



## MEMORANDUM

**TO:** Mayor and Council

**FROM:** Ray Baray, Chief of Staff

**DATE:** March 26, 2015

**SUBJECT: Requested Information Related to the City of Austin's State Legislative Program**

---

During discussion of the City's state legislative program at last Tuesday's Work Session, the Council directed the City Manager to provide the following information related to the state program, lobby consultants and staffing of the Government Relations Office.

### **1. Monitoring Report of Significant Legislative Issues:**

The Government Relations Office (GRO) has prepared the attached report of important legislation that has been determined to have either a direct or potential impact to the City. These reports will be provided to you on a weekly basis through the remainder of the legislative session.

### **2. Name and Amount Paid to State Lobby Consultants:**

The City of Austin has contracts for state legislative services with the consultants and/or firms listed below. These contracts are funded through the Government Relations Office.

- Nora Del Bosque (\$65,000)
- Brian Yarbrough – BGYarbrough & Associates (\$90,000)
- Marta Greytok – Greytok Consulting (\$90,000)
- Cliff Johnson (\$90,000)
- Demetrius McDaniel – GreenbergTraurig, LLP (\$90,000)
- Clayton Pope (\$90,000)
- Jennifer Rodriguez – McGuireWoods Consulting (\$70,000)
- Trent Townsend – Imperium Public Affairs (\$65,000)
- Joe D. Valenzuela (\$65,000)
- Angelo Zottarelli – Adams & Zottarelli, LLC (\$90,000)
- Ross Peavey – Brady & Peavey (\$55,000)

### **3. Number of City Employees in the Government Relations Office:**

There are currently five full-time equivalents (FTEs) in the GRO, plus one part-time temporary employee and one part-time intern.

**4. Report on the Diversion of the State Gas Tax from Highways to Other State Purposes:**

Staff is currently gathering the necessary information and data for this report. It is anticipated this will be completed by April 3, 2015 and will be forwarded to you when it becomes available.

If you have any questions, or would like additional information, please let me know. Thanks!

cc: Marc A. Ott, City Manager  
Assistant City Managers  
Karen Kennard, Interim Government Relations Officer

Attachments (1) – March 26, 2015 Austin Legislative Update



# Austin Legislative Update

84<sup>th</sup> Legislature: 2015

The *Austin Legislative Update* is a service of the City of Austin Government Relations Office for the use by the Mayor of Austin, the City Council, the City Manager and other City officials and employees. The *Update* gives the current status of those bills being tracked by the Government Relations Office because of their importance, impact, or potential impact to the City of Austin's quality of

life. This is not a comprehensive list of all legislation that affects the City, but is intended to give a quick overview of major items.

The *Austin Legislative Update* is issued weekly through *sine die*.

Thursday, March 26, 2015

## Bill Tracking

### HB 40 by Darby, Drew(R)

Relating to the express preemption of regulation of oil and gas operations and the exclusive jurisdiction of those operations by the state.

Companions: SB 1165 Fraser, Troy

*Bill History: 03-23-15 H Committee action pending House Energy Resources*

### HB 132 by Flynn, Dan(R)

Relating to prohibiting local governments from interfering with a person's right to engage in the production of agriculture.

*Bill History: 02-12-15 H Introduced and referred to committee on House Urban Affairs*

### HB 201 by Leach, Jeff(R)

Relating to the procedure for action by the Texas Commission on Environmental Quality on an application for a water right.

Companions: SB 109 Taylor, Van

*Bill History: 02-12-15 H Introduced and referred to committee on House Natural Resources*

### HB 359 by Springer, Drew(R)

Relating to a court order to disannex an area from a municipality.

*Bill History: 03-09-15 H Committee action pending House Land and Resource Management*

### HB 365 by Elkins, Gary(R)

Relating to the calculation of the ad valorem rollback tax rates of certain taxing units.

Companions: SB 182 Bettencourt, Paul

*Bill History: 02-12-15 H Introduced and referred to committee on House Ways and Means*

### HB 539 by King, Phil(R)

Relating to the procedural requirements for the adoption of a municipal regulation, limitation, or prohibition on the production, storage, or transportation of oil or natural gas.

*Bill History: 03-23-15 H Committee action pending House Energy Resources*

### HB 594 by Israel, Celia

Relating to toll rates for certain vehicles traveling on State Highway 130.

Companions: SB 270 Watson, Kirk

*Bill History: 03-12-15 H Committee action pending House Transportation*

### HB 655 by Larson, Lyle(R)

Relating to the storage and recovery of water in aquifers.

Companions: SB 1724 Creighton, Brandon  
SB 1903 Perry, Charles

*Bill History: 02-19-15 H Introduced and referred to committee on House Natural Resources*

### HB 738 by Larson, Lyle(R)

Relating to the regulation by a municipality or county of the rental or leasing of housing accommodations.

Companions: HB 2909 Springer, Drew  
SB 267 Perry, Charles

*Bill History: 02-26-15 H Introduced and referred to committee on House Urban Affairs*

### HB 912 by Isaac, Jason(R)

Relating to the dismissal of protests against certain decisions and actions of the Texas Commission on Environmental Quality regarding wastewater discharge permits.

*Bill History: 03-24-15 H Committee action pending House Environmental Regulation*  
*\*COA-Watershed Protection Staff Testified*

### HB 1131 by Elkins, Gary(R)

Relating to prohibiting the use of photographic traffic signal enforcement systems.

Companions: SB 340 Huffines, Donald

*Bill History: 03-02-15 H Introduced and referred to committee on House Transportation*

### HB 1257 by Shaheen, Matt(R)

Relating to the use by a political subdivision of public money for lobbying activities or lobbyists.

*Bill History: 03-04-15 H Introduced and referred to committee on House General Investigating and Ethics*

**HB 1355 by Shaheen, Matt(R)**

Relating to the consequences for an elected officer who threatens, punishes, or intimidates a person based on the person's religious beliefs.

*Bill History: 03-09-15 H Introduced and referred to committee on House General Investigating and Ethics*

**HB 1396 by Workman, Paul(R)**

Relating to strict construction of certain statutes that create or define criminal offenses and penalties.

*Bill History: 03-10-15 H Introduced and referred to committee on House Criminal Jurisprudence*

**HB 1472 by Workman, Paul(R)**

Relating to the enforcement of requirements for the issuance of local permits by regulatory agencies of political subdivisions.

*Bill History: 03-05-15 H Introduced and referred to committee on House Land and Resource Management*

**HB 1562 by Schofield, Mike(R)**

Relating to establishing actual progress for the purposes of determining the right to repurchase real property from a condemning entity.

Companions: SB 479 Schwertner, Charles

*Bill History: 03-09-15 H Introduced and referred to committee on House Business and Industry*

**HB 1911 by Leach, Jeff(R)**

Relating to regulation of discrimination by political subdivisions and certain state agencies

*Bill History: 03-11-15 H Introduced and referred to committee on House Urban Affairs*

**HB 1939 by Rinaldi, Matt(R)**

Relating to the provision of bags to customers of a business at the point of sale.

Companions: SB 1550 Hall, Bob

*Bill History: 03-16-15 H Introduced and referred to committee on House Urban Affairs*

**HB 2073 by Isaac, Jason(R)**

Relating to persons affected by certain municipalities' water or sewer utility improvements.

*Bill History: 03-17-15 H Introduced and referred to committee on House Natural Resources*

**HB 2221 by Huberty, Dan(R)**

Relating to the procedures for municipal annexations.

Companions: SB 1639 Campbell, Donna

*Bill History: 03-23-15 H Committee action pending House Land and Resource Management*

*\*COA-Planning Department Staff Testified*

**HB 2440 Paddie, Chris(R)**

Relating to the regulation of transportation network companies.

*Bill History: 03-18-15 H Introduced and referred to committee on House Transportation*

**HB 2669 by Galindo III, Rick(R)**

Relating to the ability of an area proposed to be annexed to incorporate as a new general-law municipality.

Companions: SB 615 Burton, Konni

*Bill History: 03-16-15 H Introduced and referred to committee on House Urban Affairs*

**HB 2855 by Darby, Drew(R)**

Relating to the authority of a political subdivision to prohibit an activity over which the Railroad Commission of Texas has jurisdiction.

*Bill History: 03-16-15 H Introduced and referred to committee on House Energy Resources*

**HB 2870 by Alonzo, Roberto(D)**

Relating to the regulation of firefighters and fire departments by the Texas Commission on Fire Protection.

*Bill History: 03-16-15 H Introduced and referred to committee on House Urban Affairs*

**HB 2909 by Springer, Drew(R)**

Relating to the regulation by a municipality or county of the rental or leasing of housing accommodations.

Companions: HB 738 Larson, Lyle

SB 267 Perry, Charles

*Bill History: 03-17-15 H Introduced and referred to committee on House Urban Affairs*

**HB 3044 by Dale, Tony(R)**

Relating to the effect of rules and standards adopted by the Railroad Commission of Texas relating to the pipeline industry on ordinances, orders or rules adopted by political subdivisions.

*Bill History: 03-23-15 H Introduced and referred to committee on House Energy Resources*

**HB 3097 by Paul, Dennis(R)**

Relating to the governance and operation of municipal management districts.

*Bill History: 03-24-15 H Introduced and referred to committee on House Special Purpose Districts*

**HB 3217 by Dale, Tony(R)**

Relating to the authority of a political subdivision to regulate an activity over which the Railroad Commission of Texas has jurisdiction

*Bill History: 03-23-15 H Introduced and referred to committee on House Energy Resources*

**HB 3263 by Guillen, Ryan(D)**

Relating to the authority of a municipality to regulate state licensees.

*Bill History: 03-18-15 H Introduced and referred to committee on House Urban Affairs*

**HB 3488 by Israel, Celia(D)**

Relating to appeal of emergency medical services personnel employment termination to the State Office of Administrative Hearings.

*Bill History: 03-19-15 H Introduced and referred to committee on House Urban Affairs*

**HB 3620 by Isaac, Jason(R)**

Relating to the acquisition of real property by a municipality.

*Bill History: 03-24-15 H Introduced and referred to committee on House Land and Resource Management*

**HB 3621 by Isaac, Jason(R)**

Relating to the transfer of extraterritorial jurisdiction between certain home-rule and general-law municipalities and annexation of certain territory by the general-law municipalities.

*Bill History: 03-24-15 H Introduced and referred to committee on House Land and Resource Management*

**HB 3622 by Isaac, Jason(R)**

Relating to the provision of wholesale water or sewer service to certain municipalities.

*Bill History: 03-19-15 H Introduced and referred to committee on House Natural Resources*

**HB 3876 by Workman, Paul(R)**

Relating to the issuance of local permits by a regulatory agency of a political subdivision.

*Bill History: 03-24-15 H Introduced and referred to committee on House Urban Affairs*

**HB 3958 by Workman, Paul(R)**

Relating to limitations on the use of municipal electric system revenues by certain municipalities.

*Bill History: 03-23-15 H Introduced and referred to committee on House Urban Affairs*

**HJR 61 by Ashby, Trenton(R)**

Proposing a constitutional amendment relating to the right to hunt, fish, and harvest wildlife.

*Bill History: 03-24-15 H Meeting set for 2:00 P.M. OR ADJ., E1.010 - House Culture, Recreation and Tourism*  
**COA-Letter to sponsor from Mayor Adler**

**HJR 65 by Riddle, Debbie(R)**

Proposing a constitutional amendment relating to the prohibition of government interference with certain speech by religious leaders and students.

*Bill History: 03-03-15 H Introduced and referred to committee on House State Affairs*

**HJR 125 by Krause, Matt(R)**

Proposing a constitutional amendment relating to a person's free exercise of religion.

Companions: HJR 55 Villalba, Jason (Identical)

*Bill History: 03-23-15 H Introduced and referred to committee on House State Affairs*

**SB 63 by Huffines, Donald(R)**

Relating to the qualifications for and time that a person may serve in certain offices.

*Bill History: 01-26-15 S Introduced and referred to committee on Senate State Affairs*

**SB 109 by Taylor, Van(R)**

Relating to the procedure for action by the Texas Commission on Environmental Quality on an application for a water right.

Companions: HB 201 Leach, Jeff

*Bill History: 01-27-15 S Introduced and referred to committee on Senate Agriculture, Water, and Rural Affairs*

**SB 178 by Nichols, Robert(R)**

Relating to prohibiting the use of eminent domain to take private property for recreational purposes.

*Bill History: 03-23-15 S Committee action pending Senate State Affairs*

*\*COA-Letter to Sponsor/Real Estate Services Witness*

**SB 182 by Bettencourt, Paul(R)**

Relating to the calculation of the ad valorem rollback tax rates of certain taxing units.

Companions: HB 365 Elkins, Gary

*Bill History: 03-02-15 S Not heard in committee Senate Finance*

*\*Mayor Adler testified*

**SB 267 by Perry, Charles(R)**

Relating to the regulation by a municipality or county of the rental or leasing of housing accommodations.

Companions: HB 738 Larson, Lyle

HB 2909 Springer, Drew

*Bill History: 03-25-15 S First placement on Senate Intent Calendar*

**SB 270 by Watson, Kirk(D)**

Relating to toll rates for certain vehicles traveling on State Highway 130.

Companions: HB 594 Israel, Celia

*Bill History: 01-28-15 S Introduced and referred to committee on Senate Transportation*

**SB 340 by Huffines, Donald(R)**

Relating to prohibiting the use of photographic traffic signal enforcement systems.

Companions: HB 1131 Elkins, Gary

*Bill History: 02-02-15 S Introduced and referred to committee on Senate Transportation*

**SB 343 by Huffines, Donald(R)**

Relating to the conformity of local law with state law.

*Bill History: 02-02-15 S Introduced and referred to committee on Senate State Affairs*

**SB 360 by Estes, Craig(R)**

Relating to regulatory takings.

*Bill History: 02-02-15 S Introduced and referred to committee on Senate State Affairs*

**SB 456 by Burton, Konni(R)**

Relating to establishing a uniform one-half mile extraterritorial jurisdiction limit for municipalities.

*Bill History: 02-09-15 S Introduced and referred to committee on Senate Intergovernmental Relations*

**SB 479 by Schwertner, Charles(R)**

Relating to establishing actual progress for the purposes of determining the right to repurchase real property from a condemning entity.

Companions: HB 1562 Schofield, Mike

*Bill History: 03-23-15 S Committee action pending Senate State Affairs*

*\*COA-Real Estate Services Witness*

**SB 615 by Burton, Konni(R)**

Relating to the ability of an area proposed to be annexed to incorporate as a new general-law municipality.

Companions: HB 2669 Galindo III, Rick

*Bill History: 02-23-15 S Introduced and referred to committee on Senate Intergovernmental Relations*

**SB 616 by Burton, Konni(R)**

Relating to eliminating authority of municipalities to annex for limited purposes.

*Bill History: 02-23-15 S Introduced and referred to committee on Senate Intergovernmental Relations*

**SB 619 by Burton, Konni(R)**

Relating to ballot propositions authorizing certain political subdivisions to issue bonds.

*Bill History: 02-23-15 S Introduced and referred to committee on Senate State Affairs*

**SB 711 by Burton, Konni (F)(R)**

Relating to the use by a political subdivision of public money for lobbying activities or lobbyists.

*Bill History: 03-02-15 S Introduced and referred to committee on Senate State Affairs*

**SB 1165 by Fraser, Troy(R)**

Relating to the express preemption of regulation of oil and gas operations and the exclusive jurisdiction of those operations by the state.

Companions: HB 40 Darby, Drew

*Bill History: 03-25-15 S Reported favorably from committee on Senate Natural Resources and Economic Development*

**SB 1550 by Hall, Bob(R)**

Relating to the provision of bags to customers of a business at the point of sale.

Companions: HB 1939 Rinaldi, Matt

*Bill History: 03-23-15 S Introduced and referred to committee on Senate Business and Commerce*

**SB 1639 by Campbell, Donna(R)**

Relating to the procedures for municipal annexations.

Companions: HB 2221 Huberty, Dan

*Bill History: 03-23-15 S Introduced and referred to committee on Senate Intergovernmental Relations*

**SB 1724 by Creighton, Brandon(R)**

Relating to the storage and recovery of water in aquifers.

Companions: HB 655 Larson, Lyle

SB 1903 Perry, Charles

*03-23-15 S Introduced and referred to committee on Senate Agriculture, Water, and Rural Affairs*

**SB 1806 by Estes, Craig(R)**

Relating to limits on the regulatory authority of a municipality.

*Bill History: 03-25-15 S Introduced and referred to committee on Senate State Affairs*

**SB 1862 by Burton, Konni(R)**

Relating to the use by a political subdivision of public money for lobbying activities or lobbyists.

*Bill History: 03-25-15 S Introduced and referred to committee on Senate State Affairs*

**SB 1903 by Perry, Charles(R)**

Relating to the storage and recovery of water in aquifers.

Companions: HB 655 Larson, Lyle

SB 1724 Creighton, Brandon

*Bill History: 03-25-15 S Introduced and referred to committee on Senate Agriculture, Water, and Rural Affairs*

**SB 1945 by Fraser, Troy(R)**

Relating to establishing competitive retail electricity options for customers served by certain municipally owned utilities.

*Bill History: 03-25-15 S Introduced and referred to committee on Senate Natural Resources and Economic Develop*

**SJR 6 by Huffines, Donald(R)**

Proposing a constitutional amendment to provide qualifications for and limit the time that a person may serve in certain offices.

*Bill History: 01-27-15 S Introduced and referred to committee on Senate State Affairs*

**SJR 22 by Creighton, Brandon(R)**

Relating to the right to hunt, fish and harvest wildlife.

*Bill History: 03-23-15 S First placement on Senate Intent Calendar*

*\*Letter from Mayor Adler*

## **Procedural or Other Deadlines**

Monday, June 1, 2015 ..... Last day of 84<sup>th</sup> Regular Session; corrections only in house and senate [Sec. 24(b), Art. III, Texas Constitution, House Rule 8, Sec. 13(f); Senate Rule 7.25 ]

Sunday, June 21, 2015 ..... Last day governor can sign or veto bills passed during the regular session [Section 14, Art. IV, Texas Constitution]

Monday, August 31, 2015 ..... Date that bills without specific effective dates (that could not be effective immediately) become law [Sec. 39, Art. III, Texas Constitution]