



# Legislative UPDATE

December 9, 2016  
Number 45

## **Misleading Billboard Editorial**

An editorial encouraging cities to “[upgrade their billboards for the digital age](#)” has appeared in at least two newspapers, and it may show up in your local paper soon. The author, a billboard industry lobbyist, suggests that Texas cities quickly “consider carefully crafting” digital sign agreements with sign owners or “find themselves left behind by the digital revolution.”

He urges cities to allow digital billboards because “most of the State’s largest metropolitan areas” allow them. That statement isn’t true. In fact, many Texas cities don’t allow digital billboards. A representative of Scenic Texas prepared a [factual rebuttal](#) to correct the editorial’s inaccuracies. City officials who are interested in billboards should take a look.

## **Playing Offense in Support of Municipal Bonds**

As the lame-duck session of Congress continues, the National League of Cities (NLC) co-hosted a briefing for congressional staff focused on preserving the tax-exempt status of municipal bonds. Moderated by NLC executive director Clarence Anthony, this was the first in a series of intergovernmental policy briefings focused on educating congressional staff about the intricate and important partnership between the federal, state, and local levels of government.

During the briefing, the message from the panel came through loud and clear: tax-exempt bonds that fund a majority of local infrastructure cannot be capped, diminished, or dismantled as a part of a federal tax reform package likely coming in fiscal year 2017. One effort underway in the House to address these challenges is the ongoing work of the Congressional Municipal-Finance Caucus. NLC has been one of the biggest proponents of the Caucus, Co-Chaired by Representatives Randy Hultgren (R - Illinois) and Dutch Ruppersberger (D – Maryland) and its efforts to present a united front against any effort to alter the tax-exempt status of municipal

bonds. The Caucus believes in equipping and empowering local government with the tools to thrive - a goal that mirrors NLC's mission.

The next Congress has an opportunity to work with local officials to ensure that cities can continue leading the country to a brighter, more successful future for all Americans. By becoming a member of the caucus, your representative can join our fight to protect this critical tool for local governments to rebuild and improve America's infrastructure.

*\*The edited article above was reprinted with permission from the National League of Cities.*

## **City-Related Bills Filed**

Each week, League staff summarizes in this section the city-related bills filed during the previous week. For a cumulative list of all city-related bills filed to date, click [here](#).

### **Property Tax**

**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.

### **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.

### **Purchasing**

**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. 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.

## **Open Government**

No open government bills were filed this week.

## **Other Finance and Administration**

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

**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.

## **Municipal Courts**

**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**

No community and economic development bills were filed this week.

## **Personnel**

**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.

## **Public Safety**

**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. 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.”)

### **Transportation**

No transportation bills were filed this week.

### **Utilities and Environment**

**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.

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