

87TH LEGISLATIVE SESSION: UPDATE

Intergovernmental Relations Office – Brie L. Franco, Officer





87TH LEGISLATIVE SESSION: **UPDATES**

- Republican Dade Phelan was elected Speaker by a vote of 143 to 2.
- State Budget: \$1 Billion dollar shortfall currently projected.
- Senate Committees were announced January 15th. House Committee preference cards are due Jan. 22nd.
- As of January 21, 2021, the 10th day of the 87th Legislative Session 1,687 bills have been filed.
- **Both Chambers will reconvene January 26th.**



87TH LEGISLATIVE SESSION: **NEW RULES**

Senate

- Lowered threshold needed for legislation to make it onto the Senate floor from a three-fifths supermajority (19 votes) to 18 votes.
- Every senator required to test negative for COVID-19 before entering the upper chamber or attending a committee hearing. Senate staff must be tested the first day of the week they enter the Capitol and before accessing a hearing or the chamber.

House

- Virtual testimony for committee hearings is limited to invited witnesses.
- House members, staff and the public will be required to wear face masks while inside the chamber or a committee hearing room, though witnesses and lawmakers may remove them while speaking from a microphone.
- The House does not mandate COVID-19 testing. Members may make their own protocols for their specific offices and are able to request testing kits for their offices.



87TH SESSION: LEGISLATURE'S CITY-RELATED PRIORITY ISSUES

Super
Preemption

Police Reform
Preemption

COVID
Preemption

Employees'
Rights &
Benefits

Zoning / Short-
Term Rentals

Community
Advocacy Ban

Austin Energy &
Austin Water

Revenue Caps
Part II

Annexation Part
II: ETJ
Regulation



87TH PRIORITY BILLS

Community Advocacy (HB 749 by Rep. Middleton & SB 234 by Sen. Hall)

- Restricts the use of public funds by political subdivisions for community advocates. As currently written, the bills restricts funds in the following categories: hiring a contract lobbyist for the purpose of lobbying a member of the legislature, paying a nonprofit state association or organization that primarily represents political subdivision or hires lobbyists to advocate before the legislature.

Public Safety Funding Preemption (HB 638 by Rep. Krause & HB 741 by Rep Allison)

- HB 638 mandates that a political subdivision may not adopt a budget unless funding for public safety services (defined as Police, Fire, EMS) is equal to or greater than the amount allocated in the preceding fiscal year. Public safety funding includes all maintenance, operations, and debt service costs associated with providing the service.
- HB 741 requires a municipality or county to obtain voter approval to decrease the budget allocation for public safety from the previous year. If the decrease is denied by voters, the county or municipality is required to amend the budget to fund public safety in an amount no less than 95% of the previous budget.



87TH PRIORITY BILLS

Municipally Owned Utilities Deregulation (SB 182 by Sen. Schwertner)

- SB 182 requires the PUC to conduct a yearly rate comparison of one-fifth of municipally owned utilities that do not have “customer choice.” If the 5-year average electric rate paid by customers is found to be 10% higher than other similar areas, then the utility must initiate “customer choice” as defined by statute.

COVID-19 & Disaster Related (HB 888 by Rep. Patterson, HB 905 by Rep. Krause & SB 251 by Sen. Paxton)

- HB 888 lays out contact tracing regulations regarding confidentiality and use of contact data and location data, mandates that participation in contact tracing cannot be required nor prohibited, and directs the HHSC to make rules regarding qualifications & training requirements for contact tracers. The bill also provides for criminal and civil enforcement of violations.
- HB 905 stipulates that if the presiding officer of municipality or county declares a local state of disaster (other than an order to evacuate) that restricts or prohibits regular business operations, the officer’s regular compensation will be withheld while the prohibitions are in effect and reduced by the withheld amount for the appropriate fiscal year.
- SB 251 restricts a government agency or public official from issuing an order that closes or has the effect of closing places of worship, even during a declared disaster.



87TH PRIORITY BILLS

Inclusionary Zoning (HB 84 by Rep. Hinojosa)

- Inclusionary zoning programs are proven policy tools that cities across the country use to ensure affordable rental and ownership housing for residents. HB 84 repeals the current ban on inclusionary zoning to give cities the ability to adopt inclusionary zoning programs.

Cloud Computing (SB 58 by Sen. Zaffirini and HB 751 by Rep. Israel)

- SB 58 and HB 751 will allow governmental entities to issue debt for cloud computing services just as they are currently able to for the purchase of computer hardware and equipment. Cloud computing, which includes computing, storage, and telecommunications infrastructure available on demand from a third party, enables entities to maximize efficiency, improve security, cut costs, and focus resources on the core services.



87TH PRIORITY BILLS

Medicaid Reimbursement (SB 73 by Sen. Miles)

- SB 73 would allow local health departments (LHDs) to receive reimbursement for services already covered by Medicaid by designating LHDs as a provider-type recognized by Managed Care Organizations for reimbursement. Currently, there are very few provisions in which an LHD could file for Medicaid reimbursed services, and this bill would provide an opportunity for Austin Public Health to provide health services to the families that need it most.

Prima Facie Speed Limit (HB 442 by Rep. Israel and SB 221 by Sen. Zaffirini)

- HB 442 and SB 221 would change the prima facie speed limit in urban districts from 30 miles per hour to 25 miles per hour if the street is located in a residence district in a municipality and is not officially designated or marked as part of the state highway system.

QUESTIONS?



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Agenda:
<https://www.austintexas.gov/edims/document.cfm?id=346399>

Thank you

