



# Legislative Program

---

PRESENTED TO THE CITY COUNCIL ON  
SEPTEMBER 9, 2024

# Overview

- The 89<sup>th</sup> Session of the Texas Legislature begins January 14, 2025 and ends on June 2, 2025.
- State legislators began filing legislation in November 2024.
- During the previous legislative session more than 2,000 bills were introduced that would have affected Texas cities in some substantial way.
- City Council developed a legislative program with their position and priorities on local government-related legislation that occurred in the 88<sup>th</sup> Session.
- This was performed through a contract with Focused Advocacy.

# Why is this important?

- Cities and elected officials are occasionally asked to have opinions on a variety of bills that affect local government.
- There are times when elected officials or staff, as subject matter experts, are asked to testify or speak to State legislators.
- The purpose of a legislative program is to set forth the city council's position as a whole, not as individual members, on key issues that will be discussed during the upcoming session.
- As bills are filed council can request discussion by placing items on the agenda to adopt a resolution stating the city's position for or against specific legislation.

# General Legislative Position

- As a general policy, the City will oppose any legislation viewed as detrimental to the City’s strategic goals or would limit home rule authority; is contrary to the health, safety, and welfare of its citizens; mandates increased costs or loss of revenues; or would diminish the fundamental authority of the City. Accordingly, the City Council adopted the following positions and hereby authorizes staff and city representatives to take the following actions as necessary:

## BASIC HOME RULE AUTHORITY

Oppose legislation that erodes existing:

- a. principles of Home Rule and local control including preemption legislation designed to restrict existing municipal regulatory authority,
- b. authority to regulate activities that affects the public’s health, safety and well-being,
- c. Charters or Ordinances or Master Plans,
- d. local government immunity, or
- e. authority to communicate or advocate with legislators.

## PUBLIC FINANCES

Oppose legislation that:

- a. requires:
  - I. unfunded mandates,
  - II. the City to generate revenues for the State, or
  - III. a tax exemption (or “freeze”) that shifts tax burden to other taxpayers.
- b. erodes the City’s:
  - I. property or sales tax base,
  - II. ability to assess fees,
  - III. ability to issue timely debt,
  - IV. economic development sales tax authority (4A and 4B)
  - V. ability to effectively finance the current level of city services by:
    - i. imposing a revenue cap, or
    - ii. excluding new property from the tax rate calculations.

# General Legislative Position

- As a general policy, the City will oppose any legislation viewed as detrimental to the City’s strategic goals or would limit home rule authority; is contrary to the health, safety, and welfare of its citizens; mandates increased costs or loss of revenues; or would diminish the fundamental authority of the City. Accordingly, the City Council adopted the following positions and hereby authorizes staff and city representatives to take the following actions as necessary:

## DEVELOPMENT, WATER & UTILITIES

Oppose legislation that erodes the City’s authority to:

- a. deliver quality water at affordable rates,
- b. effectively utilize economic development tools,
- c. regulate development effectively including “shot clocks,” density standards, or automatic releases from the city ETJ,
- d. impose fees on developments to pay for infrastructure,
- e. regulate short-term rentals,
- f. manage public rights-of-way including the authority to:
  - I. receive fair market compensation for use of public rights-of-way,
  - II. enter into franchise agreements,
  - III. participate in utility rate cases, or
  - IV. require utilities to pay for relocating their facilities,
- g. dedicate parkland,
- h. govern and approve proposed public housing and affordable housing projects.

## TMRS & LABOR ISSUES

Oppose legislation that:

- a. erodes the Texas Municipal Retirement System, or
- b. expands collective bargaining or “meet and confer”.

# Legislative Action

## Seek the Introduction

Council: Actively petition elected officials for support, with trips to Austin to testify at legislative committees.

Staff: Actively engage with elected officials and their staff and advocate for introduction of bills.

Focused Advocacy: Draft bills and actively advocate for passage.

## Support the Following

Council: Regular communication with elected officials regarding city legislative priorities and possibly testifying before legislative committees in support.

Staff: Communicate with elected official's staff about adoption of the city's legislative priorities.

Focused Advocacy: Regularly update staff on information specific to the city's legislative priorities.

## Actively Monitor

Council: Reviewing legislative updates as provided by staff and Focused Advocacy.

Staff: Provide updates from Focused Advocacy & TML to the council.

Focused Advocacy: Hold bi-weekly calls with City Staff regarding up-to-date legislative information.

# Specific Legislative Initiatives

## Seek the Introduction

1. The approval of a qualified hotel project bill, as authorized under Chapter 351 of the Tax Code.

## Actively Monitor

1. That enables municipalities to reduce speed limits within residential.
2. That revises the definition of an agricultural operation.
3. That further regulates data farming uses.

## Support the Following

1. That ensures comparable workers' compensation coverage for firefighters and EMTs deployed through Texas Intrastate Fire Mutual Aid System (TIFMAS) and Texas Task Force 1 and 2 for state deployments.
2. That strengthens protections for firefighters and EMTs by recognizing presumptive cancers as job-related illnesses or injuries. This includes ensuring that these conditions are covered under workers' compensation, extending coverage for up to five years post-employment. Additionally, support the establishment of statewide or federal registries for research and documentation of work-related injuries and illnesses, specifically those associated with presumptive cancers, to better understand and address these risks.
3. That enhances municipal water sources/supplies or improves municipal water system redundancy.
4. That enable citizens and or municipalities to relocate migratory egrets that have roosted in residential areas.
5. Support the extension of SB 2476 to eliminate balance billing for out-of-network ground ambulance services under commercial health plans regulated by the Texas Department of Insurance, ensuring fair payment for services rendered.

# Council Action

- Approve or deny a resolution adopting a legislative program for the 89<sup>th</sup> Legislative Session.