

**89th Texas Legislative  
Session**



# **CITY OF EL PASO STATE LEGISLATIVE AGENDA**



**Strategic and Legislative Affairs**



# INTRODUCTION

The City of El Paso's State Legislative Agenda reflects the City's policy priorities that enable us to continue our mission of delivering exceptional services to support a high quality of life for our community.

This State Legislative Agenda serves as a guiding document for the Strategic and Legislative Affairs Team as they work with our State Delegation to secure resources and support for the El Paso community. City staff and authorized representatives will work together to secure legislators to author bills, provide testimony, and advocate for the passage of the priorities within this State Legislative Agenda throughout the 89th Texas Legislative Session. The Mayor, as the City's intra- and intergovernmental representative, will provide additional direction to the Strategic and Legislative Affairs Team on the City's position regarding specific legislation.



# GENERAL LEGISLATIVE PRIORITIES

The City of El Paso supports legislation that enhances the City's ability to solve problems and improve our community's quality of life. We will also support the legislative initiatives of the Texas Municipal League and our community partners that enhance the educational, cultural, and infrastructural resources in our region. The City works with other Texas municipalities to enhance and protect municipal authority and ensure that taxpayers are not burdened by unfunded mandates.

The City of El Paso opposes legislation that reduces the City's authority, increases the cost of providing public services, undermines the home rule principle, results in the loss of revenue, diminishes the authority of cities to regulate development, imposes unfunded mandates, or reduces municipal ordinance-making authority.

# PRIORITIES FOR THE 89TH TEXAS LEGISLATIVE SESSION

## Citywide Priorities

Support legislation that:

- a. Will expand workforce development programs to allow municipalities to access funding for upskilling and other development opportunities for city staff.
- b. Authorizes property tax exemptions at a specified dollar amount in lieu of a percentage of taxable value.
- c. Improves the Central Appraisal District's (CAD) appeal process and/or requires CAD staff and/or appraisal boards to receive additional training and/or certifications that will improve the accuracy of the appraisals of property.
- d. Allows municipalities to publish certain notices on the Internet.
- e. Provides local option tools, including legislation allowing municipalities to submit for voter approval an increase in sales tax, the amount of the sales tax increase, the sunset date of the increase, and how the additional revenue will be used.
- f. Increases accessibility for people with disabilities and reduces barriers to public facilities and transit.

Oppose legislation that:

- a. Increases the cost to the City for acquiring property or restricts the City's ability to acquire property.
- b. Imposes general preemption and/or unfunded mandates upon municipalities.

## Animal Services

Support legislation that:

- a. Allows for the flexibility of municipal-owned shelters in the provision of veterinarian services including spaying/neutering, vaccinations, and minor surgeries.
- b. Allows municipal-owned shelters to provide veterinary services to low-income and indigent pet owners and fosters.
- c. Allows shelter animals to be spayed/neutered by a veterinarian authorized to perform such procedures in Texas and neighboring states.
- d. Allows medical exemptions to be made by a veterinarian for spaying/neutering surgeries due to the health and condition of a dog or cat.



Oppose legislation that:

- a. Would impose stringent requirements and/or regulations on municipal-owned shelters or clinics that provide low-cost spaying/neutering procedures and vaccinations.

## Community and Human Development

Support legislation that:

- a. Prioritizes viable and feasible transactions for 4% LITHTC tax credit applications.
- b. Would repeal the two mile/same year rule for low-income housing tax credits or allow municipalities to approve a waiver of the rule.
- c. Provides funding and support for housing and homelessness programs.
- d. Prohibits predatory practices that harm affordable housing stock and removes or expands the 12-month limit on the Rapid Rehousing program.
- e. Would limit Housing Finance Corporations to operate only within the municipal city limits.

# Office of Climate and Sustainability

Support legislation that:

- a. Requires or enhances the use of renewable energy “buy back” programs in Texas.
- b. Creates renewable energy tax credits that complement federal renewable energy tax credits and/or tax credits for battery storage.
- c. Will advance clean energy solutions by creating incentives and rebates to encourage the use of solar panels and energy efficiency.
- d. Allocates Fund 5000 funding to projects identified by local municipalities or provides for economic incentives and support for solar and renewable energy initiatives.
- e. Deploys EVs and EV charging infrastructure throughout our community.
- f. Increases the net-metering cap for distributed energy systems and the dollars per kilowatts per hour value for electricity exported to the grid.
- g. Supports Distributed Energy Resources (DERs), including Community Solar initiatives.
- h. Increases energy efficiency goals (standards) for utilities, resulting in more energy efficiency programs for residential and commercial customers.
- i. Provides for new ways to repurpose electric car batteries and solar panels after they reach the end of their useful life.
- j. Directly addresses air quality monitoring and analysis that assist in assessing emissions levels and other air pollutants.

## Economic Development

Support legislation that:

- a. Streamlines and expands the Skills Development Fund Program to allow municipalities to access funding for training programs and/or provides for the reimbursement of companies relocating to Texas for training provided by those companies.



- b. Expands Chapters 311, 312, and 313 of the Texas Economic Development Act, as well as expanding eligibility to include back office and large-scale warehouse distribution companies.
- c. Will appropriate money for the Defense Economic Adjustment Assistance Grant (DEAAG) program to fund military value projects that strengthen Texas military installations.
- d. Preserves the full funding of Texas tourism, including the expansion or increase of the hotel occupancy tax rate for municipalities.
- e. Allows more transparency and clarity in the manner in which Texas Enterprise Funds are reviewed and awarded.
- f. Provides incentives to attract and retain medical professionals in this region.
- g. Shortens the Jobs, Energy, Technology, and Innovation Act (JETI) Process at the Texas Comptroller's Office to less than 60 days.
- h. Restores gaming rights on tribal lands.
- i. Requires the General Land Office comply with local zoning and other regulations governing development and land use when the state retains ownership in a private company.
- j. Expands the City's zoning authority authority in extraterritorial jurisdictions (ETJs).
- k. Provides for administrative approvals of 30-day subdivision approval waivers.
- l. Will incentivize new housing development.

Oppose legislation that:

- a. Would reduce or eliminate the current Event Trust Fund Program.
- b. Would harm the City's viability to compete for conventions, sporting events, and corporate relocations.



- c. Would negatively affect the City's ability to use existing economic development tools, including property tax abatement, reinvestment zones, and Chapter 380 Agreements.

## **El Paso International Airport**

Support legislation that:

- a. Will enhance the economic opportunities and development of municipal airports.
- b. Will enhance airport safety and security through responsible police policies and training to prevent human trafficking activity.
- c. Will regulate the safe use of drones and unmanned aircraft systems devices and electric vertical takeoff and landing aircraft (eVTOL) in and around secure airspace.
- d. Creates and/or retains incentive programs and strategies that encourage new air service and the retaining of air service to the City through intrastate and/or domestic regional travel.
- e. Positions El Paso and the State of Texas as a global aerospace hub to attract aerospace and aviation economic development and job creation.
- f. Will appropriate state funds raised under existing dedicated state taxes for marketing purposes and to promote Texas as a business and leisure destination as related to aviation.
- g. Encourages the growth of commercial passenger and cargo air service in Texas, including current longstanding state policies that exempt aviation fuel from sales tax.
- h. Supports workforce development through flight training, aerospace, aviation, defense, maintenance, and manufacturing programs.



- i. Increases funding to the Texas Workforce Commission's Skills Development Fund, as related to the development of aviation resources.
- j. Facilitates grant funding for the development and maintenance of airport infrastructure.
- k. Integrates the use of emerging air technologies such as air mobility products in and around commercial airspace.
- l. Will implement the recommendations delivered by the Department of Transportation's Urban Advisory Committee's Final Report (published October 2022).
- m. Identifies opportunities to leverage the Space Exploration and Aeronautics Research Trust Fund as administered by the Texas Space Commission.

Oppose legislation that:

- a. Would limit municipalities' ability to regulate peer-to-peer car sharing companies and provides an unfair competitive advantage to "gig economy," peer-to-peer, or shared economy (rental platform) services operating in the airport environment.
- b. Adversely impacts Texas airports' financial and investment operations.
- c. Adversely affect the ability of airports and owner cities to impact future legislation by disallowing certain political subdivisions from advocating before the legislature.
- d. Requires tenants provide a 90-day notice to governmental entities for the construction, alteration, or repair of a leased property under the lease terms of the Texas Government Code.



## Information Technology

Support legislation that:

- a. Addresses the digital divide disparity and expands broadband access.

Oppose legislation that:

- a. Restricts the City's ability to regulate the telecommunications industry and the ways fees are charged for the use of city right of ways.

## International Bridges

Support legislation that:

- a. Will appropriate state funding to install and/or upgrade ITS technology and traffic control improvements and measures at the Paso del Norte and Stanton Street bridges.
- b. Enhances and complements the use of ITS technology by completing the Texas Transportation Institute's Border Crossing Information System to including exploration of the potential scope expansion into Mexico via the Camino Real Regional Mobility Authority.
- c. Increases funding for Cross Border Infrastructure projects identified in the Texas Department of Transportation's (TXDOT) Texas Mexico Border Transportation Master Plan (BTMP), provides for dedicated funding sources, and extends current state transportation funding sources.
- d. Funds a defined trade corridor study of the El Paso region by TXDOT.
- e. Expands state funding, prioritizes funding for ports of entry, improvement of connectivity between and access in and out of international bridges, and provides additional funding for Texas Department of Public Safety (TDPS) bridge staffing and infrastructure, procedures, or opportunities to improve bridges and ports of entry wait times without increasing costs to the City.



## Libraries

Support legislation that:

- a. Increases state aid for public libraries.
- b. Prohibits firearm license holders from carrying firearms into libraries.

## Military and Veterans Affairs

Support legislation that:

- a. Assists military personnel and their dependents, including legislation that addresses wait times for veterans seeking care at VA clinics and medical centers and supports the mental health needs of Texas veterans.
- b. Improves workforce development programs from military personnel and veterans.
- c. Increases the allocation of the Local Government Veterans Exemption Relief awarded to qualified cities and counties that are Local Governments Disproportionately Affected by Disabled Veterans (LGDADV).
- d. Enacts licensing compacts and ensures licensing agencies make their application processes more accessible to licensed military spouses seeking to gain Texas licensure.
- e. Creates a statewide risk mitigation fund that local governments can access to offset financial losses encountered by property owners who participate in the program and serve at-risk and low-income veterans and their families.



- f. Adds 'Military Family' status as a protected class in state education, housing, public utilities, and civil rights laws.

## **Museums and Cultural Affairs**

Support legislation that:

- a. Provides funding for the Texas Commission on the Arts, including the Cultural District Program.
- b. Prohibits firearm license holders from carrying firearms into a museum, cultural center, or performing arts facility.

## **Parks and Recreation**

Support legislation that:

- a. Provides funding for the Texas State Park System and the Texas Recreation & Parks Account Local Park Grant Program.
- b. Provides for the passthrough of federal funds for parks, recreation, open space, trails, tourism, health, and wellness or creates a fair distribution of the sporting goods sales tax revenue for local and state parks and require projects to be subject to a competitive scoring system established by the Texas Parks and Wildlife Department.
- c. Expands the Texas Water Development Board's Clean Water State Revolving Fund eligibility and prioritization criteria to include water projects for green spaces.



# Planning and Development

Support legislation that:

- i. Allows municipalities to initiate the annexation of expedient Department of Defense (DOD) land if it is adjacent to a municipality's city limits at the time in which the DOD issues a declaration of expediency regarding the land.
- j.

- k. Increases the construction of missing middle housing in all zoning districts.

- l. Allows municipalities to regulate certain building aesthetics including color and materials, when related to special variance requests.

Removes parking minimums.

- m. Allows municipalities to require certain approved studies or conditions related to zoning and subdivisions.

Increases the zoning opposition threshold that triggers City Council supermajority action.

Allows counties to impose land use controls on land outside of a municipality's boundaries.

Oppose legislation that:

- a. Would further restrict municipal authority to annex land or impose more stringent requirements on a municipality's ability to annex land.
- b. Would limit municipalities' ability to collect fees based on the cost of service.
- c. Allows the construction by right of certain items including solar panels, that violate a municipality's zoning or building requirements.
- d. Amend, abolish, or repeal Section 26.03 of the Texas Tax Code related to the treatment of captured appraised value and tax increment in the calculation of ad valorem tax rates for a taxing unit.



# Public Health and Welfare

Support legislation that:

- a. Simplifies the Supplemental Nutrition Assistance Program (SNAP) application process.
- b. Continues to fund or expands funding for state and local mental health programs.
- c. Expands funding for health care programs, including women's preventative health and family planning services, chronic disease prevention, veteran health, pediatric health, behavioral health, and substance abuse programs to support the uninsured and underinsured residents of our region.
- d. Funds efforts to address public health disparities due to racial inequalities.
- e. Funds and ensures appropriate oversight and enforcement of infectious disease protocols and epidemiological responses and provides widespread testing and associated personal protective equipment for residents and staff of healthcare and testing facilities.

## Public Safety Police

Support legislation that:

- a. Expands the appropriation of funding to municipalities for the acquisition of police body cameras and data storage.
- b. Provides a dedicated funding source for specialized training through the School Marshal program or other existing programs available to school districts for the hiring of law enforcement officers or peace officers and for mental health services and community mental health programs.
- c. Establishes and funds statewide minimum standards and guidelines for school safety.
- d. Increases existing or creates new grant program funding that provides financial assistance to local government law enforcement agencies for public safety resources, particularly for border communities.
- e. Allows cities to recover costs associated with addressing blighted or abandoned properties.



Oppose legislation that:

- a. Negatively affects the City's ability to maintain public confidence, trust, and support in the fairness and integrity of the El Paso Police Department.

## Fire

Support legislation that:

- a. Exempts fire trucks and apparatuses from requiring Diesel Emissions Filter (DEF)
- b. sensors to protect the useful life of emergency vehicles.

Funds the gear and equipment changes required by the EPA's PFAS chemical bans and establishes clear guidelines for the safe disposal of PFAS-containing materials.



## Office of Emergency Management

Support legislation that:

- a. Increases and identifies funding earmarked for local government and emergency management agencies located at the border.
- b. Protects the City's ability to enforce basic health and safety standards for the public and provides frontline workers with health and safety protections, support, and education related to pandemic, natural, or other emergency responses.
- c. Provides necessary funding to serve noncitizen migrants who come to and/or through El Paso and other similar communities.
- d. Provides Border Zone Fire Departments funding for specialized equipment, maintenance, and medical supplies to support emergency services associated with the execution of border security activities.
- e. Gives continued jurisdiction to the local health authority to issue emergency orders.

- f. Provides State Homeland Security Program funding to support the preparation and response to threats and hazards to public safety, ensures that funds are equitably distributed among regional recipients, and/or gives special consideration to the risks and needs of border communities.

Oppose legislation that:

- a. Restricts the City's flexibility to effectively mitigate, prepare for, respond to, and recover from emergencies and disasters, including flooding, wildfires, extreme temperatures, immigration, and public health disasters.

## **Streets**

Support legislation that:

- a. Creates sustainable and predictable funding sources for roads and transit projects.
- b. Allows municipalities to reduce the prima facie speed limit on residential streets to 25 miles per hour without having to perform an engineering or traffic study.

## **Transportation**

Support legislation that:

- a. Eliminates the diversions of state transportation revenue to non-transportation uses.
- b. Provides more funding allocated specifically to increase TXDOT financial contributions for maintenance of landscaping located on state highways within municipalities.
- c. Amends the funding formulas used by TXDOT to ensure El Paso receives additional, equitable funding from all TXDOT sources.
- d. Expands the uses of the State Highway Fund to support multimodal transportation projects for urban communities.



- e. Will ensure increased and equitable Metropolitan Planning Organization funding for Sun Metro transit projects.

## Utilities

Support legislation that:

- a. Increases the proportion of renewable energies in the state's renewable generation requirements.
- b. Reauthorizes the Economically Distressed Areas Program for the Texas Water Development Board's Colonias projects.
- c. Enhances flood prevention and stormwater management efforts.
- d. Would eliminate or reduce reimbursements accessible through the Energy Efficiency Cost Recovery Factor.

Oppose legislation that:

- a. Removes the City's "original jurisdiction" of the rate setting process for gas and electric services or removes the City's ability to recover expenses associated with conducting or intervening in gas and electric rate cases.

## Workforce

Support legislation that:

- a. Invests in educational and job placement programs to provide support for the City's growing workforce.
- b. Enhances the City's ability to provide pension benefits to its employees and retirees.

Oppose legislation that:

- a. Negatively affects the City's public pension system, including restrictions on the City or the Pension Board's ability to manage the City's pension program and/or results in unfunded mandates for either the City or the City's pension fund.
- b. Would increase the City's pension liability unless specifically adopted by the City.



