

6-25-09
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Travis County Commissioners Court

Work Session

June 25, 2009

**Intergovernmental Relations Office
Deece Eckstein, Coordinator**

TRAVIS COUNTY COMMISSIONERS COURT
Work Session, Thursday, June 25, 2009
AGENDA

1. Overview of the legislative session
 - TLO Statistics
 - Conference of Urban Counties reports
2. Travis County participation in the 81st Texas Legislature
3. Discussion and Evaluation

As a County ...

- What did we do well?
- What did we NOT do well?
- What can we do better?
- Possibility of a special session
- What should we do to prepare for the 82nd Texas Legislature?

From the perspective of the Commissioners Court ...

- Did you feel well-informed and “in the loop?”
- Did you have the information you needed to make decisions?
- Did you feel included in the legislative process?
- How can we improve communications and decision-making within the Commissioners Court?

4. Discussion of Work Plan and Timetable for the 82nd Texas Legislature

DOCUMENTS FOR REVIEW

1. Spreadsheet comparing legislative session statistics over 20-year period
2. Conference of Urban Counties Policy Platform Outcomes report, June 18, 2009
3. Conference of Urban Counties, Status Report on 81st Legislature, June 18, 2009
4. Conference of Urban Counties, Report on Bills That Passed, 81st Legislature, June 18, 2009
5. Travis County, Analysis of Legislative Outcomes, June 2, 2009
6. Travis County, Legislative Priorities Spreadsheet, June 2, 2009 (blue sheet)
7. Travis County, Court Action Items Spreadsheet, June 4, 2009 (red sheet)

**Texas Legislature
Session Statistics
1993-2009**

LEGIS- LATURE	SESSION	YEAR	House Bills			House Joint Resolutions			Senate Bills			Senate Joint Resolutions			Total Bills			Total Joint Resolutions			Total Bills + JRs		
			Filed	Passed	Vetoed	Filed	Passed	Vetoed	Filed	Passed	Vetoed	Filed	Passed	Vetoed	Filed	Passed	Vetoed	Filed	Passed	Vetoed	Filed	Passed	Vetoed
81st	Regular	2009	4,836	837	0	140	5		2,583	592	1	50	0		7,419	1,429	1	372	212	0	7,791	1,641	1
				17.31%			3.57%			22.92%			0.00%			19.26%			56.99%			21.06%	
80th	Regular	2007	4,140	955	43	108	10		2,050	526	8	64	7		6,190	1,481	51	384	259	3	6,574	1,740	54
				23.07%			9.26%			25.66%			10.94%			23.93%			67.45%			26.47%	
79th	Regular	2005	3,592	846	8	102	5		1,892	513	11	43	4		5,484	1,359	19	293	198	0	5,777	1,557	19
				23.55%			4.90%			27.11%			9.30%			24.78%			67.58%			26.95%	
78th	Regular	2003	3,636	825	31	100	15		1,956	559	17	61	6		5,592	1,384	48	381	275	0	5,973	1,659	48
				22.69%			15.00%			28.58%			9.84%			24.75%			72.18%			27.77%	
77th	Regular	2001	3,701	992	60	114	13		1,843	609	22	54	7		5,544	1,601	82	413	312	0	5,957	1,913	82
				26.80%			11.40%			33.04%			12.96%			28.88%			75.54%			32.11%	
76th	Regular	1999	3,855	960	24	97	11		1,911	662	7	45	6		5,766	1,622	31	410	303	2	6,176	1,925	33
				24.90%			11.34%			34.64%			13.33%			28.13%			73.90%			31.17%	
75th	Regular	1997	3,610	870	19	123	8		1,951	617	17	43	7		5,561	1,487	36	459	318	1	6,020	1,805	37
				24.10%			6.50%			31.62%			16.28%			26.74%			69.28%			29.98%	
74th	Regular	1995	3,237	597	14	132	9		1,720	491	10	5	5		4,957	1,088	24	433	284	1	5,390	1,372	25
				18.44%			6.82%			28.55%			100.00%			21.95%			65.59%			25.45%	
73rd	Regular	1993	2,846	632	15	125	7		1,504	443	9	55	11		4,350	1,075	24	301	183	2	4,651	1,258	26
				22.21%			5.60%			29.45%			20.00%			24.71%			60.80%			27.05%	

TEXAS Conference of
Urban Counties

Policy Platform: 81st Legislature

For Consideration June 18, 2009

Principles

1. Urban Counties value responsive and accountable government.
2. Urban Counties believe that local government is more responsive and accountable to the citizens and communities and should be utilized for service delivery whenever practical.
3. Urban county citizens hold commissioners court responsible for all county business even though commissioners courts lack authority over many aspects and segments of county business. The disconnect between responsibility and authority damages accountability.
4. Urban Counties need greater authority and tools to deal with the problems of contemporary urban society.
5. Urban Counties believe that permissive authority is always good. Restrictions, proscriptions, and mandates are almost always harmful.
6. Urban counties believe that State funds for specific programs should be allocated to counties, regions, or other local areas based upon population, number of clients, or some other appropriate measure of the need for that program or service.

Legend for Urban Counties Policy Outcomes

- ✓ = Urban Counties Policy Prevailed
- ✓- = Urban Counties Policy Prevailed, with Some Mitigation
- = Neutral, No Progress Or Loss
- x+ = Urban Counties Policy Loss, with Some Mitigation
- x = Urban Counties Policy Loss

Projects

Items in this list are the legislative projects directly pursued by the Urban Counties staff and officers.

✓	1. [Pass the County Efficiency Act.]
✓	2. [Make the Election Day Voting Centers pilot program a permanent

	option for counties.]
✓	3. [Establish a Statewide Reentry Policy Council.]
-	4. [Ensure that funding saved by reductions at TYC is provided to the counties for the increased cost of local juvenile programs.]
✓-	5. [Support full funding of TERP and LIRAP and protect fund balances.]
✓	6. [Pass sensible improvements to the property appraisal process: a. [Including sales price disclosure and inexpensive appeals of ARB decisions; and b. [Excluding arbitrary limits on local government: i. [That are more restrictive than limits on State government, so long as: 1. [Commissioners courts remain limited in their ability to manage county business and control county budgets; and 2. [There is no constitutional protection against unfunded mandates.]
✓	7. [Obtain appropriate improvements in the State Mental Health and Mental Retardation System, including significant additional funds if necessary, to restore adequate services to meet the demand.]
x	8. [Pass the option for coastal counties to impose a mandatory wind storm building code.]
✓	9. [Pass amendments to the Prop 2 program to prevent expansion of the pollution control tax exemption program to include any property used for production beyond any additional non-productive value required for pollution control purposes.]
✓	10. [Amend SB 312 by Wentworth to either remove mandatory NAME certification of facilities or permit counties to create an alternative to NAME certification of ME offices.]
✓	11. [Amend HB 805 by Quintanilla (and others) to require commissioners court approval before a county law enforcement agency may designate private vehicles as police vehicles.]
✓	12. [Amend HB 453 by Gonzalez-Toureilles to maintain commissioners court oversight of funds received by a law enforcement agency from the auction of abandoned motor vehicles.]
✓	13. [Amend HB 113 by Pena to allow the requirement for an elections administrator to have a college degree to be waived if appropriate.]
✓	14. [Ensure the role of county judges and mayors is recognized in the development of rules relating to disaster recovery.]

Priority Issues

Items in this list are the legislative priorities of the Urban Counties.

1 Taxation Policy School Finance and Taxation

-	1. Support the significant reduction of property tax rates by measures to reduce the cost of government and by replacing property tax revenue with revenue from other sources. Such measures to replace property tax revenue should also lower county and county hospital district tax rates by providing new revenue sources to counties.
-	2. [Oppose restrictions on county revenue as part of a school finance restructuring proposal—such issues should be considered independent of school finance in concert with the costs of providing services and the services provided by counties and after school finance proposals have taken effect.]
✓	3. Support working with the Legislature and the Governor's office to seek agreement on ways to reduce property taxes and provide essential services, and approve the designation of Chairman Mike Bradford and Chair-Elect Mike Cantrell as Urban Counties representatives to a task force of representatives from the Texas Association of Counties and the County Judges and Commissioners Association of Texas.
x	4. Support allowing counties to hold a local option election to impose a sales tax for property tax relief.
x	5. Support mandatory sales price disclosure on all real property transactions.
✓	6. [Support a pilot program to allow ARB appeals involving real estate and personal property valued at more than \$1 million to be heard by the State Office of Administrative Hearings instead of going directly to district court.]
✓	7. [Support extending the sunset date of the Property Redevelopment Tax Abatement Act to September 1, 2021.]
✓	8. [Support expanding the authority of commissioners court to execute a tax abatement agreement to include agreements with the lessee of taxable real property or tangible personal property.]
✓	9. [Support replacing the referendum requirement for the creation of a County Assistance District with a requirement that at least two public hearings be held.]

2 Juvenile & Criminal Justice

✓	1. Support expansion of the prison system or alternative measures that prevent prison overcrowding to avoid an increase in jail backlogs and/or early release of convicted felons.
✓-	2. Support adequate funding for probation and parole to provide meaningful supervision of appropriate criminals.
-	3. Support full state funding for all mandatory JJAEP placements in an amount adequate for year round programs.
✓	4. Ask the State to manage the parole revocation process so that technical blue warrants in county jails do not exceed 3% of the county inmate population.
✓	5. Support an increase in state funding for indigent defense purposes.
-	6. [Allow counties that are mandated to have a fine and fee collection system to use any system they want if the system meets the lowest collection rate that an OCA compliant program achieves.]
x	7. [Support increasing the \$50 warrant fee to \$75.]
x	8. [Support making blue warrants eligible for bonds if they were arrested for an administrative violation or a nonviolent offense.]
✓	9. [Oppose allowing state jail felony cases to be filed in statutory county courts without approval of commissioners courts.]

3 Transportation

x	1. Support increased funding for the Texas Department of Transportation for state highways.
x	2. By constitutional amendment reduce or end the diversion of Fund 6 money to other agencies.
x	3. Support increasing the 2060 permit fee, increasing bonding requirements, enhancing enforcement measures, and increasing sanctions for overweight trucks.
x	4. Support new state funding for the Special County Road Assistance Program using the existing allocation formula of: 40% county population, 20% unincorporated population, 20% lineal road miles, and 20% paved and concrete lane miles.

-	5. [Support protecting transportation resources and revenues and the authority and flexibility achieved with HB 3588 and other transportation bills approved by the 78th Legislature.]
x	6. Support increasing the allowable fee on vehicle registrations to provide funding for the county road and bridge fund.
✓	7. Oppose any measure that would weaken the independence or authority of a county over its tollways or of a Regional Tollway Authority (RTA) or that would transfer the assets of a county or an RTA without its express approval.
x	8. Support the dedication of \$200 million from motor vehicle sales taxes to the rail relocation and improvement fund.
x	9. [Support indexing the gas tax to the producer's price index.]

4 Subdivision Regulation

x	1. Support the consideration by the legislature of local bills granting comprehensive planning and zoning authority to individual counties, on a county-by-county basis, as a consensus is formed within individual counties.
x	2. Support permitting counties to assess impact fees to cover the costs of infrastructure development and expansion necessary to serve new subdivisions.
x	3. Support permitting counties to exercise limited land use authority to create "buffer zones" of incompatible land usage.
✓	4. [Support allowing counties to enforce the International Building Code in unincorporated areas if TRCC is not provided meaningful enforcement authority.]
x	5. Support the development and adoption of an enhanced uniform coastal building code, similar to the code adopted in Florida, to help minimize damage from hurricanes in the unincorporated areas of coastal counties.

5 Health and Human Services

-	1. Support increased funding for Child Protective Services.
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✓	2. [Support initiatives that would increase state funding for all local MHMR authorities. Support distribution of funding for local MHMR authorities based upon the population served and the demand for services.]
✓	3. Support efforts to appropriately and adequately fund the Texas Medicaid program. Any cut in state general revenue funding for the Medicaid program results in the loss of critical federal matching funds, and would further shift the burden of indigent healthcare costs to local taxpayers.
✓	4. [Support reasonable and measured efforts to adjust the Medicaid benefits package and/or impose allowable cost sharing methods on current Medicaid beneficiaries.]
✓	5. [Support efforts to pursue a Medicaid Waiver that allows the leveraging of local health related expenditures to generate federal matching funds. Such a waiver must allow appropriate and meaningful local control by the commissioners court. Moreover, any such waiver should not be used solely to fund existing state Medicaid obligations, nor should such obligations be shifted to local taxpayers.]
✓	6. Oppose changes that would decrease funding to urban county hospital districts in Medicaid supplemental payments (i.e., disproportionate share and upper payment limit).
-	7. [Oppose the establishment of a cap on the number of Criminal Code admissions to state facilities.]
-	8. Ask the State to oppose all efforts by the Federal government to reduce the current Federal Medicaid reimbursement formula pertaining to upper payment limits (UPL) for governmental providers.
✓	9. [Ask the State to seek expedited approval of rules to implement regional upper payment limit (UPL) programs proposed by the Texas Health and Human Services Commission (HHSC).]
✓	10. [Oppose legislative and legislative budget board initiatives which utilize intergovernmental transfers to accomplish Medicaid savings in the appropriations process.]
-	11. [Support funding for local programs that divert non-violent adults and juveniles with mental illness from the adult and juvenile justice systems prior to adjudication. Examples include expanded use of Jail Diversion funds and increased funding for current Assertive Community Treatment programs.]

-	12. [Support initiatives that improve the continuity of care for persons with mental illness that are released or diverted from the criminal justice system by funding appropriate aftercare services such as housing, employment-related activities, and substance abuse treatment.]
✓-	13. [Support an additional \$60 million in special item funding to increase the capacity of nursing schools and to provide incentives and aid to schools and students to significantly increase the number of Registered Nurses in the state.]
✓	14. [Support the restoration of UTMB Galveston to its historical role as a provider of indigent health care services in Texas and to the level of service provided prior to Hurricane Ike.]
✓	15. [Support, if UTMB Galveston is not returned to its historical role as an essential provider of indigent health care services in Texas, the transfer of funds formerly used for that purpose to the County Indigent Health Care Fund.]

6 Clean Air Act Compliance for Texas

-	1. [Support expanding the preference for clean contractors to all counties instead of only nonattainment and near-nonattainment counties.]
✓-	2. Support full funding for the next biennium for the Texas Emissions Reduction Plan and maintain the integrity of the TERP program.
✓-	3. [Support full funding for the next biennium for the Low Income Repair and Assistance Program (LIRAP) and maintain the integrity of the TERP program.]
✓	4. [Oppose changes to the TERP statute that would inhibit local initiatives such as projects to stop the spread of fraudulent inspection stickers.]

7 Revenue, Budget, and Miscellaneous

✓	1. No diversion of county vehicle tag fees to cities.
✓	2. No redirection of county revenue.
✓	3. Confirm commissioners court authority over the county budget and contracting.

✓-	4. No unfunded mandates.
x	5. Support constitutionally based unfunded mandate protection for local governments that allows counties to opt out of a mandate until funding is provided.
-	6. [Support an amendment to confirm commissioners court authority to review judicial region budgets as part of the county budget process.]
✓	7. Oppose collective bargaining for peace officers unless supported by the commissioners court of the counties affected by the legislation.
✓-	8. Oppose all new property tax exemptions, expansion of existing exemptions, or any other narrowing of tax base unless approved by the Urban Counties.
-	9. [Oppose broad restrictions or requirements that impose an administrative burden or limit local control over permitting.]
✓	10. Oppose the imposition of election machine requirements under state laws that are more stringent than HAVA.
✓	11. <u>Expand</u> [Support] the <u>Countywide Voting Centers Program to permit additional counties to use the alternative election system</u> [local option authority to use the "Voting Centers" election system as an alternative election system in the county.]
✓	12. [Oppose additional restrictions on the use of eminent domain authority, but not oppose measures to limit county authority to use eminent domain for privately owned economic development projects.]
✓	13. [Oppose provisions authorizing the governor to order an evacuation.]
-	14. [Support clarification of provisions relating to utility facility relocations to specify that when utility facilities must be relocated because of a county project, compensation for the relocation costs is due only when a utility has a compensable property interest or is eligible for federal payment of relocation costs.]
✓	15. Oppose restrictions and onerous reporting requirements on county government's authority to effectively communicate with the legislature or federal entities.
✓	16. Oppose any changes to the prop. 2 program that would broaden

	the class of property eligible for determination by TCEQ as pollution control property.
-	17. Clarify that commissioners court has general authority to appoint a member of the court to a board, committee, or commission over which it has appointment authority unless such an appointment is specifically prohibited.
-	18. Amend the state conflicts disclosure requirement to give commissioners court the discretion to extend the disclosure requirements to county officials or employees that the court determines have a role in preparing, approving or influencing contracts on behalf of the county.
✓	19. [Increase the county purchase limit from \$25,000 to \$50,000 to match the purchase limit applicable to cities.]
✓	20. [Oppose state control over local salary determinations that impact local officials.]
✓	21. Oppose any new or increased restrictions on commissioners court authority to establish salaries of county officers and employees.
✓	22. [Support allowing county commissioners to delegate signature authority for financial reports.]
✓	23. [Re-entry decisions after an evacuation due to a natural or man-made disaster should be made by the appropriate local emergency management officials. Oppose centralization of such decisions in Austin.]
✓	24. [Support appropriate increased investment by electric transmission and distribution companies to harden the electric grid against storm damage.]
✓	25. [Oppose requiring an election administrator to have a bachelor's degree unless the election board may make an affirmative finding that a person has sufficient knowledge or experience to serve as an election administrator without the required degree.]
-	26. [Without supporting the expansion of gambling, support including in the poker gaming bill a provision that provides counties with a percentage of the revenue generated by poker gaming.]
✓	27. Oppose creation of a new fireworks season unless counties are given sufficient new authority over fireworks sales and use.
✓	28. Oppose any effort that either mandates or prohibits the enforcement of federal immigration laws by local law enforcement agencies.

✓	29. [Support allowing counties to use unclaimed funds found in the possession of deceased paupers to support the counties' deceased paupers interment program.]
✓	30. [Support a basic court interpreter designation for justice of the peace court interpreters to allow employees who are fluent in Spanish to provide interpretive services.]
✓	31. Oppose increased restrictions and prescriptions on county and sheriff's civil service system rules and operations.
✓	32. [Oppose requiring NAME certification of ME offices as it could dramatically increase costs due to limitations on individual caseloads and enhanced facilities requirements.]
✓	33. [Oppose mandates that would require counties to absorb the cost of elections for other political subdivisions.]
✓	34. Oppose changes to the long-standing practice of using the most recent decennial U.S. Census to determine population for statute and legislative purposes.
✓	35. [Oppose the creation of house district based emergency response teams unless the state fully funds their communication equipment and other needs.]
✓	36. [Oppose requirement that a candidate for public office (other than a federal office) win by a margin of at least one percent of the votes cast in the election.]
✓	37. [Support HB 561 as long as the following principles are reflected in the bill: a. The county auditor has complete and unrestricted access to view information related to county finances on systems outside the office of the auditor, in all methods available, but cannot alter the data or those programming of those systems outside their office; and b. The county auditor has input to commissioners court on the selection of systems outside the official of the auditor but cannot dictate or mandate which systems are purchased.]
x	38. [Support authorizing a county employee appointed by the commissioners court as a payroll officer to make payroll deductions.]
✓	39. [Preserve the authority of the commissioners court to determine whether the creation of position of elections administrator is appropriate for a county.]
✓	40. [Oppose any new or increased restrictions on commissioners court]

	authority to establish salaries of county officers and employees.]
x	41. [Support establishing a \$10 filing fee on real property filings in the county clerk's office to support State Housing programs provided the county is allowed to retain an administrative fee.]
✓	42. Oppose any new funding for the lateral road and bridge fund, but support additional funds for the county road assistance program.
x	43. [Support the ability of governmental bodies to file suit in Travis County District Court against an abusive requestor of public information.]
✓	44. [Oppose a mandate that all early voting locations be open from 7am to 7pm during the entire early voting period.]

Positions on other proposals before the 81st Legislature

Items in this list are legislative positions regarding initiatives of member counties or other groups or organizations.

1. ~~[**Tax Refund Interest.** Lower the interest rate paid on tax refunds to a rate equal to that earned by the taxing entity. *Tarrant County*]~~
2. ~~[**CHIP Eligibility.** Support improvements to the CHIP/Medicaid eligibility system; provide 12 months coverage for Children's Medicaid; and create a CHIP buy-in program that enables working families to purchase CHIP coverage on a sliding-scale basis based on their income. *Texas Finish Line Campaign*]~~
3. ~~[**AJR Salaries.** Support limiting the annual pay increase for employees of an Administrative Judicial Region to no more than the average pay increase granted to county officials and employees in that fiscal year. *Dallas County*]~~
4. ~~[**Family Protection Fee.** Support increasing the family protection fee (collected on filing for dissolution of a marriage) from \$15 to \$30 to provide more funding for local family support services and abuse prevention services. *Dallas County*]~~
5. ~~[**Alcohol Testing Costs.** Support correction of a statutory reference to allow a county to retain a portion of the fee charged on conviction of certain alcohol or intoxication offenses to pay for operating a breath alcohol testing program. *Dallas County*]~~
6. ~~[**Dismissal Fees.** Support collection of court costs from a defendant in a dismissed case where the determination of innocence is not a factor. *Tarrant County*]~~
7. ~~[**Hospital TIF Participation.** Support allowing commissioners court to participate in tax increment financing agreements on behalf of their hospital district. *Tarrant County*]~~
8. ~~[**Community Service.** Support a participant fee to provide funding for flexible community service programs as an alternative to incarceration. *Tarrant County*]~~

9. [~~**Second Attorney.** Support allowing the appointment of a second attorney in a capital felony case to be delayed until the state has filed written notice to seek the death penalty. *Tarrant County*~~]
10. [~~**MHMR Delivery Systems.** Support increasing the capacity of the mental health and mental retardation delivery systems, including service capacity without regard to diagnosis, the array of services, the levels of care, and aftercare and support services. *Harris County*~~]
11. [~~**MHMR Crisis Care Funds.** Support providing local governments with additional flexibility in the use of community mental health and mental health crisis care funds. *Harris County*~~]
12. [~~**Waiting List.** Support increasing funding to reduce the waiting list (including new requests for services) by 10 percent for Home and Community Services (HCS) for those with intellectual or developmental disabilities who currently reside in state schools. *Harris County*~~]
13. [~~**Community-based Alternatives.** Fund community-based alternatives for persons with severe mental illness, including a new intermediate level of care. For instance, the optional Medicaid home and community-based services benefit for persons with severe mental illness who do not meet the institutional level of care could provide on-going long-term care services, such as assistive housing. *Harris County*~~]
14. [~~**Regional Transition Centers.** Support funding for existing regional transition centers that provide services, such as housing assistance and job training and placement, to youth aging out of foster care. *Harris County*~~]
15. [~~**Courthouse Security Fee.** Support an increase in courthouse security fees. *El Paso County*~~]
16. [~~**Court Reporter Fee.** Support an increase in the court reporter fee from \$15 to \$30. *El Paso County*~~]
17. [~~**PIA Timeline.** Support clarification that the 10-day deadline to respond to an estimate of the cost for an information request restarts if the request is narrowed in response to the estimate. *El Paso County*~~]
18. [~~**Family Violence Fee.** Support making an optional \$100 family violence fee (assessed if community supervision granted) mandatory to support family violence centers or shelters in the county in which the court is located. *El Paso County*~~]
19. [~~**Animal Control Officers.** Support an amendment to the Penal Code to clarify that Animal Control Officers carrying a bite stick while performing official duties are not subject to prosecution for carrying an illegal weapon. *Harris County*~~]
20. [~~**Cost Recovery.** Support an amendment clarifying that counties may recover the cost of electronic monitoring and drug testing from defendants released on bail bonds. *Harris County*~~]
21. [~~**Takeback Recycling.** Support the creation of a statewide takeback recycling program for discarded electronic products. *Harris County*~~]

22. [~~Ad Litem Costs~~. Support reimbursing counties for ad litem costs. *Collin County*]
23. [~~Juvenile Diversion Projects~~. Support the appropriation of \$4.79 million over the biennium for demonstration projects to divert youths with mental illness from the juvenile justice system. *Harris County*]
24. [~~Local Option Development Authority~~.
 - a. ~~Support clarifying the authority of hill country counties to manage subdivision development in unincorporated areas.~~
 - b. ~~Provide local option authority for the counties to:~~
 - i. ~~Require set-backs between incompatible land uses;~~
 - ii. ~~Regulate population density as determined by minimum or average lot sizes within a designated area; and~~
 - iii. ~~Assess impact fees to help fund the changes in infrastructure due to development.~~*Comal County*]
25. [~~Fireworks Limitation~~. Support changing the 60-hour limitation on county disaster declarations on fireworks to authorize a county judge to issue a ban effective for up to seven days unless extended by the commissioners court. *Comal County*]
26. [~~Dog Barking Regulation~~. Support allowing commissioners court to designate barking dogs in neighborhoods as a public nuisance. *Comal County*]
27. [~~Recordation of Closed Roads~~. Support legislation directing county clerks to file and properly index orders closing a road. *Comal County*]
28. [~~Credit Card Transactions~~. Support giving the county authority to absorb the cost of credit card transactions or raise the cost of all fees to cover the costs. *Collin County*]
29. [~~Billboards~~. Support giving commissioners court authority to prohibit the erection of new bill boards in the unincorporated area. *Scenic Texas*]
30. [~~Road Designation for Billboards~~. Support giving commissioners court authority to designate roads that are subject to billboard regulation by TxDOT. *Scenic Texas*]

June 18, 2009

To: All Urban Counties
From: Donald Lee, Executive Director
Re: **Status Report, 81st Legislature**

Chairman
Judge
Mike Bradford
Midland County

Chair Elect
Commissioner
Mike Cantrell
Dallas County

The following summarizes the status of priority issues for urban counties during the 81st Legislature.

Immediate Past Chair
Judge
Glen Whitley
Tarrant County

MHMR:

Appropriations: \$63 million in new funds for MHMR crisis care.
SB 1 by Ogden/Pitts, Article II – Passed

Vice-Chairmen
Comm. Tommy Adkisson
Bexar County

Property Taxes:

Appraisal caps did not move. Rep. John Otto's process improvements passed.

Comm. Sylvia Garcia
Harris County

Otto appraisal process reforms: Good moderate improvements.

Comm. Andy Meyers
Fort Bend County

HB 3611 -- Allows consolidation of appraisal boards -- Passed
HB 3612 - Pilot of using SOAH for appeals from ARB in Bexar, El Paso, Harris,
Travis, Tarrant and Cameron counties - Passed
HJR 36/HB 3613 - Homesteads appraised for residential value only - Passed
HB 8 - CPA appraisal study reform, audit CAD rather than penalize schools
- Passed

Comm. Jay Millikin
Comal County

Judge J.D. Salinas
Hidalgo County

Executive Director
Donald Lee

Sales Price Disclosure:

HB 133 by Villarreal – Failed

Member Counties

Tax abatement sunset: Extend thru 2019.

Bell ~ Bexar
Brazoria ~ Brazos
Cameron ~ Chambers
Collin ~ Comal
Dallas ~ Denton
El Paso ~ Ellis

HB 773 by Oliveira/Williams – Passed

HB 3896 by Oliveira/Seliger -- Passed

Wind Farm Tax Abatements:

HB 1127 by Heflin – Failed

SB 1458 by Seliger/Swinford – Passed

Revenue Caps: Mandatory election for tax rate 8% over effective rate.

SB 700 by Patrick – Failed

Sales Tax for Property Tax: ¼ cent sales tax, revenue lowers effective tax rate, only C.Ct. may call election, if adopted roll back rate lowered to 5%.

SB 402 by Eltife – Failed

Notice of Tax Rate Change:

HB 2291 by Gattis/Ogden – Notice and motion for adopting tax rate above effective rate must include % increase. – Passed

500 West 13th Street
Austin, TX 78701

Phone: 512.476.6174
Fax: 512.476.5122

www.cuc.org

Appraisal Review Boards: Authorizes local administrative district judges, to make appraisal district board appointments (applies to Harris and Fort Bend Counties).

HB 1030 by Callegari/Ellis – Passed

Eminent Domain:

Agreed-to comprehensive reform bill died due to House slow-down.

Agreed-to Constitutional amendment passed. Prohibits taking property to transfer to a developer, but allows leasing.

Comprehensive Reform: Mandatory relocation expenses, mandatory bona fide offer w/ checklist, right to re-buy at purchase price if project not started, diminished access compensation (fixed in Senate version).

SB 18 by Estes – Failed

Limiting the Taking of Property:

HJR 14 by Corte/Duncan - Prohibits a public taking for purely economic development reasons
- Passed

Development Regulation: A bill granting county authority to enforce building codes in the unincorporated area was passed. Nothing else moved other than another study.

Buffer Zones: Counties over 800,000 population authority to adopt buffer zone requirements around land uses incompatible with residential.

HB 4175 by Bolton – Failed

Development Regulation: All counties may, if approved by voters, require fire suppression, buffer zones, and contributions towards offsite roads.

SB 578 by Wentworth – Failed

Uniform Code Task Force: Create task force w/ Urban Counties Representation on uniform subdivision regulations focused on border/colonias requirements.

HB 2275 by Raymond/Zaffirini – Passed

Hill Country Development Regs: Allow Hill Country counties, with voter approval, to assess impact fees, regulate development including density.

HB 3265 by Rose – Failed

Building Code Authority:

HB 2833 by Marquez/Shapleigh – Building code authority in counties over 100 --
Passed

Civil Service/Labor Relations: Nothing moved.

Civil Service:

HB 487 by Menendez – Sheriff's Civil Service (>500,000); Reshape to be like municipal city service – Failed

HB 1184 by Olivo – Forces mandatory Sheriff's civil service on Ft. Bend, Collin & Denton Counties – Failed

HB 2931 by Vaught – Appeal to third party hearing examiner – Failed

HB 3158 by Bolton – Lump sum payment for accumulated sick leave – Failed

HB 3116 by Menendez – Sheriff's Civil Service (counties of 50,000 or more) – Failed

Meet and Confer:

HB 2673 by Davis – County with more than 500,000 - Failed
HB 3008 by Coleman – Harris County – Failed
SB 1687 by Hinojosa – Hidalgo County – Failed
HB 3011 by Gonzales – Hidalgo County – Failed
HB 3058 by Castro – County with population of less than one million in which 80% of population lives in single municipality – Failed

Emergency Management/Emergency Reentry Procedures: The original reentry bills did not move, but HB 1831 by Corte/Carona was amended to include reentry provisions.

HB 1831 by Corte/ Carona – Emergency management; Creates provisions regarding disaster reentry procedures. -- Passed
SB 181 by Gallegos – Failed
SB 339 by Gallegos – Failed
SB 2081 by Uresti – Requires counties to assess EMS services -- Failed

County Affairs: The County Efficiency Act bill passed along with a few others relating to the mandatory bid limit, auction proceeds and county auditors.

Mandatory Bid Limit: Increases mandatory bid limit to \$50,000.

HB 78 by Flynn – Failed
HB 117 by Heflin – Failed
HB 987 by Creighton/West – Passed
HB 2573 by Gonzalez-Tourelles – Failed
SB 253 by Estes – Failed

Auditors:

HB 561 by Madden - Auditor authority over computers – Failed
HB 562 by Madden – Appointment of payroll officer – Failed
HB 1230 by Farabee/Harris – Lowers population bracket for counties that may increase auditor salary – Passed

Payroll/Payroll Officers:

HB 264 by Berman – Delay of commissioners court pay increase – Failed
HB 1223 by Laubenberg – Appointment of payroll officer – Failed

Auction Proceeds from Abandoned Vehicles:

HB 453 by Gonzalez-Tourelles/Hinojosa -- Funds from the auction of abandoned vehicles – Passed

County Efficiency Act: The county cleanup bill passed.

HB 3485 by Coleman/West –

- Allows transmission of a warrant via secure fax or secure electronic mail;
- Allows an election administrator to be suspended;
- Allows a county to retain unclaimed money for the disposition of deceased paupers;
- Allows the cremation of an unidentified pauper's remains;
- Allows alternative payment options for jurors and allows a juror to self-select charitable donations of jury pay;
- Allows a county or intergovernmental pool to require reimbursement for coverage of punitive damages;

- Adjusts the bid limit for counties to the same level as cities;
- Allows multiple County Assistance Districts (one in each commissioners precinct), allows for an appointed board, and for the inclusion or exclusion of territory in the CAD;
- Clarifies that a county IT employee is not required to be a licensed private investigator;
- Clarifies language for self-insured counties regarding reimbursement for coverage for punitive damages;
- Allows a county-maintained automated payroll system to be used for payroll deductions;
- Allows counties to sell or license software developed by the county;
- Permits the use of a closed circuit video teleconferencing system for grand jury proceedings, including the recording and retention of the testimony of a peace officer;
- Requires county clerks to report the number of foreclosures filed each month;
- Allows notice of county or city code violations to be sent by regular mail;
- Allows a county to create one or more public improvement districts;
- Adjusts a bracket (Bexar County area) on specific public improvement district language and clarifies consent of the county is required to add or exclude land in the PID;
- Permits Parkland and public hospitals in small counties to employ physicians; and
- Updates ME certification requirements and autopsy and inquest requirements.

Passed

Fireworks: No fireworks legislation passed.

Disaster Declarations: County requests to remove requirement for the Governor to approve restrictions past 60-hours.

HB 2615 by Heflin-- Strikes the limitation on fireworks restrictions adopted under a local disaster declaration – Failed

HB 2857 by Miller -- Strikes the limitation on fireworks restrictions adopted under local disaster declaration – Failed

SB 1390 by Wentworth -- Strikes the limitation on fireworks restrictions adopted under a local disaster declaration – Failed

Other Fireworks Legislation:

HB 3092 by Harless – Harris County – Failed

HB 3243 by Riddle – Harris County – Failed

HB 4625 by Lucio, III – Expands regulation authority to all flying fireworks – Failed

SB 2101 by Wentworth – Election to prohibit sale, possession and use – Failed

HB 599 by Hughes – Fireworks allowed on Texas Independence Day – Failed

Indigent Healthcare: Nothing moved.

HB 490 by Jim Jackson – Increases indigent health care expenditures – Failed

HB 3408 by Gonzales – Expands services counties are required to provide to eligible residents – Failed



June 18, 2009

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Mike Bradford
Midland County

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Commissioner
Mike Cantrell
Dallas County

Immediate Past Chair

Judge
Glen Whitley
Tarrant County

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Judge J.D. Salinas
Hidalgo County

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Hunt ~ Jefferson
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Wise

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Austin, TX 78701

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To: All Urban Counties

From: Veronica Trevino, Program Manager

Re: **Report on Bills that Passed, 81st Legislature**

The following is a list of bills passed by the 81st Legislature that are of interest to urban counties.

County Affairs

Personnel Issues

HB 405 by Harless/Huffman – Allows an animal control officer to carry a bite stick.

HB 765 by Hartnett/Carona – Requires a commissioners court to pay a judge of a statutory probate court replacement benefit pay and longevity pay under the same conditions and in the same amount as is received by a district judge.

HB 1177 by Guillen/Zaffirini – Lowers the bracket for peace officers or firefighters eligible for legislative leave from counties with 500,000 to 190,000.

HB 1925 by Gutierrez/Wentworth – Strikes language limiting a court administrator's compensation to 70% of a county judge's salary.

HB 1960 by Maldonado/Lucio – Requires a county to pay a peace officer for an appearance as a witness in a criminal or civil suit or an administrative hearing in which the county is a party in interest.

HB 2068 by Elkins/Hegar – Requires a law enforcement agency to issue a photo ID to an honorably retired peace officer who holds a certificate of weapons proficiency.

HB 2168 by Chavez/Watson – Prohibits a commission from enhancing a disciplinary action by the sheriff's department (provisions apply to a county with a population of more than 500,000).

HB 2835 by Marquez/Shapleigh – Allows the El Paso County judge to delegate to a commissioner the ability to sign orders or other official documents.

HB 3872 by Gattis/Estes – Expands the persons who are eligible to be considered for appointment as veterans' county service officers.

HB 4445 by Alvarado/Gallegos – Creates a basic language interpreter's license, rather than the current full licensing, that can be used in JP courts.

- SB 497 by Wentworth/Hartnett – Allows a commissioner's court to provide longevity pay to long serving judges or justices.
- SB 872 by Lucio/Menendez – Entitles survivors of a public servants who are killed in the line of duty (peace officers, county jailers, firefighters, EMS, etc.) to continue to purchase health coverage through the employer until they qualify for federal Medicare benefits.
- SB 1554 by Gallegos/Coleman – Allows a district, county, or precinct officer, in a county of more than 190,000, to designate a person to receive fees, commissions or costs on their behalf.
- SB 1574 by Hinojosa/Marquez – Deletes the requirement that a county clerk in a border county prepare an annual written records management plan.
- SB 2085 by Wendy Davis/Hancock – Provides an affirmative defense to prosecution for spending public funds on political advertising if an officer or employee reasonably relied on a court decision, an opinion from the AG or the TEC, or an attorney employed by the political subdivision.
- SB 2468 by Gallegos/Coleman –
- Prohibits former Harris County officials or employees from appearing before the governing body with intent to influence the governing body for two years after leaving office; and
 - Prohibits a former local government officer from representing a person or being compensated for services rendered regarding a particular matter on which the local government officer took action during their time in office.

County Clerks

- HB 2186 by Guillen/Huffman – Requires a county clerk, who receives a bad check for a vehicle registration fee to attempt to contact the person to collect payment before turning the matter over to law enforcement.
- HB 3601 by Paxton/Hegar – Allows a county clerk to post notices electronically.
- HB 3602 by Paxton – Requires the county clerk to send financial statement forms via e-mail, if requested.

Auditors

- HB 2549 by John Davis/ Dan Patrick – Increases the bracket allowing an auditor to audit any contractual relationship between the county and the county department of education to 3 million or more.

County Authority

- HB 1013 by Corte/Wentworth – Allows counties with military installations to regulate lighting near a military installation.
- HB 1063 by Farias/Wentworth – Allows a county to require a gated community to install a device to open the gates in response to an emergency vehicle siren.
- HB 1445 by Bonnen/Huffman – Allows certain political subdivisions to erect or maintain shore protection structures.
- HB 1579 by Gonzales/Lucio – Allows a county to assist in the removal of flood water from private property in a colonia.
- HB 1730 by Pitts/Averitt – Allows a Ellis County to issue bonds to reimburse a developer for the cost of certain public improvements located in a PID.

- HB 1843 by John Davis/Dan Patrick – Allows a county to use cash found in the possession of a deceased pauper to pay for the disposition of the body.
- HB 2374 by Guillen/Lucio – Allows a political subdivision to use money from the economically distressed areas account to finance residential water and waste water connections and plumbing improvements.
- HB 2665 by Ritter/Williams – Allows a county to regulate address number signs in unincorporated areas.
- HB 2919 by Susan King/Fraser – Allows certain counties to create a regional military sustainability commission to ensure compatible development.
- HB 3004 by Coleman/Mike Jackson – Allows a county to enforce statutes for animal shelters.
- HB 3089 by Veasey/Wendy Davis – Allows a county to order any vehicle retired under a clean air program to be recycled without a competitive bid or auction.
- HB 3094 by Harless/Dan Patrick – Allows a county to regulate massage parlors.
- HB 3358 by Sylvester Turner/Shapleigh – Allows a county of more than 500,000 to provide safe and sanitary housing for veterans.
- HJR 132 by Corte/Wentworth – Allows counties to issue bonds or notes to finance acquisition of buffer areas near a military installation.
- SB 530 by Dan Patrick/John Davis – Allows a county to use cash found in the possession of a deceased pauper to pay for the disposition of the body.
- SB 968 by West/Truitt – Allows a county or city to regulate and permit interactive water features or fountains.
- SB 978 by West/Elkins – Allows a county or city to create more than one public improvement district and undertake more than one improvement project.
- SB 1059 by Hegar/Phillips – Allows a county to remove a cattle guard from a county road if it provides notification to each adjacent landowner.
- SB 1299 by Watson/Rodriguez – Allows Travis County to regulate storm water management.
- SB 1368 by Shapleigh/Marquez – Allows the creation of the El Paso County ethics board.
- SB 1676 by Hinojosa/Gonzales – Allows a commissioners court to charge a fee for a certificate issued for the connection of utilities for a subdivision located in the unincorporated area of a border county.
- SB 2048 by Williams/Riddle – Allows a county with a population over 100,000 to create a centralized sex offender registration authority.
- SB 2253 by Zaffirini/Guillen – Reworks the subdivision regulation authority available to border counties to combat colonias.

Courts/Jury Issues

- SB 397 by Carona/Jim Jackson – Authorizes alternative methods to pay jurors.
- SB 82 by Nelson/Moody – Requires a court to impose a \$100 payment to a family violence center if a person convicted of a family violence offense is granted community supervision.

SB 1675 by Hinojosa/Madden – Requires jury donation forms to require a description of the programs to which juror reimbursement can be donated to.

HB 587 by Naishtat/Watson – A court may authorize the payment of attorney's fees in a guardianship matter by a county only if the court determines the attorney has not received payment from another source.

Other Bills of Interest:

HB 527 by Liebowitz/Zaffirini – Allows a commissioners court to remove an appointed emergency services district board member for failure to provide requested reports.

HB 960 by Anchia/Carona – Allows a city or county that regulates S.O.Bs to obtain criminal history records from the DPS.

HB 2004 by McCall/Ellis – Requires a local government to disclose a breach of computer security to a person affected by the breach as quickly as possible.

HB 2042 by Flynn/Deuell – Requires a sheriff who can't find the owner of a stray animal to post notice of impoundment of the animal in the courthouse; a newspaper, or on the county's website.

HB 2073 by Bonnen/Hegar – Requires coastal local governments to use historical erosion data and a coastal erosion response plan published by the GLO to prepare a local plan for reducing public expenditures for property damage.

HB 2730 by Kolkhorst/Hinojosa –

- Provides that routine repair or maintenance of a computer does not require licensing as a private investigator;
- Allows a person to obtain a concealed carry license if they are delinquent in state or local taxes; and
- Requires a county that is not reporting criminal justice dispositions to DPS to prepare an improvement plan.

HB 2820 by Chisum/Wentworth – Adds geoscientists and landscape architects as a professional service.

HB 2859 by Doug Miller/Wentworth – Provides that a county satisfies the public notice requirement for surplus and salvage sales (value less than \$500) done through an internet auctioneer by posting the sale on the web.

HB 3003 by Homer/Eltife – Requires commissioners court approval to create a bail bond board in counties with less than 11,000.

HB 4360 by Geren/Nelson – Amends the venue financing statute to:

- Allow counties and cities to include oil and gas lease bonuses and royalties to finance a proposed venue project; and to
- Allow the imposition of an event parking tax if approved by the voters.

SB 571 by Hinojosa/Gonzales – Allows a crematory to accept unidentified human remains from a county.

SB 686 by Wendy Davis/Orr –

- Requires a county to allow subsurface access to a county road right-of-way for the installation of a temporary water line; and

- Entitles a gas utility to lay, maintain, and operate a natural gas pipeline through, under, along, or across a controlled access highway if it meets certain requirements.

SB 874 by Shapleigh/Quintanilla – Exempts El Paso County from drainage charges imposed by a municipal drainage utility system.

SB 926 by Huffman/Fletcher – Prohibits imposing a civil penalty against an authorized emergency vehicle for a red light camera violation.

SB 1035 by Hinojosa/Ortiz – Lowers from 400,000 to 300,000 the minimum population a county must have for a cultural education facilities finance corporation to exercise its authority.

SB 1614 by Wentworth/Doug Miller – Requires an order closing, abandoning, or vacating a county road to be indexed by the name of the county and each property owner.

SB 1629 by Wentworth/Rose – Expands the exemption from the required prepayment of costs for large public information requests to include requestors who publish a newspaper or magazine on the internet.

Elections

HB 488 by Bohac/Duncan – Requires volunteer deputy registrars to be eligible to register to vote.

HB 1493 by Tracy King/Zaffirini – Allows employees where a polling place is located to use a cell phone in the normal course of their job duties.

HB 2401 by Keffer/Fraser –

- Requires the full time employees of an Elections Administrator to be subject to the same political activity restrictions that apply to the EA; and
- Creates an exception for political contributions or endorsing or opposing a candidate for full-time employees in a county of less than one million.

SB 1134 by Duncan/Berman – Allows a student who is at least 16 years old to serve as an election clerk with the consent of the principal or of their parent.

SB 1402 by Hinojosa/Pena – Requires a political subdivision in Hidalgo County to request a contract with the county elections administrator to perform election services.

HB 2101 by Pierson/Wendy Davis – Allows the county executive committee to apply to the state executive committee for permission to move their convention outside of county boundaries.

HB 2847 by Riddle/Dan Patrick – Exempts Harris County MUDs from using county election precincts in the November election.

Eminent Domain

HB 2685 by Callegari/Nichols – Requires an entity with eminent domain authority to provide a copy of the landowner's bill of rights statement to a landowner prior to any discussion or use of eminent domain.

Emergency Management

HB 1998 by McCall/Gallegos – Entitles a political subdivision that is the center for temporary housing or emergency shelters during a disaster to receive an advance or reimbursement of all expenses.

HB 4102 by Eiland/Carona – Amends provisions regarding the disaster contingency fund to:

- Allow funds to be used by a local government to pay costs incurred in preparing for or recovering from a disaster; and to
- Require an entity that receives funding to reimburse the fund if it subsequently receives reimbursement from the federal government or other entity.

SB 1112 by Estes/Farabee – Allows a county to provide money from the general fund to individual county residents who are adversely affected by local state of disaster declared by the county judge.

Indigent Healthcare

HB 2963 by Coleman/Dan Patrick –

- Requires a county, hospital district, or public hospital to pay a claim of a provider of services to an eligible resident only to the extent it is liable for payment; and
- Allows the entity to provide health care services for eligible county residents through the purchase of health care coverage or other health benefits.

Juvenile and Criminal Justice

Penal Code

HB 55 by Branch/Carona – Prohibits use of a cell phone in a school zone; Requires a city, county or other political subdivision to post a sign at the entrance of each crossing zone.

HB 857 by Laubenberg/Estes – Creates enhanced misdemeanor offenses for outdoor burning violations, depending on the material burned.

HB 1720 by Bohac/Deuell – Provides that it is a Class A misdemeanor for the use of public funds by a political subdivision for political advertising or communications that contain false information relating to a ballot measure.

HB 1721 by Bohac/Deuell – Creates a felony offense for taking or attempting to take a weapon from an employee or official of a correctional facility.

HB 2012 by Vaught/Carona – Creates a Class B misdemeanor for driving with an invalid license and without liability insurance.

HB 2086 by Moody/Whitmire – Allows a county to require a property owner to remove graffiti from their property and provides for penalties for persons committing offenses related to gang activity and graffiti.

HB 3228 by Madden/Whitmire – Clarifies and establishes offenses for possession of prohibited substances and items in correctional facilities (includes jails).

SB 328 by Carona/Phillips – Creates and clarifies penalties and offenses for operating a watercraft while intoxicated.

SB 359 by Dan Patrick/Eiland – Increases an offense to the next higher category if committed in a disaster area or an area under an evacuation order.

SB 488 by Ellis/Harper-Brown – Creates offenses for operating a vehicle in a way that is dangerous to a vulnerable road user (pedestrian, child, etc.).

Fees/Court Costs

HB 144 by McClendon/Wentworth – Optional filing fee in Bexar county to fund civil and criminal courts.

HB 3637 by Hughes/Wentworth – Increases various filing fees for civil actions or proceedings in a district, county, justice, or small claims court.

HB 4529 by Chavez/Shapleigh – Increases the court reporter service fee in El Paso County to \$30.

SB 333 by Carona/Jim Jackson – Permits a county to retain a portion of a court cost to for maintaining and supporting a breath alcohol testing program.

SB 408 by Carona/Hughes –

- Provides that the judgment of a county court or county court at law is appealable to the courts of appeals; and
- Increases from \$100 to \$250 the minimum amount of a judgment that may be appealed.

SB 414 by Carona/Kent – Allows a hearing to determine fines and court costs to be held in person or by means of an electronic broadcast system.

SB 1356 by Lucio/Oliveira – Allows an auto theft unit of a county or municipal law enforcement agency to impose a \$40 administrative fee.

SB 1685 by Hinojosa/Gonzales – Authorizes the commissioner's court to adopt a district court records archive fee.

Juvenile Justice

HB 609 by Castro/Wentworth – Requires a six person jury for a juvenile court hearing for a misdemeanor offense.

HB 2386 by Castro/Uresti – Allows juvenile courts to immediately seal the record of an eligible juvenile, if the juvenile successfully completes a drug court program or another special program ordered by the court.

HB 3005 by Coleman/Whitmire – Allows a juvenile probation department employee to request the DSHS or a health authority to order testing of another person who may have been exposed to a communicable disease.

SB 407 by Shapiro/Jim Jackson – Authorizes a county court at law judge in Harris or Dallas County to appoint one or more part-time magistrates to hear truancy cases.

SB 1237 by Estes/Heflin – Allows a juvenile probation officer to carry a firearm in the course of their official duties if the chief juvenile probation officer authorizes it.

Expunctions

HB 3481 by Veasey/Harris – Entitles certain persons if charges are dismissed to an expunction of their records.

SB 1224 by Huffman/Moody – Waives the fee in expunction proceedings if it is a record that relates to an arrest for which the person was acquitted and the petition is filed within 30 days.

Other Bills of Interest

HB 1506 by Herrero/Hinojosa – Allows a magistrate, in an order for emergency protection (family violence) to require a defendant to wear a GPS device.

HB 3594 by McReynolds/Watson – Requires (in counties of less than 100,000) that DNA evidence used in a criminal conviction for certain offenses be sent to the DPS for storage if the sentence is more than 10 years.

- HB 3654 by Marquez/Wendy Davis – Requires Jail Standards to adopt rules to ensure the special needs of pregnant inmates are accommodated.
- HB 3671 by Sheffield/Hegar – Removes from the pen packet an arrest record sent to the TDCJ with an inmate.
- SB 415 by Carona/Kent -- Allows a magistrate to order a person charged with a misdemeanor punishable by fine only to appear at a later date for arraignment in an applicable justice or municipal court.
- SB 418 by Carona/Moody – Requires local law enforcement agencies in counties with a population of 100,000 or more to compile and maintain criminal street gang information and submit it to DPS.
- SB 1303 by Seliger/Phil King – Requires an agency that employs peace officers to designate a firearms proficiency officer and requires each peace officer to demonstrate weapons proficiency.
- SB 1369 by Lucio/Hunter – Requires a local administrative judge to establish and maintain a list of all attorneys qualified to serve as an attorney ad litem.
- SB 1940 by Van de Putte/Ortiz – Authorizes commissioners courts to establish a veterans court program for veterans arrested or charged with an offense.

Property Taxes

Exemptions

- HB 770 by Donna Howard/Mike Jackson – Extends a homestead exemption for two years for a residence rendered uninhabitable because of storm damage.
- HB 2555 by Hilderbran/Ogden –
- Increases the time real property acquired by a charitable organization to provide low-income housing may be exempted from ad valorem taxation from 3 years after the organization acquires the property to 5 years; and
 - Entitles a corporation that does not meet the standard of being a qualified charitable organization to an exemption from property taxation if it meets certain requirements related to an eligible organization.
- HB 2628 by Rodriguez/Watson – Creates a property tax exemption for a charitable organization that provides housing to the homeless.
- SB 2442 by Uresti/Gallego – Creates a property tax exemption for a charitable organization: that provides training and employment to the disabled; that operates an educational radio station; or that leases property to an institution of higher education.

Payments

- HB 1257 by Legler/Williams –
- Allows a business entity that owns damaged property in a disaster area to make installment payments on property taxes; and
 - Allows a property owner whose property is rendered uninhabitable because of mold or water damage to continue to receive a residence homestead exemption while they construct a replacement residence.
- SB 798 by Carona/Jim Jackson – Stipulates that in Harris and Dallas Counties a taxpayer who overpays their taxes by more than \$5 but less than \$5,000 is not required to request a refund in order to receive a refund.

SB 1359 by Seliger/Rose – Allows a taxing unit to intervene in an appeal for nonpayment of property taxes and entitles it to process for witnesses and evidence to be heard by the court.

Appraisal Process

HB 1038 by Paxton/Dan Patrick – Requires a chief appraiser to consider the market value of other comparable residential property in the same neighborhood when determining the market value of a residence homestead.

SB 771 by Williams/Otto – Appraisal reform bill:

- The burden of proof is on the chief appraiser if the value of a property, that was lowered in an appeal, is increased in the next tax year;
- Requires comparable sales to have occurred in the preceding two years;
- Removes the \$1m cap on residential homestead properties that can appeal to binding arbitration (instead of district court);
- Allows commercial properties (\$1M cap);
- Allows commercial properties (\$1M cap) to appeal to binding arbitration; and
- Creates a one hour, expedited arbitration option with a lower deposit requirement of \$250.

SB 801 by Hegar/Homer – Provides that land is not eligible for appraisal as open-space land if has been devoted principally to agricultural use or to the production of timber or forest products for the preceding five years and is used for wildlife management.

Transportation

HB 2572 by Gonzalez-Tourelles/Mike Jackson – Gives a gas corporation the right to lay and maintain a line over, along, under and across a public road if it complies with certain requirements.

HB 3139 by Herrero/Van de Putte – Allows a toll project entity to establish a customer discount program for disabled veterans.

SB 434 by Wentworth/Bolton – Requires TxDOT to establish a pilot program to allow buses to drive on the shoulder during traffic jams on highways in Bexar, Denton, El Paso and Travis Counties.

SB 882 by Carona/Geren – Gives a regional tollway authority has the same powers and duties as the department, a county and a regional mobility authority regarding the collection and enforcement powers for turnpike projects and other toll projects.

SB 2058 by Williams/Wayne Smith – Clarifies that Harris County Road Law prevails when in conflict with other rule or law.

Other Bills of Interest

HB 271 by Ortiz/Van de Putte – Sets maximum number of enterprise projects that the Texas Economic Development bank may designate for each nominating body during a biennium to six for a city or county of less than 250,000 or nine if the population is more.

HB 328 by Heflin/Seliger – Abolishes the officer of the inspector of hides and animals.

- HB 559 by Hernandez/Gallegos – Makes a JP a state judge for purposes of having their residence address information removed from voter registration, concealed handgun records, or appraisal records.
- HB 768 by Kolkhorst/Hegar – Repeals the requirement that a new road ordered by the commissioners court be laid out by a jury of view.
- HB 821 by Leibowitz/Watson – Creates the television recycling program.
- HB 1232 by Menendez/Van de Putte – Requires the DSHS to establish a local health intervention pilot program for children in Bexar County.
- HB 1382 by Yvonne Davis/Harris – Clarifies that a governmental entity may change a lease to reflect changes in operating costs.
- HB 2093 by Driver/Hegar – Allows TCLEOSE to certify a county jailer as a special officer for offenders with mental impairments.
- HB 3851 by Eiland/Huffman – Allows the governor, at the request of a political subdivision, to waive or suspend a legislative or administrative deadline if it is reasonably necessary to cope with a disaster.
- SB 229 by West/Callegari -- Expands bracket for design build authority to counties with 100,000 or more – Passed
- SB 376 by Carona/Phillips – Clarifies commissioners court authority regarding a county traffic officer's failure to perform their duties.
- SB 490 by West/Vaught – Lowers a county population bracket from 2.4 million to 1.3 million in a provision regarding procedures for selecting a bank to hold court registry funds in large counties.
- SB 534 by Shapleigh/Chavez – Changes the number of the El Paso County board of hospital managers to seven.
- SB 562 by Mike Jackson/Bonnen – Allows a tax assessor to request return service if the bill is not deliverable as addressed.
- SB 576 by Wendy Davis/Todd Smith – Allows tax increment funds to be used to pay for roads, sidewalks or other public infrastructure in or outside a reinvestment zone.
- SB 636 by Seliger/Rose – Requires the comptroller to provide, on request, the amount of tax paid to the county during the preceding or current calendar year by each person doing business in the county who annually reports total sales tax payments of more than \$25,000.
- SB 727 by Dan Patrick/Vaught – Requires collection of DNA for additional felony convictions and increases the juvenile delinquency fee to \$50.
- SB 1774 by Whitmire/Hernandez – Allows a district clerk in a county with a population of 1.7 million or more to deliver an eligible exhibit (from a court proceeding) to the county purchasing agent for disposal as surplus or salvage property.
- SB 1992 by Gallegos – Allows the imposition of a civil penalty against an operator of an automotive wrecking and salvage yards in Harris County.
- SB 2072 by Duncan/Berman – Removes language allowing commissioners court (in a county of more than 125,000 that has implemented a financial

disclosure reporting system for county officers and employees) to contract with the secretary of state for the filing of the statements.

TRAVIS COUNTY COMMISSIONERS COURT
PRELIMINARY ANALYSIS OF LEGISLATIVE OUTCOMES

County land use authority

- ☒ *Buffer bill* – HB 4175 by Bolton. Reported favorably from House Land and Resource Management Committee on 5/7. Never made it onto the House Calendar. Supported by homebuilders' groups, but some concerns from aggregate industry.
- ☒ *Impact fees* – HB 2693 by Rodriguez. Heard in County Affairs on 4/16; passed 5/5; died on House Calendar on 5/14.
- ☒ *Stormwater management* – SB 1299 by Watson, HB 1981 by Rodriguez. SB 1299 passed the Senate on 4/23. HB 1981 heard in Natural Resources on 4/28, left pending. The committee substituted SB 1299 for HB 1981 and voted it out of committee on 5/5 to and sent it to the Local and Consent Calendar. Passed House 5/29, sent to the Governor.
- ☒ *Hill Country land use* – HB 3265 by Rose. Does not include Travis County at present. Passed out of committee on 4/6 with a 5-2 vote, committee report submitted 4/27. Never made it onto the House Calendar.
- ☒ *Extraterritorial jurisdiction* – HB 4262 by Rodriguez. Heard in Land and Resource Management on 4/8, left pending.
- ☒ *Billboards* – SB 1266 by Watson, HB 3616 by Bolton. SB 1266 passed the Senate on 5/6. Senate version substituted in committee and recommended for Local and Consent Calendar. Died in last-minute chub on 5/26.
- ☒ *Barton Springs-Edwards Aquifer Conservation District* – SB 2474 by Watson, HB 4729 by Bolton. SB 2474 passed the Senate on 4/23, referred to House Natural Resources. Substituted for House version, passed committee 5/14. Died on House Calendar. Amended onto SB 726 and HB 3335, but removed in conference committee due to veto threats.
- ☒ *Utility relocation* – HB 3787 by Rodriguez. Referred to House Transportation Committee. Not heard.

Transportation/Local Option Funding

- ☒ *Local option transportation funding* – SB 855 by Carona. Died on House Calendar, 5/23. Amended onto TxDOT Sunset bill. Stripped off in conference committee.
- ☒ *Fund 6 diversions* – HB 1047, HJR 54 by Deshotel *et al.*; SJR 22, SB 726 by Wentworth. House bills passed out of Transportation on 4/14, died in Calendars. Senate bills did not get a hearing.

Criminal justice reform

- ☑ *Re-entry planning* – HB 1711 by Turner, SB 1786 by Whitmire. House concurred in Senate amendments, 5/28.
- ☑ *Re-entry task force* – SB 2280, HB 2162, HB 4178 all contained versions of this proposal. Ultimately amended onto HB 1711.
- ☑ *Identification documents* – HB 2161 by Turner. House concurred in Senate amendments, 5/29.
- ☑ *Workforce re-entry* – HB 2808 by Thompson. Remove some barriers to receiving occupational licenses. House concurred in Senate amendments, 5/29.
- ☑ *Temporary housing costs* – HB 3226 by Madden. Provides limited assistance with housing costs for re-entry population. Passed House 5/7. Passed Senate 5/23. Sent to the Governor.
- ☒ *Food assistance* – HB 612 by Naishtat. Passed out of House Human Services on 4/23, report filed 4/30.

Courts management

- ☑ *Longevity pay adjustment* – SB 497 by Wentworth. Passed Senate on 3/19. Passed House on 5/27. Conference committee report adopted 5/31.
- ☑ *Presiding criminal courts judge* – HB 3468 by Naishtat. Passed House on 4/30, passed Senate on 5/26.
- ☑ *Special court fees* – HB 3585 by Gallego. Passed House Criminal Jurisprudence on 4/23. Amended onto HB 1544, passed.
- ☒ *Warrant fee increase* – HB 1531 by Bolton. Passed House on 4/30, referred to Senate Criminal Justice, 5/6.
- ☒ *Early retiree health benefit options* – HB 3963 by Bolton. Heard in House Pension, Investments and Financial Services on 4/8, left pending.

Bill Number	Nickname	Status
	LAND USE	
HB 4175 Bolton	Comprehensive planning and performance-based buffers for industrial uses	Comprehensive planning + performance-based industrial buffer zones. Heard in L&RM Committee on 4/8, left pending. Substitute voted out of committee, 5/7. Needs to get on Calendar. (5/12) DEAD
SB 2451 Wentworth	Joint city-county planning and limited land use authority in the ETJ land use	Wentworth late-filed the bill, 3/18. BA delivered 3/25. Still awaiting a committee hearing. (4/30) Introduced and referred to Senate Intergovernmental Relations 3/319
HR 4262 Rodriguez	"Rose lite" bill	Lege Council draft 81R10567. Rodriguez filed 3/13. BA delivered 3/25. Heard in L&RM Committee, 4/8, left pending. (4/30) DEAD
SB 2202 Wentworth	Omnibus county land use bill - Bolton	Wentworth filed on 3/13. BA delivered 3/25. Referred to Senate Intergovernmental Relations 3/31. Still awaiting a committee hearing. (4/30)
SB 2452 Wentworth	County land use bill - Wentworth	Wentworth late-filed on 3/18. BA delivered 3/25. Still awaiting a committee hearing. (4/30)
HB 1119 Bolton	Land use impact fee I & II - Merged	BA delivered 3/25 Referred to House Land and Resource Management. Hearing not requested. (4/30) DEAD
SB 578 Wentworth	Hill Country land use - Chap. 231	Wentworth has filed before. Per Joe Morris, interest in a committee substitute. Referred to Senate Intergovernmental Relations 2/23. Still awaiting a committee hearing. (4/30)
HB 2693 Rodriguez	LOCAL OPTION MOBILITY	Filed on 3/6. BA delivered 3/25. Referred to House County Affairs. Heard in County Affairs 4/16, left pending. Reported favorably out of committee, 5/8. Needs to get on Calendar. (5/12) H Set on the House Calendar 5-14-09 DEAD
HB 3265 Rose	Local option mobility fee - Travis	Rose filed two bills, HB 2167 and this one. Travis County not in either bill. Heard in L&RM Committee; voted favorably as substituted, 4/6. Report filed, 4/27. (4/30) DEAD
HB 3448 Rodriguez	Local option mobility fee - Carona	Filed on 3/11. Enabling legislation for HJR 122. Referred to House Transportation 3/19. Hearing on 4/21, left pending. (4/30) DEAD
SB 855 Carona	Local option mobility fee - Bexar	Passed Senate on 21-6 vote, 4/14. Voted favorably from House Transportation Committee as substituted House Transportation 5/12. Cmte. Report sent to Calendars, 5/18. H Set on the House Calendar 5-22-09. Also, see HB 300, the TXDoT Sunset bill. DEAD
HB 9 Truitt	Local option mobility fees	Companion to Carona's filed bill. Heard in House Transportation Committee 4/21, left pending. (4/30)H Reported from committee as substituted House Transportation 5-11-09 DEAD
HB 1674 Villarreal	Local option mobility fee - Bexar	Heard in House Transportation Committee 4/21, left pending. (4/30) Reported from committee as substituted House Transportation 5-11-09 DEAD

Bill Number	Nickname	Status
OFF-PREMISE SIGNS		
HB 3616 Bolton	Off-premise signs	See also HB 1440. Filed 3/12. Heard in Transportation Committee 4/2; Commissioner Eckhardt testified. Left pending, 4/2. Awaiting Senate companion. (5/6) DEAD
SB 1266 Watson	Off-premise signs	Committee substitute passed out of Committee, 4/20. Passed out of Senate. Voted favorably from House Transportation 5-21-09. On L&C Calendar for 5/27. DEAD
OTHER ISSUES		
HB 1981 Rodriguez	Stormwater management	Brackets Travis County in with other counties to allow it to collect a fee for stormwater management infrastructure. See also HB 2414, Bolton. Heard in Natural Resources, 4/28. (5/5) DEAD
SB 1299 Watson	Stormwater management	Discussed compromise language with homebuilders -- no go at this time. Passed Senate on floor vote, 4/23. Reported from committee, sent to Local and Consent, 5/7. Passed L&C on second reading, 5/24. Set on L&C for third reading, 5/26. PASSED
HB 3787 Rodriguez	Utility relocation	Bill drafted, approved by Court. Filed, 3/12. Referred to House Transportation 3/23. BA delivered 3/25. Met w/Rep. Rodriguez, 4/21. (4/30) DEAD
HB 1544 Milkos HB 3585 Gallego	Special court fees (Steege)	HB 1544 heard in Senate Crim Justice, 5/19. CSHB 1544 includes SB 365. Passed on Senate Local/Uncontested Calendar for 5/27. House concurs, 5/29. PASSED Heard in Crim. Juris. Committee and left pending, 4/6. Reported favorably from Committee 4/23. On House calendar for 5/14. DEAD
HB 1531 Bolton	Warrant fee increase	Referred to Criminal Jurisprudence on 3/2. BA delivered 3/25. Heard in Committee, 4/6. Bruce Elfant testified. Voted favorably from Committee, 4/15 Passed on Local and Consent Calendar, 4/30. Referred to Criminal Justice Cmte., 5/6. DEAD
HB 3963 Bolton	Early retiree health benefits options	Court approved on 3/10. Bolton submitted new language to Lege Council, wants to move it next week DEAD . Looking at SB 654 as a vehicle. (5/18)
SB 654 Zaffirini		Looking at SB654 as a vehicle for early retiree health benefits options. Passed second reading on the L&C Calendar, 5/24. Amendment stripped on 3rd reading. DEAD
HB 1711 Turner	Reentry Council/Taskforce	Vehicle for a variety of re-entry reform initiatives. House concurs in Senate amendments, 5/28. PASSED
S.B. 497 Wentworth	Longevity pay fix	Passed out of the Senate on the Local and Uncontested Calendar, 3/19. Hartnett is House sponsor. CCR adopted by House, Senate, 5/31. PASSED
HB 3468 Naishtat	Presiding criminal court judge	Naishtat filed, 3/12. Court approved change. Committee substitute ready. Passed on Local/Consent Calendar, 4/30. Passed on Local/Uncontested Calendar 5/26. PASSED

Court Action Items

Bill Number	Nickname	Court Action	Status
HB 561 Madden	Auditor's bill 1	Oppose (3/10)	03-09-09 H Committee action pending House County Affairs DEAD
HB 562 Madden	Auditor's bill 2	Oppose (3/10)	04-27-09 H Voted favorably from committee as substituted House County Affairs; H Set on the House Calendar 5-14-09 DEAD
HB 564 McClendon/Rose			HB: 04-23-09 H Meeting Cancelled for 04-27-09 House Ways and Means DEAD SB: 2-17-09 Introduced to Finance DEAD No hearing scheduled
SB 383 Carona	Rail Relocation	Support (12/23) Platform Principles	H Passed (Vote Y: 143/N: 1) 5-11-09 ; S 5-13-09 Referred to Senate Jurisprudence. DEAD
HB 692 Solomons	Statutory County Courts	Oppose as filed, will work with author (3/31)	04-20-09 H Committee action pending House Judiciary and Civil Jurisprudence DEAD
HB 1284 Eiland	Records Preservation	Support (3/24)	Civil Jurisprudence DEAD
HB 1507 Bolton	County Noise Regulation	Support (4/7)	H Voted favorably from committee as substituted House County Affairs 4/20/09 DEAD
HB 2170 Chavez	Statutory limit on inmate-to-jailer ratios	Oppose (5/5)	04-09-09 H Committee action pending House County Affairs DEAD
HB 3158 Bolton	720 Hours Sick Pay	Oppose as filed, will work with author (4/7)	04-09-09 H Committee action pending House County Affairs DEAD
HB 3607 Truitt	Public Funds Investment Act Changes	Support (4/7)	H Voted favorably from committee as substituted; 4- 9-09; 4/20/09 Recommended for Local and Consent Calendar; 4/30/09 H Withdrawn from the Local Calendar; 05-11-09 H Set on the House Calendar; H Set on the House Calendar 5-14-09 DEAD
HB 4756 Howard	LCRA Board of Directors	Support (4/14)	04-6-09 Referred to Natural Resources/ H Meeting set for 4/28. Committee action pending 4/28 House Natural Resources DEAD
HJR 84 Coleman	No Unfunded Mandates	Support (4/7)	04-23-09 H Voted favorably from committee on House County Affairs 04-27-09 H Reported favorably from County Affairs DEAD
SB 555 Duncan	Indemnification	Court will not oppose	Placed on House Major State Calendar 5/21/09. DEAD
SB 2294 Lucio	Private Activity Bonds	Support (4/14)	Referred to Senate Finance on 3/31. DEAD
TRANSPORTATION & FUND 6 DIVERSION			
HJR 54 Deshotel	Limitations on purposes for revenues from motor vehicle registration	Support (12/23) Platform Principles	4/08/09 H Reported favorably from committee on House Transportation DEAD

Court Action Items

Bill Number	Nickname	Court Action	Status
SB 942 Wentworth	local option methods for financing transportation projects	Support (3/17)	03-18-09 S left pending Senate Transportation and Homeland Security. DEAD
SB 746 Wentworth	Permissible use of state highway fund	Support (12/23) Platform Principles	02-25-09 S Introduced and referred to Senate Finance DEAD
RE-ENTRY REFORM			
HB 612 Naishat/Walle	Food Stamp Ineligibility	Support (4/7)	04-23-09 H Reported favorably from committee as substituted House Human Services 4/30/09 DEAD
HB 1711 Turner	Reentry and Reintegration plan of released offenders; contains Reentry Task Force	Support (12/23) Platform Principles	House concurs in Senate amendments. PASSED
HB 2162 Turner	Creation of Reentry Policy Task Force	Support (12/23) Platform Principles	Committee action pending House Corrections 4/16/09 DEAD
HB 4178 Christian	Reentry Policy Council	Support (12/23) Platform Principles	Committee action pending House Corrections 4/23/09 DEAD
SB 1786 Whimire	Comprehensive reentry and reintegration plan for offenders	Support (12/23) Platform Principles	3/20/09 S Introduced and referred to committee on Senate Criminal Justice
BARTON SPRINGS-EDWARDS AQUIFER			
SB 2474 Watson	BSEACD Expansion	Support & Resolution (3/24)	Placed on House General State Calendar 5/21/09
COMPETITIVE BIDDING			
HB 4729 Bolton	BSEACD Expansion	Support & Resolution (3/24)	Scheduled for Public Hearing on 04/14/09 in House Natural Resources. Committee Action pending (4/17); H Voted favorably from committee as substituted House Natural Resources 5-05-09; Reported from committee as substituted House Natural Resources 5-8-09 DEAD
HB 78 Flynn	Competitive Bidding	Concept Approved (2/17) Ratified (2/24)	Recommended for local and consent calendar 03-25-09 H Withdrawn from the Local Calendar 3-31-09. Returned to Local and Consent 3/31. Considered in L&C and transferred to Calendars 4/6; S Received in Senate-referred to Senate Intergovernmental Relations 5-05-09
HB 117 Heflin	Competitive Bidding	Concept Approved (2/17) Ratified (2/24)	H Voted favorably from committee on House County Affairs 4-16-09. Committee report sent to Calendars 4/17. DEAD

Court Action Items

Bill Number	Nickname	Court Action	Status
HB 2573 Gonzalez Toureilles	Competitive Bidding	Concept Approved (2/17) Ratified (2/24)	Placed on General State Calendar 4/23. 04-23-09 H Postponed on second reading until 10:00 a.m., Friday, May 1, 2009; 5-05-09 H Postponed on second reading until 10:00 a.m., Monday, May 11, 2009; H Set on House Calendar 5-14-09 DEAD
SB 253 Estes	Competitive Bidding	Concept Approved (2/17) Ratified (2/24)	02-11-09 S Introduced and referred to committee on Senate Intergovernmental Relations DEAD
HB 987 Creighton	Competitive procurement	Concept Approved (2/17) Ratified (2/24)	Senate passage as amended 5/21/09. Senate amendments and analysis printed and distributed 5/22/09; S House appoints conferees-reported 5/25/09
SB 624 West	Competitive procurement	Concept Approved (2/17) Ratified (2/24)	(Companion to HB 987) Referred to Intergovernmental Relations 02/23/09 DEAD
HB 1576 Isett	Limitations on ad valorem tax rates	Adopted principles to oppose (3/3)	Referred to Ways & Means 3-2-09 DEAD
SB 402 Eltife	Authority of voters to adopt one-quarter cent sales tax for property tax relief	Adopted principles to oppose (3/3)	Reported favorably from committee on Senate Finance 4/14/09; 5-01-09 S placed on Senate Intent Calendar; S Not again placed on Intent Calendar 5/4/09
SB 700 Patrick		Adopted principles to oppose (3/3)	S Placed on Senate Intent Calendar ON 4/27/09. Not again placed on Intent Calendar; S Co-author authorized 5/26/09
HB 17 Leibowitz	Limitations on increases on appraised homestead values	Oppose through general resolution (3/17)	Introduced and referred to Ways & Means 2-12-09 DEAD
HB 46 Riddle / HJR 15	County election option to limit the appraised value of homesteads; Constitutional amendment for limiting appraised value of homesteads	Oppose through general resolution (3/17)	Left pending in committee for HB 03/18/09; Left pending in committee for HJR 03/18/09 - Ways & Means DEAD
HB 127 Callegari	Limitation on increases on appraised homestead values	Oppose through general resolution (3/17)	Committee action pending Ways & Means 3-18-09 DEAD
HB 701 Zerwas / HJR 43	Ad valorem tax relief for HB; Constitutional amendment for limiting homestead appraisal	Oppose through general resolution (3/17)	HB Referred to Ways & Means 2-19-09; HJR Referred to Ways & Means 02/19/09 DEAD
HJR 44 Rose	Limitations on maximum appraised value of real property	Oppose through general resolution (3/17)	3/18/09 H Committee action pending House Ways and Means DEAD

Court Action Items

Bill Number	Nickname	Court Action	Status
HB 711 Rose	Appraised homestead value limitations	Oppose through general resolution (3/17)	Committee action pending Ways & Means 3-18-09 DEAD
HB 1018 Brown, Betty	Appraised homestead value limitations	Oppose through general resolution (3/17)	Committee action pending Ways & Means 3-18-09 DEAD
HJR 12 Leibowitz	Appraised homestead value limitations	Oppose through general resolution (3/17)	Introduced and referred to committee on House Ways and Means 2/12 DEAD
HJR 42 Zerwas	Appraised homestead value limitations	Oppose through general resolution (3/17)	3/18/09 H Committee action pending House Ways and Means DEAD
HJR 51 Brown, Betty/ HJR 61 Howard, Charlie	Appraised homestead value limitations	Oppose through general resolution (3/17)	3/18/09 H Committee action pending House Ways and Means DEAD
HB 1092 Tan Parker / HJR 55	Taxes imposed on real property	Oppose through general resolution (3/17)	Left pending in committee on House Ways and Means 03/11/09 DEAD
HB 1211 Howard, Charlie	Limit on Appraisal Cap	Oppose through general resolution (3/17)	Left Pending in Ways and Means 3/18/09 DEAD
SB 218 & SJR 10 Nichols	Appraised homestead value limitations; Constitutional amendment for limiting homestead appraisal	Oppose through general resolution (3/17)	Referred to Finance 02/11/09; Referred to Finance 03/13/09
HB 1575 Isett	Ad valorem tax relief	Oppose through general resolution (3/17)	(Companion to HSB 700); 4/06/09 H Committee action pending House Ways and Means; DEAD
SB 299 Patrick	Appraised homestead value limitations	Oppose through general resolution (3/17)	Referred to Senate Finance 2-11-09 DEAD
SB 721 Hegar	Appraisal caps	Support (12/23) Platform Principles	04-23-09 S Committee action pending Senate Finance. DEAD
PRICE DISCLOSURE & APPRAISAL REFORM			
HB 2 & HJR 36 Otto	Appraised homestead value limitations	Oppose through general resolution (3/17)	HB 2 Referred to Ways & Means 02/12/09. DEAD HJR 36 Passed in House (Vote: Y:143/ N:0); 5-01-09 S Received in Senate- Referred to Senate Finance DEAD
HB 133 Villarreal, Castro	Mandatory sales price disclosure	Support through general resolution (3/17)	Scheduled for public hearing in Ways and Means Committee on 04/02/09; IGR dropped card in support DEAD
HB 134 & HJR 22 Villarreal	Ad valorem taxation	Support through general resolution (3/17)	Referred to Ways & Means 2-12-09 DEAD
HB 3611 Otto	Appraisal board consolidation		Passed House 4/28; Passed on Senate Local and Uncontested Calendar 5/27. PASSED

Court Action Items

Bill Number	Nickname	Court Action	Status
HB 3612 Otto	SOAH pilot project for taxpayer appeals		Passed House 4/28; Passed Senate 5/25; Conference committee report adopted 5/31. PASSED
HB 3613 Otto	Market value of residence homestead		Passed House 4/28; Passed Senate as amended 5/25; house concurred in Senate amendments, 5/31. PASSED
SB 444 Wentworth	Mandatory sales price disclosure	Support through general resolution (3/17)	2/17/09 S Introduced and referred to committee on Senate Intergovernmental Relations DEAD
SB 771 Williams	Ad valorem taxation	Oppose through general principles (3/17)	Passed Senate 4/30; Passed House 5/27; Senate concurred in House amendments, 5/30. PASSED
SJR 48 Williams	Residence appraisals at residence levels; consolidated multi-district appraisal boards		SJR 48 set for Committee Hearing 4/20 in Senate Finance. Voted favorably from Committee 4/20. SJR 48 04-27-09 Received in House and not referred; 5-01-09 H Referred to House Committee on House Ways and Means
EMINENT DOMAIN / CONDEMNATION			
HB 4 Orr etc.	Eminent Domain Authority	Oppose (3/24)	Left Pending in Land & Resource Management (3/25) DEAD
HB 369 Brown, Betty	Assessment of damages in Condemnation hearing	Oppose (3/24)	Referred to Land & Resource Management (2/17) DEAD
HB 402 Woolley HB 417 Callegari etc.	Eminent Domain Authority	Oppose (3/24)	Referred to Land & Resource Management (2/18) DEAD
	Acquisition of property for public purposes	Oppose (3/24)	Committee Report sent to House Calendars (4/16) DEAD
HB 1125 Corte	Eminent Domain Authority	Oppose (3/24)	Left Pending in Land & Resource Management (3/25) DEAD
HB 1385 Davis, Yvonne	Assessment of damages in Condemnation hearing	Oppose (3/24)	Left Pending in Land & Resource Management (3/25) DEAD
HB 1432 Jackson, Jim	Eminent Domain Authority	Oppose (3/24)	Left Pending in Land & Resource Management (3/25) DEAD
HB 1483 Pitts	Woolley Duplicate	Oppose (3/24)	Left Pending in Land & Resource Management (3/25) DEAD
HB 1534 Burnam	Property Valuation Information	Oppose (3/24)	Left Pending in Land & Resource Management (3/25) DEAD
HB 2110 Hughes	Applicability of Private Real Property Rights Act to certain governmental entities	Oppose (3/24)	Committee Report sent to House Calendars (4/17) H Died on the House Calendar 5-14-09. DEAD
HB 2685 Callegari	Landowner's Bill of Rights	Oppose (3/24)	Passed House 5/5; Passed Senate 5/28; PASSED

Court Action Items

Bill Number	Nickname	Court Action	Status
HB 3709 Coleman	Eminent Domain Authority - Medical Centers	Oppose (3/24)	Left Pending in Land & Resource Management (4/08) H Reported from committee as substituted House Land and Resource Management 5-11-09 DEAD
HJR 14 Corte / Hilderbran	limit public taking of private property	Oppose (3/24)	Passed House 5/11; Passed Senate 5/25; conference committee report adopted 5/31. PASSED
HJR 31 Anderson	Prohibit State from eminent domain for economic development	Oppose (3/24)	Left Pending in Land & Resource Management (3/25) DEAD
HJR 65 Davis, Yvonne	Requiring Compensation for land taken for public and necessary use	Oppose (3/24)	3/25/09 H Committee action pending House Land and Resource Management DEAD
SB 18 Estes	Similar to Woolley	Oppose (3/24)	Died on Major State Calendar for 5/26/09. DEAD
SB 1023 Ogdan			S Passed (Vote Y: 29/N: 2) 5-11-09 60% H Referred to House Land & Resource Mngmnt, 5/15. DEAD
ELECTION TECHNOLOGY			
HB 337 Harless	Joint Elections	Oppose (3/17)	Introduced and referred to committee on House Elections 02-17-09. Public Hearing held 4/15. No action taken in Committee. DEAD
HB 2524 Anchia	Election Technology	Oppose (3/17)	Reported favorable from Senate State Affairs w/o amendments 5/22/09
CUMULATIVE EFFECTS			
HB 721 Howard	Control of Air Pollution	Support (3/31)	Referred to House Environmental Regulation Committee 02/19/09. 04-29-09 H Committee action pending House Environmental Regulation DEAD
HB 2495 Dunnam	Effects of Emissions from Proposed Facilities	Support (3/31)	Committee action pending House Environmental Regulation 03/25/09 DEAD
SB 16 Averitt	Enhancement of Air Quality	Support (3/31)	Died on major State Calendar, 5/26. DEAD
SB 171 Gallegos	Standards for measuring contaminant emissions under the Clean Air Act	Support (3/31)	4/14/09 S Committee action pending Senate Natural Resources DEAD
SB 173 Gallegos	Monitoring air contaminants emissions	Support (3/31)	2/10/09 S Introduced and referred to committee on Senate Natural Resources DEAD
IDLING RESTRICTIONS			

Court Action Items

Bill Number	Nickname	Court Action	Status
HB 1909	Button	Motor Vehicle Idling	Meeting set for 10:30 A.M. for final Adj., E1.014 -- House Environmental Regulation 04/01/09. Committee action pending (4/17) DEAD
HB 1920	Kent	Motor Vehicle Idling	Meeting set for 10:30 A.M. for final Adj., E1.014 -- House Environmental Regulation 04/01/09. left pending. (4/21) DEAD
COUNTY FUNDING SOURCES FOR AIR QUALITY PROGRAMS			
HB 650	Rodriguez	Low-Income Vehicle Repair	Introduced and referred to committee on House Environmental Regulation 02/18/09 DEAD Conference Committee Conferees Reported 4/28/09
SB 1	Ogden	General Appropriations Bill	
AFFORDABLE HOUSING			
HB 1029	Rodriguez	Public Improvement District (PID)	Senate Passage reported 5/21/09; Sent to Governor 5/26/09. PASSED
HB 3983	Rodriguez	Homestead Preservation District (HPD)	Submit a letter expressing concerns so that we can support (4/14) Conference Committee Report adopted, 5/31. PASSED

