

## City-Related Bills Filed

### Property Tax

**H.B. 44 (Keough) – Appraisal Cap:** would reduce the property tax appraisal cap on homesteads from ten to five percent and apply the new appraisal cap to all real property. (See **H.J.R. 17**, below.)

**H.B. 85 (Keough) – Appraisal Districts:** would, among other things, require the chief appraiser of an appraisal district to be elected at the general election for state and county officers every two years.

**H.B. 102 (Guillen) – Tax Exemptions:** would, among other things, provide that: (1) a new business is entitled to a property tax exemption for all real and tangible personal property for up to ten years if: (a) the property is located in a county with a population of 250,000 or less and is reasonably necessary for and used by the person in the operation of the new business; and (b) the exemption is adopted by the governing body of the taxing unit; and (2) the sale to or storage, use, or other consumption by a new business of a taxable item that will be directly used or consumed by the business is exempted from sales and use taxes for up to ten years.

**H.B. 139 (Bell) – Appraisal Review Board:** would: (1) allow a property owner to request notice of a protest hearing before the appraisal review board to be delivered by certified mail; and (2) allow an appraisal review board to require the property owner to pay the cost of postage.

**H.B. 150 (Bell) – Property Tax Exemption:** would exempt from property taxes a residence homestead that was donated to a disabled veteran by a charitable organization at some cost to the disabled veteran in the form of a cash payment, a mortgage, or both in an aggregate amount that is not more than 50 percent of the good faith estimate of the market value of the residence homestead made by the charitable organization as of the date the donation is made.

**H.B. 167 (Bell) – Appraisal Cap:** would reduce the property tax appraisal cap on homesteads from ten to five percent, and apply the new appraisal cap to all real property. (See **H.J.R. 26**, below.)

**H.B. 182 (Bernal) – Sales Price Disclosure:** would require the comptroller to conduct a study to examine the impact that requiring disclosure of the sales price of real property would have on the property tax system, property tax revenues, the allocation of property tax burdens among taxpayers, and the cost to the state to fund public education.

**H.B. 198 (Bernal) – Property Tax Installment Payments:** would provide that any individual who qualifies for a residential homestead exemption may pay off delinquent property taxes in installment payments.

**H.B. 217 (Canales) – Deferral of Property Taxes:** would allow a disabled veteran to defer or abate the collection of property taxes on the person's residence homestead.

**H.B. 231 (E. Rodriguez) – Property Tax Exemption:** would, among other things: (1) require, for purposes of appraisal of qualified open-space land, that a chief appraiser distinguish between the degree of intensity required for various agricultural production methods like organic, sustainable, pastured poultry, rotational grazing, and other uncommon production methods or systems; (2) provide that the production of fruits and vegetables is considered to be an “agricultural use” for purposes of appraisal of qualified open-space land; and (3) require the comptroller to establish appraisal guidelines for uncommon agricultural uses.

**H.B. 301 (Larson) – Property Appraisal:** would provide that: (1) if the appraised value of property in a tax year is lowered as a result of an agreement between the property owner and the appraisal district or as a result of a protest or appeal, the chief appraiser may not increase the appraised value of the property in the following tax year by an amount that exceeds the sum of five percent of the appraised value of the property in the tax year in which the appraised value of the property is lowered and the market value of all new improvements to the property; and (2) number (1), above, does not apply to an increase in the appraised value of property as a result of: (a) the property no longer being eligible for appraisal as agricultural use or agricultural land, timber land or restricted use timber land, recreational, park, or scenic land, or public access airport property; or (2) the expiration of a ten percent limitation on the appraisal of a residence homestead. (See **H.J.R. 30**, below.)

**H.B. 302 (Goldman) – Property Tax Exemption:** would entitle a person to a property tax exemption for a mineral interest the person owns that has a taxable value of less than \$2,000.

**H.B. 320 (Canales) – Property Tax Exemption:** provides that an additional tax imposed on land appraised as qualified open-space land when a change in use of the land occurs is equal to the difference between the taxes imposed on the land for each of the two years preceding the year in which the change of use occurred.

**H.B. 345 (Canales) – Revenue Cap:** would: (1) lower the property tax rollback rate from eight percent to five percent; (2) require the comptroller to annually determine an inflation rate based on the amount computed by determining the percentage change in the consumer price index for the preceding calendar year as compared to the consumer price index for the calendar year preceding that calendar year; and (3) provide that if the inflation rate exceeds five percent in a given year, the rollback tax rate shall be calculated by a taxing unit using the lower of the inflation rate or eight percent.

**H.B. 376 (Metcalf) – Appraisal Cap:** would reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See **H.J.R. 33**, below.)

**H.B. 379 (Bernal) – Sales Price Disclosure:** would provide that: (1) a person may not have recorded in the county clerk’s office an instrument conveying real property under a contract for sale unless the instrument discloses the sales price of the property; (2) the purchaser of any property for which an instrument is recorded in violation of (1), above, is liable to the state for a civil penalty for each violation in an amount equal to five percent of the sales price of the property; (3) the attorney general or the county or district attorney for the county in which the property is located may bring suit to recover a penalty under (2), above; and (4) an instrument

conveying only a mineral interest in real property is not required to include the sales price of the interest.

**H.B. 382 (Murphy) – Property Tax Exemption:** would exempt from property taxation the real property owned by a person that is leased to an open-enrollment charter school if: (1) the real property is used exclusively by the school for education functions; (2) the real property is reasonably necessary for the operation of the school; (3) the property owner certifies by affidavit to the school that the rent for the lease of the real property will be reduced by a commensurate amount; (4) the property owner provides the school with a disclosure document stating the amount by which the taxes on the real property are reduced due to the exemption and the method to be implemented to ensure that the rent charged reflects the reduction; and (5) the rent charged for the lease of the real property reflects the reduction in the amount of property taxes due to the exemption through a monthly or annual credit against the rent. (See **H.J.R. 34**, below.)

**H.B. 455 (Metcalf) – Appraisal Review Board:** would authorize a property owner to participate by telephone in an appraisal review board protest hearing.

**H.B. 457 (Holland) – Confidentiality of Property Tax Appraisal Records:** would: (1) allow the spouse or surviving spouse and adult children of a peace officer to elect to keep their home address information confidential; and (2) authorize the appraisal district, the state, the comptroller, and taxing units and political subdivisions to continue to use the information for official purposes.

**H.B. 495 (Phelan) – Appraisal District:** would, among other things, provide that: (1) an appraisal district is governed by a board of five directors; (2) one director is elected from each of the four commissioners precincts of the county for which the appraisal district is established; (3) the county assessor-collector is a director by virtue of the person's office; (4) if the county assessor-collector is ineligible to serve pursuant to a contract, the appraisal district is governed by the four directors elected from the commissioners precincts and a director elected from the county at large; and (5) the directors other than the county assessor-collector are elected at the general election for state and county officers and serve two-year terms beginning on January 1 of odd-numbered years.

**H.J.R. 17 (Keough) – Appraisal Cap:** would amend the Texas Constitution to reduce the property tax appraisal cap on homesteads from ten to five percent and apply the new appraisal cap to all real property. (See **H.B. 44**, above.)

**H.J.R. 18 (Guillen) – Property Tax Exemption:** would amend the Texas Constitution to allow a political subdivision to exempt from property taxation the real and tangible personal property of a business during the first ten years that the business operates in the state if the property is located in a county with a population of 250,000 or less. (See **H.B. 102**, above.)

**H.J.R. 21 (Bell) – Property Tax Exemption:** would amend the Texas Constitution to provide that the legislature may provide that a partially disabled veteran is entitled to an exemption from property taxation of a percentage of the market value that is equal to the percentage disability of the disabled veteran if the residence homestead was donated to the disabled veteran by a

charitable organization for less than the market value of the residence homestead. (See **H.B. 150**, above.)

**H.J.R. 26 (Bell) – Appraisal Cap:** would amend the Texas Constitution to reduce the property tax appraisal cap on homesteads from ten to five percent and apply the new appraisal cap to all real property. (See **H.B. 167**, above.)

**H.J.R. 30 (Larson) – Property Appraisal:** would amend the Texas Constitution to authorize the legislature to limit the maximum appraised value of property for ad valorem tax purposes in a tax year to 105 percent, or a greater percentage, of the appraised value of the property for the preceding tax year if in the preceding tax year the owner of the property disputed the appraisal of the property and the appraised value was lowered as a result. (See **H.B. 301**, above.)

**H.J.R. 33 (Metcalf) – Appraisal Cap:** would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See **H.B. 376**, above.)

**H.J.R. 34 (Murphy) – Property Tax Exemption:** would amend the Texas Constitution to authorize the legislature to exempt from property taxation any real property that is leased for use as an open-enrollment charter school for educational purposes. (See **H.B. 382**, above.)

**H.J.R. 35 (Button) – Property Tax Exemption:** would amend the Texas Constitution to authorize the legislature to exempt inventory held for sale at retail from property taxation by one or more political subdivisions of the state.

**S.B. 2 (Bettencourt) – Revenue Cap:** of primary importance to cities, the bill would:

1. lower the property tax rollback rate from eight percent to four percent, with an exception for a taxing unit located in an area declared a disaster area by the governor or president of the United States during the current tax year;
2. require a taxing unit to hold a ratification election on the November uniform election date of the applicable year in order to adopt a tax rate that exceeds the four-percent rollback rate (as opposed to current law, which only requires an election if a petition is received from the citizens); and
3. make numerous calendar changes to the property tax appraisal, collection, and rate-setting process in order to have property tax ratification elections on the November uniform election date.

Additionally – and more specifically – the bill would:

1. require the comptroller to appoint a property tax administration advisory board to make recommendations to the comptroller regarding state administration of property taxation and state oversight of appraisal districts and local tax offices;
2. require an appraisal district to appraise property in accordance with standards, procedures, and methodology prescribed by appraisal manuals prepared and issued by the comptroller;

3. provide that, in order to be eligible to serve on the board of directors of an appraisal district, an individual must be an elected county officer or an elected official of a political subdivision all or part of the territory of which is located in the county;
4. authorize an appraisal district board of directors for a district established in a county with a population of 120,000 or more to increase the size of the district's appraisal review board by resolution to a number of members the board considers appropriate;
5. require the appraisal review boards located in counties with populations of 120,000 or more to establish special appraisal review board panels for each of the following classifications of property: (a) commercial real and personal property; (b) real and personal property of utilities; (c) industrial and manufacturing real and personal property; and (d) multifamily residential real property;
6. provide that a person is entitled to a property tax exemption for the 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 \$2,500;
7. make numerous calendar changes to the property tax appraisal, collection, and rate-setting process in order to have property tax ratification elections on the November uniform election date, including among others:
  - a. requiring the appraisal district to certify the appraisal roll to taxing units by July 10<sup>th</sup> (instead of July 25<sup>th</sup> under current law);
  - b. requiring the tax assessor/collector to submit the appraisal roll showing the total appraised, assessed, and taxable values of all property and the total taxable value of new property to the governing body of the taxing unit by July 15<sup>th</sup>, or as soon thereafter as practicable (instead of August 1<sup>st</sup> under current law); and
  - c. requiring taxing units adopting a tax rate exceeding the lowered rollback tax rate to do so before August 15<sup>th</sup> (instead of September 30<sup>th</sup>, under current law) (NOTE: this would also require a city that adopts a tax rate exceeding the rollback rate to adopt its budget before August 15<sup>th</sup>, as state law provides that property taxes may only be levied in accordance with the city budget);
8. lower the property tax rollback rate from eight percent to four percent, with an exception for a taxing unit located in an area declared a disaster area by the governor or president of the United States during the current tax year;
9. require a taxing unit to hold a ratification election on the November uniform election date of the applicable year in order to adopt a tax rate that exceeds the four-percent rollback rate (as opposed to current law, which only requires an election if a petition is received from the citizens).
10. provide that the meeting to adopt a tax rate that exceeds the lower of the rollback tax rate or the effective tax rate may not be earlier than the third day or later than the seventh day after the date of the second public hearing on the tax rate;
11. eliminate the ability of a taxing unit to challenge before the appraisal review board the level of appraisals of any category of property in the appraisal district or in any territory in the appraisal district;
12. require an appraisal review board to provide for hearings on protests on a Saturday or after 5 p.m. on a weekday;
13. provide that an appraisal review board may not schedule: (a) the first hearing on a protest held on a weekday to begin after 7 p.m.; or (b) a hearing on a protest on a Sunday;

14. provide that a property owner is entitled to appeal through binding arbitration an appraisal review board order related to certain protests if the appraised market value of the property as determined by the order is \$5 million or less; and
15. amend current law related to the property tax rate notices provided by cities and counties to require cities and counties to use one notice if the proposed tax rate will not exceed the rollback tax rate, and another notice if the proposed tax rate will exceed the rollback tax rate. (Note: under current law, the city or county uses one of the two notices based on whether the proposed rate will exceed the lower of the effective tax rate or the rollback tax rate.)

**S.B. 15 (Huffines) – Property Tax Exemption:** would provide: (1) that the surviving spouse of a first responder who is killed or fatally injured in the line of duty is entitled to an exemption from taxation of the total appraised value of the surviving spouse’s residence homestead so long as the surviving spouse has not remarried since the death of the first responder; and (2) that a surviving spouse who receives an exemption under (1) is entitled to receive an exemption from taxation of a property that the surviving spouse subsequently qualifies as the surviving spouse’s residence homestead in an amount equal to the dollar amount of the exemption from taxation of the first property for which the surviving spouse received the exemption in the last year in which the exemption applied so long as the surviving spouse has not remarried since the death of the first responder.

**S.B. 97 (Hall) – Property Tax Exemption:** would, among other things: (1) require the chief appraiser to accept and approve or deny an application for a residence homestead exemption of a 100 percent or totally disabled veteran after the filing deadline if the application is filed not later than one year after the date on which the United States Department of Veterans Affairs or its successor approves the veteran’s disability application; (2) provide that if a late application is approved after approval of the appraisal records for a year for which the exemption is granted, the collector for a taxing unit must deduct from the person’s tax bill the amount of tax imposed on the property for that year and any penalties and interest relating to the tax if the tax and related penalties and interest have not been paid; (3) provide that if a late application is approved after approval of the appraisal records for a year for which the exemption is granted and the person already paid the tax and related penalties and interest, the person is eligible for a refund of the tax, penalties, and interest paid.

**S.B. 172 (Nichols) – Appraisal Cap:** would: (1) reduce the property tax appraisal cap on homesteads from ten percent to five percent; (2) authorize a county commissioners court to call an election to increase the homestead appraisal cap for all taxing jurisdictions in the county back to some percentage between six and ten; and (3) prohibit a subsequent election from occurring for ten years after such an election is held. (See **S.J.R. 19**, below.)

**S.B. 175 (Nichols) – Property Tax Appraisal:** would provide that land owned by a deployed member of the armed services remains eligible for appraisal as qualified open-space land, even if the land ceases to be devoted principally to agricultural use to the degree of intensity generally accepted in the area, if the service member intends to use the land in that manner upon returning to the property.

**S.B. 240 (Creighton) – Property Tax Exemption:** would exempt from property taxes a residence homestead that was donated to a disabled veteran by a charitable organization at some cost to the disabled veteran in the form of a cash payment, a mortgage, or both in an aggregate amount that is not more than 50 percent of the good faith estimate of the market value of the residence homestead made by the charitable organization as of the date the donation is made. (See **S.J.R. 23**, below.)

**S.J.R. 19 (Nichols) – Appraisal Cap:** would amend the Texas Constitution to permit the legislature to: (1) reduce the property tax appraisal cap on homesteads from ten percent to five percent; and (2) authorize a county commissioners court to call an election to increase the homestead appraisal cap for all taxing jurisdictions in the county back to some percentage between six and ten. (See **S.B. 172**, above.)

**S.J.R. 23 (Creighton) – Property Tax Exemption:** would amend the Texas Constitution to provide that the legislature may provide that a partially disabled veteran is entitled to an exemption from property taxation of a percentage of the market value that is equal to the percentage disability of the disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead. (See **S.B. 240**, above.)

## **Sales Tax**

**H.B. 55 (Guillen) – Sales Tax Exemption:** would exempt certain feminine hygiene products from the sales tax if the sale takes place during a period beginning at 12:01 a.m. on the Friday before the 15th day preceding the uniform date for the first day of school under the Education Code and ending at 12 midnight on the following Sunday.

**H.B. 105 (Metcalf) – Sales Tax Exemption:** would exempt internet access service from the sales tax.

**H.B. 170 (Lucio) – Sales Tax Exemption:** would exempt books purchased, used, or consumed by university and college students from the sales tax if the purchase takes place during a period: (1) beginning at 12:01 a.m. on August 17 and ending at 12 midnight on August 31; or (2) beginning at 12:01 a.m. on January 1 and ending at 12 midnight on January 15.

**H.B. 219 (Howard) – Sales Tax Exemption:** would exempt certain feminine hygiene products from the sales tax.

**H.B. 221 (Howard) – Sales Tax Exemption:** would exempt child and adult diapers from the sales tax.

**H.B. 232 (Alvarado) – Sales Tax Exemption:** would exempt certain feminine hygiene products from the sales tax if the sale takes place during a period beginning at 12:01 a.m. on the Friday before the 15th day preceding the uniform date for the first day of school under the Education Code and ending at 12 midnight on the following Sunday.

**H.B. 242 (Hernandez) – Sales Tax Exemption:** would exempt the sale, use, or consumption of college textbooks from sales taxes during two seven-day periods, one beginning in August and one beginning in January.

**H.B. 343 (Canales) – Sales Tax Exemption:** would exempt from sales taxes the sale, lease, or use of an otherwise taxable item sold to, or used by, a disabled veteran or the surviving spouse of a disabled veteran.

**H.B. 350 (Canales) – Sales Tax Exemption:** would exempt the sale, use, or consumption of college textbooks from sales taxes during two seven-day periods, one beginning in August and one beginning in January.

**H.B. 410 (Springer) – Sales Tax Exemption:** would exempt certain feminine hygiene products from the sales tax.

**H.B. 485 (Fallon) – Sales Tax Exemption:** would exempt firearms and hunting supplies from sales taxes during the last full weekend in August.

**S.B. 48 (Zaffirini) – Sales Tax Exemption:** would exempt books, purchased, used, or consumed by university and college students from the sales tax if the purchase takes place during a period: (1) beginning at 12:01 a.m. on the first Monday following the first Saturday in August and ending at 11:59 p.m. on the second following Wednesday; or (2) beginning at 12:01 a.m. on the first Monday following the first Saturday in January and ending at 11:59 p.m. on the second following Wednesday.

**S.B. 129 (Garcia) – Sales Tax Exemption:** would exempt certain feminine hygiene products from the sales tax.

**S.B. 133 (Creighton) – Sales Tax Exemption:** would exempt firearms and hunting supplies from sales taxes during the last full weekend in August.

**S.B. 162 (Rodriguez) – Sales Tax Exemption:** would exempt certain feminine hygiene products from the sales tax.

### **Purchasing**

**H.B. 89 (P. King) – Israel:** would provide that neither a state nor a political subdivision may enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the contract. (Companion bill is **S.B. 134** by **Creighton**.)

**S.B. 60 (Zaffirini) – Local Preference:** would provide that a local governmental entity, including a city, that purchases agricultural products: (1) shall give preference to those produced or grown in this state if the cost to the local governmental entity is equal and the quality is equal;



and (2) may give preference to those products produced or grown in this state if the cost to the local governmental entity does not exceed 107 percent of the cost of agricultural products produced or grown outside of this state and the quality is equal.

**S.B. 134 (Creighton) – Israel:** this bill is the same as **H.B. 89**, above.

**S.B. 252 (V. Taylor) – Terrorists:** would provide that: (1) a governmental entity, including a city, may not enter into a governmental contract with a company that does business with Iran, Sudan, or any known terrorist organization; and (2) the comptroller shall prepare and maintain, and make available to each governmental entity, a list of companies known to have contracts with or provide supplies or services to a foreign terrorist organization.

**S.B. 262 (Zaffirini) – Automated Information Systems:** would provide that a local government purchasing an automated information system under the state’s multiple award contract schedule shall: (1) for a contract with a value of \$50,000 or less, directly award the contract to a vendor included on the list without submission of a request for pricing to other vendors on the schedule; (2) for a contract with a value of more than \$50,000 but not more than \$150,000, submit a request for pricing to at least three vendors included on the schedule in the category to which the contract relates; and (3) for a contract with a value of more than \$150,000 but not more than \$1 million, submit a request for pricing to at least six vendors included on the schedule in the category to which the contract relates or all vendors on the schedule if the category has fewer than six vendors.

## **Elections**

**H.B. 48 (Romero) – Elections:** would provide that, in accordance with rules adopted by the secretary of state, an application for a ballot to be voted by mail may be completed electronically on a device capable of capturing a voter’s signature and allowing the voter to complete an electronic form, and delivered to the early voting clerk.

**H.B. 70 (Minjarez) – Voter Registration:** would require the voter registrar of each county to automatically register any county resident who is eligible to vote and: (1) is issued a Texas driver’s license or a personal identification card by the Department of Public Safety (DPS); or (2) makes a change to a Texas driver’s license or personal identification card issued by DPS.

**H.B. 80 (Alvarado) – Voter Registration:** would require the secretary of state to implement a program to allow a person who has an unexpired Texas driver’s license or personal identification card to complete an electronic voter registration application over the Internet.

**H.B. 143 (Israel) – Voter Registration:** would require the secretary of state to implement a program to allow a person who has an unexpired Texas driver’s license or personal identification card to complete an electronic voter registration application over the Internet.

**H.B. 159 (Dutton) – Voter Registration:** would require a voter registrar to adopt procedures to allow a person to complete an electronic voter registration application over the Internet.

**H.B. 163 (Dutton) – Early Voting by Mail:** would, among other things, authorize early voting by mail for any qualified voter and provide for implementing procedures.

**H.B. 199 (Bernal) – Countywide Polling Place:** would authorize the secretary of state to select any county to participate in the countywide polling place program.

**H.B. 204 (Bell) – Elections:** would, among other things, authorize the secretary of state to establish rules governing the issuance of a certified notice to voters on election day that a candidate whose name is printed on the ballot has withdrawn, died, or been declared ineligible.

**H.B. 273 (Gonzales) – Ballot Propositions:** would require each proposition on the ballot to identify the name of the authority ordering the election on the measure and assign a number to the measure that corresponds to the order in which it is placed on the ballot.

**H.B. 288 (Keough) – Early Voting:** would provide that: (1) except as provided by (2), the period for early voting by personal appearance begins on the 10<sup>th</sup> day before election day and continues through the second day before election day; (2) for an election held on the May uniform election date and any resulting runoff election, the period for early voting by personal appearance begins on the seventh day before election day and continues through the second day before election day; (3) 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; and (4) in an election ordered by a city, early voting by personal appearance at the main early voting polling place shall be conducted for at least 12 hours on one weekday (as opposed to potentially 12 hours on two weekdays under current law if the early voting period consists of six or more weekdays).

**H.B. 365 (Springer) –Uniform Election Date:** would require the secretary of state to conduct a study regarding the feasibility of implementing a single uniform election date held in November.

**H.B. 384 (Murphy) – Voter Identification:** would: (1) require each voter registration certificate issued by the state to contain a photograph of the voter to whom the certificate is issued; (2) require the secretary of state to establish methods to obtain a photograph of each registered voter for use on the voter's voter registration certificate, which includes requiring the secretary of state to enter into agreements with the Department of Public Safety and other state agencies for assistance with assigning photographs to the appropriate voter's voter registration certificate; and (3) provide that a voter's voter registration certificate containing the voter's photograph is an acceptable form of photo identification for voting purposes.

**H.B. 389 (Murphy) – Voter Registration:** would: (1) provide that a person's residence, for purposes of registering to vote, is established at the first residence address in the following list that is applicable to the person: (a) the address stated on the person's driver's license; (b) the address stated on the person's personal identification card; (c) the address stated on a license to carry a concealed handgun; (d) the address where the person receives mail; (e) the address the person claims as a homestead; or (f) the registration address of a vehicle the person owns; (2)

authorize a person who has no address to establish residence by executing an affidavit and filing it with the secretary of state; and (3) except from the provisions in (1) and (2), above: (a) a member of the armed forces; (b) a person enrolled as a full time student at an institution of higher education; (c) a person whose address is confidential as a crime victim; (d) a federal judge, state judge, or spouse of a federal judge or state judge whose driver's license includes the street address of a courthouse; and (e) a peace officer whose driver's license omits the officer's actual residence address.

**H.B. 450 (Fallon) – Cell Phones:** would allow a person who is occupying a voting station to use a mobile phone to access information that was downloaded or created on the phone before the person entered the polling place.

**H.B. 469 (E. Johnson) – Voter Registration:** would: (1) require two voter registrars to be present at each polling place while the polls are open; (2) provide that a person who would be eligible to vote in an election but for the requirement to be a registered voter shall be accepted for voting in the precinct of the person's residence if, on the day the person offers to vote, the person submits a voter registration application and acceptable proof of identification; (3) require that persons voting under (2) be processed separately at the polling place from persons voting under regular procedures; and (4) require the secretary of state to adopt rules to ensure the accountability of election officers and to fairly implement same-day voter registration procedures.

**S.B. 64 (Zaffirini) – Canvass of Elections:** would require the presiding officer of a canvassing authority to note the completion of the canvass in the minutes or in the recording required by the Open Meetings Act.

**S.B. 110 (Huffines) – Term Limits:** would provide that: (1) the governing body of a political subdivision shall adopt by January 1, 2018, a limit on the number of terms that a person may serve for each elected office of that subdivision; and (2) the term limit must ensure that a person may not serve longer than 12 years in an office, regardless of whether the person serves consecutive terms.

**S.B. 144 (Garcia) – Cell Phones:** would allow a person who is occupying a voting station to use a mobile phone to access information that was downloaded or created on the phone before the person entered the polling place.

**S.B. 148 (Garcia) – Election Interpreters:** would: (1) allow an interpreter to be appointed by an election officer if the voter has not selected an interpreter; (2) provide that if selected by the voter, an interpreter may be any person other than the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs; and (3) provide that if appointed to serve as an interpreter by an election officer, an interpreter must be a registered voter of the county in which the voter needing the interpreter resides or a registered voter of an adjacent county.

**S.B. 153 (Bettencourt) – Voter Identification:** would provide that a person 70 years of age or older may use an acceptable form of identification that has expired for the purposes of voting if the identification is otherwise valid.

**S.B. 167 (Rodriguez) – Voter Registration:** would, among other things, provide: (1) that an election officer serving a polling place for early voting by personal appearance is a deputy voter registrar and has the same authority as a regular deputy registrar; (2) that a person who would be eligible to vote in an election but for the requirement to be a registered voter must be accepted during early voting by personal appearance for voting the ballot for the precinct of the person's residence as shown by the identification presented if the person: (a) submits a voter registration application that complies with state law to an election officer at the polling place; and (b) presents as proof of residence: (i) a Texas driver's license or personal identification card that states the person's current address on the day the person seeks to vote; or (ii) a utility bill addressed to the person dated not earlier than the 30<sup>th</sup> day before the date the person seeks to vote along with one of several types of permissible identification; (3) that an election officer must make a copy of the proof of residence, attach it to the registration application, and return the original proof of residence to the voter; (4) that a person voting under (2), above, shall vote a provisional ballot; and (5) that the secretary of state may, by rule, designate additional documents that a person may offer to prove the person's residence to register and vote.

**S.B. 173 (Campbell) – Uniform Election Date:** would eliminate the May uniform election date.

**S.B. 230 (Menendez) – Countywide Polling Place:** would authorize the secretary of state to select any county to participate in the countywide polling place program.

**S.B. 231 (Menendez) – Voter Registration:** would require the voter registrar of each county to automatically register any county resident who is eligible to vote and: (1) is issued a Texas driver's license or a personal identification card by the Department of Public Safety (DPS); or (2) makes a change to a Texas driver's license or personal identification card issued by DPS.

**S.B. 232 (Menendez) – Voter Registration:** would, among other things, provide: (1) that an election officer serving a polling place for early voting by personal appearance is a deputy voter registrar and has the same authority as a regular deputy registrar; (2) that a person who would be eligible to vote in an election but for the requirement to be a registered voter must be accepted during early voting by personal appearance for voting the ballot for the precinct of the person's residence as shown by the identification presented if the person: (a) submits a voter registration application that complies with state law to an election officer at the polling place; and (b) presents as proof of residence a photo identification that states the person's current address on the day the person seeks to vote; (3) that an election officer must return the original proof of residence to the voter; (4) that a person voting under (2), above, shall vote a provisional ballot; and (5) that the secretary of state may, by rule, designate additional documents that a person may offer to prove the person's residence to register and vote.

**S.J.R 13 (Huffman) – Term Limits:** would propose an amendment to the Texas Constitution that would provide that: (1) the legislature by general law shall require a political subdivision of this state that is governed by one or more elected officers to establish a limit on the number of

terms a person may be elected to serve in an office of the political subdivision; and (2) the limit must ensure that a person may not serve longer than 12 years in an office and that an officer who has been elected to serve for the maximum number of terms established by the political subdivision is not eligible for election to serve an additional term of that office.

### **Open Government**

**H.B. 233 (E. Rodriguez) – Public Information Act:** would provide that: (1) the name, address, telephone number, e-mail address, driver’s license number, social security number, or other personally identifying information of a person who obtains ownership or control of an animal from a city animal shelter is confidential; (2) a governmental body can disclose the information to a governmental entity or a person under contract with a governmental entity provides animal control services, animal registration services, or related services to the governmental entity, for purpose related to the protection of public health and safety and will not be considered a waiver of the exception; and (3) an entity or person must maintain the confidentiality of the information and not use for any purpose that does not directly relate to the protection of public health and safety.

**H.B. 349 (Canales) – Public Information:** would provide that: (1) information relating to the receipt or expenditure of public or other funds by a governmental body for a parade, concert, or other event open to the general public and paid for in whole or part with public funds cannot be withheld under the competition or bidding exception of the Public Information Act; and (2) a contract provision that violates (1) is void.

**S.B. 79 (Nelson) – Public Information:** would provide that an officer for public information for a governmental body complies with production of public information by referring a requestor to an exact Internet location or URL address on the governmental body’s website if the requested information is identifiable and readily available on that website.

### **Other Finance and Administration**

**H.B. 52 (Metcalf) – Immigration:** would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would provide that:

1. a peace officer may not stop a motor vehicle or conduct a search of a business or residence solely to enforce a federal law relating to immigration, unless the officer is acting at the request of, and providing assistance to, an appropriate federal law enforcement officer;
2. a peace officer may not, without a warrant, arrest a person based solely on the person's suspected or alleged violation of a civil provision of a federal law relating to immigrants or immigration, including the federal Immigration and Nationality Act;
3. a peace officer may arrest an undocumented person only if the officer is acting to preserve the peace under his or her basic authority to enforce laws; and
4. a law enforcement agency shall check the immigration status of all persons in custody

that are arrested or lawfully detained using the federal Priority Enforcement Program, but exempt a law enforcement agency from checking immigration status if a transferring agency already checked such status.

The bill would prohibit certain city actions by providing that:

1. a “local entity” is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals);
2. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;
3. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from Citizenship and Immigration Services or ICE, including information regarding a person’s place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal immigration laws; and
4. a local entity or a person employed by or otherwise under the direction or control of the entity may not consider race, color, language, or national origin while enforcing immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

1. any person, including an employee of a local entity filing anonymously, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or discourages the enforcement of those laws.
2. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief and may recover reasonable expenses incurred in obtaining relief under this subsection, including court costs, reasonable attorney’s fees, investigative costs, witness fees, and deposition costs; and
3. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses a policy under which the entity prohibits or discourages the enforcement of immigration laws or, by consistent actions, prohibits or discourages the enforcement of immigration laws.

**H.B. 53 (Romero) – Settlement:** would: (1) prohibit a city or other governmental unit from entering a settlement of a claim or action if: (a) the settlement is equal to or more than \$30,000; and (b) a settlement condition requires a party seeking relief against the governmental unit to agree not to disclose to facts, allegations, evidence, or other matters; and (2) limit the admissibility of certain evidence relating to settlement negotiations.

**H.B. 74 (Flynn) – U.S. Constitution:** would: (1) create a state legislative committee to review whether a federal action violates the U.S. Constitution; and (2) provide that the Texas attorney general may represent the state or a political subdivision of the state if either refuses to participate in the implementation of a federal action.

**H.B. 124 (Krause) – Immigration:** would: (1) require a law enforcement agency, within 48 hours after a person is arrested and before the person is released on bond, to: (a) review any information available about the person under the federal Priority Enforcement Program; or (b) request information regarding the person’s immigration status from a peace officer or other law enforcement officer that is authorized to verify a person’s immigration status or a federal immigration officer; (2) exempt a law enforcement agency from checking immigration status if a transferring agency already checked such status; (3) require law enforcement agency that has custody of a person subject to an immigration detainer to provide that information to the judge or magistrate authorized to grant or deny a person’s release and detain the person as required by the immigration detainer.

**H.B. 135 (Krause) – Grants:** would provide that a political subdivision that receives or expends a federal grant or other federal funds that have not been appropriated by the legislature shall report to the Legislative Budget Board, the comptroller, and the government not later than the 90<sup>th</sup> day of the political subdivision’s fiscal year: (1) the total amount of federal funds received or expended in the previous fiscal year; and (2) the use or purpose use of those funds.

**H.B. 149 (Simmons) – Immigration:** would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would prohibit certain city actions by providing that:

1. a “local entity” is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals, but not hospital peace officers);
2. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;
3. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from Citizenship and Immigration Services or ICE, including information regarding a person’s place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating

with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal immigration laws; and

4. a local entity or a person employed by or otherwise under the direction or control of the entity may not consider race, color, language, or national origin while enforcing immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

1. any person, including the federal government, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or discourages the enforcement of those laws;
2. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general shall, not later than the 10th day after the date of the determination, provide written notification to the entity that: (a) the complaint has been filed; (b) the attorney general has determined that the complaint is valid; (c) the attorney general is authorized to file an action to enjoin the violation if the entity does not come into compliance on or before the 90th day after the date the notification is provided; and (d) the entity will be denied state grant funds for the state fiscal year following the year in which a final judicial determination is made;
3. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief and may recover reasonable expenses incurred in obtaining relief under this subsection, including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition costs; and
4. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses a policy under which the entity prohibits or discourages the enforcement of immigration laws or, by consistent actions, prohibits or discourages the enforcement of immigration laws (the comptroller shall adopt rules to implement the bill uniformly among the state agencies from which state grant funds are distributed to a city).

**H.B. 151 (Simmons) – Local Debt Elections:** would require a proposition for approval of the issuance of bonds or other debt to be submitted to the voters in an election held on the November uniform election date.

**H.B. 153 (Schaefer) – Occupational Regulation:** would: (1) unless expressly authorized by state law, prohibit a city from adopting or enforcing any ordinance, rule, or regulation that: (a) establishes additional, more stringent licensing requirements for an occupation that requires a state occupational license; or (b) requires a person to obtain an occupational license issued by the city; and (2) provide that any ordinance, rule, or regulation that violates (1), above, is void and unenforceable.



**H.B. 196 (M. Gonzalez) – Prekindergarten:** would expand the circumstances under which school districts must provide prekindergarten classes. (Companion bill is **S.B. 35** by Zaffirini.)

**H.B. 212 (Springer) – Local Debt Elections:** would: (1) require an election for the issuance of bonds by a political subdivision other than a municipal utility district to be held on the November uniform election date; and (2) provide that a bond proposition by a political subdivision other than a municipal utility district must be placed before all parties, offices, names, and other propositions on the ballot.

**H.B. 240 (Hernandez) – Nuisance Abatement:** would, in regard to a suit to abate a common nuisance, provide that proof that massage therapy or other massage services occur at a place not licensed for that purpose is prima facie evidence that the defendant knowingly tolerated the activity and the place is habitually used for the activity.

**H.B. 328 (Workman) – Immigration:** would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would provide that:

1. if a local government fails to assist or cooperate with a federal immigration officer, as reasonable and necessary to enforce federal immigration laws with respect to an individual who is under a lawful detention or under arrest, and who is then released by the local government, the local government is liable for damages arising from the individual's actions following release (the bill does not create liability for damages sustained by the individual following release);
2. not later than 48 hours after a person is arrested and before the person is released on bond, a law enforcement agency performing the booking process shall: (a) review any information available under the federal Priority Enforcement Program operated by Immigration and Customs Enforcement (ICE) or a successor program; or (b) request information regarding the person's immigration status from: (i) a peace officer or other law enforcement officer of this state who is authorized under federal law to verify a person's immigration status; or (ii) a federal immigration officer;
3. a law enforcement agency that has custody of a person subject to an immigration detainer issued by ICE shall provide to the judge or magistrate authorized to grant or deny the person's release on bail notice that the person is subject to an immigration detainer and detain the person as required by the immigration detainer;
4. the attorney general shall establish and maintain a public, computerized database containing information with respect to each local entity for which a final judicial determination is made that the entity has intentionally prohibited the enforcement of immigration laws; and each governmental entity for which a determination by the attorney general is made that the entity has accepted, recognized, or relied on a consular identity document; and
5. a governmental entity may not accept, recognize, or rely on an identity document issued to the applicant or recipient by a consular office or consular official of another country, including a matricula consular issued by a consular office of the United Mexican States located in this country, as primary, secondary, or supporting evidence of the person's identity, subject to an attorney general enforcement process.

The bill would prohibit certain city actions by providing that:

1. a “local entity” is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals, but not hospital peace officers);
2. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;
3. a local entity shall inquire into the immigration status of a person under a lawful detention;
4. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from Citizenship and Immigration Services or ICE, including information regarding a person’s place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal immigration laws; and
5. a local entity or a person employed by or otherwise under the direction or control of the entity may not consider race, color, language, or national origin while enforcing immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

1. any person, including the federal government, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or discourages the enforcement of those laws;
2. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general shall, not later than the 10th day after the date of the determination, provide written notification to the entity that: (a) the complaint has been filed; (b) the attorney general has determined that the complaint is valid; (c) the attorney general is authorized to file an action to enjoin the violation if the entity does not come into compliance on or before the 90th day after the date the notification is provided; and (d) the entity will be denied state grant funds for the state fiscal year following the year in which a final judicial determination is made;
3. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief and may recover reasonable expenses incurred in obtaining relief under

this subsection, including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition costs; and

4. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses a policy under which the entity prohibits or discourages the enforcement of immigration laws or, by consistent actions, prohibits or discourages the enforcement of immigration laws (the comptroller shall adopt rules to implement the bill uniformly among the state agencies from which state grant funds are distributed to a city).

**H.B. 370 (Howard) – Ethics:** would require the clerk or secretary in a city that makes personal financial disclosure statements (statements filed by certain officers in cities of 100,000 or more) available to the public on the city's website redact the home address of the individual filing the statement before putting it on the website.

**H.B. 411 (Longoria) – Credit and Debit Card Purchases:** would require a merchant, including a city, to verify the identity of an individual for certain face-to-face debit or credit card transactions.

**H.B. 448 (Guillen) – State Parks Funding:** would provide that the Texas Parks and Wildlife Department may transfer an amount not to exceed 15 percent of all amounts collected during the previous month from vessel fees to the state parks account.

**H.B. 451 (Moody) – Workers' Compensation:** would: (1) waive governmental immunity for claims against a public employer, including a city, that discriminates or retaliates against a first responder who has filed a workers compensation claim; and (2) cap damages at \$100,000 for each person's claim.

**H.B. 487 (Guillen) – Rock Climbing:** would include rock climbing in the recreational use statute for tort liability purposes.

**H.J.R. 22 (Raymond) – State Taxation:** would: (1) prohibit the legislature from enacting a general law that imposes a state tax or amends provisions relating to a state tax if the tax is identified as another type of charge (such as a fee, levy, surcharge, assessment, or penalty); (2) require the legislature to revise every reference in state law to a fee, levy, surcharge, assessment, penalty, or other charge of any kind imposed for a purpose other than to raise revenue for general purposes to refer to the charge as a "regulatory tax"; and (3) provide that a regulatory tax identified in state law as a fee, levy, surcharge, assessment or penalty is void and may not be collected on or after January 1, 2020.

**S.B. 4 (Perry) – Immigration:** would create several new provisions in law related to the enforcement of federal and state immigration laws. Specifically, the bill would provide that:

1. a peace officer may not stop a motor vehicle or conduct a search of a business or residence solely to enforce a federal law relating to immigration, unless the officer is acting: (a) at the request of, and providing assistance to, an appropriate federal law enforcement officer; or (2) under the terms of an agreement between the law enforcement agency employing the officer and the federal government under which the agency receives delegated authority to enforce federal law relating to immigrants or immigration;

2. a peace officer may arrest an undocumented person only if the officer is acting to preserve the peace under his or her basic authority to enforce laws;
3. if a person is arrested and is unable to provide proof of lawful presence in the U.S., not later than 48 hours after the person is arrested and before the person is released on bond, a law enforcement agency performing the booking process shall: (a) review any information available from the federal Priority Enforcement Program or a successor program; and (b) if information obtained under (a) reveals that the person is not a citizen or national of the U.S. and is unlawfully present in the U.S.: (i) provide notice of that fact to the judge or magistrate authorized to grant or deny the person's release on bail (the judge is then required to record the status in the court's records); and (ii) record that fact in the person's case file;
4. a law enforcement agency that has custody of a person subject to an immigration detainer issued by Immigration and Customs Enforcement (ICE) shall: (a) provide to the judge or magistrate authorized to grant or deny the person's release on bail notice that the person is subject to an immigration detainer (the judge is then required to record the status in the court's records); (b) record in the person's case file that the person is subject to an immigration detainer; and (c) comply with, honor, and fulfill the requests made in the detainer; and
5. if a criminal defendant is in the U.S. illegally and is to be confined to jail by a court judgment, the judge shall issue an order requiring the correctional facility to reduce the defendant's sentence by a period of not more than seven days on the facility's determination that the reduction in sentence will facilitate the seamless transfer of the defendant into federal custody.

The bill would prohibit certain city actions by providing that:

1. a "local entity" is defined to include, among others, a city, its officers, its employees, and other bodies that are part of a city, including the city police department and city attorney (but would exempt schools and hospitals, but not hospital peace officers);
2. a local entity shall not adopt, enforce, or endorse a policy under which the entity prohibits or discourages the enforcement of immigration laws;
3. a local entity shall not prohibit or discourage a person who is a commissioned peace officer, a corrections officer, a booking clerk, a magistrate, or a prosecuting attorney from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest: (i) sending the information to or requesting or receiving the information from Citizenship and Immigration Services or ICE, including information regarding a person's place of birth; (ii) maintaining the information; or (iii) exchanging the information with another local entity or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a municipal or county jail to enforce federal immigration laws; and
4. a local entity or a person employed by or otherwise under the direction or control of the entity may not consider race, color, language, or national origin while enforcing

immigration laws except to the extent permitted by the United States or Texas Constitutions.

The bill would provide for a state-level complaint and enforcement process by providing that:

1. any person, including the federal government, may file a complaint with the attorney general if the person offers evidence to support an allegation that a local entity has adopted, enforced, or endorsed a policy under which the entity prohibits or discourages the enforcement of immigration laws or that the entity, by consistent actions, prohibits or discourages the enforcement of those laws.
2. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general shall, not later than the 10th day after the date of the determination, provide written notification to the entity that: (a) the complaint has been filed; (b) the attorney general has determined that the complaint is valid; (c) the attorney general is authorized to file an action to enjoin the violation if the entity does not come into compliance on or before the 90th day after the date the notification is provided; and (d) the entity will be denied state grant funds for the state fiscal year following the year in which a final judicial determination is made.
3. not later than the 30th day after the day a local entity receives written notification of a complaint, the local entity shall provide the attorney general with a copy of: (a) the entity's written policies related to immigration enforcement actions; (b) each immigration detainer received by the entity from the Department of Homeland Security; and (c) each response sent by the entity for a detainer;
4. if the attorney general determines that a complaint filed against a local entity is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief and may recover reasonable expenses incurred in obtaining relief under this subsection, including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition costs; and
5. a local entity may not receive state grant funds if the entity adopts, enforces, or endorses a policy under which the entity prohibits or discourages the enforcement of immigration laws or, by consistent actions, prohibits or discourages the enforcement of immigration laws (the comptroller shall adopt rules to implement the bill uniformly among the state agencies from which state grant funds are distributed to a city).

Finally, the bill would provide that not later than January 1, 2018, each local law enforcement agency shall: (a) formalize in writing any unwritten, informal policies relating to the enforcement of immigration laws; and (b) update the agency's policies to be consistent with the bill and to include provisions prohibiting an agency officer or employee from preventing agency personnel from taking immigration enforcement actions described by the bill.

**S.B. 35 (Zaffirini) – Prekindergarten:** this bill is the same as **H.B. 196**, above.

**S.B. 62 (Zaffirini) – Signs:** would provide that the Texas Highway Beautification Act does not prohibit a sign erected solely for and relating to a public election if, among other things, the sign is erected not earlier than the 90th day before the date of the election or the first day of the early voting period for an election with early voting.

**S.B. 63 (Zaffirini) – Ethics:** would: (1) allow a political report filed with a city to be filed electronically using software developed by the Texas Ethics Commission (commission) if the city adopts related rules and procedures; (2) require that personal financial disclosure statements (filed by certain officers in cities of 100,000 or more) that are not filed electronically with a city be accompanied by an affidavit swearing to the truth of the statement, and provide that a person is subject to prosecution for perjury whether or not the affidavit is completed; (3) provide that a personal financial disclosure statement that is filed electronically with a city is not required to include a notarized affidavit if the person has an electronic password pursuant to the commission or city’s rules and uses that password to file the statement; and (4) allow personal financial statements to be filed electronically with a city by using software developed by the commission if the city secretary has adopted related rules and procedures.

**S.B. 89 (Hall) – Federal Laws:** would authorize the legislature to determine that a federal law violates Article I of the Texas Constitution (Bill of Rights) and prohibit the state and political subdivisions from executing or enforcing such a law. (See **S.J.R. 71**, below.)

**S.B. 92 (Hall) – Preemption/Discrimination:** would provide that: (1) a county, municipality, or other political subdivision may not adopt or enforce a local law that creates a protected classification or prohibits discrimination on a basis not contained in the laws of the state; and (2) a local law that is adopted by a political subdivision and in violation of (1), above, before the date the bill is enacted is null and void.

**S.B. 110 (Huffines) – Term Limits:** would: (1) require the governing body of a political subdivision to adopt term limits for each elected officer no later than January 1, 2018; and (2) require that the term limits in (1), above, not allow a person to serve longer than 12 years in office, regardless of whether the terms are consecutive and regardless of whether the office is in a different precinct or place.

**S.B. 152 (Bettencourt) – Local Retirement Systems:** would, among other things, provide that a city that is the sponsoring authority of a public retirement system that was created under a state statute, but is not a part of a statewide public retirement system, may adopt by ordinance or resolution provisions that prospectively supplement or supersede the operative provisions of the public retirement system.

**S.B. 165 (Rodriguez) – Discrimination:** would: (1) provide, with certain exceptions, that a person commits a discriminatory practice in violation of law if the person, because of sexual orientation or gender identity or expression of an individual, denies the individual full and equal accommodation in a place of public accommodation or otherwise discriminates against or segregates the individual based on sexual orientation or gender identity or expression; (2) authorize a person aggrieved because of a violation of law described in (1), above, to file a civil action in district court; and (3) add sexual orientation and gender identity or expression as a protected class in existing state anti-discrimination provisions.

**S.B. 169 (Rodriguez) – Immigration:** would provide that: (1) in the course of investigating an alleged criminal offense, a peace officer may inquire as to the nationality or immigration status

of a victim of or witness to the offense only if the officer determines that the inquiry is necessary to: (a) investigate the offense; or (b) provide the victim or witness with information about federal visas designed to protect individuals providing assistance to law enforcement; and (2) the bill does not prevent a peace officer from: (a) conducting a separate investigation of any other alleged criminal offense; or (b) inquiring as to the nationality or immigration status of a victim of or witness to a criminal offense if the officer has probable cause to believe that the victim or witness has engaged in specific conduct constituting a separate criminal offense.

**S.B. 200 (Campbell) – Local Debt:** would, among other things: (1) require the comptroller to create an Internet database, known as the Political Subdivision Public Information Warehouse, that contains information regarding all active political subdivisions in the state that are authorized to impose an ad valorem or sales and use tax to issue bonds, notes, or other obligations; (2) require the warehouse database to include the following information: (a) the name of the political subdivision; (b) the rate of any sales and use tax the political subdivision imposes; (c) various property tax rates for the most recent tax year; (d) the total amount of the political subdivision's debt, including the principal, interest, and year in which the debt would be paid; (e) the political subdivision's Internet website address, or if the political subdivision does not operate a website, contact information to enable a member of the public to obtain information from the political subdivision; and (f) the Internet website address for the appraisal district in each county in which a political subdivision has territory; (3) authorize, but not require, the warehouse database to include the following information: (a) information describing the political subdivision's boundaries; (b) the political subdivision's current budget; (c) each current check registry published by the political subdivision's governing body; and (d) any other current financial audit or annual report published by the political subdivision's governing body; (4) authorize the comptroller to consult with the appropriate person from each political subdivision to obtain the information necessary to operate and update the warehouse database; (5) require the governing body of a political subdivision that publishes the check registry on its website to provide a link to the webpage containing the information to the comptroller; (6) require the comptroller to update tax rate information at least annually; (7) require a political subdivision to transmit records and other information to the comptroller annually in a form and in the manner prescribed by the comptroller, for purposes of operating the Political Subdivision Public Information Warehouse; and (9) require a political subdivision to transmit to the comptroller: (a) its most recently adopted annual budget; (b) its most recently adopted annual financial report; and (c) the address of the Internet website maintained by the political subdivision, if any.

**S.B. 201 (Campbell) – Local Debt:** would require a proposition in an election to issue local debt to state: (1) the purpose for which the debt obligations are to be authorized; (2) the principal amount of the debt obligations to be authorized; (3) that taxes sufficient to pay the annual principal and interest of the debt obligations may be imposed; (4) the aggregate amount of the outstanding principal of the political subdivision's debt obligations as of the beginning of the political subdivision's fiscal year in which the election is ordered; and (5) the ad valorem debt service tax rate for the political subdivision at the time the election is ordered.

**S.B. 208 (West) – Metal Recycling:** would: (1) require a metal recycling entity to report to the Texas Department of Public Safety (DPS) each sale or attempted sale of an explosive weapon or explosive component; (2) require the DPS to use the statewide electronic reporting system that

tracks the sale of regulated metal to also track the sale or attempted sale of an explosive weapon or an explosive component; (3) make it a criminal offense for: (a) either a person to sell to a metal recycling entity or a metal recycling entity to buy an explosive component or explosive weapon; and (b) a metal recycling entity to store an explosive component or explosive weapon on its premises; (4) authorize a court to order restitution to a city for certain costs related to responding to an offense in (3), above; and (5) authorize the imposition of certain administrative penalties in relation to the metal recycling laws.

**S.B. 210 (Kolkhorst) – State Agency Rules:** would prohibit a state agency from adopting a proposed rule that imposes a cost on a local government, unless the state agency first: (1) repeals two state agency rules that impose total costs equal to or greater than the cost imposed by the proposed rule; (2) amends two state agency rules to decrease the total costs imposed by an amount equal to or greater than the cost imposed by the proposed rule; or (3) repeals one state agency rule and amends one state agency rule to decrease the total costs imposed by an amount equal or less than the proposed rule.

**S.B. 241 (Burton) – Lobbying:** would: (1) prohibit a city council from spending public money to directly or indirectly influence or attempt to influence the outcome of any legislation pending before the legislature if the city imposes a tax; (2) except from the prohibition in (1), above: (a) an officer or employee of a city providing information for a member of the legislature or appearing before a legislative committee at the request of the committee or member; (b) an elected officer of a city advocating for or against or otherwise influencing the outcome of legislation while acting as an officer of the city; and (c) an employee of a city advocating for or against or otherwise influencing the outcome of legislation if those actions would not require the person to register as a lobbyist; (3) allow a city council to spend, in the name of the city, public money for membership fees and dues of a nonprofit state association or organization of similarly situated political subdivisions only if: (a) a majority of the city council votes to approve membership in the association or organization; (b) the association or organization exists for the betterment of local government and the benefit of all local officials; (c) the association or organization is not affiliated with a labor organization; (d) neither the association or organization nor an employee of the same directly or indirectly influences or attempts to influence the outcome of legislation; and (e) the association or organization does not directly or indirectly contribute money, services, or other valuable things to a political campaign or endorse a candidate or group of candidates for public office; (4) provide that (3)(d), above, does not prevent a person from providing information for a member of the legislature or appearing before a legislative committee at the request of the committee or member; and (5) provide that if a city, association, or organization engages in certain prohibited activities described above, a taxpayer is entitled to seek injunctive relief and may recover reasonable attorney's fees and costs if successful in seeking such relief.

**S.B. 245 (Burton) – Local Debt:** this bill would make numerous additions to the laws governing the issuance of local debt. Specifically, the bill would:

1. require a political subdivision to conduct a public hearing prior to holding an election to authorize the issuance of bonds;



2. require the public hearing to be held not earlier than the day the governing body adopts the election order or later than the first day before the date the period for early voting for personal appearance begins for the election;
3. require the political subdivision to provide notice of the hearing not earlier than the 30<sup>th</sup> day or later than the 15<sup>th</sup> day before the date of the hearing by: (a) publishing notice in at least one newspaper of general circulation in the county in which the political subdivision is located; (b) posting notice on the political subdivision's Internet website and each other Internet website for which the political subdivision controls the content of the posting, including a social media site; (c) including the notice in the political subdivision's newsletter, circular, or similar document designed to provide information to residents of the political subdivision, regardless of how it is delivered, if the political subdivision periodically delivers such a document; and (d) sending by first-class mail to each owner of taxable property located in the political subdivision a voter information document (discussed in (5), below) and cover letter that includes the date of the hearing, purpose of the hearing, language that will appear on the ballot, and the estimated increase in the property tax debt levy of the political subdivision for all taxable property owned by the property owner and located in the political subdivision;
4. require the Texas Ethics Commission to provide guidelines for political subdivisions regarding the manner in which the hearing is conducted and what type of information can be provided on the voter information document without violating electioneering and political advertising laws;
5. require a political subdivision to prepare a voter information document for each proposition to be discussed at the hearing, which must state: (a) the language that will appear on the ballot; (b) the purpose for which the bonds are to be authorized; (c) the maturity date of the bonds to be authorized; (d) the taxes sufficient to pay the annual principal or and interest on the bonds; (e) the maximum rate of interest for the bonds to be authorized; (f) the following information formatted as a table: (i) the property tax debt rate expressed in dollars per \$100 valuation of all taxable property in the political subdivision stated as the existing rate, estimated rate if the bonds are authorized, and the estimated increase in the rate if the bonds are authorized; and (ii) the amount expressed in dollars of the property tax debt levy of the political subdivision per residence with a taxable value of \$100,000 stated as the existing levy, estimated levy if the bonds are authorized, and estimated increase in the levy if the bonds are authorized; (g) the following information formatted as a second table and stated as a total amount and per capita amount: (i) the principal of the bonds to be authorized; (ii) the estimated interest for the bonds to be authorized; (iii) the estimated combined principal and interest required to pay on time and in full the bonds to be authorized; and (iv) as of the date the political subdivision adopts the bond election order, the principal and estimated remaining interest of all outstanding debt obligations of the political subdivision payable from property taxes; (h) the following information as of the date the political subdivision adopts the bond election order, formatted as a third table: (i) the principal of all outstanding secured self-supporting debt obligations of the political subdivision; (ii) the estimated remaining interest of all outstanding secured self-supporting debt obligations of the political subdivision; and (iii) the estimated combined principal and interest required to pay on time and in full all outstanding secured self-supporting debt obligations of the political subdivision; and (i) any other information that the political subdivision considers

relevant or necessary to explain the values required to be in the voter information document;

6. require a political subdivision to determine each estimate or projection required or authorized by (5), above, in the manner prescribed by comptroller rule;
7. require each voter information document to be printed: (a) on not more than two pages that are not wider than 8 ½ inches and not longer than 14 inches; (b) in type not smaller than 12-point type; and (c) in the form prescribed by the secretary of state;
8. require the governing body of the political subdivision to make a copy of each voter information document available to each individual attending the hearing;
9. require the secretary of state to prescribe the form of the voter information document;
10. provide that a good faith estimate or projection required or authorized by (5), above, determined in the manner prescribed by comptroller rule, does not constitute a breach of contract with the voters solely because the estimate or projection is later determined to be incorrect;
11. require a sample of the ballot printed for a bond election to be posted on the political subdivision's Internet website as soon as practicable after the official ballots have been prepared and must remain posted until the day following the election;
12. require a political subdivision to maintain an Internet website to comply with this subchapter; and
13. require the comptroller to adopt rules to implement the requirements of the bill, including rules that prescribe the manner by which a political subdivision must determine each estimate or projection required or authorized by this subchapter.

**S.B. 267 (Schwertner) – Hospital Regulation:** would: (1) require the Department of State Health Services (DSHS) to annually inspect ten percent of the hospitals licensed under the Texas Hospital Licensing Law; (2) authorize DSHS to issue an emergency order to suspend a license in some circumstances; (3) increase the administrative penalty that may be assessed against a hospital for certain violations; and (4) authorize the imposition of a perpetual care fee on each hospital.

**S.J.R. 8 (Hall) – Immigration:** would propose an amendment to the Texas Constitution that would provide that a person taken into custody for committing a felony shall be denied release on bail pending trial of a judge or magistrate if, following a hearing, it is determined that the person is not a citizen or national of the United States and is not lawfully present in the United States.

**S.J.R. 71 (Hall) – Bill of Rights:** would propose an amendment to the Texas Constitution to provide, among other things, that: (1) the legislature, by a majority vote of all the members elected to each house, may find that a federal law violates the Bill of Rights in the Texas Constitution; (2) the legislature may include in a finding under (1), above, the manner in which the legislature may interpose itself between the federal government and persons in this state to oppose the federal government in the execution and enforcement of the federal law; and (3) a state agency or political subdivision, or an officer or employee of a state agency or political subdivision, may not execute or enforce a provision, penalty, or sanction provided by a federal law that the legislature has found to violate the Bill of Rights. (See **S.B. 89**, above.)

## **Municipal Courts**

**H.B. 50 (White) – Community Service:** would give municipal court judges the authority to require a defendant to discharge all or part of the fine or costs by performing community service if the judge determines the defendant has insufficient resources or income to pay the fine or costs. (Companion bill is **H.B. 351** by **Canales**.)

**H.B. 58 (White) – First Chance Intervention Program:** would give a city council the authority to establish a first chance intervention program for defendants charged with an offense involving the possession of marihuana.

**H.B. 72 (Keough) – Victim-Offender Mediation Program:** would: (1) provide a city council with the authority to establish a pretrial victim-offender mediation program for persons arrested or charged with a misdemeanor or state jail felony property offense; and (2) impose a \$15 court cost on conviction of a misdemeanor or state jail felony property offense to fund the victim-offender mediation program.

**H.B. 76 (White) – Driver’s License:** would: (1) give municipal court judges the authority to issue an occupational driver’s license; and (2) require municipal court clerks to notify the Department of Public Safety that a defendant is indigent within 5 days of receiving the required documentation.

**H.B. 122 (Dutton) – Juveniles:** would, among other things and with certain exceptions, change the age of a child for criminal responsibility purposes from 17 years of age to 18 years of age.

**H.B. 176 (Raymond) – Juvenile Court:** would provide that a juvenile court can defer adjudication proceedings for not more than 180 days under certain conditions for a child who, based on evidence obtained pursuant to a parental-consent search, is alleged to have engaged in conduct indicating a need for supervision or delinquent conduct.

**H.B. 244 (Anchia) – Magistrates:** would require a magistrate to inform an arrestee that a plea of guilty or no contest for the offense charged may affect the person’s eligibility for enlistment or reenlistment in the United States armed forces or may result in the person’s discharge from the armed forces.

**H.B. 325 (Canales) – Expunction of Records:** would: (1) entitle a person to have arrest records expunged if: (a) the person was placed on deferred adjudication community supervision for a charge that was subsequently dismissed; (b) the person has not been arrested for certain offenses after being placed on deferred adjudication; and (c) depending on the offense, either five years (for misdemeanor offenses) or ten years (for felony offenses) have passed; (2) prohibit certain business entities from publishing criminal history record information and require them to destroy the same upon receipt of notice of an order of expunction; and (3) authorize a close relative of a deceased person to file for expunction on behalf of the deceased.

**H.B. 351 (Canales) – Community Service:** would give municipal court judges the authority to require a defendant to discharge all or part of the fine or costs by performing community service if the judge determines the defendant has insufficient resources or income to pay the fine or costs. (Companion bill is **H.B. 50** by **White**.)

**H.B. 419 (White) – Drug Offenses:** would require a municipal court judge to inform a defendant who is entering a plea of guilty or no contest to a drug offense, for which the complaint is based on the results of a field test, that the prohibited substance was identified by a field test conducted by law enforcement and not by a forensic analysis conducted by a crime lab.

**S.B. 42 (Zaffirini) – Municipal Court:** would provide that: (1) a municipal judge shall establish a court security committee composed of: (a) the presiding municipal judge or judge's designee; (b) a representative of a law enforcement agency or entity that provide security for the court; (c) a representative of the city; and (d) any person that the committee determines necessary to assist the committee; (2) a court security committee shall establish the policies and procedures necessary to provide adequate security to the municipal court served by the presiding or municipal judge; (3) a person may not serve as a court security officer for a municipal court unless the person holds a court security certification issued by the Texas Commission on Law Enforcement; and (4) a person has before the first anniversary of the date the officer begins providing security for the court to obtain court security certification.

**S.B. 47 (Zaffirini) – Office of Court Administration:** would require the Office of Court Administration to conduct a study on how records regarding misdemeanors punishable by fine only, other than traffic offenses, are held in different Texas counties.

**S.B. 259 (Huffines) – Jury Summons Questionnaire:** would allow a court to provide a link to the jury questionnaire on the court's website in lieu of mailing a copy of the questionnaire with a jury summons.

### **Community and Economic Development**

**H.B. 60 (Romero) – Credit Access Business:** would provide that: (1) a credit access business may not obtain for a consumer or assist a consumer in obtaining an extension of consumer credit in the form of a motor vehicle title loan unless the credit access business first: (a) physically inspects the vehicle used as collateral for the loan; (b) photographs the vehicle identification number located on the vehicle used as collateral for the loan; and (c) verifies that the vehicle identification number of the motor vehicle used as collateral for the loan matches the vehicle identification number on the title provided to obtain the loan; and (2) a credit access business must retain a photograph taken as required by (1)(b), above, until the second anniversary of the date of the loan.

**H.B. 78 (Guillen) – Sporting Goods Sales Tax:** would require the Parks and Wildlife Department to deposit to the credit of the state parks account all revenue from credits made to the department in an amount equal to the amount of the department's share of the sporting goods sales tax proceeds minus the sum of the amounts appropriated from the credits to the Texas Parks

and Wildlife conservation and capital account, Texas recreation and parks account, and the large county and municipality recreation and parks account.

**H.B. 192 (Bernal) – Housing Discrimination:** would: (1) prohibit housing discrimination under the Texas Fair Housing Act on the basis of sexual orientation or gender identity or expression; and (2) prohibit the Texas Workforce Commission from deferring proceedings and referring a complaint about such discrimination to a city if the city does not have laws prohibiting the alleged discrimination.

**H.B. 197 (Bernal) – Credit Access Business:** would require that the contract and other documents provided by a credit access business to a consumer in relation to an extension of consumer credit must be: (1) provided, before signing, wholly written in both English and Spanish; (2) written in plain language designed to be easily understood by the average consumer; and (3) printed in an easily readable font and type size.

**H.B. 256 (Hernandez) – Nuisance Abatement:** would add city attorneys to the list of individuals authorized to sue in the name of the state to enjoin the common nuisance of selling, bartering, manufacturing, storing, possessing or consuming an alcoholic beverage in a room, building, boat, structure, or other place in violation of the Texas Alcoholic Beverage Code.

**H.B. 299 (Larson) – Annexation:** would completely rewrite the Municipal Annexation Act to severely curtail the ability of cities to annex property. Specifically, the bill would provide – among many other things – that:

1. A city may annex an area with a population of less than 200 only if the city obtains consent to annex the area through a petition signed by: (a) more than 50 percent of the registered voters of the area; and (b) if the registered voters of the area do not own more than 50 percent of the land in the area, more than 50 percent of the owners of land in the area.
2. In no case may a city annex an area with a population of less than 200 without approval of a majority of the voters voting at an election called and held for that purpose if a petition protesting the annexation is signed by a number of registered voters of the municipality equal to at least 50 percent of the number of voters who voted in the most recent municipal election and is received by the secretary of the city.
3. A city may annex an area with a population of 200 or more only if the following conditions are met, as applicable: (a) the city holds an election in the area proposed to be annexed at which the qualified voters of the area may vote on the question of the annexation, and a majority of the votes received at the election approve the annexation; and (b) if the registered voters of the area do not own more than 50 percent of the land in the area, the city obtains consent to annex the area through a petition signed by more than 50 percent of the owners of land in the area.
4. A city may annex an area if each owner of land in the area requests the annexation if: (a) the governing body of the city first negotiates and enters into a written agreement for the provision of services in the area with the owners of land in the area (the city is not required to provide a service that is not included in the agreement); and (b) the governing body of the city conducts at least two public hearings (the hearings must be conducted

not less than 10 business days apart, and during the final public hearing, the governing body may adopt an ordinance annexing the area).

5. Beginning September 1, 2017, a city may not annex an area for the limited purposes of applying its planning, zoning, health, and safety ordinances in the area, regardless of any authority granted by a home rule charter.
6. The procedures for the annexation of a special district are modified, including providing that, beginning September 1, 2017, a strategic partnership agreement may not provide for limited purpose annexation.

**H.B. 312 (J. Johnson) – Disaster Recovery:** would: (1) establish a disaster recovery fund and authorize grant awards from the fund to state or local governmental entities or a volunteer fire department that participates in disaster recovery in an area the governor declares to be in a state of disaster; and (2) require the comptroller to transfer \$30 million from the volunteer fire department assistance fund account in the general revenue fund to the disaster recovery fund account.

**H.B. 361 (Huberty) – Election Signs:** would: (1) provide an exemption from the laws prohibiting signs from being placed in the rights-of-way of public roads and state highways, including the prohibition on placing a sign in the right-of-way of a road or highway maintained by a city without city authorization, for a political sign that: (a) is on private property; (b) is erected not earlier than the 90<sup>th</sup> day before the date of the election and is removed not later than the 10<sup>th</sup> day after the date of the election; (c) is constructed of lightweight material; and (d) has a surface area not larger than 50 square feet; and (2) repeal the law requiring notice on any political advertising sign that the sign cannot be placed in the right of way of a highway.

**H.B. 412 (Huberty) – Fireworks:** would, among other things, allow a licensed fireworks manufacturer, distributor, or jobber (i.e., a person who purchases fireworks only for resale to retailers) to offer fireworks for retail sale to the public at a location for which the manufacturer, distributor, or jobber obtains a retail location permit from the state fire marshal's office.

**H.B. 424 (Huberty) – Annexation:** would completely rewrite the Municipal Annexation Act to severely curtail the ability of cities to annex property. Generally, the bill would provide that:

1. a city wholly or partly located in a county with a population of 500,000 or more may not annex an area with a population of 200 or more unless: (a) the city holds an election in the area that approves the annexation; and (b) if the registered voters of the area do not own more than 50 percent of the land in the area, the city obtains consent to annex the area through a petition signed by more than 50 percent of the owners of land in the area;
2. a city wholly located in one or more counties each with a population of less than 500,000 that proposes to annex an area in a county with a population of 500,000 or more must meet the requirements of (1)(a) and (1)(b), above; and
3. with certain very limited exceptions, beginning September 1, 2017, a city may not enter into a strategic partnership agreement that provides for limited purpose annexation.

More specifically, the bill would provide – among many other things – that:

1. a new chapter 43, subchapter A-1, of the Local Government Code is created that applies only to a city: (a) wholly located in one or more counties each with a population of less than 500,000; and (b) a city wholly or partly located in a county with a population of 500,000 or more that proposes to annex an area in a county with a population of 500,000 or more;
2. most of the existing, statutory authority to annex is transferred into the newly-created subchapter A-1;
3. existing subchapter C (“plan” annexation procedures) applies only to a city wholly located in one or more counties each with a population of less than 500,000 (unless the city proposed to annex an area in a county with a population of 500,000 or more, in which case subchapter C-4, described below, applies);
4. existing subchapter C-1 (“exempt” annexation procedures) applies only to an area that is proposed for annexation by a city wholly located in one or more counties each with a population of less than 500,000 and that is not required to be included in a municipal annexation plan (unless the city proposed to annex an area in a county with a population of 500,000 or more, in which case subchapter C-4, described below, applies);
5. a new subchapter C-3 is created that applies only to a city: (a) wholly or partly located in a county with a population of 500,000 or more; and (b) wholly located in one or more counties each with a population of less than 500,000 that proposes to annex an area in a county with a population of 500,000 or more;
6. the new subchapter C-3 would authorize annexation if each owner of land in the area requests annexation, two public hearings are held, and the governing body negotiates and enters into a written agreement with the owners of land in the area for the provision of services in the area;
7. a new subchapter C-4 is created that applies only to a city: (a) wholly or partly located in a county with a population of 500,000 or more; and (b) wholly located in one or more counties each with a population of less than 500,000 that proposes to annex an area in a county with a population of 500,000 or more;
8. the new subchapter C-4 would authorize annexation of an area with a population of less than 200 only if the city obtains consent to annex the area through a petition signed by more than 50 percent of the registered voters of the area;
9. the governing body of a city that proposes to annex an area under subchapter C-4 must, among other things, adopt a resolution that includes a description of the services to be provided to the area.
10. not later than the seventh day after the date the governing body adopts the resolution under (9), above, the city must mail to each resident in the area proposed to be annexed notification of the proposed annexation that includes: (a) notice of a public hearing required by the bill; (b) an explanation of the petition process; and (c) a description, list, and schedule of services to be provided by the city;
11. A new subchapter C-5 is created that applies only to a city: (a) wholly or partly located in a county with a population of 500,000 or more; and (b) wholly located in one or more counties each with a population of less than 500,000 that proposes to annex an area in a county with a population of 500,000 or more;
12. the new subchapter C-5 would authorize the election of an area with a population of 200 or more only if the following conditions are met, as applicable: (a) the city holds an election in the area proposed to be annexed at which the qualified voters of the area may

vote on the question of the annexation and a majority of the votes received at the election approve the annexation; and (b) if the registered voters of the area do not own more than 50 percent of the land in the area, the city obtains consent to annex the area through a petition signed by more than 50 percent of the owners of land in the area;

13. the governing body of the municipality that proposes to annex an area under subchapter C-5 must, among other things, follow procedures that are similar to (10), above;
14. with certain very limited exceptions, beginning September 1, 2017, a city may not enter into a strategic partnership agreement that provides for limited purpose annexation;
15. with certain very limited exceptions, beginning September 1, 2017, the following cities may not annex an area for the limited purposes of applying their planning, zoning, health, and safety ordinances in the area: (a) a city wholly or partly located in a county with a population of 500,000 or more; or (b) a city wholly located in one or more counties each with a population of 500,000 or less that proposes to annex an area in a county with a population of 500,000 or more;
16. a city wholly or partly located in a county with a population of 500,000 or more may by ordinance annex a road or the right-of-way of a road on request of the owner of the road or right-of-way or the governing body of the political subdivision that maintains the road or right-of-way under the procedures applicable to a municipality wholly located in one or more counties each with a population of less than 500,000;
17. disannexation for a claim of failure to provide services is made easier;
18. a city may annex an area that is noncontiguous to the boundaries of the city if the area is in the city's extraterritorial jurisdiction;
19. various exemptions from certain annexation requirements for the City of Houston are removed; and
20. subchapters C-3 through C-5, described above, do not affect the procedures in current law applicable to a certain defense community.

**H.B. 445 (Frank) – Wind Energy:** would, among other things, provide that a city may not enter into a tax abatement agreement for property where a wind-powered energy device is installed or constructed if the property is located within 30 nautical miles of the boundaries of a military aviation facility in Texas.

**H.J.R. 16 (Guillen) – Sporting Goods Sales Tax:** would amend the Texas Constitution to require the net revenue received from the collection of the sporting goods sales tax to be automatically appropriated to the Texas Parks and Wildlife Department and the Texas Historical Commission.

**H.J.R. 23 (Raymond) – Eight-Liners:** would propose an amendment to the Texas Constitution to provide that: (1) the Legislature by law may authorize and regulate the operation of the gaming devices commonly known as eight-liners or similar gaming devices; (2) a law enacted under the amendment must allow the qualified voters of any county, justice precinct, or city to determine by a majority vote of the qualified voters voting on the question at an election whether eight-liners may be legally operated in the county, justice precinct, or city; (3) the Legislature may impose a fee on the devices or authorize a political subdivision to impose a fee on the devices; and (4) the Legislature may determine the rate of the fee and the allocation of the



revenue from the fee notwithstanding any other provision of the Texas Constitution governing the rate or allocation of occupations taxes.

**S.B. 95 (Hall) – Raw Milk:** would, among other things: (1) authorize the sale of raw milk by a raw milk permit holder at their business, a consumer’s residence, or a farmers’ market under certain circumstances; and (2) prohibit a local health authority from mandating a specific method for complying with temperature requirements for milk.

**S.B. 100 (Hall) – Texas Enterprise Fund:** would abolish the Texas Enterprise Fund.

**S.B. 105 (Hall) – Event Trust Funds:** would abolish the Pan American Games Trust Fund, the Olympic Games Trust Fund, the Major Events Reimbursement Program Fund, the Motor Sports Racing Trust Fund, and the Events Trust Fund.

**S.B. 243 (Burton) – Eminent Domain:** would provide that: (1) the bill applies only to the condemnation of property by a public entity exercising its eminent domain authority to take a residence homestead that is located outside the territorial boundaries of the entity or a private entity exercising its eminent domain authority; (2) not later than the 30th day after the date the property owner receives a final offer from the entity, the property owner may file a petition with the commissioners court of the county for the disapproval of the condemnation; (3) if the property owner files the petition with the commissioners court, the commissioners court shall hold a hearing to determine whether to approve the condemnation of the property; and (4) the entity may not initiate a condemnation proceeding for the property unless a majority of the commissioners court approves the condemnation of the property.

**S.B. 244 (Burton) – Moving Image Industry Incentive Program:** would abolish the moving industry incentive program.

**S.J.R. 20 (Estes) – Sporting Goods Sales Tax:** would amend the Texas Constitution to provide that, for each state fiscal year, the net revenue received from the collection the sporting goods sales tax that is automatically appropriated when received to the Parks and Wildlife Department and the Texas Historical Commission and is allocated between those agencies as provided by general law.

## **Personnel**

**H.B. 88 (Martinez) – Employment Law:** would mandate that an employer that allows leave to care for a sick child must allow the use of that time to care for a foster child who resides in the same household of the employee and is under the conservatorship of the Department of Family and Protective Services.

**H.B. 158 (Dutton) – Peace Officers:** would provide that an entire grand jury proceeding shall be recorded if the person suspected or accused was employed as a peace officer at the time of the offense and the offense of which the person is suspected or accused is alleged to have been committed during the course and scope of the person’s duties as a peace officer. In addition the

bill would require that a copy of the recording or transcript shall be disclosed to the public if the grand jury finds no bill of indictment.

**H.B. 225 (Johnson of Dallas) – Employment Law:** would provide that an employer, employment agency, and labor organization could not discriminate against a person because of their sexual orientation or gender identity or expression.

**H.B. 228 (S. Thompson) – Employment Discrimination:** would: (1) extend the statute of limitations on pay discrimination claims to include every instance an individual is paid based on a past discriminatory decision made by an employer; and (2) allow back pay and benefit damages for up to two years preceding the date of filing a complaint for pay discrimination.

**H.B. 285 (Alonzo) – Employment Law:** would provide that the minimum wage is not less than the greater of \$15.00 an hour or the current federal minimum wage.

**H.B. 290 (E. Johnson) – Employment Discrimination:** would: (1) prohibit an employer from including a question about wage history information on an employment application form, inquiring or considering an applicant's wage history information, or obtaining wage history information from a previous employer (unless the information is public under the Public Information Act) until a written offer of employment is made; (2) provide that an employer commits an unlawful employment practice if the employer discriminates among employees on the basis of sex by paying wages to an employee at a rate less than that at which the employer pays wages to an employee of the opposite sex for the same or substantially similar work, unless the pay is made under a seniority or merit system, a system that measure earnings by production, or a differential based on a bona fide factor other than sex; (3) provide that an employer commits an unlawful employment practice if the employer retaliates against an employee as a result of the employee's involvement in exercising his or her rights under this wage discrimination law; and (4) require an employer to post notice about this wage discrimination law and compile and maintain certain wage information for a period of at least three years.

**H.B. 334 (Collier) – Credit History:** would, among other things,: (1) prohibit an employer from requiring an applicant or employee to submit a credit report or authorize access to a credit report or credit history as a condition of employment; (2) prohibit the discharge, discipline, discrimination against, or denial of employment or promotion on the basis of the credit report or because the employee or applicant refused to authorize access to the credit report; (3) provide administrative penalties for employers that commit violations concerning prohibited use of the credit information; (4) provide that the employee or applicant aggrieved by the violation of the prohibited use of the credit information may bring a civil action against the employer in district court in the county in which the alleged violations occurred or in which the alleged violator's residence or principal place of business is located; (5) provide that the Texas Workforce Commission may bring a civil action to restrain an employer's violations of prohibited use of credit information; and (6) exempt peace officers from the bill's prohibitions.

**H.B. 381 (Collier) – Workers' Compensation:** would waive a city's immunity for workers' compensation claims up to the liability limits in the Tort Claims Act.

**H.B. 443 (Walle) – Personnel:** would require a public employer, including a city, to provide a place, other than a bathroom (whether single or multiple user), for an employee to express breast milk.

**H.B. 473 (Moody) – First Responders’ Workers’ Compensation:** would apply to, among others, fire fighters and police officers in non-civil-service cities and would provide that: (1) an employer may not discharge, indefinitely suspend, or terminate them from employment based on their inability to perform the duties for which they were elected, appointed, or employed because of an injury before the person is certified as having reached maximum medical improvement under workers’ compensation; (2) an employer who violates the prohibition in (1) is liable for reasonable damages incurred by the person as a result of the violation and is entitled to reinstatement in the former position of employment; and (3) sovereign immunity is waived for purposes of the bill.

**S.B. 85 (Hall) – Verification of Employment:** would: (1) require any entity (including a city) that contracts with the state for goods or services or receives a grant from a state agency to enroll in E-Verify or otherwise verify the employment authorization status of all new employees; and (2) require a city that issues or renews a license (i.e., acts as a licensing authority) to suspend the license upon receipt of a final order from the Texas Workforce Commission that the licensee knowingly employed persons not lawfully present in the state.

**S.B. 191 (Garcia) – Mandated Leave:** would provide that a non-exempt employee who works for an employer with more than 25 employees at a single location, including a city, is entitled to certain leave to participate in academic, disciplinary, and other activities of a child or grandchild.

**S.B. 223 (Menendez) – Employment Compensation:** would expand the remedies available for discrimination in payment of compensation.

**S.B. 229 (Menendez) – Employment Law:** would provide that: (1) an employer shall pay to each employee not less than the greater of \$10.10 an hour or the current federal minimum wage; and (2) repeal the prohibition against a city adopting a higher minimum wage for persons living within the city. (See **S.J.R. 22**, below.)

**S.J.R. 22 (Menendez) – Employment Law:** would propose an amendment to the Texas Constitution that would, with certain exceptions, provide that an employer in this state shall pay to an employee for services performed by the employee not less than the greater of \$10.10 an hour or the current federal minimum wage. (See **S.B. 229**, above.)

### **Public Safety**

**H.B. 56 (Flynn) – Licensed Carry:** would authorize a first responder to carry a handgun essentially anywhere if the first responder: (1) holds a license to carry a handgun; and (2) is engaged in the actual discharge of official duties.

**H.B. 57 (Flynn) – Local Control:** would repeal city authority to require only pasteurized milk and pasteurized milk products to be sold at retail in that city.

**H.B. 62 (Craddick) – Cell Phone Ban:** would: (1) require driver education training to include information on the effect of using a wireless communication device or engaging in other actions that may distract a driver; (2) increase the penalty for a person younger than 18 years of age who uses a wireless communications device while driving in certain circumstances; (3) with certain exceptions, prohibit a driver from using a wireless communication device to read, write, or send an electronic message while operating a motor vehicle unless the vehicle is stopped; (4) prohibit a peace officer who stops a vehicle for an alleged violation of (3), above, from taking possession of or inspecting the device unless authorized by state law; and (5) prohibit the assignment of points under the Driver Responsibility Program when a person is convicted of texting while driving.

**H.B. 73 (Guillen) – Drug Possession:** would create a defense to prosecution for drug possession crimes, if the individual: (1) requested emergency medical assistance in response to the possible controlled substance overdose of another person; (2) was the first person to make a request for medical assistance; (3) remained on the scene until the medical assistance arrived; and (4) cooperated with medical assistance and law enforcement personnel.

**H.B. 81 (Moody) – Marijuana:** would make possession of less than one ounce of marijuana a civil offense; and would also make the identity of a person cited or found liable for a civil marijuana penalty confidential under the Public Information Act. (Companion bill is **S.B. 170** by **Rodriguez**.)

**H.B. 82 (Dutton) – Drug Offenses:** would reduce to a class C misdemeanor the penalty for possession of one ounce or less of marijuana or a synthetic cannabinoid.

**H.B. 99 (Keough) – Firearms:** would provide that: (1) the bill applies to state agencies and political subdivisions, including the governing body of a city, an officer or employee of the city, the municipal attorney, the municipal police department, or “other body that is part of a city;” (2) an entity described in (1), above, may not: (a) adopt a rule, order, ordinance, or policy under which the entity enforces, or by consistent action allows the enforcement of, a federal statute, order, rule, or regulation enacted on or after September 1, 2017, that purports to regulate a firearm, a firearm accessory, or firearm ammunition if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation, such as a capacity or size limitation, a registration requirement, or a background check, that does not exist under state law; or (b) receive state grant funds if the entity adopts a rule, order, ordinance, or policy under which the entity enforces any federal law described by (a) or, by consistent actions, allows the enforcement of any federal law described by (a); (3) any citizen may file a complaint with the attorney general if the citizen offers evidence to support an allegation that the entity has violated the bill and authorize the attorney general to seek legal remedies if the complaint is valid; and (4) a person who knowingly violates the bill commits a class A misdemeanor.

**H.B. 106 (Martinez) – Drones:** would repeal the provision allowing an unmanned aircraft to capture an image of real property or a person on real property that is within 25 miles of the United States border.

**H.B. 110 (Krause) – Firearms:** would, among other things: (1) prohibit the state or a political subdivision of the state from contracting with or in any other manner providing assistance to a federal agency or official with respect to the enforcement of a federal statute, rule, or regulation purporting to regulate a firearm, a firearm accessory, or firearm ammunition if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation that does not exist under the laws of this state; and (2) provide that the attorney general shall defend any agency or political subdivision of the state if the federal government attempts to sue or prosecute it based on the bill's requirements.

**H.B. 113 (Keough) – Automated Traffic Control Systems:** would: (1) prohibit a city from implement or operating an automated traffic control system; (2) provide civil penalties for a city that implements or operates an automated traffic control system; and (3) repeal the Transportation Code chapter providing authority for red light camera systems.

**H.B. 121 (Keough) – Red Light Cameras:** would prohibit the county assessor-collector or Texas Department of Motor Vehicles from refusing to register a motor vehicle with outstanding civil penalties for a red light camera violation. (Companion bill is **S.B. 87** by **Hall**.)

**H.B. 130 (Dutton) – Drug Offenses:** would reduce the penalty for certain offenders for possession of a small amount of certain controlled substances.

**H.B. 134 (Dutton) – Peace Officer Training Committee:** would create a committee of state senators and representatives to review the peace officer training programs overseen by the Texas Commission on Law Enforcement.

**H.B. 155 (Schaefer) – Asset Forfeiture:** would require the state to prove by a preponderance of the evidence that certain contraband forfeiture exceptions do not apply to property. (Under current law, the owner or interest holder of property has the burden to prove, by a preponderance of the evidence, that the property should not be forfeited.)

**H.B. 160 (Lucio) – Cell Phone Ban:** this bill is the same as **H.B. 62**, above.

**H.B. 178 (Lucio) – Vehicle Financial Responsibility:** would: (1) require a peace officer/law enforcement agency to: (a) impound a motor vehicle when the vehicle is involved in an accident and the operator fails to maintain evidence of financial responsibility; (b) provide a written explanation as to how the owner may recover the vehicle; and (c) send notice of the impoundment to the lienholder and owner; (2) provide the conditions under which an impounded vehicle may be released to the owner; (3) allow an impounded vehicle to be released to a lienholder if the owner does not, before the 61st day after impoundment, comply with the conditions for release of the vehicle; and (4) provide for the forfeiture of an impounded vehicle and authorize sale by auction.

**H.B. 183 (Dutton) – Discrimination:** would prohibit the denial of housing, employment, or a professional license to an individual who has received a dismissal and discharge after successfully completed community supervision, if the individual is otherwise entitled or qualified.

**H.B. 191 (Bernal) – Licensed Carry:** would provide that, in relation to the notice required to prohibit licensed carry (e.g., “30.06” and “30.07” signs): (1) the Department of Public Safety (DPS) shall adopt rules that prescribe the size of a sign and the lettering on the signs; (2) the rules may not require that the signs be larger than 8.5 inches by 11 inches for each language in which the sign must be posted; (3) DPS by rule shall adopted a Spanish translation of the language required to be on the signs; and (4) DPS shall make available on its website a printable copy of the English and Spanish versions of the signs.

**H.B. 207 (Springer) – Sex Offenders:** would: (1) define “child safety zone” as premises where children commonly gather, including a school, day-care facility, playground, public or private youth center, public swimming pool, video arcade facility, or other facility that regularly holds events primarily for children; (2) exclude a church from the definition of child safety zone; (3) authorize the governing body of a general law city by ordinance to restrict a registered sex offender from going in, on, or within a specified distance of a child safety zone in the city; (4) create an affirmative defense to prosecution of an offense under the ordinance that the registered sex offender is in, on, or within a specified distance of a child safety zone for a legitimate purpose, including transportation of a child that the registered sex offender is legally permitted to be with, transportation to and from work, and other work-related purposes; (5) limit the distance imposed by ordinance under (3), above, to, 1,000 feet; (6) require an ordinance to establish procedures for a registered sex offender to apply for an exemption from the ordinance; and (7) require the ordinance to exempt a registered sex offender who established residency in a residence located within the specified distance of a child safety zone before the date the ordinance is adopted.

**H.B. 229 (Canales) – Custodial Interrogations:** would: (1) require a law enforcement agency to make a complete, contemporaneous, audio or audiovisual electronic recording of a custodial interrogation that occurs in a place of detention and is of a person suspected of committing or charged with certain crimes; (2) exempt the recording described in (1), above, from public disclosure; (3) provide that evidence from an interrogation by a federal or out-of-state law enforcement agency is not admissible in a criminal proceeding unless it complies with that agency’s custodial interrogation procedures; (4) require preservation of the electronic recording of a custodial interrogation for a specified time; and (5) provide that an oral, sign language, or written statement of an accused made as a result of a custodial interrogation is admissible without an electronic recording if the attorney introducing the statement shows good cause for the lack of recording.

**H.B. 235 (Johnson) – Grant Program:** would establish a grant program for law enforcement agencies that comply with requirements to report officer-involved injuries or deaths.

**H.B. 234 (Anchia) – Licensed Carry:** would clarify that: (1) the attorney general has the authority under existing law to investigate the unlawful posting of a 30.07 (open carry

prohibited) sign; and (2) a governmental entity that owns or leases premises is prohibited from posting notice that licensed carry is not allowed only if it actually occupies the premises.

**H.B. 245 (Johnson) – Law Enforcement:** would provide that the attorney general shall conduct an investigation after receiving a report or other information that a law enforcement agency failed to submit a report required for certain injuries or death caused by peace officer. The bill would further provide that, if the attorney general determines that the law enforcement agency intentionally failed to submit the report, the law enforcement agency is not eligible to receive a grant from the criminal justice division of the governor’s office for the 12-month period following the date on which the office makes the determination.

**H.B. 246 (Anchia) – Licensed Carry:** would provide that, in relation to the notice required to prohibit licensed carry (e.g., “30.06” and “30.07” signs), the words “Pursuant to Section 30.06, Penal Code, Concealed Carry of Handguns Prohibited” and/or “Pursuant to Section 30.07, Penal Code, Open Carry of Handguns Prohibited,” along with a pictogram that shows a handgun within a circle and a diagonal line across the handgun, provide sufficient notice to a license holder that carrying is prohibited on the premises.

**H.B. 255 (Anchia) – Licensed Carry:** would: (1) prohibit a person who holds a license to carry a handgun from carrying on the premises or property of an indoor or outdoor arena, stadium, golf course, automobile racetrack, amphitheater, auditorium, theater, museum, zoo, civic center, or convention center, unless the license holder is a participant in an event conducted at the facility and a handgun is used in the event; and (2) provide that the prohibition in (1) is not effective without proper notice.

**H.B. 272 (S. Thompson) – Human Trafficking Training:** would require an applicant for a commercial driver’s license to provide proof that the applicant successfully completed a recognition and prevention of human trafficking course. (Companion bill is **S.B. 128** by **Garcia**.)

**H.B. 275 (Gonzales) – Driver Responsibility Program:** would repeal the driver responsibility program. (Companion bills are **S.B. 90** by **Hall** and **H.B. 67** by **White**.)

**H.B. 281 (Howard) – Evidence Collection Kits:** would require the Department of Public Safety to develop and implement a statewide electronic tracking system for evidence collection kits used to collect and preserve evidence of a sexual assault.

**H.B. 282 (Anchia) – Licensed Carry:** would provide that any institution of higher education (as opposed to only a private institution under current law) may prohibit concealed carry on its campus. (Companion bill is **H.B. 391** by **Howard**.)

**H.B. 305 (Minjarez) – Bullying:** would provide that the principal or principal’s designee of public, private, or secondary school shall make a report to any municipal police department in which the school is located if the principal has reasonable grounds to believe that a student engaged in conduct that constitutes an offense of assault or cyberbullying. (Companion bill is **S.B. 180** by **Menendez**.)

**H.B. 306 (Minjarez) – Bullying:** would provide that the principal or principal’s designee of public, private, or secondary school shall make a report to any municipal police department in which the school is located if the principal has reasonable grounds to believe that a student engaged in conduct that constitutes an offense of assault or cyberbullying. (Companion bill is **S.B. 179** by **Menendez**.)

**H.B. 323 (Canales) – Asset Forfeiture:** would require: (1) a law enforcement agency that seizes property to reimburse the owner or interest holder for court costs, storage fees, and reasonable attorney’s fees if a court determines the property is not subject to forfeiture; and (2) the agency to use certain funds received from forfeited property to pay the owner or interest holder.

**H.B. 324 (Canales) – Grand Jury Proceedings:** would: (1) require that an entire grand jury proceeding be recorded if the accused person is employed by the state or a political subdivision of the state and the offense is alleged to have been committed during the course and scope of the person’s duties as an employee; and (2) make the recording in (1), above, subject to public release if the grand jury finds no bill of indictment.

**H.B. 344 (Canales) – Asset Forfeiture:** would raise the state’s burden of proof from “preponderance of the evidence” to “clear and convincing evidence” in proceedings related to the seizure of property as a substitute for contraband, and in certain other forfeiture hearings.

**H.B. 348 (Canales) – Asset Forfeiture:** would: (1) provide that property that is contraband is not subject to seizure and forfeiture if: (a) the property is not otherwise unlawful to possess; and (b) the property would not be admissible as evidence in the prosecution of the underlying offense; and (2) limit the evidence that may be presented by the state in a forfeiture proceeding to that evidence that could be presented in the prosecution of the underlying offense giving rise to the forfeiture.

**H.B. 355 (Raney) – Sex Offenders:** would prohibit a registered sex offender from residing on the campus of a public or private institution of higher education.

**H.B. 359 (Cyrrier) – Motor Vehicle Sales Tax Exemption:** would exempt the purchase of an emergency medical services chief or supervisor vehicle from the motor vehicle sales tax when purchased by an entity that has an agreement with a local governmental entity to provide emergency ambulance services.

**H.B. 375 (Stickland) – Handguns:** would provide that: (1) a person who is not otherwise prohibited by law may, without a license, openly carry a handgun; (2) a person under (1) may not openly carry a handgun in certain places, including on the premises where a meeting of a governmental entity is taking place if proper notice is given (and most other places a person who is licensed to carry under current law may not carry); (3) a city may not regulate the carrying of a firearm at a public park or parade, rally, or political meeting in the city; (4) a person who is not otherwise prohibited by law may, without a license, concealed carry a handgun on a college campus; (5) the mere possession or carrying of a handgun, openly or concealed, with or without



a license, shall not constitute reasonable belief for a peace officer to disarm or detain an otherwise law-abiding person; and (6) the holder of a license to carry may have a defense to prosecution for carrying a handgun on the premises of a court or polling place, among others (current law prohibits even licensed carry on those premises).

**H.B. 387 (Murphy) – Sex Offenders:** would: (1) define “child safety zone” as premises where children commonly gather, including a school, day-care facility, playground, public or private youth center, public swimming pool, video arcade facility, or other facility that regularly holds events primarily for children; (2) exclude a church from the definition of child safety zone; (3) authorize the governing body of a general law city by ordinance to restrict a registered sex offender from going in, on, or within a specified distance of a child safety zone in the city; (4) create an affirmative defense to prosecution of an offense under the ordinance that the registered sex offender is in, on, or within a specified distance of a child safety zone for a legitimate purpose, including transportation of a child that the registered sex offender is legally permitted to be with, transportation to and from work, and other work-related purposes; (5) limit the distance imposed by ordinance under (3), above, to, 1,000 feet; (6) require an ordinance to establish procedures for a registered sex offender to apply for an exemption from the ordinance; and (7) require the ordinance to exempt a registered sex offender who established residency in a residence located within the specified distance of a child safety zone before the date the ordinance is adopted. (Companion bills are **S.B. 76** by **Nelson** and **S.B. 197** by **Nichols**.)

**H.B. 391 (D. Howard) – Licensed Carry:** this bill is identical to **H.B. 282**, above.

**H.B. 392 (D. Howard) – Licensed Carry:** would prohibit licensed carry at certain nursing facilities, hospitals, and mental health facilities.

**H.B. 401 (Villalba) – Animals and Children in Vehicles:** would: (1) limit the liability of a person who, by force or otherwise, enters a motor vehicle for the purpose of removing a vulnerable individual or a animal from the vehicle; (2) provide that a person’s conduct is justified when the person, by force or otherwise, enters a motor vehicle to remove a vulnerable individual or animal; (3) make it a Class C misdemeanor offense to leave a nonlivestock animal in a vehicle unattended by an adult and exposed to harm while confined in the vehicle; (4) not preempt a city ordinance that was more stringent as to an offense described in (3), above; and (4) provide that leaving an animal unattended in a vehicle under circumstances that expose the animal to life-threatening heat or cold without providing protection to the animal is punishable as an animal cruelty offense. (Companion bill is **S.B. 69** by **Zaffirini**.)

**H.B. 414 (Collier) – Electronic Recording of Interrogations:** would, among other things: (1) require a police department to make an audio or audiovisual electronic recording of custodial interrogations of persons suspected of or charged with felony offenses; (2) set out good cause reasons that make electronic recording infeasible; and (3) exempt the electronic recording from release under the Texas Public Information Act, except when it must be released under the law enforcement exception.

**H.B. 429 (Villalba) – Offense Against Peace Officer:** would, in some circumstances, increase the punishment for an offense committed against a person because of the person’s status as a peace officer, firefighter, or emergency medical services personnel.

**H.B. 435 (T. King) – Licensed Handgun Carry:** would provide that: (1) a governmental unit, including a city, is not liable in a civil action arising from the discharge of a handgun by an individual who is volunteer emergency services personnel and licensed to carry the handgun; (2) the discharge of a handgun by an individual described by (1) is outside the course and scope of the individual's duties as volunteer emergency services personnel; (2) the bill may not be construed to waive the immunity from suit or liability of a governmental unit; and (2) an individual described by (1) may carry a handgun essentially anywhere a peace officer may do so.

**H.B. 447 (Bell) – Licensed Handgun Carry:** would provide that: (1) a person with control over the premises of a business who forbids entry by a license holder with a handgun is liable for damages that could have been prevented by the otherwise lawful use of a handgun by a license holder who would otherwise have carried a handgun onto the premises; and (2) a person with control over the premises of a business who allows entry by a license holder with a handgun is not liable based solely on that permission for damages arising from the lawful carrying of a handgun on the premises. (It is unclear how the bill would apply to cities because it does not define “business.”)

**H.B. 465 (Anchia) – Licensed Handgun Carry:** would expand the current prohibitions against a license holder carrying: (1) near a school to include the “campus and grounds” of the school; and (2) in an amusement park to include a park of at least 10 acres that has security guards at all times.

**H.B. 466 (Anchia) – Licensed Handgun Carry:** would provide that a city over 750,000 population may hold an election on the question of whether the city can adopt an ordinance to prohibit a person who holds a license to carry a handgun from carrying in that city.

**H.B. 478 (Israel) – Animals and Children in Vehicles:** would, in certain circumstances, limit the liability of a person who, by force or otherwise, enters a motor vehicle for the purpose of removing a vulnerable individual or a domestic animal from the vehicle.

**H.B. 479 (Metcalf) – Traffic Enforcement Cameras:** would prohibit a local authority from implementing or operating an automated traffic control system with respect to a highway or street under its jurisdiction.

**H.B. 497 (Rinaldi) – Licensed Handgun Carry:** would provide that the owner or operator of a business on the premises of which the carrying of a handgun is not otherwise unlawful is immune from civil liability with respect to any claim that is based on the owner's or operator's failure to exercise the option to forbid the carrying of handguns on the premises by customers or employees. (It is unclear how the bill would apply to cities because it does not define “business.”)

**S.B. 31 (Zaffirini) – Cell Phone Ban:** this bill is the same as **H.B. 62** and **H.B. 160**, above.

**S.B. 67 (Zaffirini) – Cell Phone Ban:** would: (1) require driver education training to include information on the effect of using a wireless communication device or engaging in other actions that may distract a driver; (2) with certain exceptions, prohibit a driver from using a wireless communication device while operating a motor vehicle unless: (a) the vehicle is stopped outside a lane of travel; or (b) the operator is at least 18 years old and the wireless device is used with a hands-free device; (3) prohibit the operator of a passenger bus with a minor on board from using a wireless communication device; and (4) preempt all city ordinance, rules, or regulations related to the use of a wireless communication device by the operator of a motor vehicle.

**S.B. 69 (Zaffirini) – Animals and Children in Vehicles:** would: (1) limit the liability of a person who, by force or otherwise, enters a motor vehicle for the purpose of removing a vulnerable individual or a animal from the vehicle; (2) provide that a person’s conduct is justified when the person, by force or otherwise, enters a motor vehicle to remove a vulnerable individual or animal; (3) make it a Class C misdemeanor offense to leave a nonlivestock animal in a vehicle unattended by an adult and exposed to harm while confined in the vehicle; (4) not preempt a city ordinance that was more stringent as to an offense described in (3), above; and (4) provide that leaving an animal unattended in a vehicle under circumstances that expose the animal to life-threatening heat or cold without providing protection to the animal is punishable as an animal cruelty offense.

**S.B. 76 (Nelson) – Sex Offenders:** would: (1) define “child safety zone” as premises where children commonly gather, including a school, day-care facility, playground, public or private youth center, public swimming pool, video arcade facility, or other facility that regularly holds events primarily for children; (2) exclude a church from the definition of child safety zone; (3) authorize the governing body of a general law city by ordinance to restrict a registered sex offender from going in, on, or within a specified distance of a child safety zone in the city; (4) create an affirmative defense to prosecution of an offense under the ordinance that the registered sex offender is in, on, or within a specified distance of a child safety zone for a legitimate purpose, including transportation of a child that the registered sex offender is legally permitted to be with, transportation to and from work, and other work-related purposes; (5) limit the distance imposed by ordinance under (3), above, to, 1,000 feet; (6) require an ordinance to establish procedures for a registered sex offender to apply for an exemption from the ordinance; and (7) require the ordinance to exempt a registered sex offender who established residency in a residence located within the specified distance of a child safety zone before the date the ordinance is adopted.

**S.B. 86 (Hall) – Handguns:** would provide that an owner of property on which the carrying of a handgun is not otherwise unlawful is immune from civil liability with respect to any claim that is based on the property owner’s failure to exercise the option to forbid the carrying of handguns on the property, unless the liability arises from a willful or wanton act or gross negligence by the owner.

**S.B. 87 (Hall) – Red Light Cameras:** this bill is identical to **H.B. 121** by **Keough**, above.

**S.B. 88 (Hall) – Traffic Enforcement Cameras:** would: (1) prohibit a local entity from implementing or operating a photographic traffic signal enforcement system with respect to a highway or street under the jurisdiction of the entity (with certain on-site law enforcement and toll exceptions); (2) authorize the attorney general to enforce (1), above; and (3) prohibit a local entity from issuing a civil or criminal charge or citation for an offense or violation based on a recorded image produced by a photographic traffic signal enforcement system (with certain on-site law enforcement and toll exceptions).

**S.B. 90 (Hall) – Driver Responsibility Program:** would repeal the Texas driver responsibility program.

**S.B. 91 (Hall) – Law Enforcement:** would provide that: (1) a law enforcement agency may use an automatic license plate reader; (2) any images or related data produced may be used only for: (a) investigating a criminal offense; or (b) investigating a report of a missing person; and (3) all images and data produced shall be destroyed not later than the seventh day after the date of collection unless the images or data is evidence in a criminal investigation or prosecution.

**S.B. 93 (Hall) – Firearms:** would provide that: (1) the bill applies to state agencies and political subdivisions, including the governing body of a city, an officer or employee of the city, the municipal attorney, the municipal police department, or “other body that is part of a city;” (2) an entity described by (1) may not use public funds to enforce a federal statute, order, rule, or regulation or an international law purporting to regulate a firearm, a firearm accessory, or firearm ammunition, or the carrying of those items, if the federal statute, order, rule, or regulation or international law imposes a prohibition, restriction, or other regulation, such as a capacity, size, or configuration limitation, that does not exist under the laws of this state; (3) an entity may not receive state grant funds if the entity adopts a rule, order, ordinance, or policy under which the entity requires the enforcement of any federal statute, order, rule, or regulation or an international law or if the entity, by consistent actions, requires the enforcement of any federal statute, order, rule, or regulation or an international law; (4) state grant funds for the entity shall be denied for the fiscal year following the year in which a final judicial determination in an action brought under the bill is made that the entity has intentionally required the enforcement of any federal statute, order, rule, or regulation or an international law; (5) any citizen residing in the jurisdiction of an entity may file a complaint with the attorney general if the citizen offers evidence to support an allegation that the entity has violated the bill; (6) if the attorney general determines that a complaint is valid, the attorney general may file a petition for a writ of mandamus or apply for other appropriate equitable relief in a district court in Travis County or in a county in which the principal office of the entity is located to compel the entity to comply with the bill; and (7) the attorney general shall defend any entity described by (1) that the federal government attempts to sue or prosecute for an action or omission consistent with the requirements of this section.

**S.B. 106 (Hall) – Eight Liners:** would clarify that eight liners are illegal gambling devices.

**S.B. 111 (Huffines) – Traffic Enforcement Cameras:** would: (1) with the exception of tollway enforcement, prohibit the state or a political subdivision from issuing a civil or criminal charge or citation for an offense or violation based on a recorded image produced by a photographic

traffic enforcement system; and (2) repeal a Transportation Code provision that defines “regulating” to include criminal, civil, and administrative enforcement, and thereby, potentially impact the enforcement authority of cities over various activities on a highway under the jurisdiction of the city.

**S.B. 128 (Garcia) – Human Trafficking Training:** this bill is identical to **H.B. 272**, above.

**S.B. 156 (Hinojosa) – Asset Forfeiture:** would: (1) raise the state’s burden of proof from “preponderance of the evidence” to “clear and convincing” in certain criminal asset forfeiture proceedings; and (2) limit: (a) the transfer of and forfeitable property to the federal government; and (b) cooperation in federal forfeiture actions.

**S.B. 170 (Rodriguez) – Marijuana:** would make: (1) possession of less than one ounce of marijuana a civil offense; and (2) the identity of a person cited or found liable for a civil marijuana penalty confidential under the Public Information Act. (Companion bill is **H.B. 81** by **Moody**.)

**S.B. 179 (Menendez) – Bullying:** this bill is identical to **H.B. 306**, above.

**S.B. 180 (Menendez) – Bullying:** this bill is identical to **H.B. 305**, above.

**S.B. 183 (Uresti) – E-Cigarettes and Cigarettes:** would raise the legal age to purchase tobacco products from 18 to 21 years of age.

**S.B. 188 (Uresti) – Animals in Vehicles:** would: (1) limit the civil liability of a person who, under certain circumstances, enters a motor vehicle for the purpose of removing a domestic animal from the vehicle; (2) provide that a person’s conduct is justified when the person, by force or otherwise, enters a motor vehicle to remove a domestic animal in order to avoid imminent harm to the animal; and (3) provide that the offense of animal cruelty includes depriving an animal of adequate ventilation or exposing an animal to prolonged and life-threatening heat or cold.

**S.B. 197 (Nichols) – Sex Offenders:** this bill is identical to H.B. 387, above.

**S.B. 202 (West) – Traffic Stops:** would provide that: (1) the State Board of Education and the Texas Commission on Law Enforcement enter into a memorandum of understanding that establishes each agency’s respective responsibilities in developing instruction on proper interaction with peace officers during traffic stops and other in-person encounters; and (2) require training in such interactions to ninth-graders and peace officers.

**S.B. 220 (Menendez) – Licensed Carry:** would prohibit licensed carry at certain mental health facilities.

**S.B. 227 (Huffman) – Controlled Substances:** would modify the Texas Controlled Substances Act by repealing the provision that removes a substance from the Penalty 2 Group if the Federal Drug Administration approves the substance.

**S.B. 228 (Uresti) – E-Cigarettes and Cigarettes:** would provide that a city may raise the legal age to purchase tobacco products from 18 to 21 years of age.

**S.B. 233 (Menéndez) – Law Enforcement Training:** would: (1) require the Texas Commission on Law Enforcement to establish, as part of the minimum curriculum requirements for preparatory and advanced courses and programs for schools, a statewide education and training program on proper procedures for traffic stops; and (2) require an officer to complete a program established under (1), above, not later than the second anniversary of the date the officer is licensed or the date the officer applies for an intermediate proficiency certificate, whichever is earlier.

### **Transportation**

**H.B. 321 (Canales) – Vehicle Registration:** would authorize the establishment of a voluntary statewide motor vehicle registration program to prevent transnational motor vehicle theft.

**H.B. 354 (Raney) – Transportation:** would provide that: (1) a city, on the request of an open enrollment charter school, shall hold a public hearing at least once each calendar year to consider prima facie speed limits on a highway in the municipality, including highway in the state highway system, near the school; (2) a municipality may not reject a request for a prima facie speed limit by a public or private elementary or secondary school, an open enrollment charter school, or an institution of higher education without first making a written finding stating a compelling reason for the rejection; (3) a school or institution may appeal a rejection of a request to the district court of the count in which the school or institution is located not later than the 90<sup>th</sup> day after the date the written finding is made; and (4) if district court determines that the rejection was not made for a compelling reason, the court shall grant the requested prima facie speed limit.

**H.B. 405 (Villalba) – Billboards:** would provide that, if a sign located in a city or its extraterritorial jurisdiction is required to be removed because of the widening, construction, or reconstruction of a road by the Texas Department of Transportation (TxDOT), and if relocation of the sign would be allowed under TxDOT rules but is restricted or prohibited by charter, ordinance, or a decision of the city, the city shall reimburse TxDOT for any just compensation paid to the owner or lessee of the sign in a condemnation proceeding.

**H.B. 432 (Metcalf) – Transportation Funding:** would provide that: (1) in each state fiscal year beginning on or after September 1, 2019, the comptroller shall deposit to the credit of the state highway fund a graduated percentage of the money that is received from the motor vehicle sales tax until that percentage equals 100 percent in 2028; and (2) money deposited to the credit of the state highway fund under this section may not be used for toll roads.

**S.B. 113 (Huffines) – Transportation Network Companies:** would: (1) prohibit registered sex offenders from providing passenger transportation through an online application; and (2) prohibit

cities from regulating: (a) street-hail taxicab services, (b) prearranged limo service, and (c) prearranged rides through an online application.

**S.B. 176 (Schwertner) – Transportation Network Companies:** would provide, among other things, that: (1) transportation network companies (TNCs) and drivers accessing a transportation network company's digital network (drivers) are governed exclusively by the bill; (2) a city or other local entity may not: (a) impose a tax on or require a license for a TNC or a driver; or (b) subject a TNC or driver to the city's or other local entity's rate, entry, operational, or other requirements; (3) a person may not operate a TNC without obtaining and maintaining a state permit; (4) the Texas Department of Licensing and Regulation (TDLR) shall issue a two-year permit to each applicant that meets the requirements of the bill; (5) TDLR shall collect fees from TNCs of up to \$125,000 per year, depending on the TNCs number of drivers, to obtain a permit; (6) before allowing an individual to act as a driver on, a TNC must: (a) require the individual to submit an application to the company that includes information regarding the individual's address, age, driver's license, driving history, motor vehicle registration, motor vehicle liability insurance, and other information required by the company; (b) conduct, or have a third party conduct, a local and national criminal background check for each individual that includes the use of a commercial multistate and multijurisdiction criminal records locator with primary source validation and the national sex offender registry database maintained by the United States Department of Justice; and (c) obtain and review the individual's driving record; (7) a TNC may not permit to act as a driver a person who is under 19 years of age or who has been convicted of certain criminal offenses; (8) a TNC must adopt a drug and alcohol use policy and a discrimination policy and suspend any driver who violates the policies; (9) a driver may not solicit or accept street hails; (10) a TNC shall provide passengers an opportunity to indicate whether they require a wheelchair-accessible vehicle, and – if a TNC is unable to arrange wheelchair-accessible service, the company shall direct the passenger to an alternate provider of wheelchair-accessible service – if available; and (11) taxis and limousine services are exempted from the bill.

### **Utilities and Environment**

**H.B. 98 (Martinez) – NPDES Permit:** would require the Texas Commission on Environmental Quality to publish newspaper notice of a public meeting for a National Pollutant Discharge Elimination System (NPDES) permit in the city in which the facility is located or proposed to be located.

**H.B. 173 (Lucio) – Rainwater Harvesting:** would create a rainwater harvesting license program regulated by the Texas Commission on Environmental Quality.

**H.B. 174 (Lucio) – Texas Water Development Board Funding:** would limit funding for political subdivision's water pollution control projects to the Texas Water Development Board's safe drinking water resolving fund.

**H.B. 407 (Tinderholt) – Electric Grid Protection:** would provide: (1) that the Public Utility Commission by rule shall identify and implement design standards for the electric power

transmission and distribution system to limit electromagnetic field levels and protect the transmission and distribution system; the commission by rule shall require ERCOT to consider electromagnetic field levels when determining the public need for a transmission line; (2) for the creation of the electrical power grid reliability task force to study the likely effectiveness and costs of various measures to protect and strengthen the electric power transmission and distribution system against all hazards and to prepare and submit to the governor and the legislature a report of the task force's findings and recommendations.

**H.B. 484 (Springer) – TCEQ Licensing:** would require the Texas Commission on Environmental Quality to provide all training required to qualify for or renew a license: (1) online; or (2) at a location within 100 miles of the licensee's place of employment.

**H.B. 489 (Gonzalez) – Waste Tire Dumping:** would require: (1) a seller to collect a fee on the sale of a new or used tire; (2) a seller to remit the fee collected to the comptroller; and (3) the Texas Commission on Environmental Quality to develop and implement a grant program using the fees collected to assist local law enforcement in enforcement of laws related to the illegal dumping of tires.

**H.J.R. 36 (Gonzalez) – Texas Water Development Board Funding:** would amend the Texas Constitution to authorize the Texas Water Development Board to issue additional general obligation bonds for economically distressed areas.

**S.B. 83 (Hall) – Electric Grid Security:** would: (1) establish the Electromagnetic Task Force, the Electric Grid Security Program, and the Electric Grid Security Advisory Committee; (2) provide that a municipally owned utility operating in ERCOT shall assess and report to the technological hazards unit of the Texas Division of Emergency Management the vulnerabilities the equipment, facilities, and systems the utility uses to provide power have from the following: (a) a high altitude electromagnetic pulse device; (b) geomagnetic storms; and (c) intentional electromagnetic interference; (3) provide that a municipal owned utility operating in ERCOT shall complete enhancements to transformers, control centers, substations, and other equipment sufficient to comply with a list of standards, as applicable, to the equipment or facility by December 31, 2021; and (4) allow an utility to recover costs incurred in completing enhancements from the Electric Grid Security Program.

**S.B. 103 (Hall) – Plastic Bags:** would provide that: (1) a business that sells an item to a customer may provide to the customer at the point of sale a bag or other container made from any material; and (2) a city may not adopt or enforce an ordinance or regulation that purports to restrict or prohibit a business from, require a business to charge a customer for, or tax or impose penalties on a business for providing to a customer at the point of sale a bag or other container made from any material.

**S.B. 225 (V. Taylor) – Water Rights:** would prohibit the Texas Commission on Environmental Quality from referring an issue regarding a water right application to the State Office of Administrative Hearings, unless the issue is a disputed question of fact and is relevant and material to a decision on the application.