

87TH STATE LEGISLATURE

Intergovernmental Relations Office – Brie L. Franco, Officer





AUSTIN STATE DELEGATION

SENATE



Judith
Zaffirini



Charles
Schwertner



Donna
Campbell



Dawn
Buckingham



Sarah
Eckhardt

HOUSE



Eddie
Rodriguez



Donna
Howard



Celia Israel



Gina Hinojosa



John Bucy III



Sheryl Cole



Vikki Goodwin



James Talarico



Erin Zwiener

87TH PASSED BILLS: **POSITIVE FOR THE CITY**



APRS Pensions

HB 4368 (Rodriguez)

Effective Sept. 1, 2021

Cloud Computing

SB 58 (Zaffirini)

Effective June 3, 2021

Local Health Department Medicaid

SB 73 (Miles)

Effective Sept. 1, 2021

Save MUNY

SB 390 (Eckhardt)

Effective May 24, 2021

Music Incubator

SB 609 (Alvarado)

Effective Sept. 1, 2021

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



City Police Funding

HB 1900 (Goldman)

Effective Sept. 1, 2021

Camping Ban

HB 1925
(Capriglione)

Effective Sept. 1, 2021

Disaster Rollback

SB 1438
(Bettencourt)

Effective June 16, 2021

Gas Preemption

HB 17 (Deshotel)

Effective May 18, 2021

Historic Districts

SB 1585 (Hughes)

Effective Sept. 1, 2021

No Contracts : Firearm Boycott

SB 19 (Schwertner)

Effective Sept. 1, 2021

Permitless Carry

HB 1927 (Schaefer)

Effective Sept. 1, 2021

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



Community Advocacy

SB 10 (Hall)

AE Rates

SB 566 (Buckingham)

HB 2775 (Cain)

Super Preemption

HB 610 (Swanson)

HB 3909 (Harris)

Lake Austin Disannexation

SB 659 (Buckingham)

HB 1653 (Craddick)

West Rim Disannexation

HB 2776 (Deshotel)

Lost Creek Disannexation

SB 1499 (Buckingham)

HB 3827 (Wilson)

Noise Ordinance Preemption

HB 3813 (Harris)

Homeless Housing

SB 646 & SB 796
(Schwertner)

HB 1803 (Wilson)

Employment Preemption

SB 14 (Creighton)

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



ETJ Regulation

HB 1885 (Harris)

Completeness Check

HB 4447 (Oliverson)
SB 1667 (Hughes)

Pandemic Response

HB 3 (Burrows)

Confederate Monuments

HB 2713 (Hefner)

Election “Integrity”

SB 7 (Hughes)
HB 6 (Cain)

30 day shot clock

HB 4121 (Guillen)

Building Permit Timeline

HB 2590 (Leach)
SB 1947 (Springer)

Abortion Logistical Support

HB 1173 (Noble)
SB 650 (Campbell)

MOU Deregulation

SB 182 (Schwertner)

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



LIHTC 2 Mile Rule

HB 1295 (Rodriguez)
SB 400 (Zaffirini)

CapMetro Parks Lease (Project Connect)

HB 3893 (Hinojosa)
SB 1838 (Eckhardt)

Inclusionary Zoning

HB 84 (Hinojosa)

Homestead Preservation District Bracket

HB 4031 (Rodriguez)

Municipal Drainage Fees

HB 824 (Bucy)
SB 597 (Zaffirini)

87TH PASSED BILLS: **MADE BETTER FOR CITY**



Debt Definition

HB 1869 (Burrows)

Amended

Effective Sept. 1, 2021

Senate Amendment to HB 900 (Huberty)

(Eviction Protections Preemption)

*Stripped in Conference
Committee*

Pipeline Preemption / Barton Springs

HB 1683 (Landgraf)

*Fixed by Author in Committee
Passed House / No Senate Hearing*

87TH BILLS: **NEUTRAL FOR CITY**



Omnibus Storm Response

SB 3 (Schwertner)

Effective June 8, 2021

ERCOT Board & PUC Commission

SB 2 (Hancock)

Effective June 8, 2021

STR Bills

HB 2515 (Shaheen)

Left pending in committee

Statewide Broadband

HB 5 (Ashby)

Effective June 15, 2021

87TH PASSED BILLS: **SUSTAINABILITY**



TPWD & TX Water Trust

HB 2225 (King, Tracy)

Effective Sept. 1, 2021

SNAP Certification

SB 224 (Perry)

Effective Sept. 1, 2021

No State Contracts: Fossil Fuel Boycott

SB 13 (Hughes)

Effective June 14, 2021

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



TCEQ Penalties

HB 1820 (Zwiener)

House Calendar Deadline

Gas Preemption

HB 1501 (Dean)

Point of Order (Zweiner)

Office of Environmental Justice

HB 1191 (Goodwin) /

SB 1294 (Eckhardt)

Neither bill received a hearing

Greenhouse Gas Regulation Preemption

SB 1261 (Birdwell)

House Calendar Deadline

87TH SPECIAL SESSIONS



- Governor can call a special session at any time
- First Special Session: July 8th - August 6th
 - See appendix for items on the call, including Article X funding and election integrity.
 - Democrats broke quorum to protest elections bills on July 12th
- Probable second special session in August to address the same issues
- Special session on redistricting & federal COVID funds likely to be in September/October

FEDERAL UPDATE: ACCC TESTIMONY



- House Subcommittee on National Parks, Forests, and Public Lands Hearing on July 20th
- Committee heard about local programs while considering President Biden's plan to reestablish a national Civilian Conservation Corps (CCC)
- Austin Parks and Recreation environmental program coordinator LaJuan Tucker testified about Austin Civilian Conservation Corps
 - Testimony highlighted how programs such as ACCC can benefit the economy, the environment, and the people we all seek to serve.

QUESTIONS?



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

87TH LEGISLATIVE SESSION: **APPENDIX**



- 87th Session Statistics
- Winter Storm Bills
- Police Funding
- Disannexation Bills
- Bills Impacting Homelessness Efforts
- First Called Special Session: Items on the Call

87TH LEGISLATIVE SESSION: **STATISTICS**



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

87TH WINTER STORM BILLS



Omnibus Storm Response

SB 3 (Schwertner)

Effective June 8, 2021

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

ERCOT Board & PUC Commission

SB 2 (Hancock)

Effective June 8, 2021

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

87TH POLICE FUNDING



City Police Funding

HB 1900 (Goldman)

Effective September 1, 2021

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

County Funding

SB 23 (Huffman)

Applies only to counties
over 1 million

Effective January 1, 2022

9 other
“defunding”
bills failed to
pass

87TH DISANNEXATION BILLS



Lake Austin

- SB 659 (Buckingham) / HB 1653 (Craddick)
- *Defeated by a Point of Order (Howard)*

West Rim

- HB 2776 (Deshotel)
- *Withdrawn from consideration after a Point of Order (Howard)*

Lost Creek

- SB 1499 (Buckingham) / HB 3827 (Wilson)
- *Defeated by a Point of Order (Goodwin)*

Senate Amendment to HB 3476

(ETJ Release)

*Stripped in Conference
Committee*

Senate Amendment to HB 1929

(Disannexation & ETJ Release)

*Stripped in Conference
Committee*

87TH **BILLS IMPACTING THE HOMELESS**



Camping Ban

HB 1925 (Capriglione)

Effective September 1, 2021

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

Purchase / Conversion: County Approval

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

Purchase / Conversion: Notice

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



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

Bail Reform

Election Integrity

Border Security

Social Media
"Freedom of
Speech"

Article X Funding

Family Violence
Prevention
Education

Transgender Youth
Sports

Abortion-Inducing
Drugs

Thirteenth Check
Teacher
Retirement System

Critical Race
Theory

Appropriations
property-tax relief;
foster care,
cybersecurity

Thank you

