

87TH STATE LEGISLATURE

Intergovernmental Relations Office – Brie L. Franco, Officer



87TH LEGISLATIVE SESSION: **RECAP**



- 7,148 bills and joint resolutions filed and reviewed by IGRO
- 15% of filed bills & joint resolutions ultimately passed
 - This is a reduced passage rate of 5% from previous sessions
 - 67% of passed bills filed by Republicans & 33% filed by Democrats
- 21 vetoes by the governor.
- IGRO tracked 2,254 bills and joint resolutions

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 & joint resolutions passed

3rd Called Session

- Sept. 20 – Oct 19
- **249** bills & joint resolutions filed & reviewed IGRO
- **11** bills & joint resolutions passed

87TH PASSED BILLS: **NEGATIVE FOR CITY**



**City Police Funding
HB 1900 (Goldman)**

Effective Sept. 1, 2021

**Camping Ban
HB 1925 (Capriglione)**

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 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

87TH 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 BILLS **FAILED** TO PASS: **POSITIVE FOR CITY**



ETJ Regulation

HB 1885 (Harris)

Pandemic Response

HB 3 (Burrows)

Confederate Monuments

HB 2713 (Hefner)

MOU Deregulation

SB 182 (Schwertner)

87TH PASSED BILLS: ENVIRONMENTAL



Gas Preemption

HB 17 (Deshotel)

Effective May 18, 2021

TPWD & TX Water Trust

HB 2225 (King, Tracy)

Effective Sept. 1, 2021

No State Contracts: Fossil Fuel Boycott

SB 13 (Hughes)

Effective June 14, 2021

87TH BILLS **FAILED** TO PASS: **ENVIRONMENTAL**



TCEQ Penalties

HB 1820 (Zwiener)

House Calendar Deadline

Gas Preemption

HB 1501 (Dean)

Point of Order (Zweiner)

Office of Environmental Justice

HB 1191 (Goodwin) /

SB 1294 (Eckhardt)

Neither bill received a hearing

Greenhouse Gas Regulation Preemption

SB 1261 (Birdwell)

House Calendar Deadline

Pipeline Preemption / Barton Springs

HB 1683 (Landgraf)

Fixed by Author in Committee

Passed House / No Senate Hearing

88TH SESSION: CHANGES



- Changes in Senate membership & leadership
- Potentially 40 new members in House
- Austin delegation changes and committee assignments



HOUSE COMMITTEE INTERIM CHARGES: ENVIRONMENTAL

TERP

Environmental
Regulation

IIJA Clean Up

Environmental
Regulation

Groundwater Management

Natural Resources

Alternatively Fueled Vehicles

Transportation

Full charge language can be found in the appendix on slide 16.



SENATE COMMITTEE INTERIM CHARGES: ENVIRONMENTAL

Water Supply

Water, Agriculture, and
Rural Affairs

Groundwater Management

Water, Agriculture, and
Rural Affairs

Alternatively Fueled Vehicles

Transportation

Full charge language can be found in the appendix on slide 17.

QUESTIONS?



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Agenda:

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

87TH LEGISLATIVE SESSIONS: **APPENDIX**



- Bills Impacting People Experiencing Homelessness
- Police Funding Bills
- 2022 Interim Charges: Environmental Charges

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.*
- *City submitted comments on TDHCA rules for encampment for public comment*

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.

County Funding

SB 23 (Huffman)

Applies only to counties
over 1 million

Effective January 1, 2022

9 other
“defunding”
bills did not pass

HOUSE COMMITTEE INTERIM CHARGES: ENVIRONMENTAL



- **TERP Env. Reg.** Evaluate the allocation of TERP funds for effective air pollution reduction programs. Review which existing programs are over or under-subscribed and identify unrealized opportunities that would further program goals.
- **IIJA Cleanup:** Review recent passage of the Bipartisan Infrastructure Law (Infrastructure Investment and Jobs Act, Public Law No. 117-58), specifically funds that may bolster efforts to clean up polluted sites and plug wells and how federal funds can be used to complement state efforts on well plugging and pollution clean-up.
- **Groundwater Management:** Examine the state's groundwater management policy and regulatory framework. Include a review of large-scale water transfers and their impact on groundwater resources. Make appropriate recommendations for legislation or state agency action to:
 - promote the achievement of planning goals under Chapter 36, Water Code, including those involving desired future conditions;
 - provide adequate transparency to the permit application process;
 - further the state's groundwater quality protection efforts, including an assessment of risks posed to groundwater by abandoned and deteriorated water wells and orphan oil and gas wells; and
 - promote conservation and waste prevention
- **Alternatively Fueled Vehicles:** Study the impact of the increasing sale and use of electric and alternatively fueled vehicles on revenue predictions for the state highway fund. Recommend a road use revenue equalization methodology to create fairness and parity between gasoline, electric and alternatively fueled vehicles.

SENATE COMMITTEE INTERIM CHARGES: ENVIRONMENTAL



- **Water Supply:** Review and make recommendations to complete specific projects identified in the 2022 State Water Plan. In light of recent changes to the global economy, consider the current regulatory process regarding innovative technology solutions to water supply needs, such as marine desalination, and make recommendations for their improvement.
- **Groundwater Management and Protection:** Evaluate the status and effectiveness of the State's groundwater management process, including data used to support regional water planning and conservation goals. Report on the effectiveness of the State's groundwater protection efforts and whether statutory changes are needed to protect groundwater quality.
- **Alternatively Fueled Vehicles:** Review the Texas Department of Transportation's plan for federal funding related to alternatively fueled vehicle infrastructure development. Examine the increase of private and public owned alternatively fueled vehicles registered in the state and make recommendations for road user fee fairness between alternatively fueled vehicles and gasoline and diesel vehicles.

Thank you

