



Legislative UPDATE

May 15, 2020
Number 20

Register Now: TML COVID-19 Webinar

On May 21, from 2:00 - 3:30 p.m., the League will host the [Coronavirus \(COVID-19\) Update Webinar: What You Need to Know](#). The webinar is free to TML member cities. Advance registration is required, and registration closes at the end of the day on Monday, May 18.

We began email updates regarding COVID-19 over two months ago. From the beginning, League staff has pushed out important information and analysis through our written daily updates. In fact, those archived updates total over 150 pages of information. We know how hard it is to digest all the incoming information, from the League and others. Because of that, we are offering our city officials this complimentary webinar update, which will cover the key issues you need to know to serve your city. You'll also have the opportunity to ask questions after the update.

Texas Supreme Court: Eight Liner Regulations Still Uncertain

Last week's Texas Supreme Court's opinion in *City of Fort Worth v. Rylie* means that city officials will have to wait to learn the fate of municipal regulation of eight liners in Texas.

In the case, the city claimed – among many other things – that eight liners are lotteries prohibited by the Texas Constitution. Because eight liners are unconstitutional, the city argued, it should follow that the state law limiting municipal regulation of the machines (Texas Occupations Code Chapter 2153) isn't valid either.

The Texas Supreme Court agreed that the constitutional issue needs to be decided prior to analyzing the Occupations Code. However, rather than deciding it, the Court sent the case back to the appeals court to make the determination.

The League will report on the case once the Fort Worth appellate court decides the issue. More information on eight liners is available in [this legal Q&A](#).

2020 City Tax and Budget Deadline Memos Now Available

Every year, TML posts a memo containing the annual calendar deadlines for the budget adoption and tax rate setting process. Following the passage of Senate Bill 2 in 2019, the process for 2020 has changed significantly.

Because the tax rate adoption procedure now varies depending on the size of the city, two memos are available this year: one for [cities under 30,000 population](#), and the other for [cities with 30,000 population or more](#). Further, within each document, there are two sets of deadlines depending on whether the city's adopted tax rate will exceed the voter-approval tax rate or not.

Whatever the case may be, the deadlines in the document represent the last possible dates for a city to take certain actions related to the budget or tax rate in 2020. Cities should act well in advance of the deadlines in the calendar, if possible.

For more detailed information about S.B. 2, city officials are encouraged to read the [S.B. 2 Explanatory Q&A](#) posted on the TML website. Those with questions about S.B. 2 or the budget and tax rate setting process can purchase a [previously-recorded webinar](#) on the bill and are encouraged to contact Bill Longley, TML Legislative Counsel, at bill@tml.org.

Working from Home? **Knock out Your Mandated Cybersecurity Training** **Update: DIR Online Compliance Form Now Available**

As promised, the Texas Municipal League Intergovernmental Risk Pool (TML IRP) has released a [free cybersecurity training program](#), including an online video. TML IRP did so in response to a new [state law](#) mandating that most city officials and employees complete cybersecurity training by June 14, 2020, and annually thereafter.

The Texas Department of Information Resources (DIR) has also certified other programs, with more information available on the agency's cybersecurity awareness training certification [web page](#).

DIR has launched an online tool called Texas by Texas (TxT) to help local governments track compliance. By using TxT, city employees can self-report their training compliance, and DIR will later send a detailed report from the TxT application to each city verifying their compliance.

Cities that wish to use TxT for employee self-reporting must fill out the [TxT Self Reporting Form](#).

If the city chooses not to use TxT, DIR has created an [acknowledgement form](#) to document compliance. Cities are not required to use either application and can track their compliance in any method they chose. Cities will not submit training records or employee certificates of completion to DIR. Cities also do not have to report their audits to DIR. Cities should retain documentation with their training and auditing records.

City officials and employees who have completed the training requirement can also individually certify their training compliance [here](#). The compliance form can be submitted by whomever the local government authorizes. The authorized individual submitting the form will need access to their email account as they will be required to enter a confirmation code to finalize submission. The form is due by June 15, 2020.

Coronavirus (COVID-19) Updates

The Texas Municipal League is open for business. The building is closed to all but essential personnel and most staff is working remotely, but the League remains open for business and is fully ready to serve. Cities are encouraged to call or email for legal assistance, help with ordinances, or for general advice or assistance. Let us know how we can assist you and your city.

Call TML staff at 512-231-7400, or email Scott Houston for legal assistance at SHouston@tml.org; Rachael Pitts for membership support at RPitts@tml.org; and the training team for questions about conferences and workshops at training@tml.org.

The League has prepared a coronavirus clearinghouse [web page](#) to keep cities updated. In addition, everyone who receives the *Legislative Update* should receive a daily email update each afternoon with information on new developments. The daily email updates will be our primary means of communication during the pandemic. Those emails are being archived [chronologically](#) as well as by [subject matter](#).

TML member cities may use the material herein for any purpose. No other person or entity may reproduce, duplicate, or distribute any part of this document without the written authorization of the Texas Municipal League.