

87TH STATE LEGISLATURE

Intergovernmental Relations Office – Ida Garcia Musgrove, Deputy Officer



87TH (R) PASSED BILLS: **NEGATIVE FOR CITY**



City Police Funding

HB 1900 (Goldman)

Effective Sept. 1, 2021

Camping Ban

HB 1925
(Capriglione)

Effective Sept. 1, 2021

Disaster Rollback

SB 1438
(Bettencourt)

Effective June 16, 2021

Gas Preemption

HB 17 (Deshotel)

Effective May 18, 2021

Historic Districts

SB 1585 (Hughes)

Effective Sept. 1, 2021

No Contracts : Firearm Boycott

SB 19 (Schwertner)

Effective Sept. 1, 2021

Permitless Carry

HB 1927 (Schaefer)

Effective Sept. 1, 2021

87TH (R) PASSED BILLS: POSITIVE FOR THE CITY



APRS Pensions

HB 4368 (Rodriguez)

Effective Sept. 1, 2021

Cloud Computing

SB 58 (Zaffirini)

Effective June 3, 2021

Local Health Department Medicaid

SB 73 (Miles)

Effective Sept. 1, 2021

Save MUNY

SB 390 (Eckhardt)

Effective May 24, 2021

Music Incubator

SB 609 (Alvarado)

Effective Sept. 1, 2021

Statewide Broadband

HB 5 (Ashby)

Effective June 15, 2021



87TH (R) BILLS **FAILED** TO PASS: **POSITIVE FOR CITY**

Community Advocacy

SB 10 (Hall)

AE Rates

SB 566 (Buckingham)

HB 2775 (Cain)

Super Preemption

HB 610 (Swanson)

HB 3909 (Harris)

Lake Austin Disannexation

SB 659 (Buckingham)

HB 1653 (Craddick)

West Rim Disannexation

HB 2776 (Deshotel)

Lost Creek Disannexation

SB 1499 (Buckingham)

HB 3827 (Wilson)

Noise Ordinance Preemption

HB 3813 (Harris)

Homeless Housing

SB 646 & SB 796
(Schwertner)

HB 1803 (Wilson)

Employment Preemption

SB 14 (Creighton)



87TH (R) BILLS **FAILED** TO PASS: **POSITIVE FOR CITY**

ETJ Regulation

HB 1885 (Harris)

Completeness Check

HB 4447 (Oliverson)

SB 1667 (Hughes)

Pandemic Response

HB 3 (Burrows)

Confederate Monuments

HB 2713 (Hefner)

Election “Integrity”

SB 7 (Hughes)

HB 6 (Cain)

30 day shot clock

HB 4121 (Guillen)

Building Permit Timeline

HB 2590 (Leach)

SB 1947 (Springer)

Abortion Logistical Support

HB 1173 (Noble)

SB 650 (Campbell)

MOU Deregulation

SB 182 (Schwertner)

JOINT SUBCOMMITTEE: KEY COVID-19 ISSUES



Mask Mandates

- Executive Order GA-38 - *Litigation*
- 87 (2): School Mandates - *On the call but failed to pass*
- 87 (3): *Not on the call*

Vaccine Mandates

- 87 (R): SB 968 by Kolkhorst - *Passed*
- 87 (2): Government & School Mandates - *on the call but failed to pass*
- 87 (3): Government Mandates - *On the call*
- Biden Executive Order - *does not apply to City*

ARPA / Federal Funding

- 87 (2): *On the call but failed to pass*
- 87 (3): *On the call*

87TH SPECIAL SESSIONS



- Governor can call a special session at any time
- First Special Session: July 8th - August 6th
- Second Special Session: August 7th – September 2nd
- Third Special Session: September 20th
 - See appendix for items on the calls
 - Democrats broke quorum to protest elections bills on July 12th and returned August 19th during the 2nd Special Session.

QUESTIONS?



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Agenda:
<https://www.austintexas.gov/edims/document.cfm?id=347683>

APPENDIX



- 87th Regular Session Statistics
- 87th Special Sessions Statistics
- Special Sessions: Items on the Calls
- Additional Information on:
 - Police Defunding Bills
 - Bills Impacting Homelessness
 - Winter Storm Bills

87TH REGULAR LEGISLATIVE SESSION: **STATISTICS**



- 7,148 bills and joint resolutions filed and reviewed by IGRO
- IGRO tracked 2,254 bills and joint resolutions
- 3,559 bills were filed in last 10 business days before the bill filing deadline (67%)
- 21 vetoes by the governor.

87TH SPECIAL SESSIONS: **STATISTICS**



1st Called Session

- July 8 – Aug. 6
- 405 bills & joint resolutions filed & reviewed IGRO
- No bills passed

2nd Called Session

- Aug. 7 – Sept. 2
- 380 bills & joint resolutions filed & reviewed IGRO
- 15 bills passed

3rd Called Session

- Sept. 20 -
- 5 Items on call
- 131 bills & joint resolutions filed & reviewed IGRO as of Sep. 21.

87TH 3RD CALLED SPECIAL SESSION: **ITEMS ON THE CALL**



State &
Government
Vaccine Mandates

Transgender
Youth Sports

Dog Restraints

Redistricting

ARPA Funding

Property Tax
Relief

Bail Reform

87TH 2ND CALLED SPECIAL SESSION: **ITEMS ON THE CALL**



Bail Reform

Election Integrity

COVID-19:
Public Education

Border Security

Social Media
"Freedom of
Speech"

Article X Funding

Family Violence
Education

Abortion-Inducing
Drugs

Thirteenth Check
Teacher
Retirement System

Critical Race
Theory

Appropriations:
Property Tax, Foster
Care, Cybersecurity

Radioactive Waste

Election Dates

**Failed to
Pass**

Transgender
Youth Sports

COVID-19:
Federal Funds

Employee
Protection
Preemption

Vaccine
Mandate
Prohibition

Legislative
Quorum

87TH 1ST CALLED SPECIAL SESSION: **ITEMS ON THE CALL***



Bail Reform

Election Integrity

Border Security

Social Media
"Freedom of
Speech"

Article X Funding

Family Violence
Prevention
Education

Transgender Youth
Sports

Abortion-Inducing
Drugs

Thirteenth Check
Teacher
Retirement System

Critical Race
Theory

Appropriations
property-tax relief;
foster care,
cybersecurity

****No bills passed during the 1st Called Session***

87TH WINTER STORM BILLS



Omnibus Storm Response

SB 3 (Schwertner)

Effective June 8, 2021

- Statewide power outage alert system
- Defines critical load industrial customers & critical care residential customers for whom interruption or suspension of electric service could be life threatening
- Requires customer disclosure for load shedding processes by electric utilities;
- Establishes standards of emergency operations for water facilities

ERCOT Board & PUC Commission

SB 2 (Hancock)

Effective June 8, 2021

- Makes changes to the composition of the Energy Reliability Council of Texas (ERCOT) board and the Public Utility Commission

87TH **BILLS IMPACTING THE HOMELESS**



Camping Ban

HB 1925 (Capriglione)

Effective September 1, 2021

- City must submit a plan for approval by TDHCA to designate a property for encampment. Designation of public parks is prohibited.
- Offense is a Class C misdemeanor. Officers must make reasonable effort to connect persons to designated encampment and services.
- Local entities cannot have policies that prohibit or discourage enforcement of the ban nor can they discourage peace officers or prosecuting attorneys from enforcing the ban.
- Policies that encourage diversion or provision of services in lieu of citation or arrest are allowed.
- *HB 1925 Contingency Rider NOT included in the final appropriations act.*
- *TDHCA published the adopted rules for designated encampments Sept. 17th*

Purchase / Conversion: County Approval

- **SB 646 (Schwertner)**
- *Vote failed in House Committee*
- **HB 1803 (Wilson)**
- *Procedurally Dead: House Calendar Deadline*

Purchase / Conversion: Notice

- **SB 796 (Schwertner)**
- *Vote failed in House Committee*

87TH POLICE FUNDING



City Police Funding

HB 1900 (Goldman)

Effective September 1, 2021

- Applies only to municipalities over 250,000
- “Defunding municipality” reduces appropriation to police department compared to previous budget. [lower than the larger of previous two years’ budgets until 2023]
- Determined by Office of Governor’s Criminal Justice Division (“CJD”). Some exceptions allowed at discretion of CJD
- **Penalties:**
 - Dis-annexation elections and prohibition on annexations.
 - Must use lowest property tax rate (generally no-new-revenue rate) for upcoming year
 - Annual sales tax distribution decreased by amount determined by CJD that State spent to provide law enforcement services to City.
 - Increase contributions to APRS such that the combined City and member contributions are no less than the combined City and member contributions in FY2021.
 - AE & AWU rates capped at January 2021 levels unless utilities stop providing any funding to the City through transfers.
- **Comments on proposed rules regarding defunding municipalities due October 17th**

County Funding

SB 23 (Huffman)

Applies only to counties
over 1 million

Effective January 1, 2022

9 other
“defunding”
bills did not pass

Thank you





TRAVIS COUNTY INTERGOVERNMENTAL RELATIONS OFFICE
87TH TEXAS LEGISLATURE
SPECIAL SESSIONS LEGISLATION



Presented By: Julie Wheeler
September 24, 2021

Passed Items Impacting Counties

BAIL REFORM: Legislation reforming the bail system in Texas to protect the public from accused criminals who may be released on bail.

[SB 6](#) – *Passed; Various effective dates*

*[SJR3](#) *Failed to Pass*

ELECTION INTEGRITY: Legislation strengthening the integrity of elections in Texas.

[SB 1](#) – *passed; Goes into effect the 91st day after the last day of the legislative session*

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.

[HB9](#) – *Passed; goes into effect immediately*

Passed Items Impacting Counties

APPROPRIATIONS: Legislation providing appropriations from unappropriated available revenues for the following purposes:

- property-tax relief;
 - [SB 8](#) – *Passed; Change in timing for homestead exemption*
 - [SB 12/SJR 2](#) – *Passed; School property tax compression*
- 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.

[HB 5](#) – *Passed; Goes into effect immediately*

PRIMARY ELECTIONS: Legislation modifying the filing periods and related election dates, including any runoffs, for primary elections held in Texas in 2022.

[SB 13](#) – *Passed; Goes into effect the 91st day after the last day of the legislative session*

Items That Failed to Pass

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.

[SB 14](#) – Did not pass

STATE LEGISLATURE: Legislation relating to legislative quorum requirements.

[SJR 1](#) – Did not pass

Items Not Addressed

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.

VACCINE MANDATES: Legislation regarding whether any state or local governmental entities in Texas can mandate that an individual receive a COVID-19 vaccine and, if so, what exemptions should apply to such mandate.

Third Special Session – Items Impacting Counties

REDISTRICTING: Legislation relating to the apportionment of the State of Texas into districts used to elect members of the Texas House of Representatives, the Texas Senate, the State Board of Education, and the United States House of Representatives.

FEDERAL RELIEF APPROPRIATIONS: Legislation providing appropriations from the American Rescue Plan Act of 2021 (ARPA), Pub. L. No. 117-2.

VACCINE MANDATES: Legislation regarding whether any state or local governmental entities in Texas can mandate that an individual receive a COVID-19 vaccine and, if so, what exemptions should apply to such mandate.

PROPERTY TAX RELIEF: Legislation providing additional property-tax relief for Texans.

BAIL REFORM: Legislation proposing a constitutional amendment to further protect the safety of the community, law enforcement, and victims, from accused criminals who may be released on bail, including by giving magistrates the discretion to deny bail under some circumstances to people accused of certain violent, sexual, or trafficking offenses.

Thank You For Your Consideration

Final Comments



AUSTIN
Independent School District

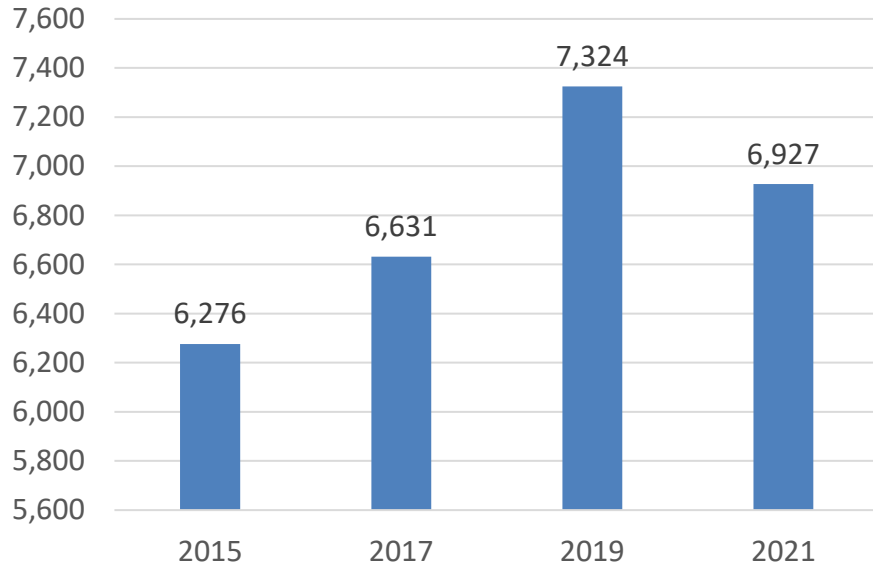


87th Legislative Session Overview

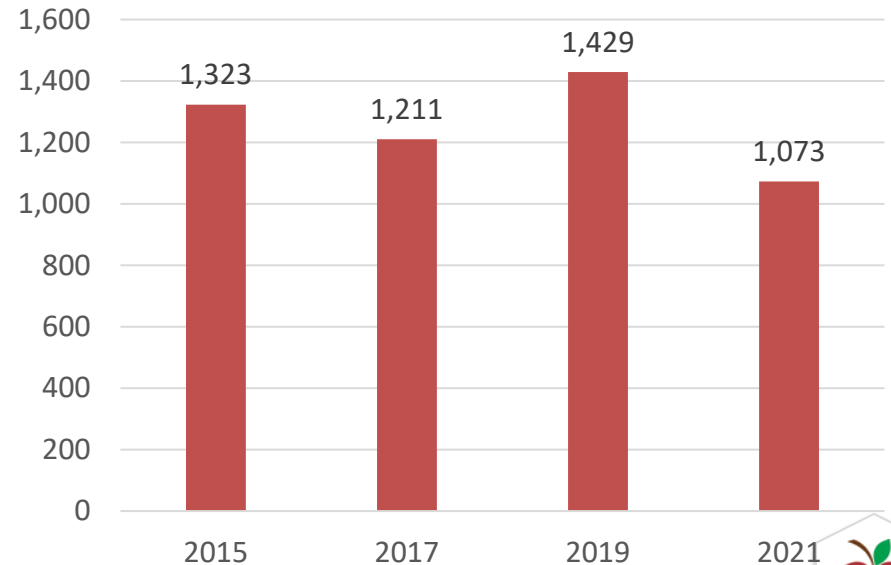
Joint Subcommittee
Sept. 24, 2021

97th Legislative Session by the Numbers

Bills Filed



Bills Passed



AISD tracked ~780 bills

- Education
- Public Information
- Contracts
- Construction
- Law Enforcement
- Technology
- Elections/Bonds



#1 Priority - HB 3 Fully Funded

- \$46.5 billion state funds for public education (+4.5% over last biennium)
- Funds enrollment growth
- Basic Allotment remains \$6,160
- NIFA funding reduced by \$30 million/year
- Reallocates over \$620 million from IMA to other programs related to HB 1525



Virtual Education (SB 15, 2nd called Session)

- Allows funding for students enrolled in local remote learning program. District must be rated C or higher
 - No more than 10% of students enrolled in 2021-2020 SY
 - No more than 10 unexcused absences in 6-month period
 - Student did not receive a majority of instruction remotely
 - Student achieved satisfactory performance on each state assessment. Alternatively, may demonstrate grade-level proficiency in TEKS on a different assessment.



Virtual Education (continued)

- Retroactive application; effective through 9-1-2023
- Courses may be offered:
 - Synchronously (two-way, real-time, live, instruction between teachers and students, through the computer or other electronic devices)
 - Asynchronously (students engage in the learning materials on their own time, interacting intermittently with the teacher via the computer or other electronic devices)
 - A combination of both
 - In combination with in-person instruction



Major Bills

- HB 1525 (HB 3 “Clean Up”)
 - More funding through GT and CTE Allotments
 - Requires districts to accept PTA donations for staff positions
 - Amends SHAC extensively, including parent written opt in
- HB 5 –Broadband
- HB 4545 –Accelerated learning required for students who did not pass STAAR grades 3-8 or EOC assessments



HB 3979 (R) & SB 3 (2nd) - So called "CRT" bill

- HB 3979 (social studies course) eff. until Dec. 2021; SB 3 (any course K-12)eff. Dec. 2021
- Teacher may not be compelled to discuss a "widely debated and currently controversial issue of public policy or social affairs."
- If teacher so chooses, shall explore topic objectively and in a manner free from political bias.



HB 3797 & SB 3 – Student Activity/Credit

- Student may not receive credit or be required to:
 - Work for an organization engaged in lobbying at any level if student's duties involve directly or indirectly attempting to influence social or public policy or legislative outcome; or
 - Participate in an internship or activity involving social or public policy advocacy.
 - Exceptions (SB 3): (1) P-tech, CTE that doesn't involve lobbying by student, and (2) program that prepares student for leadership through simulation of gov't process.



HB 3797/SB 3 –Teacher/District may not make part of a course inculcation in the concept that:

- One race or sex is inherently superior to another;
- Individual, by virtue of race or sex, is inherently racist, sexist, or oppressive;
- Individual, by virtue of race or sex, bears responsibility, blame or guilt for actions committed by other members of same race or sex.
- + 5 other concepts



Recognition of COVID-19 on Student Learning

- Individual Gradation Committees
 - **HB 999** – 12th grader who did not pass EOCs may graduate; SY 2020-21 only
 - **HB 1063** – repeals sunset date
- Student Retention (SB 1697)- Parent choice



Accountability

- College Career Military Readiness (CCMR)– two additional indicators of achievement added:
 - Enlistment in Texas Nat'l Guard to demonstrate military readiness (HB 1147)
 - Earning associate degree while in HS (HB 1525)
- Completion of CTE programs added to student achievement domain (HB 773)



What Did NOT Pass



- Fund Balance Restrictions (HB 3445)
- Prohibitions for Taxpayer Funded Lobbying (SB 10)
- "Transgender UIL – added to Special Sessions



Resources

- <https://www.austinisd.org/legislature>
- Bill summaries
- TEA Implementation documents
- Board priorities
- Bills that support priorities

