

CITY OF BURLESON LEGISLATIVE AFFAIRS UPDATE

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May 6, 2024



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- Preparing for the 89th Legislative Session
 - Session Key Date Timeline
- Burleson's Legislative Agenda Formation
- How to Effectively Advocate at the Legislature
 - Keys to success; Next Steps; Timelines
- Focused Advocacy's Role and Contribution to City of Burleson Efforts
- Questions / Comments?



PREPARING FOR THE 89TH LEGISLATIVE SESSION

- The time to start advocating and educating the Legislature and public on City of Burleson issues is now.
- Interim charges, issued by Lt. Gov. and Speaker are seen as a list of priorities for each chamber. Committees will hold hearings to discuss and study the charges. Often these discussions turn into bills once Session begins. This is a great opportunity for cities to engage – provide written testimony, communicate with delegation.
- Begin developing Burleson’s legislative agenda, **plan to adopt by October**. (Note this is earlier than in years past).
- Prepare advocacy plan – based on the issues in adopted agenda and anticipated issues.
- Stay in contact with legislative delegation and their staffs year around.



89th LEGISLATIVE SESSION TIMELINE

- April 11, 2024: Senate Interim Charges Announced. (House Charges TBD).
- May 28, 2024: Primary Runoff Election
- November 5, 2023: Election Day
- **November 11, 2024: Bill Pre-Filing Begins**
- **January 14, 2025: Session Convenes** (Speaker elected in the first 2 days)
- Late January / Early February 2025: Senate and House Committees are Named
 - Mid to Late February 2025: Committees Begin to Meet to Consider Legislation
- **March 14, 2025: Bill Filing Deadline**
 - *Early May Committee bill passage deadlines means committee process ends.*
- *June 2, 2025: Legislative Session Adjourns—**Sine Die!***



THE RELATIONSHIP BETWEEN CITIES & THE STATE

- Under Texas law, municipalities are considered “creatures of the state.”
- General Law Cities: may legislate at local level what state law *authorizes*.
- Home Rule Cities: may legislate at local level within the confines of their own local charter and the confines of state law *prohibitions*.
- Some of the *most* significant decisions impacting Texas cities (along with residents and businesses) are made by legislature, not municipal officials.
- Cities HAVE to “lobby the legislature” – be comfortable with it.



THE VOLUME OF ISSUES

- Property Taxes
- Sales Taxes, HOT taxes
- Court Fees
- Land Use (Zoning, permits)
- Franchise Fees (Phone, Cable, Gas)
- Rights of Way
- Impact Fees
- Oil & Gas Regulations
- Tax Rate Adoption Processes
- Texas Municipal Retirement System
- Annexation & ETJ
- Transportation Funding
- Economic Development Programs
- Air & Water Standards
- Municipal Court Operations
- Election Processes
- Purchasing and Procurement
- Police & Fire Operations
- Municipal Jail Operations
- Collective Bargaining
- Open Records
- Open Meeting



PREPARING FOR THE 89TH SENATE INTERIM CHARGES

Senate Interim Study Charges can be viewed here:

<https://www.ltgov.texas.gov/wp-content/uploads/2024/04/2024-Interim-Legislative-Charges.pdf>

City Related Senate Interim Study Charges include the following key issues:

1. Review of entire *property tax system* with recommendations and study of impacts of eliminating **ALL** property taxes and replacing revenue with a statewide funding system (Senate Finance Committee and Committee on Local Government);
2. Review of issues arising from *SB 2038 (ETJ Release bill)* “make recommendations to secure and enhance the protection of landowners’ property rights.” (Local Government);
3. *Housing Affordability* study that will make recommendations to reduce city “regulatory barriers” (Local Government);
4. Review of the *local Hotel Occupancy Tax (HOT)* and its authorized uses. (Nat. Res. and Eco Devo Committee);
5. Examine the impacts of *permanent cement production plants* on local communities. (Nat. Res. and Eco Devo);



PREPARING FOR THE 89TH SENATE INTERIM CHARGES

6. Ongoing review of *Transportation Funding* (focus on non-dedicated state and federal funds) (Transportation);
7. Review of “Autonomous Vehicle Safety” and ongoing operations and impacts on law enforcement (Transportation);
8. *Water System Reliability* and recommendations to “better equip systems to serve the public.” (Water, Ag, and Rural Affairs Committee);
9. *Review of state funds* created to provide water system (SB 28) and parks funding(SB 1648) opportunities to local governments;
10. Review of *local government spending of directly distributed Federal Funds* (ARPA)(Local Government).



ISSUES FROM LAST SESSION EXPECTED TO RETURN

Among the bills that didn't land on the Governor's desk were:

- A bill that would prohibit cities from hiring advocates or joining associations that advocate for their issues at the Capitol;
- A bill providing for the automatic disannexation of an area in a city not receiving full municipal services;
- Bills that would prevent cities from adopting regulations governing short-term rentals;
- Bills that would impose statewide neighborhood density standards by authorizing accessory dwelling units by right, preventing city regulation of small lots, and authorizing certain manufactured homes in any zoning district;
- Bills that would eliminate the use of certain debt instruments by a city, including certificates of obligation;
- A bill that would eliminate the so-called “fire truck provision” of the property tax rate setting process, giving small cities flexibility when adopting their tax rates; and
- A bill that would source all city sales taxes to the location where goods are received by the consumer.

DEVELOPING THE CITY AGENDA



CITY ADVOCACY PROCESS



- Council must authorize a position to be taken and adopt an official agenda to guide our efforts.
- We take our direction from city management via the adopted council positions and agenda items.
- Our workflow, direction and oversight comes from CMO and the Council authorization – nowhere else.



TML LEGISLATIVE PRINCIPLES

The TML approach to the 2023 session is guided by principles that spring from a deeply rooted TML legislative philosophy:

- The League will vigorously oppose any legislation that would *erode the authority of Texas cities to govern their own local affairs.*
- Cities represent the level of government closest to the people. They bear primary responsibility for provision of capital infrastructure and for ensuring our citizens' health and safety. Thus, *cities must be assured of a predictable and sufficient level of revenue and must resist efforts to diminish their revenue.*
- The League will *oppose the imposition of any state mandates* that do not provide for a commensurate level of compensation.



AGENDA FORMATION PROCESS

- Develop an agenda coordinated with Council priorities.
- We ask two questions. Does the initiative:
 - Increase/improve/protect/maintain city services?
 - Accomplish a city goal/objective?
- Develop a process that:
 - Maximizes our knowledge/insights, and
 - Coordinates with other stakeholders/assets.



OPPORTUNITIES TO ADVOCATE DURING SESSION

1. Bill Filing: Provide feedback to the bill author office and members of your delegation once the bill is filed.
2. Before the Hearing: Share concerns/comments informally once the bill has been set for a hearing (not an “official” part of the process).
3. Committee Hearings (both chambers): This is the only chance for public input to be apart of the “official record.” Options include registering *For, Against, or On* a bill, submitting written testimony, and/or testifying in person (almost all committees limit testimony to 2 minutes per individual).
4. Calendar Process: Calendars (House); 3/5 Rule (Senate)
5. Floor Debate (both chambers)
6. Governor’s Action Signature/Veto



LEGISLATIVE COMMITTEES

- Committees are the backbone of the process. The vast majority of work occurs at this level. Most bills that will become law will be considered in committee by late-April.
- It is important to closely track bills and committee agendas and register/submit testimony on the date the hearing is held. Focused Advocacy and TML also provide periodic updates on key hearings/bill movement. We also meet collectively with statewide city IGR professionals to determine coordinated actions bills of support and opposition.
- Chairmen of committees wield almost unilateral power.
- Committees will post notice of a public hearing, almost always with a list of bills it will consider for that date. This can be a very chaotic and constantly changing process due to the ability to “suspend” posting requirements and other rules overseeing bill consideration.
- Committees are not required to vote on a bill or even to set the bills for hearing. Most bills die in committee without an actual vote.



KEYS TO SUCCESS

- Tell your story – how does this bill affect Burleson? (Impacts on services, residents, businesses, local efforts/planning)
- Increase citizen and business involvement to understand and support your positions.
- Use the power you have: the council agenda and the stakeholders you work with every week to foster a spirit of collaboration and partnership.
- Maintain communication with Burleson legislative delegation (it's a partnership).
- Personalize your communications – Include specific data as it relates to Burleson.
- Make the City a resource – provide helpful information.
- Respond quickly – the legislative process moves very quickly, especially toward the end.



ROLE AND CONTRIBUTION BY FOCUSED ADVOCACY TEAM

Strategy: Our team functions as an *extension of City staff*. We work alongside you to develop legislative strategies to achieve the City's goals.

Advocacy: The Focused Advocacy team has decades of experience in advocating before Texas legislative and executive bodies. We work hard to defend clients against detrimental legislation and support legislation beneficial to cities. We have a proven track record of success in both proactive and defensive efforts.

Seeking Proactive Bills or Amendment: We will work to pass statutory language specifically for the City of Burleson either via an introduced bill or amendment to bills in the process.

Communication & Monitoring:

- **City Clearinghouse Calls:** As part of our service to city clients, we hold bimonthly Clearinghouse Calls to provide updates on happenings in State government and alert clients of upcoming issues. Additionally, these clearinghouse calls allow for our client cities to communicate with one another to discuss mutually impactful issues. These calls are held every other week during the interim and weekly during the Session.
- **Newsletters, Alerts, and Bill Tracking:** We provide our clients with real-time alerts on legislative actions, agency rulemaking, and other important breaking news. We also publish a biweekly newsletter (released Tuesdays and Fridays) that incorporates various items of interest to cities. In addition to “General Municipal Bill Tracking” and a “Burleson Bill Track”.



FOCUSED ADVOCACY PROVIDED SERVICES AS PART OF CITY ENGAGEMENT

<p>Develop Testimony & Schedule Witnesses</p>	<p>Monitor committee hearings Draft talking points Research Meetings with Legislative staff</p>	<p>Session</p>
<p>Monitor Rules and Advocate Before State Agencies</p>	<p>Monitor Texas Register Analysis of rules Meetings with agency personnel</p>	<p>All Year</p>
<p>Draft Bills, Amendments & Secure Sponsors (Tracking)</p>	<p>Monitor filed legislation Analysis & Research Memo preparation Statutory research Meetings with city hall staff</p>	<p>Session</p>
<p>Coordinate Issues with TML, Other Cities & Other Stakeholders</p>	<p>Meetings with TML Meetings with other city affiliate groups Meetings with adversaries and other groups Build coalitions to support/educate city issues</p>	<p>All Year</p>
<p>Execute a Plan to Build Relationships with Legislature and Staff</p>	<p>Arrange meetings with legislators Apprise city of opportunities and political events Host events at Focused Advocacy offices</p>	<p>All Year</p>
<p>Attend Council Meetings to Provide Briefing/Update Reports</p>	<p>Attend meeting Prepare presentations</p>	<p>All Year</p>



FOCUSED ADVOCACY FACILITATED SERVICES

SCOPE OF SERVICE	TASKS	SCHEDULE
Identify issues during Interim	Monitor interim committee Attend interim hearings Report findings to clients	Interim
Represent City during Session	Advocate city adopted positions Monitor committee hearings Monitor legislation Attend stakeholder meetings	Session
Formulate City's Legislative Program	Attend meetings at city hall and work with city staff Review past legislative efforts Research issues Confer with City IGR staff Confer with legislators Monitor TML Monitor other cities Monitor other organizations	Spring Summer Fall Even Number Years
Communicate City's Legislative Program to Delegation & Legislature as Whole	Meet with key legislators Meet with Capitol staff	Starting Fall of Even Number Year and into Session



NEXT STEPS

- Identify top priorities for City (we will work with Council & CMO but this falls mainly on the client to determine).
- Due diligence phase: FA conducts legal and policy research.
- Initial outreach phase: work with stakeholders (other cities, other groups (supporters & opponents), legislature, agencies, etc.).
- Execute on formulated plan and expect changes (flexibility).

**THANK YOU
QUESTIONS?**

FOCUSED  **ADVOCACY**