

2019 STATE LEGISLATIVE UPDATE

Intergovernmental Relations Office
Brie L. Franco



INTERGOVERNMENTAL
RELATIONS OFFICE

2019 TEXAS LEGISLATURE: BY THE NUMBERS

Year	Total Bills Introduced	Total Bills Passed	City-Related bills introduced	City-Related bills passed
76 th -1999	5,813	1,622	1,230+	130+
...
84 th -2015	6,476	1,329	1,900+	220+
85 th -2017	6,800	1,208	2,500+	294
86th-2019	7,324	1,429	2,300+	338

- **3,970** Bills/JR's filed in last 10 business days before filing deadline (54%)
- **1,296** Bills/JR's tracked by IGRO
- Since the 84th session, there has been a **21% increase** in city-related bills introduced and a **54% increase** in city-related bills passed.



THE AGENDAS

Abbott

- **Property tax reform**, school finance reform, school safety, mental health, and disaster response

Patrick

- **Property tax reform**, free market protection, and taxpayer funded lobbying

Bonnen

- **Property tax reform**, school finance reform, school safety, and combating human trafficking



TEXAS LEGISLATURE LENS: PRIORITY ISSUES

Austin Water	Austin Energy	Revenue Caps	Cable Fees
Super Preemption	Annexation Part II: ETJ Regulation	No City Lobbying	Bathrooms
Zoning / Short- term Rentals	Employees' Rights and Benefits	Red Light Cameras	Planned Parenthood



REVENUE CAPS

- Reduces the rollback rate from 8% to 3.5% effective January 1, 2020
 - Election required to exceed 3.5%
- Applies to cities with populations greater than 30,000.
- City may not decrease the compensation in FY 2020 to which a first responder was entitled to in the preceding year
- 8% voter-approval rate still applies to all special taxing units:
 - a taxing unit other than a school district for which the maintenance and operations tax rate proposed for the current tax year is 2.5 cents or less per \$100 of taxable value;
 - a junior college district; or
 - a hospital district.

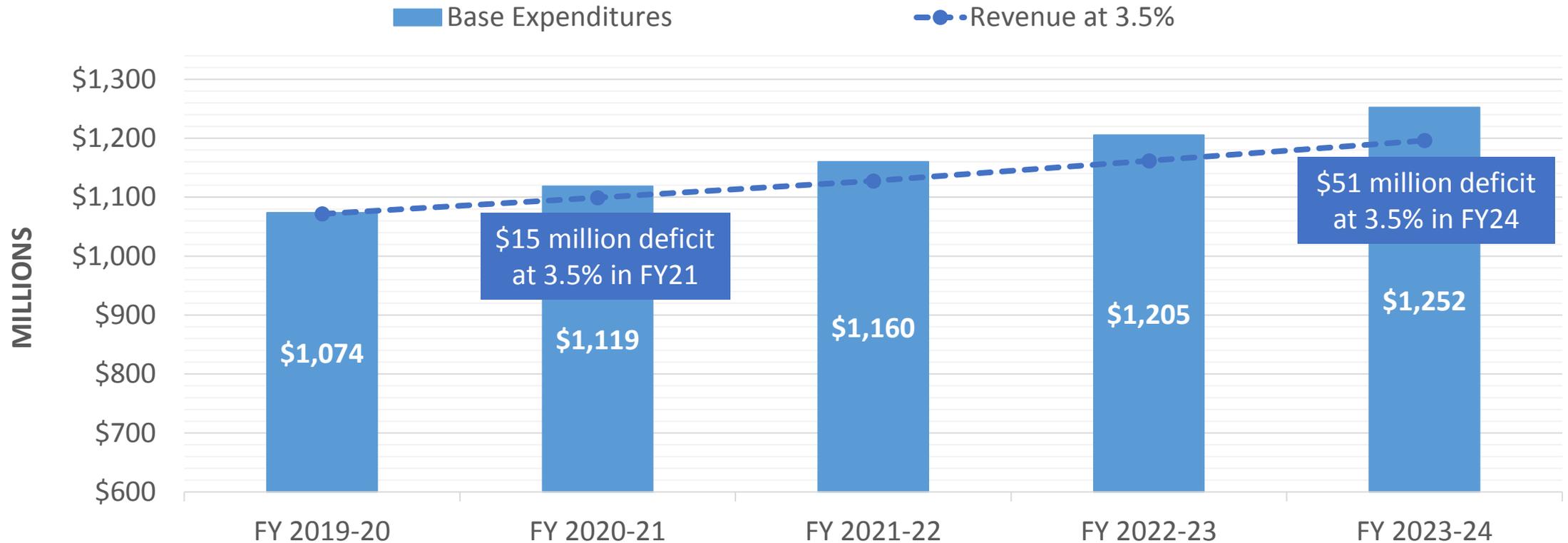


CABLE FRANCHISE FEES: SB 1152

- SB 1152 mandates that the City may collect either a telecommunications or cable franchise fee from companies that provide both services, whichever is greater; the City currently collects both fees
- \$4 million reduction in City revenues in FY 2020; \$5.6 million annual reduction in subsequent years
- Law becomes effective September 1st, 2019



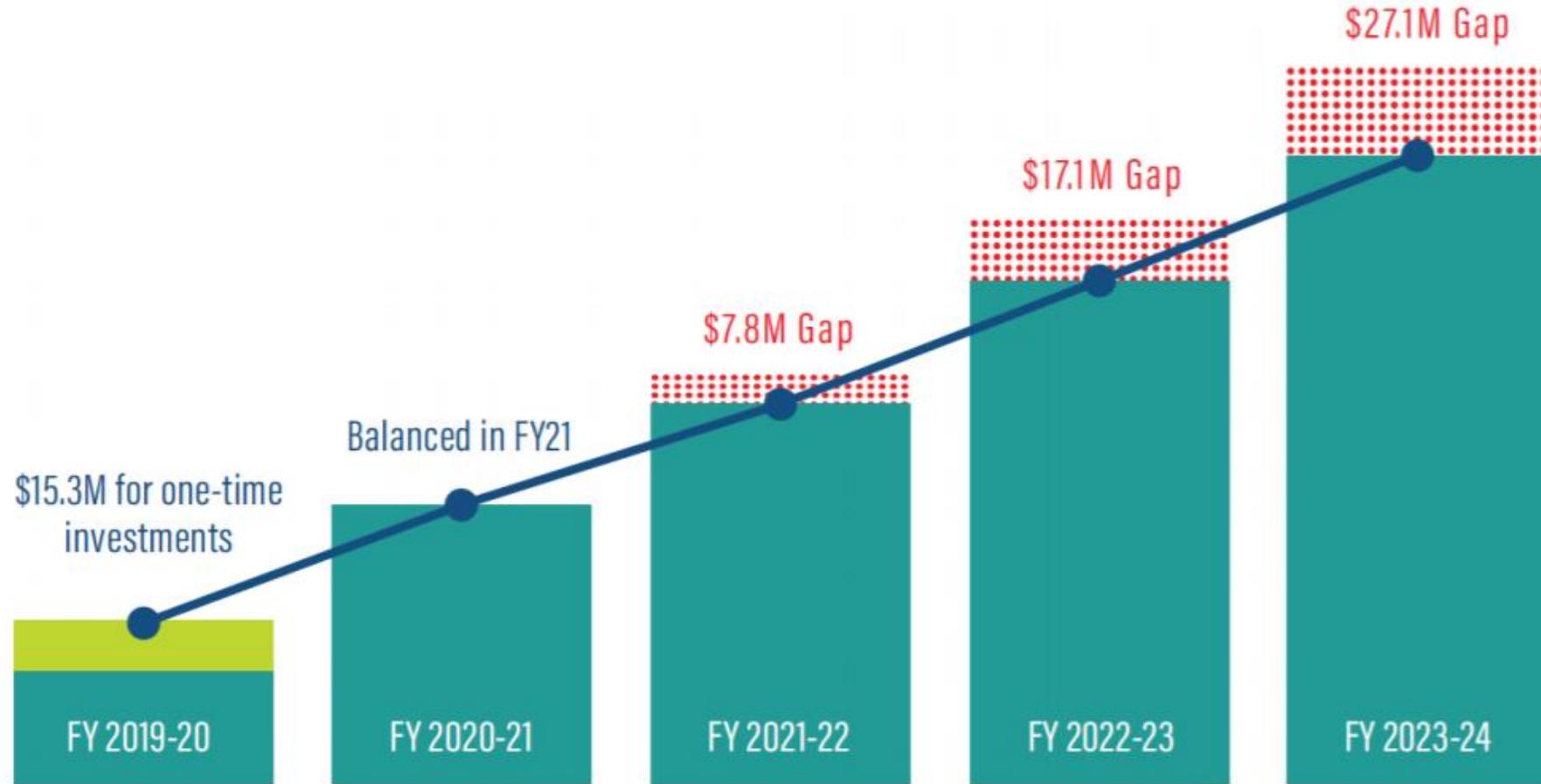
GENERAL FUND BASE FORECAST



- Revenue forecast reflects lower revenue cap and \$5.6 million reduction in franchise fees.
- Expenditure forecast reflects 30 officers per year and 1 new Fire/EMS station opening per year.



PROPOSED BUDGET FORECAST



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WHAT PASSED: BILLS OF INTEREST

Land Development Applications: HB 3167 (Rep. Oliverson) – effective 9/1/2019

The bill relates to the City's approval procedure for land development applications. It places a "shot clock" during which time the City must approve development plans, or else they're deemed granted. The bill prohibits the City from rejecting a resubmitted plan for code conflicts that are present in the resubmitted plan but were not present in the original application. In other words, changes made by the applicant to address deficiencies after the review of the original application may create new non-compliant issues that must be addressed prior to approval but that we would not be allowed to review under the language of this bill. In the past, examples of the types of modifications that have resulted in significant non-compliance regarding public safety include fire access and floodplain or major drainage ways.



WHAT PASSED: BILLS OF INTEREST

Historical Designation: HB 2496 (Rep. Cyrier) – effective 5/25/2019

The bill provides that a zoning, planning or historical commission considering the designation of a property as a historic landmark against the owner's consent must achieve a supermajority vote (three-fourths) for their recommendations to be considered by City Council. Currently, these land use commissions considering this designation recommend action upon a simple majority vote. The City must also allow an owner to withdraw consent at any time during the designation process.

Building Materials: HB 2439 (Rep. Phelan) – effective 9/1/2019

This bill relates to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction of residential or commercial structures. The bill negatively impacts locally adopted amendments to international codes such as the International Residential Code, International Property Maintenance Code, and International Building Code.



WHAT DID NOT PASS: BILLS OF INTEREST

Zoning: SB 1304 (Sen. Bettencourt) – died in Calendars Committee

The bill would require a zoning commission to give written notice of a public hearing on a proposed zoning change to each real property owner wholly or partly located in an unincorporated area of the county if the nearest property line is located not more than two miles from the nearest boundary of the area for which the zoning change is propose. The notice would be required to be provided by U.S. mail to the property owner no later than the 10th day before the date of the hearing.

Homeless Housing: SB 1000 (Sen. Watson) – died in Calendars Committee

The bill would prohibit a land use or zoning ordinance that would prohibit a religious organization from using its facility, or having housing units, to house homeless individuals. The bill specifies the regulations of such housing that could be imposed.

Extraterritorial Jurisdiction Regulation: HB 3750 (Rep. Kuempel) – killed by a point of order

The bill would prohibit certain municipalities from enforcing an ordinance in an extraterritorial jurisdiction that imposes certain water quality regulations. The need for this protection applies not only to the Edwards Aquifer, but also to other sensitive water supplies like the Highland Lakes.



QUESTIONS?

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