

TML LEGISLATIVE UPDATE



February 10, 2023
Number 6

Texas Speaker of the House Announces Committee Assignments

House Speaker Dade Phelan issued committee assignments this week. The full list of assignments can be found [here](#).

Stay Informed During the Legislative Session

The 88th regular session of the Texas Legislature is in full swing with over 2,800 bills filed. Historically, legislators file close to 7,000 bills each session. With a month left until the bill filing deadline of March 10, we anticipate another 4,000 bills to be filed. The League will review each bill and summarize all city-related bills filed each week in the *Legislative Update*.

The League will host a webinar on March 16 to update the membership on key legislation and any other pressing matters related to the legislature. We encourage city officials to attend the webinar to stay informed on all legislative matters. More information on the webinar can be found [here](#).

In addition, TML will also host its first TML Midyear Conference on March 2-3 in San Antonio. Former Texas House Speaker and TML Legislative Hall of Honor Inductee Joe Straus will be giving the keynote session on Friday. TML staff will also provide a legislative update during the conference. More information on the conference can be found [here](#).

We encourage city officials to stay engaged with their legislators on legislative issues that matter to your community.

Get Involved During the Legislative Session: Grassroots Involvement Program

During the 88th Legislative Session, Texas cities are facing many challenges and opportunities. TML will need to mobilize our membership at key points during session. The Grassroots Involvement Program (GRIP) is one way to do so. Our GRIP survey focuses on a variety of items including your areas of expertise and involvement with other professional organizations. Most importantly, the GRIP survey asks how well you know various state legislators and if you are willing to communicate with those legislators during the session. TML's grassroots approach is crucial to our efforts.

If you have a relationship with your legislator(s) or want to be more involved during session, please take the time to complete the [GRIP survey](#). Past efforts have proven that such participation is a highly effective tool.

We ask that you complete the survey as soon as possible.

Don't Forget: Mandatory Hotel Occupancy Tax Reporting

The 50-day window for reporting local hotel occupancy tax information opened January 1, 2023. The reporting deadline is **February 20, 2023**.

Tax Code Section 351.009 requires cities to file an annual report with the comptroller that includes the city's hotel occupancy tax rate, the amount of revenue generated by the tax, and the amount and percentage of the revenue spent for each of the following purposes:

- Convention or information centers
- Convention delegates registration
- Advertising to attract tourists
- Arts promotion and improvement
- Historical restoration and preservation projects
- Signage directing the public to sights and attractions

Cities have two reporting options: (1) use the comptroller's [online reporting form](#) to submit all required information; or (2) clearly post and maintain all required information on the city's website

and provide the comptroller's office with a link to the information. For cities selecting the second option, the comptroller provides an [optional format template](#) to post on the city's website.

For more information, see the comptroller's hotel occupancy tax reporting [webpage](#) or contact the comptroller's transparency team by email at transparency@cpa.texas.gov or (844) 519-5676.

Federal Infrastructure Bill Update

In November 2021, the federal Infrastructure Investment and Jobs Act (IIJA) was signed into law. The IIJA is altogether a \$1.2 trillion bill that will invest in the nation's core infrastructure priorities including roads, bridges, rail, transit, airports, ports, energy transmission, water systems, and broadband.

The League will monitor state and federal agencies and work with the National League of Cities (NLC) to access the latest information relating to the IIJA. We will provide periodic updates in the Legislative Update on resources for Texas cities on how to access IIJA funding for local infrastructure projects.

U.S. Department of Transportation (DOT)

On February 1, 2023, DOT [announced](#) \$800 million in grant awards to local, regional, and tribal governments for 510 roadway-related projects through the new Safe Streets and Roads for All Program (SS4A). The program will provide \$5 billion in funding over the next five years for initiatives designed to prevent deaths and serious injuries on the nation's roadways. DOT will be awarding grants for both planning and implementation projects. Action plan grants assist communities that do not currently have a roadway safety plan in place. Implementation plan grants provide funding for communities to implement strategies and projects designed to reduce or eliminate transportation-related fatalities and serious injuries. Interested city officials can find a complete list of the initial 510 grant awards [here](#).

DOT will release the next round of \$1.1 billion in funding in **April 2023**. More information about the SS4A program, eligibility, and application instructions can be found [here](#). Additional assistance about participating in the SS4A program can be accessed through the [National League of Cities' Safety First Challenge for Safer Streets](#).

City-Related Bills Filed

(Editor's Note: You will find all of this session's city-related bill summaries online at <https://www.tml.org/DocumentCenter/View/3392/City-Related-Bills-Filed>.)

Property Tax

H.B. 1895 (Lozano) – **Appraisal of Recreational Vehicle Park**: would require the chief appraiser to use the cost method of appraisal when appraising a recreational vehicle park.

H.B. 1934 (Rogers) – Personal Property Tax Exemption: would provide that a person is entitled to a property tax exemption for tangible personal property the person owns that is held or used for the production of income if the property has a taxable value of less than \$100,000. (Note: current law provides a property tax exemption if the property has a taxable value of less than \$2,500.) (See **H.J.R. 101**, below.)

H.B. 1956 (Geren) – Property Tax Protests: would provide that: (1) a property owner who prevails in an a judicial appeal of property taxes may be awarded reasonable attorney’s fees; (2) except as provided by (3) the amount of the award under (1) may not exceed the greater of \$25,000 or 50 percent of the total amount by which the property owner’s tax liability is reduced as a result of the appeal; and (3) the amount of an award of attorney’s fees to the prevailing property owner is not subject to the limitation in (2) if: (a) the property owner prevails in an appeal for excessive appraisal or unequal appraisal; and (b) the property owner qualifies the property as the owner’s residence homestead.

H.J.R. 101 (Rogers) – Personal Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxation tangible personal property that is held or used for the production of income and that has a taxable value of less than \$100,000. (See **H.B. 1934**, above.)

S.B. 719 (Paxton) – Property Tax Exemption: would exempt from property taxes property owned by a charitable organization that provides services related to the placement of a child in a foster or adoptive home or providing relief to women who are or may be pregnant and who are considering placing their unborn children for adoption.

Public Safety

H.B. 1840 (Goodwin) – Law Enforcement Study: would establish a 17-member panel to study the regulation of persons licensed by the Texas Commission on Law Enforcement (TCOLE) and the entities authorized by law to employ those persons, and such study shall consider the following: (1) the standards of conduct applicable to licensed persons, including whether statewide standards should be developed and who should develop, review, and update those standards; (2) the education and training requirements for licensed persons, including: (a) the requirements for the issuance of each type of license and the frequency at which those requirements are reviewed and updated; and (b) the continuing education requirements for each type of license and the frequency at which those requirements are reviewed and updated; (3) TCOLE’s regulation of training programs and schools; and (4) the accountability to the public of licensed persons and of entities authorized by law to employ such persons, including: (a) the need for statewide standards applicable to the entities and who should develop, review, and update those standards; (b) changes to TCOLE’s authority to discipline a license holder for violations of law or other misconduct; (c) appropriate procedures to protect a license holder’s rights during a disciplinary proceeding; and (d) the reporting of terminations.

H.B. 1874 (Noble) – Asset Forfeiture Proceedings: would provide that: (1) on dismissal of a forfeiture proceeding or on a court’s determination that property is not subject to forfeiture, a court shall enter an order requiring the law enforcement agency responsible for seizing the property to

reimburse the applicable owner or interest holder for reasonable attorney's fees; (2) if possible, the law enforcement agency shall make the payment out of money available in asset forfeiture funds; and (3) the Office of Court Administration shall promulgate a schedule of attorney's fees that may be used to determine a reasonable amount of attorney's fees to award under (1), above.

H.B. 1885 (Canales) – Variable Speed Limit Program: would provide that: (1) the Texas Transportation Commission may establish a variable speed limit program allowing the temporary lowering of a speed limit to address inclement weather, congestion, road construction, or any other condition that affects the safe and orderly movement of traffic on a roadway for which the commission has the authority to establish a speed limit; and (2) a speed limit established under the program: (a) must be based on an engineering and traffic investigation; (b) may not be more than 10 miles per hour below the existing prima facie speed limit for the roadway; (c) may be effective for all or part of the highway for any period of day or night as TxDOT determines necessary; and (d) is only effective when notice of the speed limit is posted not less than 500 feet but not more than 1,000 feet before the point at which the new speed limit begins.

H.B. 1894 (Cain) – Prohibition of Extreme Risk Protective Orders: would, among other things: (1) prohibit cities from adopting a rule, ordinance, order, policy, or other similar measure relating to an extreme risk protective order unless state law specifically authorizes it; and (2) create a state jail offense if a person enforces or attempts to enforce an extreme risk protective order against another person in this state.

H.B. 1927 (Hull) – Emergency Detentions of a Child: would, among other things, provide that: (1) a peace officer who takes a person into custody for an emergency detention must use age-appropriate trauma-informed practices in responding to the situation; (2) a parent, guardian, conservator, or other person standing in parental relation to a child who is made aware that the child is being placed under an emergency detention under (1), above, has the right to take custody of the child and may voluntarily seek treatment or services for the child from a provider of the person's choice; (3) a peace officer may not place a child under an emergency detention without first attempting to contact the child's parent, guardian, conservator, or other person standing in parental relation to the child and informing the person about the person's right under (2), above; (4) if a peace officer transports a child to a facility, the officer must include a statement describing the officer's attempt to contact a parent, guardian, conservator, or other person standing in parental relation to the child, as required by (3), above, in the emergency detention form the officer files with the facility; and (5) a peace officer may not use handcuffs, electrical devices, chemical agents, or any other similar devices intended for use in the control or management of detainees to apprehend a child 10 years of age or younger for purposes of an emergency detention.

H.B. 1954 (Vo) – Licensing Veterans as Peace Officers: would: (1) allow a political subdivision, including a city, to appoint or employ, as a peace officer, a legal permanent resident of the United States who is an honorably discharged veteran of the armed forces of the United States; and (2) require that TCOLE issue a peace officer license to a person who is a legal permanent resident of the United States if the person: (a) meets the requirements to be a peace officer; and (b) is an honorably discharged veteran of the armed forces of the United States.

H.B. 1964 (Hernandez) – Accident Reports: would provide that on written request and payment of any required fee, the Department of Transportation or a governmental entity shall release accident report information to an employee or authorized representative of a vehicle storage facility that stored a vehicle involved in the accident.

S.B. 704 (Paxton) – Genetic and Biometric Information: would, among other things, provide that:

1. a direct-to-individual genetic testing company may not disclose an individual’s genetic data to a law enforcement entity or other governmental body unless: (a) the company first obtains the individual’s express written consent; or (b) the entity or governmental body obtains a warrant, or complies with another valid legal process required by the company;
2. a peace officer may require a business that collects and analyzes genetic information to provide information about an individual’s genetic traits or biological relationships by obtaining a warrant or by obtaining the consent of the individual;
3. a court may issue a warrant for genetic information held by a business that collects and analyzes genetic information to provide information about an individual’s genetic traits or biological relationships only if the applicant for the warrant shows that reasonable investigative leads have been pursued and have failed to identify the perpetrator of an alleged criminal offense;
4. a peace officer who obtains a warrant with respect to genetic information held by a business described by Number 3, above, may apply to the court issuing the warrant for an order commanding the business to whom the warrant is directed not to disclose to any person the existence of the warrant, and such order is effective for the period the court considers appropriate;
5. a court shall enter the order described in Number 4, above, if the court determines that there is reason to believe that notification of the existence of the warrant will lead to an adverse result, including: (a) endangering the life or physical safety of an individual; (b) flight from prosecution; (c) destruction of or tampering with evidence; (d) intimidation of a potential witness; or (e) otherwise seriously jeopardizing an investigation or unduly delaying a trial;
6. unless an order is issued under Number 5, above, the peace officer who executes a warrant for the genetic information of a customer shall notify the customer of the existence of the warrant;
7. a governmental body may not capture or possess a biometric identifier of an individual or require a biometric identifier as a prerequisite for providing a governmental service to the individual unless the governmental body: (a) has specific, explicit statutory authority that allows the governmental body to: (i) capture or possess the biometric identifier; or (ii) require the individual’s biometric identifier as a prerequisite for providing a governmental service to the individual;

- (b) obtains the voluntary, written consent of the individual or the individual's legal guardian; (c) is a health care provider or health care facility that captures, possesses, or requires the individual's biometric identifier in the provision of health care services to the individual; or (d) is a criminal justice agency that captures, possesses, or requires the individual's biometric identifier while engaged in the administration of criminal justice;
8. a governmental body shall promptly destroy a sample of genetic material obtained from an individual for a genetic test after the purpose for which the sample was obtained is accomplished unless: (a) the sample is retained under a court order; (b) the individual authorizes retention of the sample for medical treatment or scientific research; (c) the sample was obtained for research authorized by an institutional review board and retention of the sample is subject to certain requirements;
 9. with certain exceptions, genetic information is confidential and privileged regardless of the source of the information and a governmental body that holds an individual's genetic information may not disclose or be compelled to disclose, by subpoena or otherwise, that information unless the disclosure is specifically authorized by the individual;
 10. a governmental body may redisclose genetic information without an individual's authorization for actuarial or research studies if: (a) a tested individual could not be identified in any actuarial or research report; and (b) any materials that identify a tested individual are returned or destroyed as soon as reasonably practicable.
 11. a person who collects a specimen from an individual to test for a specific disease may not use or analyze the specimen for a purpose unrelated to the test without the individual's express consent to the use or analysis for another purpose;
 12. a person who obtains an individual's specimen or other personal information in relation to the collection of COVID-19 data may not disclose that information without the express consent of the individual; and
 13. a person who violates Numbers 11 and 12, above, is subject to a civil penalty of not more than \$1,000 for each violation and the attorney general may bring an action to recover the civil penalty.

S.B. 709 (Campbell) – School Marshals: would, among other things: (1) allow school volunteers of a school district, open-enrollment charter school, private school, or public junior college who hold a license to carry a handgun to obtain training for appointment as a school marshal from the Texas Commission on Law Enforcement (TCOLE); and (2) require TCOLE to submit identifying information for each person who participates in the training program in (1), above, to the chief law enforcement officer of the local municipal law enforcement agency if the person is employed or volunteers at a campus of a school district, open-enrollment charter school, private school, or public junior college located within a municipality.

Sales Tax

H.B. 1887 (Thierry) – **Sales Tax Exemption**: would exempt maternity clothing from the sales and use tax.

Community and Economic Development

H.B. 1852 (Holland) – **Limitations on TCEQ District Creation**: would provide that the Texas Commission on Environmental Quality could no longer create groundwater conservation districts, municipal management districts, or any district authorized under certain section of the Texas Constitution, including municipal utility districts.

H.B. 1863 (Thierry) – **Unauthorized Signs**: would provide for a civil penalty of up to \$5,000 to be collected from a person: (1) who places or commissions the placement of an unauthorized sign on the right-of-way of a public road; or (2) whose commercial advertisement is placed on a sign described in (1), above. (Companion bill is **H.B. 190** by Miles.)

H.B. 1917 (Walle) – **Tenant Readiness and Landlord Incentive Programs**: would, among other things, provide that the Texas Department of Housing and Community Affairs shall create the Texas Tenant Readiness and Landlord Incentive Program to enable the department to contract with and provide funding to local governmental entities, including city housing authorities, to assist and provide certain incentives to landlords with respect to, individuals and families who: (1) are currently experiencing homelessness; (2) are fleeing certain violence; or (3) have a high risk of housing instability, including persons experiencing chronic homelessness and persons with disabilities.

H.B. 1922 (Dutton) – **Reauthorization of Building Permit Fees**: would provide that a city fee charged as a condition to constructing, renovating, or remodeling a structure is abolished on the 10th anniversary after the date the fee is adopted or most recently reauthorized unless the governing body of the city: (1) holds a public hearing on the reauthorization of the fee; and (2) reauthorizes the fee by vote of the governing body.

H.J.R.97 (Geren) – **Casino Gaming and Sports Wagering**: would amend the Texas Constitution to, among other things:

1. authorize casino gaming pursuant to casino licensing at destination resorts in the following metropolitan statistical areas in which pari-mutuel wagering has been approved: (a) two destination resorts in the Dallas-Fort Worth-Arlington metropolitan statistical area; (b) two destination resorts in the Houston-The Woodlands-Sugar Land metropolitan statistical area; (c) one destination resort in the San Antonio-New Braunfels metropolitan statistical area; (d) one destination resort in the Corpus Christi metropolitan statistical area; and (e) one destination resort in the McAllen-Edinburgh-Mission metropolitan statistical area;
2. authorize and regulate the conduct of sports wagering;

3. establish the Texas Gaming Commission as a state agency with broad authority to promulgate, adopt, and enforce necessary rules to strictly regulate casino gaming and sports wagering and provide for the Texas Gaming Commission's qualifications, appointment procedures, and member terms;
4. establish general casino license qualifications, including demonstrating that: (a) the issuance of a casino license will not be detrimental to the public interest; (b) the financial ability to complete the development and operate the destination resort at which the applicant will conduct casino gaming; (c) adequate experience in resort development, resort management, and casino gaming operations; and (d) detailed estimate of the applicant's total new development investment in the destination resort;
5. provide that the legislature or the Texas Gaming Commission may establish additional rules and requirements governing: (a) the issuance and continued qualifications for holding a casino license; (b) transfer of casino licenses, (c) qualifications for the issuance of new casino licenses to persons that are not initial qualified applicants; and (d) penalties for the unlawful conduct of casino gaming and sports wagering;
6. require the legislature to: (a) impose a 15 percent tax on the gross casino gaming revenue of each casino license holder; and (b) impose a tax on sports wagering revenue;
7. provide that a destination resort at which casino gaming is conducted under a casino license may be located anywhere within the metropolitan statistical area for which the license was issued;
8. prohibit the use of state or local public money or facilities developed or built with state or local public assistance or tax incentives of any kind to develop or operate a destination resort;
9. prohibit the state, a state agency, or political subdivision from imposing a tax on the casino gaming revenue of a casino license holder or a tax or fee on the non-gaming revenue of a casino license holder's operations at a destination resort other than the tax in Number 6, above, or a tax or fee generally applicable to a business operating in the state;
10. establish casino license application fees to fund and support the administration and management of the Texas Gaming Commission; and
11. provide that that state shall annually allocate a portion of the revenue received from taxes imposed on gross casino revenue of casino license holders to be used as horse purse money.

S.B. 674 (Eckhardt) – Applicable Construction Codes: would, among other things, provide: (1) for the adoption of certain international codes related to construction as the codes existed on May 1, 2023, including the following: (a) the energy efficiency chapter of the International Residential Code as the energy code for single-family residential construction; (b) the International Energy Conservation Code as the energy code for all other residential, commercial, and industrial construction; (c) the International Residential Code as the municipal residential building code; (d) the National Electrical Code as the municipal electrical construction code applicable to all residential and commercial electrical construction, alteration, remodeling, enlargement or repair; (e) the International Building Code as the municipal commercial building code; (f) a fire code that either: (i) conforms to either: (A) the International Fire Code, as published by the International Code Council or (B) the Uniform Fire Code, as published by the National Fire Protection Association; or (ii) establishes protective measures that exceed the standards of the codes described by section (1)(f)(i), above; and (2) that a city may consider amendments made by the International Code Council to the Residential and Building Codes after May 1, 2023.

Elections

H.B. 1849 (DeAyala) – Election Clerks: would, among other things, provide that: (1) the alternate presiding judge for each election precinct shall appoint one election clerk to assist the alternate presiding judge in the conduct of an election at the polling place served by the alternate presiding judge; (2) the authority that appoints the election judges shall prescribe the maximum number of clerks that each alternate presiding judge may appoint for each election; (3) the presiding judge shall appoint at least one clerk and the alternate presiding judge shall appoint one clerk for each precinct in each election; and (4) in a county with a population of more than one million: (a) the alternate presiding judge shall appoint at least one clerk; and (b) the presiding judge and alternate presiding judge shall each appoint the same number of clerks to the extent possible given the total number of clerks to be appointed.

H.B. 1862 (Jetton) – Election Clerks: would, among other things: (1) provide that the alternate presiding judge shall serve as presiding judge for an election if the regularly appointed presiding judge is not present at a polling location or otherwise cannot serve; (2) provide that a person may not prevent an alternate presiding judge from freely occupying or observing the area in which voters are being accepted for voting; (3) provide that the presiding judge and alternate presiding judge for each election precinct shall each appoint election clerks to assist the judges in the conduct of an election at the polling place served by the judges; (4) provide that the authority that appoints the election judges shall prescribe the maximum number of clerks that each presiding judge and alternate presiding judge may appoint for each election; (5) provide that the presiding judge shall appoint at least one clerk and the alternate presiding judge shall appoint at least one clerk for each precinct in each election; (6) provide that the presiding judge and alternate presiding judge may each appoint as many additional clerks, within the prescribed limit, as are necessary for the proper conduct of the election; and (7) repeal the provision that provides that in an election conducted by the regularly appointed presiding judge, the presiding judge shall appoint the alternate presiding judge as one of the clerks.

H.B. 1877 (Swanson) – Election Investigations: would, among other things, provide that: (1) the secretary of state may take appropriate action to protect against violations of the Election Code;

(2) the secretary of state shall appoint a state election marshal who shall report to the secretary of state; (3) the state election marshal shall appoint election marshals for each Department of Public Safety (DPS) region such that there is one election marshal for each 1,000,000 people who reside in the region; (4) appointments of election marshals must be made not later than the 60th day before the date early voting is scheduled to begin in an election held on a uniform election date in November or a primary election; (5) an appointment of an election marshal is in effect for 90 days and may be extended by the state election marshal if the election marshal is conducting an investigation; (6) the state election marshal shall designate an election marshal in each DPS region as the chief election marshal for the region; (7) the chief election marshal for a region shall assign election marshals to each alleged violation of the Election Code occurring in the region; (8) a state inspector or election marshal shall promptly investigate an alleged violation of the Election Code that is: (a) supported by an affidavit or unsworn declaration; and (b) submitted to the state inspector or chief election marshal, and if submitted to the chief election marshal, assigned to the election marshal; and (9) if an election marshal investigates an alleged violation of the Election Code and finds probable cause exists that a violation is occurring or is likely to occur, the election marshal: (a) shall exercise all lawful means to prevent the violation from continuing or occurring; (b) may seek such orders, processes, or warrants from a court that the election marshal finds necessary to prevent the violation from continuing or occurring; and (c) may also file appropriate criminal charges.

H.B. 1943 (Rosenthal) – Early Voting by Mail: would provide that an application for a ballot to be voted by mail is considered to be submitted for the year in which the application is submitted and the following calendar year if: (1) the first election in which the applicant is eligible to vote following the submission of the application is an election held on the uniform election date in November of an odd-numbered year; and (2) the applicant indicates that the application is for the next November election and the elections held in the following calendar year.

H.B. 1944 (Rosenthal) – Elections: would provide that a person occupying a voting station may use a mechanical or electronic device to access ballot or candidate information that was downloaded or created before the person entered the polling place.

Emergency Management

S.B. 700 (Eckhardt) – Public Health Orders in Schools: would, among other things, provide that a school district shall implement or otherwise comply with health directives outlined in a public health order issued by a health authority with jurisdiction over territory in which the district is wholly or partly located regarding evidence-based practices to reduce or eliminate the transmission of or infection with a communicable disease among district students and staff, including directives requiring the students and staff to wear face masks or face coverings.

Municipal Courts

H.B. 1921 (Dutton) – Defendant Fines: would: (1) increase the daily monetary rate from \$100 to \$200 for an indigent defendant convicted of a misdemeanor and assessed a fine as punishment, or confined in jail after conviction of a felony and a fine is also imposed, for participating in certain labor projects of a county or political subdivision located in the county; and (2) increase the daily

monetary rate from \$100 to \$200 for an indigent defendant placed in jail on account of failure to pay a fine or adjudged costs, for each day served in jail.

Open Government

S.B. 680 (Johnson) – Contracting Information: would, among other things:

1. provide that contracting information under the Public Information Act (PIA) includes information in a financial document relating to the receipt or expenditure of public funds by a governmental body;
2. provide that the specific exceptions to disclosure relating to competition or bidding information, law enforcement information, trade secret information, and proprietary information do not apply to several categories of contracting information, including communications and other information sent between a governmental body and a vendor, contractor, potential vendor, or potential contractor;
3. provide that a governmental body may not decline to release information described in Number 2, above, in which a third-party's privacy or property interests may be involved, for the purpose of requesting an attorney general decision;
4. provide that a governmental may not decline to release information subject to disclosure under Number 2, above, in order to allow a vendor, contractor, potential vendor, or potential contractor to assert an exception to disclosure under the PIA;
5. provide that a governmental body shall release information subject to disclosure under Number 2, above, in unredacted form, even if the governmental body has or will request a decision from the attorney general regarding other information subject to the request;
6. provide that a governmental body may not request an attorney general's decision regarding information subject to disclosure under Number 2, above;
7. provide that information related to competition or bidding is excepted from public disclosure if a governmental body demonstrates that release of the information would harm its interests by providing a substantial advantage to a competitor or bidder in a particular ongoing competitive situation or in a particular competitive situation where the governmental body establishes the situation at issue is set to reoccur or there is a specific and demonstrable intent to enter into the competitive situation again in the future;
8. provide that information submitted to a governmental body by a vendor, contractor, potential vendor, or potential contractor in response to a request for a bid, proposal, or qualification is excepted from public disclosure if the vendor, contractor, potential vendor, or potential contractor that the information relates to demonstrates based on specific factual evidence that disclosure of the information would also give a substantial advantage to a competitor; and

9. repeal the provision that provides that information relating to sales tax paid to the city or other local governmental entity that is provided to the city or entity by the comptroller is confidential, is not open to public inspection, and may be used for specific purposes.

Other Finance and Administration

H.B. 1819 (Cook) – **Juvenile Curfew**: would, except for purposes of emergency management, prohibit a political subdivision from adopting or enforcing an order, ordinance, or other measure that imposes a curfew to regulate the movements or actions of persons younger than 18 years of age. (Companion bill is **S.B. 603** by Hughes.)

H.B. 1829 (Schatzline) – **Publication of Annual Financial Statements**: would: (1) require a municipality to submit an annual financial statement to the comptroller not later than two months after the end of the fiscal year for the comptroller to post on its website; and (2) provide that the annual financial statement must include for each fund subject to the authority of the governing body the total receipts of the fund, the total disbursements of the fund, and the balance in the fund at the close of the fiscal year.

H.B. 1830 (Talarico) – **Trees**: would provide that: (1) the Texas A&M Forest Service may partner with a political subdivision to identify an area in an urban area with a disparity in canopy coverage in comparison to other areas in the same political subdivision; and (2) on identification of an area under (1), above, the Texas A&M Forest Service, in collaboration with the political subdivision, may plant trees in the area.

H.B. 1831 (Talarico) – **Cannabis**: would, among other things: (1) authorize the personal use, possession, cultivation, and transfer of cannabis, except for: (a) operating a motor vehicle while intoxicated; (b) smoking or otherwise consuming cannabis in an unauthorized public place, including in a motor vehicle, aircraft, or watercraft; or (c) possessing or consuming cannabis or cannabis products, or possessing cannabis-related drug paraphernalia on the premises of a public or private child-care facility prekindergarten, or primary or secondary school, school bus serving any of these facilities, or a correctional or civil commitment facility; (2) authorize the retail use, possession, cultivation, testing, processing, and transfer of cannabis, cannabis products, or cannabis-related drug paraphernalia; (3) create a criminal offense for selling, giving, or causing cannabis or cannabis products to be sold or given to anyone younger than 21 years old, or anyone who intends to deliver the same to anyone younger than 21 years old; (4) establish licensing requirements and procedures, including criminal history background check and conflicts of interest provisions; (5) establish a ten percent cannabis sales tax, and provide for the distribution of such tax revenue to specific cannabis-related accounts, along with the child-care services program support account; (6) prohibit a local subdivision from enacting, adopting, or enforcing a rule, ordinance, order, resolution, or other regulation that prohibits or unreasonably restricts the cultivation, production, processing, dispensing, transportation, or possession of cannabis or cannabis products, or the operation of a cannabis grower, establishment, secure transporter, or testing facility; (7) allow a political subdivision to adopt regulations governing the hours, location, manner of conducting business, and number of cannabis growers, establishments, or testing facilities, including allowing a health authority to inspect a cannabis establishment and all

equipment, finished and unfinished materials, containers, and labeling on presenting appropriate credentials; and (8) require a political subdivision or health authority to investigate or refer complaints regarding the operations of a cannabis establishment, and maintain a record of any such complaints.

H.B. 1886 (Howard) – Shooting Ranges: would provide that a person may not operate a sport shooting range within 300 feet from the property line of: (1) a school or open-enrollment charter school; or (2) a stadium or other athletic facility of the school or open-enrollment charter school.

H.B. 1918 (J. Lopez) – Government Attorney Contracts: would require the Office of the Attorney General to publish a proposed contingent fee contract for legal services involving a political subdivision, along with related information submitted to the office for review, within 90 days of receipt from the political subdivision.

Personnel

H.B. 1919 (Goodwin) – Minimum Wage: would: (1) provide that from January 1, 2024, to January 31, 2024, an employer, including a city, shall pay to each employee not less than the greater of: (a) \$13.50 an hour; or (b) the federal minimum wage (currently at \$7.25 an hour); (2) provide that beginning in January 2025 and thereafter, an employer, including a city, shall pay to each employee not less than the greater of: (a) \$17 an hour; or (b) the federal minimum wage; and (3) repeal the provision that provides that the state minimum wage law and a city ordinance or charter that governs wages in private employment do not apply to a person covered by federal minimum wage law.

Purchasing

H.B. 1817 (Capriglione) – Contract Disclosure: would provide that a city contract that requires an action or vote by the city council before the contract may be signed, has a value of at least \$1 million, or is for services that would require a person to register as a lobbyist is voidable for failure to provide the required disclosure of interested parties if: (1) the city submits to the business entity written notice of the business entity’s failure to provide the required disclosure; and (2) the business entity fails to submit the required disclosure on or before the 10th business day after the date the business entity receives the written notice in (1), above.

Transportation

H.B. 1855 (Goodwin) – Highway Safety Corridors: would provide, among other things, that: (1) the Texas Department of Transportation (TxDOT) must designate as a highway safety corridor a portion of a roadway containing a site with a high number of traffic accidents that lead to a serious injury or fatality as identified by the governing body of a political subdivision in whose jurisdiction the site is located; (2) the fines for certain moving violations within designated highway safety corridors are doubled; and (3) TxDOT must erect signage at each end of a designated portion of a roadway and at appropriate intermediate sites along the roadway indicating that the roadway is a highway safety corridor and stating “Fines double: highway safety corridor.”

S.B. 684 (Hall) – Motor Vehicle Inspections: would, among other things, provide that for motor vehicle inspections: (1) the amount of time between required inspections shall be increased by up to five years; and (2) that the minimum fees charged for certain vehicle inspections shall be increased.

Utilities and Environment

H.B. 1845 (Metcalf) – Public Water Systems: would provide that for a Class D license for wastewater operators or public water system operators, the Texas Commission on Environmental Quality by rule shall establish a provisional certification program by which a person who does not possess a high school diploma or its equivalent may act as a provisional operator if the person: (1) has completed all commission-required training associated with the license; (2) has passed any commission-required examinations associated with the license; and (3) acts under the direct supervision of a license holder. (Companion bill is **S.B. 650** by **Perry**.)

S.B. 705 (Miles) – Concrete Plants: would provide that only a city or county in which a proposed concrete plant will be located and persons actually residing in a permanent residence within 440 yards of the proposed concrete plant may request a public hearing from the Texas Commission on Environmental Quality regarding the construction of the concrete plant.

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