



COLLIN COUNTY

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TO: Commissioners Court

FROM: Yoon Kim, County Administrator; Russell Schaffner, Deputy County Administrator

DATE: February 13, 2025

RE: 89th Session Legislative Update

On Tuesday, January 14, 2025, the 89th Session of the Texas Legislature began with the first contested Speaker's race in over half a century. Legislators have been filing bills since November and thousands of bills have been filed so far. Lt. Governor Dan Patrick issued committee assignments for the Senate which can be found [here](#). Speaker Phelan released House Committee assignments and can be found [here](#).

This memo outlines several bills that have been filed which would have an impact on Collin County. Bills added to this running list are first. Changes or additions to the previous bills presented are in *italics*.

SB 779 (Middleton) - Relating to common law public nuisance claims.

Status: Introduced

This bill would significantly limit the ability of political subdivisions, and the state, from using a public nuisance cause of action in certain circumstances. If this bill were to pass, litigation such as the opioid litigation would be prohibited.

SB 982 (Hughes) - Relating to appeals to justice courts of certain appraisal review board orders.

Status: Introduced

This bill would allow property owners to appeal appraisal review board decisions where the amount in dispute is less than \$20,000, to a justice of the peace court.

HB 2287 (Oliverson) - Relating to liability of judges and magistrates for the improper release on personal bond of defendants accused of committing certain felony offenses.

Status: Introduced

This bill would create a cause of action, of personal liability of up to \$10,000,000, for a magistrate or judge that inappropriately sets a defendant's bond.

HB 2384 (Guillen)/SB 325 (Perry) - Relating to county regulation of subdivisions and approval of subdivision plans or plats.

Status: Introduced

The bill prohibits a county from requiring a plat if the land owner does not lay out streets, alleys, squares, or parks.

Previous bills:

HB 2085 (Vasut) - Relating to the deadline for the Texas Department of Criminal Justice to take custody of certain persons confined in a county jail.

Status: Introduced

This bill would require the Texas Department of Criminal Justice (TDCJ) to take custody of sentenced felonies within one day after the paperwork is sent and approved for their transfer. The current statutory requirement is that TDCJ take custody within 45 days.

SB 9 (Huffman) - Relating to the release of defendants on bail, the duties of a magistrate in certain criminal proceedings, and the regulation of charitable bail organizations.

Status: *Reported from Committee*

This bill is the Senate's bail reform bill. The bill prohibits certain magistrates from releasing on bail defendants is charged with a felony and on parole, been convicted of two or more felony offenses, subject to an immigration detainer, and charged with murder, capital murder, aggravated kidnapping, aggravated assault, or aggravated sexual assault. The bill also makes changes to the charitable bail system and prohibits a magistrate from changing the bond set by a district judge.

HB 797 (Leach) - Relating to the discipline of judges by the State Commission on Judicial Conduct and notice to the legislature of certain reprimands.

Status: Introduced

This bill expands the disciplinary measures that the State Commission on Judicial Conduct can take. The bill requires that certain state officials be notified of judicial reprimands by the Commission. The bill could be improved by adding a notification to the County Judge of the County where the disciplined judge resides.

HB 844 (Thompson) - Relating to the authority of a municipality or county to request a hearing from the Texas Commission on Environmental Quality related to the construction of a concrete plant.

Status: Introduced

This bill allows cities and counties to request a TCEQ hearing on the construction of a concrete plant in their jurisdiction.

HB 882 (Reynolds) - Relating to building codes applicable in the unincorporated areas of a county.

Status: Introduced

This bill allows a Commissioners Court to adopt building code standards for the unincorporated area of the County. The Commissioners Court must hold public hearings before the adoption of such a code.

HB 1031 (Morales)/HB 1036 (Morales) is similar - Relating to the compensation paid to certain county and precinct officers and employees.

Status: Introduced

This bill removes the approval by Commissioners Court of court coordinator and court administrator salaries. The judges determine the salaries and the Commissioners Court shall provide the funding in the budget process.

HB 1080 (Curry) - Relating to the publication of required notice by a political subdivision by alternative media.

Status: Introduced

This bill allows a political subdivision to meet the posting requirements by posting on alternative media rather than a newspaper of general circulation. The political subdivision must hold a public hearing before using an alternative method.

SB 663 (Huffman) - Relating to the approval of a community supervision and corrections department's budget and strategic plan.

Status: Introduced

This bill requires the budget of a community supervision and corrections department to be approved by the Community Justice Assistance Division of TDCJ, not the board of district judges.

HB 21 (Gates)/SB 867 (Bettencourt) - Relating to housing finance corporations; authorizing a fee.

Status: Introduced

This bill changes the approval processes for Housing Finance Corporations (HFC) to purchase properties and remove property from the tax roll. The bill allows an HFC to exercise its authority only within the jurisdiction of its sponsoring entity. An HFC sponsored by a city can only exercise its authority in the city, and a county's HFC can only exercise its authority in the unincorporated area of the county unless the city where the project is located allows the project.

HB 165 (Vasut) - Relating to the elimination of ad valorem taxes and the creation of a joint interim committee on the elimination of those taxes.

Status: Introduced

This bill creates an interim committee of the House and Senate members to evaluate replacing ad valorem taxes, the impact on local revenues, and other funding mechanisms. A report from the committee is due on November 1, 2026, and abolishes all ad valorem taxes starting on January 1, 2035.

HB 202 (Metcalf) - Relating to making permanent the limitation on increases in the appraised value of certain real property for ad valorem tax purposes.

Status: Introduced

This bill makes permanent the annual increase in non-residential appraisal value increases to twenty (20) percent. The bill will affect appraisals beginning on January 1, 2026.

SB 239 (Middleton)/HB 309 (Leo-Wilson)/HB 1189 (Troxclair)/HB 1294 (Patterson) - Relating to the use by a political subdivision of public funds for lobbying and certain other activities.

Status: Introduced

This bill restricts political subdivision from expending public funds on hiring a registered lobbyist, pay a nonprofit state association or organization that primarily represents political subdivisions and hires a registered lobbyist.

HB 571 (Cain)/HB 671 (Shaheen) - Relating to the use by a political subdivision of public funds for lobbying and certain other activities.

Status: Introduced

This bill prohibits a political subdivision from expending public funds for hiring a registered lobbyist, pay a nonprofit state association or organization that represents political subdivisions. The bill includes exceptions from the prohibition including lobbying related to the military, military service members, or veterans, and lobbying related to a full-time employee of a nonprofit state association or organization that provides legislative services, communicating with a member of the legislature to provide information, or testifying for or against legislation.

HB 312 (Tepper)/SB 525 (Kolkhorst) - Relating to the eligibility of a person who is not a United States citizen to be appointed to or serve in a public office or on an advisory board or task force.

Status: Introduced

This bill requires individuals who are appointed or serve in public office, advisory boards, or task forces to be U.S. citizens.

HB 363 (Bell) - Relating to the notice and petition for the creation of a municipal utility district in certain counties.

Status: Introduced

This bill requires a notice be sent to Commissioners Courts before a petition is filed to create a municipal utility district through the Texas Commission on Environmental Quality.

SB 982 (Hughes) - Relating to appeals to justice courts of certain appraisal review board orders.

Status: Introduced

This bill allows for an appeal of an appraisal review board's valuation of a property, where the disputed value is \$20,000 or less, to be heard before a justice of the peace and not a district court.

SB 160 (Menendez) - Relating to senior justice assessment centers in certain counties

Status: Introduced

This bill requires counties with a population of over one million to establish a senior justice assessment center which includes services related to the investigation of elder abuse through a multidisciplinary team including geriatric medicine, social services, adult protective services, law enforcement, civil enforcement, and criminal prosecution.

SB 253 (Flores) – Relating to county subdivision platting requirements.

Status: Introduced

This bills expands the platting requirements in the unincorporated area for streets, alleys, squares, parks, or other parts of the tract dedicated for private use.

SB 293 (Huffman) – Relating to the discipline of judges by the State Commission on Judicial Conduct, notice of certain reprimands, judicial compensation and related retirement benefits, and the reporting of certain judicial transparency information; authorizing an administrative penalty.

Status: Introduced

This bill expands the authority of the State Commission on Judicial Conduct; requires district judges to submit to the regional administrative judge monthly the number of hours presiding over the court or performing case-related duties, administrative tasks, or completing continuing education; and includes an increase in the state district judge base salary from \$140,000 to \$161,000.

SB 297 (Perry) – Relating to the reimbursement of expenses to certain counsel appointed to represent a defendant in a criminal proceeding.

Status: Introduced

This bill requires a county to reimburse appointed counsel in criminal cases for travel, food, lodging, and the cost for remote confidential communication with a defendant if the defendant is confined to a correctional facility more than fifty (50) miles from the court where the case is pending.

SB 464 (Campbell) – Relating to county and municipal authority to prohibit the operation of e-cigarette retailers near primary or secondary schools.

Status: Introduced

This bill allows the Commissioners Court to adopt an order for the unincorporated areas of the county that prohibits e-cigarette retailers from operating within three hundred (300) feet of a public or private primary or secondary school campus. This bill only applies to e-cigarette retailers where at least fifty (50) percent of the gross sales are from e-cigarettes.

SB 468 (Sparks) – Relating to the period within which the Texas Juvenile Justice Department must accept custody of a person committed to the department and to the consequences for the failure of the department to accept custody of the person within that period.

Status: Introduced

This bill requires the Texas Juvenile Justice Department (TJJD) to accept custody of an individual not later than the thirtieth (30th) day after the date on which a judge signs a disposition order committing the individual to TJJD. If TJJD does not take custody of the individual by the thirtieth (30th) day, then TJJD must compensate the county for the cost of detention of that individual.

SB 664 (Huffman) - Relating to qualifications, training, removal, and supervision of certain masters, magistrates, referees, associate judges, and hearing officers.

Status: Introduced

This bill standardizes the qualifications to be a magistrate in Texas that include practicing law in the state for five (5) years, a resident of the state and county in which they are appointed, not haven lost a reelection bid to a judicial office, impeached, or resigned from office after receiving a State Commission on Judicial Conduct notice of formal proceedings. The bill requires magistrate training for bail setting. The bill requires the local administrative judge to “ensure” a magistrate complies with their statutory requirements. The local administrative judge reports violations to the Commissioners Court, regional administrative judge, Office of Court Administration (OCA), and State Commission on Judicial Conduct.

SB 690/HB 336 (Kolkhorst/Schofield) - Relating to the authority of sheriffs and constables to enter into contracts to provide law enforcement services in certain counties and county financial authority in relation to sheriffs and constables in certain counties.

Status: Introduced

This bill allows the sheriff or a constable in a county with a population of one million or more to contract with a property owners' association or landowners for law enforcement services. The bill prohibits the Commissioners Court from restricting the sheriff or constables from entering into such a contract, and the contract terms are not subject to approval by the Commissioners Court. The Commissioners Court may not reduce appropriations or otherwise restrict the use of the revenue from such contracts.

HB 701 (Bernal) – Relating to the appointment of an attorney ad litem or an amicus attorney in certain cases of divorce.

Status: Introduced

This bill requires a court to appoint an ad litem or amicus attorney for a child under twelve (12) years of age in a divorce case where the possession of a child is contested and the possession order varies from the standard possession order. *The number of cases that this could affect is 1,800-4,000 annually with an estimated cost of \$14,000 per case.*

HB 790 (Spiller) – Relating to the amount of an expenditure made by certain political subdivisions for which a competitive procurement method may be required to be used.

Status: Introduced

This bill increases the purchasing threshold for competitive bidding from \$50,000 to \$200,000.

HB 878 (Vasut) – Relating to the regulation of residential land use and accessory dwelling units by a political subdivision; authorizing a fee.

Status: Introduced

This bill restricts municipalities over 85,000 population in a county of one million or more from prohibiting residential lots of 4,000 square feet or less, require a lot to be larger than 2,500 square feet, adopt an ordinance where the ratio to dwelling units to acres is less than 31.1 units. The bill prohibits a political subdivision from adopting an ordinance or order that prohibits accessory dwelling units or that regulates the general requirements of the accessory dwelling unit.

HB 1449 (Capriglione) - Relating to permits for mobile food service establishments operating in certain counties.

Status: Introduced

This bill allows mobile food service providers in a county with a population of one million or more to be inspected by the county and operate anywhere within the county. A county may set the fee for the inspection and permit up to the amount to recover annual expenditures for the

inspection and permitting program. A county may delegate to a city within the county the ability to perform the inspections and issue permits.