



Item 6

# 87<sup>th</sup> Texas Legislature

Update to City Council

Goal 6: Set the standard for sound governance and fiscal management



August 16, 2021

# An update on the Special Sessions called by the Governor

- No bills passed during the First Special Session
- 17 Items Identified for Second Special Session
- 11 Items listed were on the First Special Session list
- 6 new items have been added
- Approximately 9 are city related bills
- 156 House bills filed
- 55 Senate bills filed

# Items That May Not Be City Related

- **BAIL REFORM:** Legislation reforming the bail system in Texas to protect the public from accused criminals who may be released on bail.
- **RADIOACTIVE WASTE:** Legislation reforming the laws governing radioactive waste to protect the safety of Texans, including by further limiting the ability to store and transport high-level radioactive materials in this state.
- **ABORTION-INDUCING DRUGS:** Legislation similar to Senate Bill 394 from the 87th Legislature, Regular Session, which prohibits people from providing abortion-inducing drugs by mail or delivery service, strengthens the laws applicable to the reporting of abortions and abortion complications, and ensures that no abortion-inducing drugs are provided unless there is voluntary and informed consent.
- **THIRTEENTH CHECK:** Legislation similar to House Bill 3507 from the 87th Legislature, Regular Session, relating to a “thirteenth check” or one-time supplemental payment of benefits under the Teacher Retirement System of Texas.

# Items That May Not Be City Related cont.

- **CRITICAL RACE THEORY:** Legislation similar to House Bill 3979 concerning critical race theory as originally passed by the Texas Senate in the 87th Legislature, Regular Session
- **YOUTH SPORTS:** Legislation identical to Senate Bill 29 as passed by the Texas Senate in the 87th Legislature, Regular Session, disallowing a student from competing in University Interscholastic League athletic competitions designated for the sex opposite to the student's sex at birth.
- **SOCIAL MEDIA CENSORSHIP:** Legislation safeguarding the freedom of speech by protecting social-media and email users from being censored based on the user's expressed viewpoints, including by providing a legal remedy for those wrongfully excluded from a platform.
- **FAMILY VIOLENCE PREVENTION:** Legislation similar to Senate Bill 1109 from the 87th Legislature, Regular Session, requiring schools to provide appropriate education to middle- and high-school students about dating violence, domestic violence, and child abuse, but that recognizes the right of parents to opt their children out of the instruction



# City Related Items + Council's Previous Direction

- **ELECTION INTEGRITY:** Legislation strengthening the integrity of elections in Texas.
  - Oppose bills similar to HB 3 and SB 1 filed during the first called special session. Support bills that expand voter opportunity to vote.
- **ARTICLE X FUNDING:** Legislation providing appropriations from unappropriated available revenues to the Legislature and legislative agencies in Article X of the General Appropriations Act.
  - Support bills that provide funding for Legislature and legislative agencies.
- **PRIMARY ELECTIONS:** Legislation modifying the filing periods and related election dates, including any runoffs, for primary elections held in Texas in 2022.
  - New item but Council previously indicated opposition to bills that would establish a uniform election date.

# City Related Items that May Need Council's Direction

- **EDUCATION:** Legislation providing strategies for public-school education in prekindergarten through twelfth grade during the COVID-19 pandemic, which ensures:
  - students receive a high-quality education and progress in their learning;
  - in-person learning is available for any student whose parent wants it;
  - the wearing of face coverings is not mandatory; and
  - COVID-19 vaccinations are always voluntary.
- New Item
- Based on City letter provided to the Governor, we need council to clarify direction:
  - “Oppose any bill that prevents local school districts from establishing local COVID 19 protocols based on the pandemic situation in their local community”

# City Related Items that May Need Council's Direction

- **BORDER SECURITY:** Legislation enhancing criminal laws or providing funding from unappropriated available revenues to support law-enforcement agencies, counties, and other strategies as part of Texas' comprehensive border security plan.
- No clear council direction provided since it is unclear what type of legislation would be filed
- Based on bills filed this second special session:
  - **HB 107** Relating to border security enhancement projects, a fund to pay for those projects, and a study on certain projects; allocating the earnings on the fund balance and reimbursement of related expenditures; granting the power of eminent domain.
  - **SB 29** Relating to an interstate compact on border security and immigration enforcement.

# City Related Items that May Need Council's Direction

- **BORDER SECURITY cont.**
- Other related bills filed this 2<sup>nd</sup> special session:
  - **HB 120** Relating to a credit against the ad valorem taxes imposed on property owned by a person who makes a donation to the state for the purpose of border security and reimbursement to taxing units for the revenue loss incurred as a result of the credit.
  - **SCR 2** Recognizing that the Texas-Mexico border is vital to the economy, education, and character of our state, and that the cities and counties along the Texas-Mexico border are vibrant, prosperous, diverse, and safe communities



# City Related Items that May Need Council's Direction

- **APPROPRIATIONS:** Legislation providing appropriations from unappropriated available revenues for the following purposes:
  - Property-tax relief;
  - Enhanced protection for the safety of children in Texas' foster-care system by attracting and retaining private providers for the system; and
  - To better safeguard the state from potential cybersecurity threats.
- "Support bills that expand the city's authority to provide tax relief but oppose bills that mandate what actions the city can take, lowers the appraisal cap or results in a loss of revenue."

# City Related Items that May Need Council's Direction

- **EMPLOYMENT:** Legislation shielding private employers and employees from political subdivision rules, regulations, ordinances, and other actions that require any terms of employment that exceed or conflict with federal or state law relating to any form of employment leave, hiring practices, employment benefits, or scheduling practices.
- Bills would pre-empt the city's regulating authority and is contrary to council's adopted guiding legislative principles.
- Current filed bill would prohibit city from setting terms of employment for the city's own employees.

# City Related Items that May Need Council's Direction

- **STATE LEGISLATURE:** Legislation relating to legislative quorum requirements.
- Bills proposing a constitutional amendment to require a simple majority for a quorum instead of a two-thirds majority:
  - SJR 1
  - HJR 9

# City Related Items that May Need Council's Direction

- **FEDERAL RELIEF APPROPRIATIONS:** Legislation providing appropriations from unappropriated available revenues for COVID-19-related healthcare expenses, such as those listed below, taking into consideration the approximately \$10.5 billion in funds received by local governments intended to be used on COVID-19 from the American Rescue Plan Act of 2021(ARPA), Pub. L. No. 117-2:
  - Healthcare staffing needs, including physicians, nurses, and other medical professionals;
  - Establishing, staffing, and operating alternative care sites;
  - Supporting the operations of nursing homes, state supported living centers, assisted living facilities, and long-term care facilities;
  - Vaccine administration;
  - Testing sites;
  - Supplies and equipment, such as personal protective equipment (PPE) and ventilators; and
  - Standing up and operating infusion centers.
- “Support bills that provide additional funding to local governmental entities and communities for COVI-19 related expenses.”





Questions?



## Mission

Deliver exceptional services to support a high quality of life and place for our community



## Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



## Values

Integrity, Respect, Excellence, Accountability, People