / HB 1366 by Israel** - Repeals voter id requirements, allows for a voter registration certificate to be used to vote.

**HB 117 by Meza / HB 740 by Fierro** - Creates preferential voting system.

**HB 142 by Meza / HB 519 by Beckley** - Allows for same day voter registration.

## Elections - Failed

**HB 160 by Zwiener / SB 268 by West** - Adds school ID as acceptable voter ID.

**HB 230 by Bernal** - Adds a tribal document, credit union statement, pension plan statement, DOD ID, SS ID, hospital ID bracelet, Medicare, Medicaid or Veterans affairs ID, Health insurance ID, employer ID, student ID, library card, fishing license, TDCJ ID, mortgage statement, vehicle title, letter from a school, personal check, blood donor card, bus pass, IRS statement, letter from a soup kitchen or shelter, or other government ID as acceptable voter ID.

**HB 481 by Gonzalez** - in a county with a population of 100,000 or more, early voting by personal appearance in a primary election or the general election for state and county officers shall be conducted at the main early voting polling place for at least 12 hours on each weekday of the early voting period. This bill would apply it to counties of 50k or more.

**HB 530 by Patterson** - Allows the carrying of a handgun at a polling place for a licensed election judge.

**HB 596 by Sherman / HB 904 by Bucy** - Makes general Election Day an official state holiday.

**HB 704 by Dutton**-Creates County jail as a polling place.

**HB 752 by Israel** - require the governing body of a political subdivision to declare each unopposed candidate elected to office upon receipt of the certification of unopposed status.

**HB 844 by Bucy / HB 1245 by Cole / SB 377 by West** - Requires an election notice include the location of each polling place open on election day, early voting and the locations of drop off boxes. Allows for multiple drop boxes.

**HB 857 by Bucy** - Allows for provisional voting for a voter who moved to another county if they would have been eligible in the previous county, they were registered in the original county when applying to vote in the new county or submits a voter registration application in the new county or residence.

**HB 895 by Swanson** - Allows an election officer an election officer may copy voter identification documentation presented by a voter or record information from the documentation; and to photograph the face of a voter if the documentation provided doesn't include a photo or the official questions the authenticity of the documentation.

**HB 1026 by Middleton** - Transfers all duties / power of voter registration to the SOS. Requires the SOS to verify with DPS citizenship status of each registrant.

**HB 1056 by Fierro** - Expands the definition of temporary branch polling location to include anything movable. Expands voting times for a temporary branch location to include any early voting days.

**HB 1170 by Rosenthal** - Permits the use of a wireless device in a voting booth to access ballot or candidate information as long as it was downloaded prior to entering polling place.

## Elections - Failed

**HB 1176 by Crockett / SB 55 by Zaffirini** - This bill changes State law to reflect the proposed Constitutional amendment that would allow a person who is of voting age by November election to vote in the primary for that November Election, even if they are not of voting age on Primary election day.

**HB 1179 by Pacheco** - Currently, a person commits an offense if, during voting period and within 100 ft of a polling place the person loiters or electioneers. Bill increases to 300 ft.

**HB 1183 by Dutton** - Printed applications for a place on a ballot must inform applicants that restoration of voting rights after a conviction does not serve to remove the disability to be a candidate for public office.

**HB 1300 by Guillen** - Allows a child under the age of 18 to mark an election ballot under the direction of the parent.

**HB 1822 by Zwiener** - Allows for personal delivery of a mail in ballot to the clerk's office, at a polling place.

**HB 2061 by Bucy** - Expands voter ID to include a native American ID card and a student ID. Both must have a photograph

### Early Voting

**HB 846 by Morales** - Expands early voting by 4 days.

**HB 1242 by Cole** - Changes early voting period to the first business day after the last day a voter registration becomes effective for election day.

**HB 1243 by Cole** - Allows for early voting period to be any number of days as set by commissioner's court.

**HB 1669 by Thierry** – Expands the ballot drop off location to apply to early voting. Allows for multiple locations.

**HB 1806 by Gonzalez** - Adds the alternate presiding judge to the early voting ballot board and signature verification committee.

**HB 479 by Gonzalez** - Requires SOS to create an online program to apply for a mail in ballot.

### Election Oversight

**HB 329 by Cain** - Requires twice a year the SOS compare registration database to US homeland security database of noncitizens living in Texas, DPS shall forward to the SOS the file of a person who applies for a drivers license or id and indicates they are not a resident.

### Bonds

**HB 330 by Cain** - Requires a supermajority for passing the issuance of bonds. Ie: 2 / 3 of voters and 20% of registered voters.

## Elections - Failed

**HB 782 by Swanson** - Requires a proposition ballot be clear and not mislead the voter. Amends city ballot propositions process.

### Voting Penalties

**HB 335 by Cain** - Requires immediate voter registrant cancellation for voters who have acknowledged non citizenship at any governmental agency. Introduces FINES (\$1,000-\$25,500) for voter registrants who violate. Allows for removal. Creates criminal offense.

**HB 611 by Swanson** - Amends the oath a person must give who assists a voter. Amends the penalty to a misdemeanor for the first offense and a state jail felony for three or more times.

**HB 1150 by Vo / HB 1152 by Vo / SB 1978 by Miles** - Expands the offense of an employer refusing to allow their employee to vote to include the early voting period.

**HB 1368 by Leach** - Increases election fraud from Class A misdemeanor to state jail felony.

**HB 1412 by Israel** - Clarifies illegal voting in the person knows of a circumstance that makes them ineligible and that the circumstance themselves makes the person ineligible.

### Poll Watchers

**HB 463 by Shaheen** - Currently, a person is ineligible to serve as poll watcher if they have been convicted of an offense in connection with conduct directly attributable to an election. The bill would extend this prohibition to include all felony offenses and any misdemeanor offense in connection with conduct directly attributable to an election.

**HB 1724 by Paul** - Clarifies the services of an election watcher to be able to "see and hear" activity. Prohibits the watcher from conversing the presiding judge and alternate judge. Allows for the calling out of a procedural mistake that can't be reversed.

### Countywide Voting

**HB 123 by Meza / SB 99 by Menendez** - Repeals the restriction on the number of counties that the secretary of state may approve each year for the countywide polling place program.

**HB 480 by Gonzalez** - For a county to participate in countywide polling place program, repeals the requirement that the county chair of each party agrees. Mandates joint primaries. Repeals the requirement for early voting election voting officers similar to a joint election.

**HB 1151 by Vo** - Requires a registrars office remain open as long as the main early voting places are open. Allows extended voting to occur for at least 12 hours on any weekday or Saturday and for 5 hours on a Sunday.

**HB 1573 by Thompson** - Allows for movable polling locations in counties participating in Countywide Voting.

## Elections - Failed

### Election Equipment

**HB 1314 by Hefner** - All components of a voting system must be made in America and all data must be stored in the US. The headquarters of a election equipment vendor must be based in the US.

**HB 1708 by White** - Requires a paper trail for voting machines by 9 / 1 / 2030.

**HB 2075 by Swanson** - Requires for an electronic voting roll to include a self-assessment to ensure functionality and connectivity, to maintain a secure wireless connection that does not store or transmit outside the state and be capable of updating in real time. Prohibits the SOS from certifying any device that doesn't meet the requirements. Requires the device to update within 10 minutes or less. Requires all software and data for the voting system to be manufactured, stored and held in the US. Requires a contract to purchase election equipment to disclose the vendors personal information on anyone that holds 5% or more interest. Prohibits voting equipment that doesn't allow the names on the ballot to be sorted by political party, creates a state jail felony for not arranging the ballot by political party.

**HB 2102 by Swanson** - Requires a county using an electronic device to accept voters at a polling place to use each feature of the device. Allows a fee for compliance.

### Vote Delay

**HB 1848 by King** - allows the state leaders to postpone general election in 2022 if a redistricting plan isn't yet in place.

### Vote Information Posting

**HB 1899 by Beckley** - Requires all entities that call for an election to post the proclamation on their website if it exists, Requires the Governor / SOS to post it on their websites. Requires any official forms re: elections to be posted on the authorities' website. Requires the hours of operation be posted on the registrar's website, if it exists.

## **Governance and Finance - Passed**

### **Benefits**

**HB 180 by M. Gonzalez / Blanco** - Authorizes transfer of vacation leave to sick leave pool in counties with a population of 800,000 or more. Currently authorized for counties with 1 million or more population.

**HB 1589 by Davis / Menendez** - Entitles an officer or employee called to state active duty by the Governor or other authority in response to a disaster to paid leave of absence for each day the person is called to active duty, not to exceed seven workdays in a fiscal year.\*

**HB 2073 by Burrows / Springer** - Requires the governing body of a political subdivision to develop and implement a paid quarantine leave policy for fire fighters, peace officers, detention officers, and EMTs ordered to quarantine due to exposure to a communicable disease while on duty. In addition to pay and benefits, policy must also cover reasonable costs of quarantine, including lodging, medical, and transportation.\*

### **Bidding**

**HB 362 by Sherman / West** - Authorizes a commissioner's court by order, to require submission of bids or proposals through electronic submission only. Allowable if the county makes available all technology necessary to submit a bid or proposal through electronic transmission to any person who submits in person. Effective May 15, 2021.

### **Continuing Education for County Commissioners**

**SB 230 by Seliger / Ortega** - Allows online completion of continuing education requirement for county commissioners with approval of commissioner's court. Requires in-person instruction during the first year of a commissioner's first term. Effective May 26, 2021.

### **Debt**

**HB 1869 by Burrows / Bettencourt** - For purposes of tax rate calculations, including the no-new-revenue rate, limits debt to that approved at an election. Exemptions for specific debt, such as refunding bonds and debt issued for vehicles or equipment.

**SB 186 by Perry / Spiller** - Permits counties to issue bonds for restoration or maintenance of a county courthouse.

### **Opioid Litigation**

**SB 1827 by Huffman / Holland** - Directs that 85% of monies recovered by the state under a statewide opioid settlement agreement be deposited into the Opioid Abatement Trust Fund outside of the state treasury and remaining 15% to a dedicated account in in the state general revenue fund for use by state agencies to address opioid crisis. 15% of the Trust Fund to be distributed to counties and cities; \$5M for basic legal services for indigent persons; and remainder to be distributed by the Opioid Abatement Fund Council.

## Governance and Finance - Passed

The Council to award funds for opioid abatement and remediation, with 15% dedicated to hospital districts.

### Purchasing

**SB 58 by Zaffirini / J. Turner** - Adds cloud computing services within the definition of "personal property" for purposes of procurement by a political subdivision. This permits preference for local providers, among other things.

### Reduction in Law Enforcement Budget

**HB 1900 by Goldman / Huffman** - Defines defunding as a city with a population of 250k that adopts a budget that reduces appropriation to the local governments law enforcement agency, the number of peace officers, funding for over time, or funding for recruitment of new peace officers and for which the Criminal Justice Division of the Governor's Office issues a written determination.

Limits tax rate on "defunding" tax unit to the lesser of no-new-revenue rate or voter-approval tax rate. **Fixed to apply only to cities.**

**SB 23 by Huffman / Oliverson** - Mandates election if county with a population of more than 1 million wants to reduce the budget of the law enforcement agency with primary responsibility for criminal investigation or answering calls, or wants to reallocate funding to another law enforcement agency.

### Religious Freedom

**HB 1239 by Sanford / Paxton** - Prohibits any order - even in a disaster - that has the effect of closing places of worship.

### Temporary Weapon Storage

**HB 29 by Swanson / Hughes** - Allows a state agency or a political subdivision that prohibits weapons in a building it controls to provide weapon storage lockers. Permits a fee of not more than \$5 / day. Unclaimed weapons may be moved to a secure location, and an additional fee not to exceed \$10 / day or \$150 may be assessed upon retrieval. Does not apply to county jails or other places for confinement of arrestees.

### State-Imposed Property Tax Increase

## Governance and Finance - Failed

### Anticipation Notes

**SB 2090 by Johnson** - Currently anticipation notes may be issued for losses due to hurricane or tropical storm. Bill expands authority to cover any severe weather-related event and epidemic or pandemic.

### Benefits, Compensation, and Working Conditions

**HB 60 by Reynolds / HB 731 by J. Gonzalez / HB 1917 by C. Turner / HB 4484 by Walle** - Raises minimum wage to \$15 / hour. Eliminates tip credit.

**HB 145 by Rodriguez / SB 2102 by Zaffirini** - Would eliminate the one-week waiting period before unemployed Texas workers who have lost their jobs through no fault of their own can begin collecting unemployment insurance benefits.

**HB 263 by Meza** - Requires 10-minute rest breaks every four hours for any employee providing construction work on behalf of a government or government contractor.

**HB 383 by Pacheco** - Establishes a \$12 / hour minimum wage.

**HB 540 by Patterson** - Prohibits a county or city from requiring the waiving of any rights under federal law or entering into a labor peace agreement as a condition of a contract or commercial transaction with the city / county.

**HB 541 by Patterson** - Creates a presumption that a public safety employee contracted COVID-19 while in the line of duty regarding claims for benefits, compensation, or assistance.

**HB 1529 by Martinez-Fischer / HB 1541 by Julie Johnson / SB 459 by Johnson** - Mandates that health insurance be available to, and renewable by, all groups and individuals. No insurance or county self-funded plan may exclude pre-existing conditions.

**HB 2502 by Patterson** - For a claim for lifetime income benefits for a first responder, sets maximum weekly income benefit in effect on date claim is finally adjudicated as applicable for entire time benefit is payable.

**HB 2598 by Patterson** - Changes the date of injury for PTSD suffered by a first responder for workers' compensation purposes from the date on which the first responder first knew the disorder may be related to employment to the 30th day after diagnosis.

**SB 14 by Creighton** - Prohibits counties and cities from adopting any orders or regulations regarding terms of employment that exceed or conflict with state or federal law.

**SB 2088 by Lucio** - Requires counties to pay defense costs of elected and appointed county officials and their employees charged with a crime for an act or omission within the scope of the office if the charge is dismissed or the person is acquitted.

## **Governance and Finance - Failed**

### **Civilian Complaint Review Board**

**HB 184 by Thierry** - Applies to Harris and Dallas Counties and cities with 1 million or more population. Requires the establishment of civilian complaint review boards for complaints against peace officers.

### **Economic Development**

**HB 819 by White** - Allows counties to create special economic zones under a newly established special economic zone pilot program if they meet certain criteria.

### **Firearms**

**HB 238 by Meza** - Removes the prohibition for cities and counties to regulate firearms.

**HB 112 by Toth / SB 513 by Hall** - Prohibits entities including counties from adopting a rule to enforce a federal statute enacted on or after January 1, 2021 to regulate firearms.

**HB 635 by Krause** - Prohibits any governmental entity from enforcing or assisting in enforcement of federal firearms laws more stringent than state laws. No state grant funds for violating.

**HB 3124 by Vasut** - Governmental entities may not prohibit employees from carrying handguns on premises owned by the entity if otherwise lawful.

### **Lobbying Activities**

**HB 749 by Middleton / SB 234 by Hall** - Lobby ban for all political subdivisions. Includes a prohibition on membership in associations. Provides for county residents to seek relief if a county engages a lobbyist or is a member of an association that lobbies.

**SB 10 by Bettencourt** - Bans entities from spending public money on a lobbyist unless the expenditure is authorized by a majority vote of the governing body in an open meeting and voted on as a stand-alone item on the meeting agenda.

### **Marriage Ceremonies**

**HB 451 by Moody** - Permits all state and federal judges to conduct marriage ceremonies.

### **Nondisclosure Agreements**

**SB 209 by Eckhardt** - Voids a nondisclosure or confidentiality agreement to the extent the agreement prohibits the employee from notifying law enforcement of sexual assault or sexual harassment committed by an employee of the employer or at the employer's place of employment.

## **Governance and Finance - Failed**

### **Occupations**

**HJR 33 by Swanson** - Would prohibit all state and local regulations on the right to engage in lawful occupation unless necessary and narrowly tailored to protect against "actual and specific" harm to public health and safety.

### **Omnibus County Bill**

**HB 4140 by Coleman** - Allows commissioners court to dissolve a county hospital authority if sale or transfer of the authority's assets and liabilities are made to the county. For purchases, considers devices that use electronic capture to produce a physical record to be considered interchangeable with devices that utilize electronic capture to produce electronic record. Permits a county / city to order a property owner to remove graffiti without first offering to remove it for the owner for free.

### **Open Meetings**

**HB 768 by Patterson** - Expands the requirement to post video and audio of public meetings on website to all political subdivisions within a county with population of 5,000 or more. Currently, counties under 125,000 not included.

**HB 2560 by Martinez / SB 639 by Menendez** - Permits open meetings via video if the presiding officer is physically present at a location open to the public.

**HB 2683 by Canales / SB 924 by Zaffirini** - Requires open meetings to be broadcast over internet if physical location of meeting is not large enough to accommodate all members of the public that want to attend. If an open meeting is held via phone or videoconference call, public must be permitted via phone or video link.

**HB 3793 by Shaheen / SB 861 by Paxton** - Permits open meetings via phone in absence of emergency. Permits videoconference meetings without necessity of a quorum located in one location that is open to the public.

### **Prevailing Wage**

**HB 633 by Morrison / SB 518 by Kolkhorst** - Adds a new option for political subdivisions to calculate the prevailing wage rate for public works contracts.

### **Public Notices**

**HB 537 by Patterson** - Allows a county to fulfill posting requirements by posting public notice on the county's website

**SB 2006 by Bettencourt** - Allows a government entity required by law to provide notice by publication in a newspaper to satisfy the requirement by posting on the entity's website and on the internet website of a newspaper. Exempts counties of less than 10,000.

## **Governance and Finance - Failed**

### **Public Works Bonds**

**HB 2051 by Gervin-Hawkins** - Currently, payment bonds are required for public work contracts in excess of \$25,000. Bills raises that to in excess of \$100,000.

### **Reduction in Law Enforcement Budget**

**HB 638 by Krause** - Prohibits a political subdivision from adopting a budget that allocates funding to public safety in an amount less than the amount allocated in the previous fiscal year, unless the political subdivision will not provide the service at all.

**HB 741 by Allison** - Prohibits a county or municipality from adopting a budget that reduces funding to public safety by more than 5% unless voters approve.

**HB 3151 by Leman** - Defines a defunding local government as county or city that adopts a budget, in comparison to preceding year, reducing appropriation to local government's law enforcement agency, the number of peace officers authorized to be employed, funding for peace officer overtime, or funding for recruitment or training of new peace officers. Governor's office issues written determination.

**SB 913 by Buckingham** - Makes a local government ineligible for Texas Department of Criminal Justice (TDCJ) grants following budget reductions if TDCJ determines the local government adopted a budget for sheriff or police that was reduced by 5% or more in comparison to previous year, reduction is not due to a similar decrease in tax revenue, and reduction will have a significant, adverse effect on public safety.

### **Reporting Law Violations**

**HB 550 by Israel / SB 132 by Johnson** - Currently, employees get whistleblower status for reporting law violations to an appropriate law enforcement authority. The bill permits reports to employee's supervisor, a person designated by the employer, or a member of human resources staff.

### **Unfunded Mandates**

**SB 61 by Zaffirini** - Creates an unfunded mandates interagency working group to publish an advisory list of mandates for which the legislature has not provided reimbursement.

### **Working Animals**

**HB 543 by White** - Prohibits a political subdivision from adopting any requirements that ban or restrict the use of a working animal.