Texas Association of Counties

2019 Board of Directors

President
Hon. Larry Gallardo
Hidalgo County Constable

President-Elect
Hon. Renee Couch
Comal County Treasurer

Vice President
Hon. Kim Halfmann
Glasscock County Judge

Secretary
Hon. Cindy Yeatts Brown
Denton County Treasurer

Immediate Past President
Hon. Joyce G. Hudman
Brazoria County County Clerk

Chaplain
Hon. Don Allred
Oldham County Judge

Members
Hon. John R. Ames
Dallas County Tax Assessor-Collector

Hon. Rick Bailey
Johnson County Commissioner

Mr. Nathan Cradduck
Tom Green County Auditor

Hon. Laurie K. English
Sutton County District Attorney

Hon. Sherri B. Harrison
Bailey County Judge

Hon. Laura Hinojosa
Hidalgo County District Clerk

Hon. Debbie Gonzales Ingalsbe
Hays County Commissioner

Hon. Jennifer Lindenzweig
Hunt County County Clerk

Hon. Carlos B. Lopez
Travis County Constable

Hon. Gary Maddox
Lamb County Sheriff

Hon. Jackie Miller Jr.
Ellis County Justice of the Peace

Hon. Alma V. Moreno
San Patricio County Commissioner

ex officio
Hon. Jason Brinkley
NACo Representative
Cooke County Judge

Hon. B. Glen Whitley
NACo Representative
Tarrant County Judge

Legislative Services Staff

Michael Pichinson
Director of Legislative Services

Amy Ruedas
Legislative Services Operations Manager

Noe Barrios
Senior Legislative Manager Liaison to the Sheriffs’ Association

Kelsey Bernstein
Legislative Manager Liaison to the Peace and Constables Association

Aurora Flores
Legislative Manager Liaison to the County Treasurers’ Association

Nanette Forbes
Legislative Manager Liaison to the County and District Clerks’ Association

Jason Hassay
Senior Legislative Counsel Liaison to the Texas District and County Attorneys Association

Katy Reagan
Legislative Manager Liaison to Tax Assessor-Collectors Association

Paul J. Sugg
Legislative Manager Liaison to the County Auditors Association

Rick Thompson
Senior Legislative Manager Liaison to the County Judges and Commissioners Association

Rhita Koches
Core Legislative Group Coordinator

Tim Brown
Senior Analyst County Information Program

Zelma Smith
Financial Analyst County Information Program

Bruce Barr
County G.I.S. Analyst County Information Program

Jay Williamson
Legislative Intern

Brittany Gibson
Legislative Intern

Wilfredo Vasquez
Legislative Intern
# TABLE OF CONTENTS

Introduction .............................................................................................................................................................. 4

Analysis of County Bills by Subject (Regular Session) .............................................................................................. 7

- Appraisal Process .................................................................................................................................................. 8
- County Jails ......................................................................................................................................................... 9
- County Liability .................................................................................................................................................. 10
- County Officials ................................................................................................................................................ 11
- Courts ................................................................................................................................................................ 15
- Criminal Procedure .......................................................................................................................................... 21
- Disaster Relief .................................................................................................................................................. 23
- Elections ............................................................................................................................................................... 30
- Emergency Management .................................................................................................................................. 34
- Emergency Services ........................................................................................................................................ 35
- Fines & Fees ...................................................................................................................................................... 35
- Land Use ............................................................................................................................................................ 37
- Law Enforcement ............................................................................................................................................. 38
- Mental Health .................................................................................................................................................... 43
- Motor Vehicles ................................................................................................................................................ 45
- Open Government ............................................................................................................................................. 47
- Property Tax ..................................................................................................................................................... 50
- Public Finance ................................................................................................................................................... 53
- Public Health .................................................................................................................................................... 54
- Public School Finance ...................................................................................................................................... 55
- Purchasing .......................................................................................................................................................... 55
- Records ............................................................................................................................................................... 56
- State Budget ...................................................................................................................................................... 56
- Transportation .................................................................................................................................................. 58
- Veterans ............................................................................................................................................................... 59
- Workers’ Compensation .................................................................................................................................. 61
- Vetoed Bills ........................................................................................................................................................ 62

State Budget Charts for the 2020-2021 Biennium .................................................................................................... 67
INTRODUCTION

When the 140 days of the 86th Legislative Session concluded on May 27, 2019, a total 10,877 pieces of legislation had been filed, including 7,324 Senate and House bills. Ultimately, 1,495 bills were passed by both chambers and sent to Governor Greg Abbott, who then signed 1,323 bills into law, vetoed 58, and allowed 114 bills to become law without his signature.

On its second day, the tone of the 86th Legislative Session was set at a joint press conference held by Governor Greg Abbott, Lt. Governor Dan Patrick, and Speaker Dennis Bonnen. On the steps of the governor’s mansion, the “Big 3” shared their priorities and reaffirmed their commitment to collaborate “on a very bold agenda that will be transformative for the state of Texas.”

Four days before the session’s conclusion, that initial joint press conference was bookended by another where the “Big 3” confirmed they had reached an agreement on the major issues — the 2020-2021 State budget (House Bill 1), property tax reform (Senate Bill 2), and school finance reform (House Bill 3). Governor Abbott shared, “We’ve stayed together, working collaboratively every single week, every single day, sometimes every single hour of every day. And it’s led to a very productive, very fruitful session — a session that has addressed and solved challenges that have plagued our state for decades.” Some of the more significant budget appropriations impacting local governments include the following:

Property Tax
Sen. Paul Bettencourt (R-Houston) and Rep. Dustin Burrows (R-Lubbock) were the principal authors of the Texas Property Tax Reform and Transparency Act of 2019 (SB 2). The bill capped a county government’s ability to generate additional revenue beyond 3.5 percent without holding an election. The conference report was adopted by the Senate by a vote of 21 to nine, and by the House by a vote of 88 to 50. A more detailed analysis of the bill, the new timelines it imposes, and some of the direct effects to county government are discussed within this report.

School Finance Reform
Rep. Dan Huberty (R-Houston) and Sen. Larry Taylor (R-Friendswood) were the principal authors of HB 3, the top priority school finance bill of the session. The bill infuses an additional $6.5 billion, above current law funding, into public school education funding; includes salary increases for teachers and other educators; provides $5.0 billion in property tax relief through compression of the property tax rate; and reduces recapture.

Disaster Response & Relief, Infrastructure Resiliency, and Flood Infrastructure
More than 100 bills were filed addressing disaster relief, recovery and future planning in response to Hurricane Harvey and other natural disasters. Twenty-eight bills eventually passed and the supplemental appropriations bill, SB 500, provides $3.5 billion from the Economic Stabilization Fund (ESF), the state’s rainy day fund, to fund these initiatives.
School Safety
With the Santa Fe school shooting tragedy still fresh on everyone’s mind, the governor made school safety an emergency item. Lawmakers enacted legislation which included funding for school safety programs totaling $343.5 million from General Revenue, the ESF and federal funds.

Human Trafficking Prevention and Law Enforcement
During the interim, the governor and select legislators advanced efforts to both secure financial support and make statutory changes to investigate and prosecute human trafficking. The budget reflects $58.4 million for the prevention, investigation, and prosecution of human trafficking-related activities, an increase of $39.6 million from the 2018–2019 biennium.

Border Security
The 86th Legislature once again made significant appropriations to fund border security activities with funds totaling $800.6 million. The appropriations were made to multiple state agencies — the majority of the funding, $693.3 million, provided to the Department of Public Safety.

Trusteed Programs within the Office of the Governor
Counties can utilize Trusteed Programs within the governor’s office, including access to grants and other resources benefiting councils of government, disaster response, public safety, and economic development. Funding for Trusteed Programs within the Office of the Governor totaled $1.4 billion.

Transportation
The State budget reflects $31.1 billion to support all functions at the Department of Transportation necessary to support, maintain and expand the statewide transportation infrastructure. Thanks to the persistent efforts of many local officials, the budget also includes $250 million* specifically for the Texas Transportation Infrastructure Fund which can be used by counties for their transportation projects.

Judicial Salary Increase
With the enactment of HB 2384, funding of $34.0 million provides for increased compensation based on a tiered, tenure-based structure for district judges, appellate court judges, the state prosecuting attorney, and professional prosecutors. However, county judges were not included in the salary and benefit increases.

The 2019 Legislative Analysis Report is a compilation of the newly enacted laws that will affect counties and county operations. Throughout the session, county officials worked with leadership, members, and their staffs to help provide valuable input and insight as to the practical implication of these bills to county operations. This report also distills the 950-page 2020-2021 State Budget into a more concise version reflecting budget areas and programs of interest to counties.

* $125M in ESF appropriated by SB 500; $125M in HB 1 via allocation in TxDOT bill pattern, Rider 47 in CCR on HB1 , page VII-30
APPRAISAL PROCESS

OPTIONAL REAPPRAISAL IN DISASTER AREAS

**HB 492 by Shine.** Relating to a temporary exemption from ad valorem taxation of a portion of the appraised value of certain property damaged by a disaster.

**Summary:** Hurricane Harvey’s destructive power demonstrated a significant need for taxing jurisdictions to have options for reappraisals or exemptions for property destroyed in natural disasters. For areas declared a disaster by the governor, HB 492 entitles a person to an exemption from taxation for a portion of their appraised property value. If the disaster declaration comes on or after the date the taxing unit has adopted the tax rate for the year, the taxing unit has the option to adopt the exemption. If the disaster declaration comes prior to the tax rate adoption, the taxing unit is required to adopt the exemption. An exemption adopted by the taxing unit must: 1) specify the disaster for which the exemption pertains; and 2) be adopted no later than 60 days after the governor declares the disaster. Additionally, the taxing unit must notify the chief appraiser, the assessor, and the comptroller of the exemption within seven days of being adopted.

If the property qualifies for the exemption after the tax year has begun, the amount of the exemption is prorated. With respect to a property that qualifies for the exemption after the tax is due, the assessor for each taxing unit must recalculate the amount of the tax due and correct the tax roll. In the event the tax bill has already been mailed but the tax has not been paid, the assessor shall mail a corrected tax bill to the property owner or authorized agent. Should the tax have already been paid on the eligible property, the tax collector for the taxing unit shall issue a refund to the person who paid the tax in the amount for which the payment exceeded the amount due. The exemption expires on a qualified property Jan. 1 of the first year in which the property is reappraised.

The bill determines deadlines for people to apply for the exemption based on whether the taxing unit has adopted their tax rate at the time of the disaster. Additionally, HB 492 establishes procedures to protest an exemption denial.

To become effective, HB 492 requires the passage of a constitutional amendment authorized by HJR 34.

**Effective Date:** Jan. 1, 2020 if the constitutional amendment is approved by voters in November 2019 or no effect.

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Tax Assessor-Collectors Association of Texas (TACA)

**News Clips:** Shine Honored For His Legislative Work, Temple Daily Telegram

**PROPERTY TAX EXEMPTION IN DISASTER**

**HJR 34 by Shine.** Proposing a constitutional amendment authorizing the Legislature to provide for a temporary local option exemption from ad valorem taxation of a portion of the appraised value of certain property damaged by a disaster.

**Summary:** Authorizes a constitutional amendment that will go before the voters on Nov. 5, 2019 to enable the Legislature to allow local governments to authorize a tax exemption in disaster declared areas. If approved, HB 492, the enabling legislation, will go into effect Jan. 1, 2020.
Effective Date: Jan. 1, 2020 if the constitutional amendment is approved by voters in November 2019 or no effect.

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Tax Assessor-Collectors Association of Texas (TACA)

DISPOSITION OF TAX PROTEST AGREEMENTS

SB 2531 by Creighton. Relating to the disposition of an ad valorem tax protest by means of an agreed order.

Summary: Authorizes a chief appraiser and a property owner to file a joint motion with the appraisal review board of the agreed to disposition of the protest. The joint motion must contain the terms of the disposition of the protest. Lastly, the bill requires the board to issue an agreed order. The joint motion is appealable in the same manner as any other order issued by the board.

Effective Date: Jan. 1, 2020

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Tax Assessor-Collectors Association of Texas (TACA)

COUNTY JAILS

PREGNANT WOMEN IN COUNTY JAIL

HB 1651 by González, Mary. Relating to the care of pregnant women confined in county jail.

Summary: Amends the Government Code to require the Texas Commission on Jail Standards to adopt reasonable rules and procedures on the use of any type of restraints to control or restrict the movement of a prisoner who is confirmed to be pregnant or who has given birth in the preceding 12 weeks. This is unless a health care professional responsible for the health and safety of the prisoner or supervisory personnel determines the use of restraints is necessary to prevent an immediate and credible risk that the prisoner will attempt to escape or determines the prisoner poses an immediate and serious threat to the health and safety of the prisoner, staff, or any member of the public.

Effective Date: Sept. 1, 2019

TAC Affiliates: Sheriffs’ Association of Texas (SAT)

News Clips: Provide Dignity for Incarcerated Women, Texas Criminal Justice Coalition

HYGIENE PRODUCTS FOR FEMALE PRISONERS

HB 2169 by Allen. Relating to reporting concerning female prisoners who are confined in county jails and to the provision of feminine hygiene products to female prisoners.

Summary: Amends the Government Code requiring the Texas Commission on Jail Standards to adopt reasonable rules and procedures establishing minimum standards for the quantity and quality of feminine hygiene products, including tampons in regular and large sizes and menstrual pads with wings in regular and large sizes, provided to a female prisoner. Also, each county must now include the number of female prisoners in its monthly report to the commission. Counties are required to submit the first report by Oct. 5, 2019, and the Commission on Jail Standards must adopt rules and procedures by Dec. 1, 2019.

Effective Date: Sept. 1, 2019

TAC Affiliates: Sheriffs’ Association of Texas (SAT)

News Clips: Provide Dignity for Incarcerated Women, Texas Criminal Justice Coalition

TCJS ELECTRONIC FORM SUBMISSION

HB 3440 by Capriglione. Relating to the electronic submission of forms, data, and documents to the Commission on Jail Standards; imposing a fee.

Summary: Promotes efficiency by amending the Government Code, requiring the Texas Commission on Jail Standards (TCJS) to establish a system for the electronic submission of forms, data, and documents. The bill provides for a county to submit forms in a non-electronic format and requires TCJS to set and collect a reasonable fee to cover the cost of processing the forms, data, or documents.

Effective Date: Sept. 1, 2019

TAC Affiliates: Sheriffs’ Association of Texas (SAT)
DISCHARGING PRISONERS

**SB 1700 by Whitmire.** Relating to the discharge of a prisoner from a county jail.

**Summary:** Amends the Code of Criminal Procedure and the Government Code to require discharge of prisoners from county jails take place after 6 a.m. and before 5 p.m. Exceptions are permitted if the defendant: requests a release after 5 p.m. but before 6 a.m.; is subject to another arrest warrant; is being transferred; or is being admitted to an impatient mental health facility or state supported living center for court-ordered mental health or intellectual disability services. The Texas Commission on Jail Standards is authorized to monitor compliance with these discharges.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** Sheriffs’ Association of Texas (SAT)

CONSTRUCTION LIABILITY

**HB 1999 by Leach.** Relating to certain construction liability claims concerning public buildings and public works.

**Summary:** Adds Government Code, Chapter 2272, relating to certain construction liability claims concerning public buildings and public works.

Provisions of the bill apply to property damage claims caused by an alleged construction defect by a contractor and excludes claims involving personal injury, claims involving residential property, Texas Department of Transportation contracts, projects receiving money from state or federal highway funds, or certain civil works projects.

The bill requires an inspection and report by a licensed engineer identifying and documenting the defect including descriptions of any modifications or maintenance made by the governmental entity before a governmental entity brings action asserting a claim. The bill allows the government entity to recover report costs if the report identifies a construction defect that is either corrected or for which the entity recovers damages.

**Effective Date:** June 14, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

**News Clips:** TCA Legislative Issues for 2019 - 86th Legislative Session, Texas Construction Association

COUNTY LIABILITY

CLERKS IMMUNITY

**HB 685 by Clardy.** Relating to immunity from liability of a court clerk and county for the disclosure or release of certain court documents and information contained in the court documents.

**Summary:** Amends the Government Code by providing protection for court clerks and counties from liability relating to the public disclosure of certain court documents accessed by a third party from a state court document database.

**Effective Date:** June 14, 2019

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), County Treasurers’ Association of Texas (CTAT), Justices of the Peace and Constables Association (JPCA), Texas District & County Attorneys Association (TDCAA)

**News Clips:** A Comprehensive Plan for Selecting Qualified, Nonpartisan Texas Judges, Texans for Lawsuit Reform

COUNTY CONTINGENCY FEE CONTRACTS

**HB 2826 by Bonnen, Greg.** Relating to procurement of a contingent fee contract for legal services by certain governmental entities.

**Summary:** Amends Chapter 2254 of the Government Code, regarding state and local contingent fee contracts for legal services. The bill imposes additional restrictions on a contingent fee contract awarded by a political subdivision and requires attorney general approval of such a contingent fee contract before it could take effect. The bill allows a political subdivision to contest the Attorney General’s refusal to approve a contract on non-procedural grounds at the State
Office of Administrative Hearings as a contested case under the Administrative Procedures Act. The Attorney General indicated the need for additional staff and resources to review and approve contingent fee legal contracts for cities and counties which will have a negative fiscal impact of $928,297 to the State.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA)

**News Clips:** Curtailing Attorney Solicitation of Local Governments, Texas House Members Hear Testimony on HB 2826, Texans for Lawsuit Reform

A Decisive Week at the Legislature: You Can Make a Difference, Sierra Club

Texas House Bill Aims to Change how State Entities Procure Contingency Fee Contracts, SE Texas Record

Bill would Limit Some Attorney Contingent-Fee Contracts with Local Governments, Law.com

Texas House Committee Passes Bill to Bring Transparency, Accountability to Municipal Contingency Fee Contracts, Institute for Legal Reform, U.S. Chamber of Commerce

Sine Die - Mixed Results for Environment in 86th Legislature, Environment Texas

---

**CIVIL LIABILITY FOR DEFECTS IN ROAD WORK**

**HB 2899 by Leach.** Relating to civil liability and responsibility for defects in the plans, specifications, or other documents for the construction or repair of roads, highways, and related improvements.

**Summary:** Amends the Transportation Code to specify that a contractor, who enters into a contract with governmental entities for construction or repair of a road or highway, is not civilly liable or responsible for design defects that were prepared by a governmental entity or their designers. This legislation is applicable only to the Texas Department of Transportation (TxDOT) or any political subdivision of the state acting under Transportation Code, Chapters 284 (certain counties), 366 (regional tollway authority), 370 (regional mobility authority), or 431 (transportation corporation). This legislation does not eliminate a contractor’s liability or responsibility for design defects in a design prepared by the contractor or by a designer working for the contractor.

**Effective Date:** June 2, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

---

**COUNTY OFFICIALS**

**GAME ROOM REGULATION**

**HB 892 by Kuempel.** Relating to county regulation of game rooms.

**Summary:** Amends the Local Government Code to repeal the population and location restrictions to give statewide authority to commissioners courts to regulate game rooms, including the ability to restrict the location of game rooms; prohibit a location within a certain distance of a school, place of religious worship, or residential neighborhood; and restrict the number of game rooms that may operate in an area of the county.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA), Sheriffs’ Association of Texas (SAT), Justices of the Peace and Constables Association (JPCA)
**THC SUNSET BILL**

**HB 1422 by Paddie.** Relating to the continuation and functions of the Texas Historical Commission.

**Summary:** Amends Government Code, Section 442.002(k) to extend the Texas Historical Commission’s (THC) sunset date to Sept. 1, 2031. Amends training requirements for commission members. Allows THC to delegate certain authority to the THC executive director. Provides THC the authority to establish and administer the Texas Heritage Trails Program. Places additional historic sites and parks under the THC’s jurisdiction, including Fanthorp Inn State Historical Site, Lipantitlan State Historical Site, Monument Hill and Kreische Brewery State Historical Site, Washington-on-the-Brazos State Historical Site, San Jacinto Battleground State Historic Site, and Port Isabel Lighthouse State Historical Monument and Park. Establishes a process for the deaccession and sale of certain items from a state agency’s archeological, architectural, archival, decorative, or fine arts collection. Increases from 6 percent to 7 percent the portion of the sporting goods sales tax proceeds that is credited to the THC and reduces the portion credited to the Texas Parks and Wildlife Department from 94 percent to 93 percent. Repeals the authority for the Texas Courthouse Preservation Program Advisory Committee. Repeals the authority for the Texas Preservation Trust Fund Account Advisory Board.

**Effective Date:** Sept 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

---

**CONSTABLE TRAINING**

**HB 1415 by Lucio III.** Relating to continuing education training on civil process for constables.

**Summary:** Requires 20 hours of civil process continuing education for constables once every four-year training cycle. The continuing education instruction on civil process will be provided by a public institution of higher education selected by the Texas Commission on Law Enforcement.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** Justices of the Peace and Constables Association (JPCA)

---

**SURETY BONDS FOR DEPUTY CLERKS**

**HB 1494 by Guillen.** Relating to surety bonds for deputy clerks and other employees of county and district clerks.

**Summary:** Amends Government Code, Section 51.309 by adding Subsections (b) and (b-1) to change the surety bond requirements for a district or county clerk’s deputy clerks and employees. The bill requires a district clerk or county clerk to obtain either: an individual surety bond for each deputy clerk or other employee in an amount equal to the district or county clerk’s bond; or a schedule or blanket surety bond...
to cover all deputy clerks and all other employees in a total amount equal to the district clerk’s or county clerk’s bond.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT)

### COUNTY COMMISSIONERS VACANCY

**HB 1927 by Herrero.** Relating to the filling of a vacancy in the office of county commissioner in certain counties.

**Summary:** Amends Section 87.042, Local Government Code to impose a 60-day deadline for a county judge to fill a vacancy on a county commissioners court, and requires a county commissioners court to fill the vacancy if the deadline is not met. The requirement is limited to counties with a population of 300,000 or more.

**Effective Date: June 10, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), County Treasurers’ Association of Texas (CTAT)

### GOVERNOR’S BROADBAND COUNCIL

**HB 1960 by Price.** Relating to the creation of the governor’s broadband development council.

**Summary:** Amends Subchapter F, Title 4 of the Government Code by adding Chapter 490H. Establishes the governor’s Broadband Development Council to research the progress of broadband development in unserved areas, identify barriers to residential and commercial broadband development in unserved areas, study technology-neutral solutions to overcome those barriers, and analyze certain benefits of statewide access to broadband. The council will be composed of 17 voting members appointed by the governor, including one member who is an elected county official from a county with a population of less than 35,000. The council will prepare and deliver an annual report of its findings to the governor, Lt. governor, and each member of the Legislature.

**Effective Date: May 25, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

### RECORDS MANAGEMENT & RETENTION

**HB 1962 by Lambert.** Relating to the continuation and functions of the Texas State Library and Archives Commission, including the custody and ownership of certain state records and real property.

**Summary:** HB 1962 is the Sunset Bill for the State Library and Archives Commission and amends a number of chapters in the Government and Local Government Code. The bill stipulates that each elected officer is the records management officer for that office and has responsibility for the retention plan. The county commissioners court is responsible for records in the non-elected departments. Section 441.169 of the Government Code provides that retention plans will be filed with the Texas State Library and Archives Commission.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJAC)

### TEMPORARY JUSTICE OF THE PEACE

**HB 3081 by Noble.** Relating to a person qualified to serve as a temporary justice of the peace.

**Summary:** Amends the Government Code to make changes to the list of those who are qualified to be appointed to serve as a temporary justice of the peace when a justice of the peace is unavailable. Those qualified to serve include a person who has served as a justice of the peace, county judge, or the judge of a county court at law for not fewer than four years. If a judge cannot find a qualified person, then the bill allows for a county judge to appoint any qualified voter who has experience and knowledge relevant to judicial or justice court processes and procedures and is approved by the county judge and the justice of the peace in the county.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA)

**News Clips:** Texas Broadband Bills Go to Vote This Week, KERA News
COURT PROCEEDINGS

**SB 40 by Zaffirini.** Relating to locations, terms, sessions, and procedures for conducting court proceedings.

**Summary:** Amends the Government Code and the Local Government Code related to where a court may hold proceedings upon the occurrence of a disaster. The bill affects district courts, county courts at law, statutory probate courts, constitutional county courts, justice courts, and municipal courts. The bill extends the permissible number of days an order modifying or suspending procedures related to court proceedings may remain in effect from 30 to 90.

**Effective Date:** June 7, 2019

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT), Texas District & County Attorneys Association (TDCAA)

OVERSIGHT OF STATE AGENCY CONTRACTING AND PROCUREMENT

**SB 65 by Nelson.** Relating to oversight of and requirements applicable to state agency contracting and procurement.

**Summary:** Amends Government Code, Section 2252.908, to make the provisions of 84R HB 1295 (the 2015 contracts reporting bill) apply to any contract by a governmental entity (including a county) for services of a person who is required to register as a lobbyist under Government Code Chapter 305. Identical language is in HB 1495 by Toth.

Also amends Government Code Section 2254.030 to require any county or other political subdivision that has ever entered into a contract for consulting services with a state agency to disclose on the political subdivision’s website certain details about contracts for services that would require a person to register as a lobbyist under Government Code Chapter 305. The political subdivision may post the lobbying contract on its website in lieu of posting the details of the contract. Requires that a political subdivision, that has ever entered into a contract for consulting services with a state agency, must include in its proposed budget a comparison between budgeted and actual expenses in the preceding year for expenditures for directly or indirectly influencing or attempting to influence the outcome of legislation or administrative action, as those terms are defined in Government Code Chapter 305. These provisions of the Act apply to a consulting services contract entered into by a political subdivision on or after Sept. 1, 2019.

Also amends various other requirements for state agencies (not political subdivisions) for contracting, contract retention, contract reporting, internal audits, vendor assessment certifications, vendor selection statements, state contracting standards and oversight.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), County Treasurers’ Association of Texas (CTAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT), Tax Assessor-Collectors Association of Texas (TACA), Texas Association of County Auditors (TACA), Texas District & County Attorneys Association (TDCAA)

**News Clips:** After Killing Ban, House Approves Disclosure on Taxpayer-Funded Lobbying, Empower Texans

PRE-APPROVAL OF SALARIES & EXPENSES

**SB 354 by Lucio.** Relating to authority of certain officers of certain counties to disburse or direct payment of county funds for salaries or expenses.

**Summary:** In 2017, Attorney General Opinion KP-0160 held that counties with a population of 190,000 or fewer lacked the necessary statutory authorization to adopt procedures for pre-approval of salaries and office expenses.

SB 354 authorizes the disbursement of salaries and routine office expenses in counties under 190,000 population without specific approval by the commissioners court. The bill allows a county to operate more efficiently and removes the requirement for a commissioners court to approve every expenditure.
To implement provisions of SB 354, Jim Allison, General Counsel to County Judges and Commissioners Association, recommends placing the following item on the commissioners agenda: “Consideration of Order for Disbursement of Salaries and Routine Office Expenses.” If you do not wish to authorize disbursement of routine office expenses, delete this part of the Order.

Effective Date: May 31, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), County and District Clerks’ Association of Texas (CDCAT), Texas Association of County Auditors (TACA), County Treasurers’ Association of Texas (CTAT)

News Clips: Legislature’s Action Returns Court to Bimonthly Meetings, Navasota Examiner

LOCAL MATCHING REQUIREMENTS

SB 2168 by Watson. Relating to relief from local matching funds requirements for certain counties.

Summary: Amends the Transportation Code to establish that a county is considered to be an “economically disadvantaged county” for the purposes of relief from the local matching funds requirement for the state highway system if, in comparison to other counties in Texas within the past six years, the county has below average per capita taxable property value, below average per capita income, and above average unemployment; and has been included in no less than five federally declared disasters within the same time period. The bill requires the adjustment to the local matching funds requirement for such a county to be equivalent to the highest adjustment rate set in the last year the county was considered to meet the requisite criteria as an economically disadvantaged county.

Effective Date: June 10, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT)

REMOVAL OF DECEDENT’S REMAINS

HB 2248 by Wray. Relating to the disposition and removal of a decedent’s remains.

Summary: The bill amends Section 711.004 of the Health and Safety Code to permit the remains of a decedent to be removed with written consent of the appropriate family member, the cemetery organization, and the owner of the plot. If these consents cannot be obtained, a suit must be brought in District Court or in County Court.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT)

COURTS JUDICIAL PAY

HB 2384 by Leach. Relating to judicial compensation and assignment, the contributions to, benefits from, membership in, and administration of the Judicial Retirement System of Texas Plan One and Plan Two, and the compensation and retirement benefits of certain prosecutors and other members of the elected class of the Employees Retirement System of Texas.

Summary: Amends the Family Code and the Government Code to modify the compensation structure of certain judges and professional prosecutors, including appellate judges, district judges, statutory county court judges, statutory probate judges and certain district and county attorneys. It also adjusts contributions made towards their retirement systems. HB 2384 does not extend any additional salary or benefits to the constitutional county judges.
The bill establishes a base salary of $140,000 for district judges, intermediate appellate court justices, and supreme court/court of criminal appeals justices/judges, with 0-4 years of service; $154,000 for judges and justices with 4-8 years of service, and $168,000 for judges and justices with 8 or more years of service. The pay scale will also apply to statutory county and probate court judges, the state prosecutor, and district and criminal district attorneys. The salary of child support and child protection court associate judges (Subchapters B and C, Texas Family Code) will be based on 90 percent of the base salary.

The bill lowers the years of service required for longevity pay from 16 years to 12 years and increases longevity pay from 3.1 percent to 5 percent.

HB 2384 adjusts the retirement annuity calculations to the new tiered schedule for judges, justices and prosecutors who retire after the effective date of the bill; increases retirement contributions of state judges and justices from 7.5 percent to 9.5 percent; and modifies the disability retirement process for state judges and justices to be more consistent with the process used for state employees.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA)

News Clips: What Texas Lawmakers May Sacrifice to Get Judges a Pay Raise, Dallas Morning News

### JUDICIAL GUIDANCE IN JUVENILE CASES

**HB 2737 by Wu.** Relating to judicial guidance related to child protective services cases and juvenile cases.

**Summary:** The bill requires the Texas Supreme Court to provide annual guidance to judges who preside over child protective services cases or juvenile cases to establish greater uniformity across the state on certain issues relating to these cases, including the placement of children with severe mental health issues.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA)

News Clips: 2019 Bills That Are Still Moving or Have Become Law, Texas Criminal Justice Coalition

### SPECIALTY COURT TRANSFER

**HB 2955 by Price.** Relating to oversight of specialty court programs.

**Summary:** Amends Section 121.002, Government Code by amending Subsections (c) and (d) and adding Subsections (f) and (g) to transfer some of the oversight of specialty court programs from the Governor’s Criminal Justice Division to the Office of Court Administration (OCA). Requires OCA to provide technical assistance to specialty court programs upon request and monitor compliance of the specialty court programs with programmatic best practices, among other provisions.

Effective Date: Sept. 1, 2019

TAC Affiliates: County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA)

### INTOXICATION PENALTIES

**HB 3582 by Murr.** Relating to the punishment for certain intoxication offenses, the conditions of bond for defendants charged with certain intoxication offenses, and the eligibility for deferred adjudication community supervision of defendants who committed certain intoxication offenses.

**Summary:** Amends Article 17.441(a), Code of Criminal Procedure, to allow judges the ability to grant deferred adjudication community supervision for certain driving while intoxicated and boating while intoxicated offenses. Those defendants in these cases...
must install vehicle ignition interlock devices. HB 3582 enhances the offense of driving while intoxicated with a child passenger from a state jail felony to a third degree felony under certain circumstances. The bill establishes procedures for defendants in these cases to request the court grant an order of nondisclosure of criminal record information. The bill allows the judges to grant deferred adjudication for first-time driving and boating while intoxicated offenses unless the defendant held a commercial driver license or a commercial learner permit, or if the alcohol concentration was 0.15 or more. HB 3582 amends the Code of Criminal Procedure to allow a magistrate to require a defendant charged with the offense of driving while intoxicated with a child passenger to install a motor vehicle ignition interlock device as a condition of bond release. A judge may waive the ignition interlock requirement under deferred adjudication community supervision if, based on a controlled substance and alcohol evaluation, the judge determines that the device is not necessary for the safety of the community. Additionally, the judge may waive or reduce the cost for the interlock device if the defendant is found indigent.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), County and District Clerks’ Association of Texas (CDCAT), Sheriffs’ Association of Texas (SAT), Justices of the Peace and Constables Association (JPCA)

**News Clips:** Bill would Create Sentencing Flexibility for First-Time Drunk Drivers, *The Orange Leader*

**Lawmakers Look to Ease DWI Penalties, *The Alvin Sun***

---

**GUARDIANSHIP ABUSE TRACKING**

**SB 31 by Zaffirini.** Relating to establishing a guardianship abuse, fraud, and exploitation deterrence program.

**Summary:** The bill adds Subchapter G to Chapter 72, Government Code to require the Office of Court Administration to establish and maintain a guardianship abuse, abuse, and exploitation deterrent program designed to provide additional resources and assistance to courts that have jurisdiction over guardianship proceedings.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), County and District Clerks’ Association of Texas (CDCAT), Sheriffs’ Association of Texas (SAT), Justices of the Peace and Constables Association (JPCA), Texas District & County Attorneys Association (TDCAA)

**News Clips:** Texas Needs to Patch Holes in Guardianship Safety Net, *TribTalk***

---

**PROTECTIVE ORDER REGISTRY**

**SB 325 by Huffman.** Relating to establishing a protective order registry and the duties of court personnel and other persons and entities in regard to the registry.

**Summary:** The bill requires the Office of Court Administration (OCA), in consultation with the Texas Department of Public Safety (DPS), to establish and maintain a centralized internet-based registry for all protective orders. The bill requires the registry to be capable of interfacing with local court case management systems. The bill mandates courts to enter protective order information into the registry within 24 hours of filing, issuing, or modifying a protective order. Certain information in the registry will be accessible by the public and certain information will be restricted to authorized users. Funding has been made available through an appropriations rider to OCA for development and implementation of this registry. The bill requires the registry to be established by Jan. 1, 2020, unless a delay of up to 90 days is authorized by the Texas Judicial Council. The bill will require OCA to establish and supervise a training program for magistrates, court staff, and peace officers by June 1, 2020.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), County Treasurers’ Association of Texas (CTAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT), Texas District & County Attorneys Association (TDCAA)

**News Clips:** Monica’s Law Signed by Governor Abbott, *Your Basin*

**Monica’s Law Passes House Floor, *Reform Austin***
**APPOINTMENT OF ATTORNEY PRO TEM**

**SB 341 by Huffman.** Relating to the appointment of an attorney pro tem for certain criminal proceedings.

**Summary:** Amends Articles 2.07(a), (b), (b-1), and (d), Code of Criminal Procedure to provide that only certain prosecutors (district or county attorneys or an assistant attorney general) may be appointed as an attorney pro tem. Specifies that an attorney pro tem appointed as part of a court of inquiry is entitled to the same amount of compensation as a person appointed to represent an indigent person.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA)

---

**CRIMINAL COURT COSTS CONSOLIDATION BILL**

**SB 346 by Zaffirini.** Relating to the consolidation, allocation, classification, and repeal of certain criminal court costs and other court-related costs, fines, and fees; imposing certain court costs and fees and increasing and decreasing the amounts of certain other court costs and fees.


**Effective Date: Jan. 1, 2020**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT), Texas Association of County Auditors (TACA), Texas District & County Attorneys Association (TDCAA)

---

**CHANGES TO THE HISTORIC COURTHOUSE PRESERVATION PROGRAM**

**SB 496 by Perry.** Relating to factors the Texas Historical Commission considers in reviewing an application for a grant or loan through the historic courthouse preservation program.

**Summary:** Amends Government Code Section 442.0081 to require the Texas Historical Commission, in considering whether to grant an application for a grant or loan to a county or municipality that owns a historic courthouse, to consider, among other factors, the county’s or municipality’s local funding capacity as measured by the total taxable value of properties in the county or municipality, as applicable. This change in law applies only to an application filed on or after the effective date of this bill.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

---

**COURT-ORDERED MENTAL HEALTH SERVICES**

**SB 362 by Huffman.** Relating to court-ordered mental health services.

**Summary:** The bill reforms procedures relating to court-ordered outpatient and inpatient mental health services. Amends provisions relating to the early identification of a defendant suspected of having mental illness or an intellectual disability and allows a trial court to release a defendant on bail and transfer the defendant to the appropriate court for court-ordered outpatient mental health services, if the offense charged does not involve serious bodily injury; and allows the dismissal of the underlying charges after the defendant complies with such treatment in certain circumstances.

Requires the Court of Criminal Appeals to ensure that judicial training related to court-ordered mental health services is provided at least once every year. Prescribes certain findings that must be made for a judicial order for temporary or extended outpatient mental health services. Requires an inpatient treatment facility administrator to assess the appropriateness of transferring the patient to outpatient mental health services not later than 30 days after the patient is committed to the facility, among other provisions.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT), Texas Association of County Auditors (TACA), Texas District & County Attorneys Association (TDCAA)
SB 560 by Kolkhorst. Relating to a plan and report on court-ordered representation for certain suits affecting the parent-child relationship.

**Summary:** Amends the Government Code to require counties to report to the Texas Judicial Council (TJC) on court-ordered representation in suits affecting the parent-child relationship. The bill requires each local administrative district judge or judge-designated person for a court subject to the developed plan to prepare and provide to TJC a copy of all rules and forms used to appoint representation in suits affecting the parent-child relationship filed by the government and any fee schedule used for court-ordered representation by November 1 of each odd-numbered year. The report must identify the costs paid by counties for the appointment of attorneys to represent children and indigent parents in child protective services cases. Using the data submitted, a statewide report will be compiled and published yearly by TJC and delivered to the governor, lt. governor, and speaker of the house.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), County Treasurers’ Association of Texas (CTAT), Texas Association of County Auditors (TACA), Texas District & County Attorneys Association (TDCAA)

### PREFERENCE TOWARDS PUBLIC DEFENDER’S OFFICE

SB 583 by Hinojosa. Relating to the appointment of a local public defender’s office to represent indigent defendants in criminal cases.

**Summary:** Amends Subsections (a) and (f) of Article 26.04, Code of Criminal Procedure to clarify that a court in a county with a public defender’s office must give priority in appointing that office to represent a defendant in a criminal proceeding, including in a capital murder case, with certain exceptions. Provides that the court is not required to appoint the public defender’s office if the court makes a finding of good cause for appointing other counsel, which must be on the record in capital murder cases, or if other circumstances are met.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA)

### OPERATION AND ADMINISTRATION OF COURTS

SB 891 by Huffman. Relating to the operation and administration of and practice in and grants provided by courts in the judicial branch of state government; imposing a fee; creating a criminal offense.

**Summary:** The bill provides for various changes relating to the operation and administration of courts across the state. Among many provisions, the bill: repeals the Collection Improvement Program, so that counties with populations of 100,000 or greater will no longer have to develop and implement such a program with specified criteria designed to improve collections; creates new district and statutory county courts; amends the jurisdiction of certain courts; identifies certain offices as magistrates in some counties; creates new district attorneys; and amends certain provisions relating to court reporters.

The bill also transfers the duty to publish a biennial list of new or amended court costs and fees from the Comptroller to the Office of Court Administration (OCA); requires OCA to maintain a searchable public information Internet website that allows a person to easily publish public information on the website, and prescribes criteria and circumstances for when certain citations or notices may be published on the
website; transfers some of the oversight of specialty court programs from the Governor’s Criminal Justice Division to OCA; and requires OCA to conduct a study on district and statutory county court caseloads.

Additionally, the bill authorizes substituted service of citation through social media under the Civil Practice and Remedies Code in certain circumstances; amends various other provisions relating to the service of citation or notice; authorizes a district clerk to post an official and legal notice by electronic display, which must meet certain requirements; authorizes certain grants by commissions established by the Texas Supreme Court, including grants developed and administered by the mental health commission; and addresses the employment status of certain visiting judges.

Effective Date: Sept. 1, 2019 except Section 2.06 takes effect October 1, 2019; Article 10 takes effect June 1, 2020, excluding Section 10.11, which takes effect September 1, 2019; Section 1.04 takes effect October 1, 2020; and Sections 1.05, 1.07, 1.08, 2.02, 2.05, 6.03(b)-(d), and 6.06 take effect January 1, 2021.

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA), Texas District & County Attorneys Association (TDCAA)

**News Clips:**
- Texans for Lawsuit Reform Calls 86th Legislative Session One of the Most Successful Ever, SE Texas Record
- New Law Causes County to Take Hit on 23rd District Court, Bay City Tribune

**TESTIMONY VIA VIDEO TELECONFERENCING**

**SB 1125 by Hinojosa.** Relating to the use of video teleconferencing for testimony of a forensic analyst in a criminal proceeding.

**Summary:** Amends the Code of Criminal Procedure to allow a forensic analyst to testify by video teleconference, as a witness in the prosecution of a criminal offense, if approved by the court and all parties. If used, a method to transmit documents electronically must exist and the teleconferencing system must be encrypted.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA)

**COURT TECHNOLOGY FUND USAGE**

**SB 1840 by Hinojosa.** Relating to the assistance and technology fund and use of money in the fund.

**Summary:** Amends Chapter 2, Code of Criminal Procedure by adding Article 2.101 to authorize the existing Justice Court Technology Fund to be used for court assistance such as court personnel salaries, benefits, and court personnel continuing education. It also eliminates the population bracket to allow any justice court, with approval from the commissioners court, to use this fund to assist a constable’s office or other county department with technological enhancements, or costs related to the enhancement, if the enhancement directly relates to the operation or efficiency of the justice court. The fund is renamed the “Justice Court Assistance and Technology Fund.”

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), County and District Clerks’ Association of Texas (CDCAT), County Treasurers’ Association of Texas (CTAT), Texas Association of County Auditors (TACA), Justices of the Peace and Constables Association (JPCA)
**JURISDICTION OF COURTS**

**SB 2342 by Creighton.** Relating to the jurisdiction of, and practices and procedures in civil cases before, justice courts, county courts, statutory county courts, and district courts.

**Summary:** The bill changes the jurisdiction of certain civil courts and addresses certain practices and procedures in courts. Increases the jurisdiction of certain statutory courts having concurrent jurisdiction with district courts from a maximum of $200,000 to $250,000. Provides that for statutory county courts with special jurisdictions exceeding $250,000, juries must be composed of 12 members, unless all the parties agree to a jury composed of fewer jurors. Increases the jurisdiction of justice courts from a maximum of $10,000 to $20,000.

Requires the Texas Supreme Court to adopt rules to promote the prompt, efficient, and cost-effective resolution of civil actions filed in statutory county courts in which the amount in controversy does not exceed $250,000, among other provisions.

**Effective Date:** Sept. 1, 2020 except Government Code Section 22.004(h-1) effective January 1, 2021

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA), County and District Clerks’ Association of Texas (CDCAT), Justices of the Peace and Constables Association (JPCA)

**News Clips:** Lawyers Worry About Bill Expanding Expedited Actions to $250,000, Law.com

**INTERNET REGISTRY FOR PROTECTIVE ORDERS**

**SB 2390 by Powell.** Relating to the confidentiality of certain personal information of a person protected by a magistrate’s order for emergency protection.

**Summary:** Amends Chapter 17, Code of Criminal Procedure by adding Article 17.294 to allow a court to protect the address of an applicant for a regular or emergency protective order issued by a magistrate under the Code of Criminal Procedure by requiring the applicant to disclose their mailing address to the court and to designate a person to receive any notice or documents on behalf of the complainant. During the 85th Regular Legislative Session, SB 1242 by Rodriguez fixed the problem but only for regular, two year protective orders under the Texas Family Code. However, Orders of Emergency Protection issued under the Code of Criminal Procedure were not included. SB 2390 remedies this issue to include Orders of Emergency Protection.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), Sheriffs’ Association of Texas (SAT)

**CRIMINAL PROCEDURE**

**EXTENDING STATUTE OF LIMITATION FOR SEXUAL OFFENSES**

**HB 8 by Neave.** Relating to the criminal statute of limitations for certain sex offenses and the collection, analysis, and preservation of evidence of sexual assault and other sex offenses.

**Summary:** The bill removes the statute of limitation for sexual assault if the assault has not been subject to forensic DNA testing and requires sexual assault exam kits and biological evidence to be retained for 40 years, or until the statute of limitations expires, whichever period is longer. This provision applies regardless of whether a person has been apprehended for or charged with committing the offense. Mandates that testing of evidence from a sexual assault or sex offense be completed within 90 days of being received if the evidence is sent to a publicly accredited crime lab. HB 8 requires the victim to be notified in writing before any evidence is destroyed and provides detailed instructions on how they can object. The bill also requires crime labs to submit quarterly reports and to run DNA comparison profiles within 30 days.

HB 8 establishes a new Statewide Telehealth Center for Sexual Assault Forensic Medical Examination within the Office of the Attorney General. The center is authorized to facilitate sexual assault examiner trainings and to provide consultations to sexual assault examiners.

**Effective Date:** Sept. 1, 2019
**TAC Affiliates:** Texas District & County Attorneys Association (TDCAA), Sheriffs’ Association of Texas (SAT), County and District Clerks’ Association of Texas (CDCAT)

**News Clips:** Texas House Advances Bill that Could Actually Clear the Rape Kit Backlog, *Texas Observer*

We’ve Reached the 100-Day Mark, *The Marshall News Messenger*

Texas Governor Abbott Signs Rape Kit Backlog Bill in Dallas: ‘It Means Doing What Needs to Be Done’, *CBS DFW*

---

**DNA COLLECTION FROM FELONS**

**HB 1399 by Smith.** Relating to the creation and storage of DNA records for a person arrested for certain felony offenses.

**Summary:** Amends the Government Code and Code of Criminal Procedure to allow for the collection of DNA upon arrest for certain felony offenses, including murder, sex offenses, and burglary. Eighteen other states, including all of the states surrounding Texas, require the collection of DNA for all felony arrests. Information collected can only be used in an investigation of an offense, or the exclusion or identification of a suspect/offender or assisting with the identification of missing persons.

Current Texas law, Government Code Section 411.15, allows for the expunction of a DNA record for a person who has been acquitted, pardoned, or had the charges dropped. HB 1399 does not change the law regarding expunction of this evidence.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** Sheriffs’ Association of Texas (SAT), Texas District & County Attorneys Association (TDCAA), County and District Clerks’ Association of Texas (CDCAT), County Treasurers’ Association of Texas (CTAT)

**News Clips:** Bill would Expand Texas’ DNA Database by Taking Samples During Felony Arrests, *Statesman*

Law Requiring DNA Samples from Felony Arrests up for Debate, *KXAN*

Guilty Before Proven Innocent? Texas DNA Collection Bill Draws Bipartisan Opposition, *The Hayride*

DNA First, Due Process Later, *Empower Texas*

Mother of Rape Victim, and Survivor Push to Strengthen DNA Testing Procedures, *FOX 7*

---

**HUMAN TRAFFICKING**

**SB 20 by Huffman.** Relating to the prevention of, reporting regarding, investigation of, prosecution of, criminal and civil penalties for, and other consequences of prostitution, trafficking of persons, and related criminal offenses, to treatment, services, and compensation available to victims of those offenses, and to orders of nondisclosure for certain persons who are victims of certain offenses.

**Summary:** Amends the Penal Code, the Code of Criminal Procedure, Government Code, Health and Safety Code, and Civil Practice and Remedies Code as they relate to prostitution, trafficking, and other related offenses. The bill creates new offenses relating to the promotion of prostitution and human trafficking, including the online promotion of prostitution. SB 20 adds trafficking offenses to the list of offenses for which consecutive sentences can be issued and permits the Office of the Attorney General to enter into a contract with an institution of higher education for the institution’s assistance in the collection and analysis of information related to human trafficking.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA), Sheriffs’ Association of Texas (SAT)
**DISASTER RELIEF**

**DEBRIS MANAGEMENT FUNDING**

**HB 5 by Phelan.** Relating to debris management and other disaster recovery efforts.

**Summary:** The bill requires the development of a debris management plan, creation of a model contract for debris removal services, and establishment of a study group for debris removal and other disaster recovery efforts. The Texas Division of Emergency Management (TDEM) will develop a catastrophic debris management plan and model guide for political subdivisions to use in the event of a disaster to provide a guide for clearing and disposing of debris, including: information on preparing for debris removal before a disaster; provisions for the use of trench burners and air curtain incinerators of vegetative debris, sources of equipment for use immediately following a disaster; procedures for vegetative debris burning, including the role of the Texas Department of Transportation in debris removal; and procedures for the coordination of debris clearance and disposal, obtaining necessary equipment immediately following a disaster, and the interaction between political subdivisions and state and federal agencies.

TDEM, in consultation with the Federal Emergency Management Agency, is tasked with developing and publishing a model contract for debris removal services for political subdivisions to use following a disaster.

Additionally, HB 5 establishes a wet debris study group to study issues related to removal of wet debris, including best practices for clearing wet debris following a disaster and determining responsibility for that removal. A report with recommendations on the studied issues must be submitted to the Legislature by Nov. 1, 2020 and the study groups will be abolished on Jan. 1, 2021.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas Association of County Auditors (TACA)

**News Clips:** Texas House Passes Four Disaster Preparation Bills Authored by Beaumont Representative, KBMT-TV

---

**TDEM TASK FORCE**

**HB 6 by Morrison.** Relating to disaster relief and recovery.

**Summary:** The bill requires the Texas Division of Emergency Management (TDEM) to develop a disaster recovery task force to operate throughout the long-term recovery period following natural and man-made disasters by providing specialized assistance for communities and individuals to address financial issues, available federal assistance programs, and recovery and resiliency planning to speed up local-level recovery efforts. The bill authorizes the task force to include and use the resources of any appropriate state agencies, including institutions of higher education, and organized volunteer groups. The bill requires the task force to develop procedures for preparing and issuing a report listing each project related to a disaster that qualifies for federal assistance and requires a report to be submitted to the appropriate federal agencies as soon as practicable after any disaster. HB 6 requires the task force to provide a quarterly briefing to members of the legislature, legislative staff, and state agency personnel on the response and recovery efforts for previous disasters and on any preparation or planning for potential future hazards, threats, or disasters. TDEM provided an exceptional item request for the disaster recovery task force, and $10.4 million in funding was placed in HB 1 by Zerwas, the General Appropriations Act.

HB 6 includes the following provisions:

Requires an emergency management program maintained by a county, or in which a county participates, to provide for catastrophic debris management not later than Jan. 1, 2020.

Submits an emergency management coordinator designated by the emergency management director of a county with a population of 500,000 or more to certain emergency management training requirements under the Texas Disaster Act of 1975. The bill requires each person required to complete the training to do so not later than March 1, 2020. Effective Sept. 1, 2019.

Defines “coastal county” as any county adjacent to the Gulf of Mexico or Corpus Christi Bay and requires the Comptroller of Public Accounts beginning Sept. 1, 2021, and not later than Sept. 30 of each state fiscal year to: (1) compute the amount of revenue derived...
from the collection of taxes imposed under this chapter (Hotel Occupancy Tax) at a rate of 2 percent and received from hotels located in coastal counties during the preceding state fiscal year; and (2) transfer that amount to the coastal erosion response account.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas Association of County Auditors (TACA)

**News Clips:** Kolkhorst, Morrison Files Harvey Bills, Rockport Pilot

Chairman Morrison Files HB 6 and HB 7 to Improve Texas’ Emergency Management Functions, KAVU-TV

**Disaster Preparation**

**HB 7 by Morrison.** Relating to disaster preparation for state agencies and political subdivisions.

**Summary:** The bill requires the Texas Division of Emergency Management (TDEM) to develop a plan to assist political subdivisions with executing contracts for services these subdivisions are likely to need following a disaster. The plan includes training on the benefits to political subdivisions from executing disaster preparation contracts in advance of a disaster; recommendations on services political subdivisions could need after a disaster, including debris management and infrastructure repair; and assistance to political subdivisions with finding persons capable of providing these services and assistance with executing contracts with those persons prior to a disaster. TDEM will consult with the comptroller on including a disaster services contract on the schedule of multiple award contracts developed by the comptroller or as part of another cooperative purchasing program administered by the comptroller. It also requires the governor’s office to compile and maintain a comprehensive list of regulatory statutes and rules that could require suspension during a disaster.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

**News Clips:** Chairman Morrison Files HB 6 and HB 7 to Improve Texas’ Emergency Management Functions, KAVU-TV

**Price Hikes During Disasters**

**HB 1152 by Bernal.** Relating to the deceptive trade practice of charging exorbitant or excessive prices for necessities during a declared disaster.

**Summary:** Amends Section 17.46(b)(27)(A, B), Business & Commerce Code to define exorbitant or excessive as a price that exceeds by 15 percent or more the price at which the goods or services were sold or offered for sale by the merchant or wholesaler in the usual course of business immediately prior to or during a declaration of a state or local emergency. Additionally, this percentage limit applies to counties directly adjacent to the affected county if a disaster proclamation is issued by the governor or this percentage limit applies to all counties if a presidential disaster proclamation is issued. The percentage limit will last 30 days past the expiration of the proclamation. Furthermore, it provides this additional enforcement by authorizing district and county attorneys to act...
under the Deceptive Trade Practices-Consumer Protection Act with respect to these incidents.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA)

---

**CARRYING HANDGUN AFTER DISASTER**

**HB 1177 by Phelan.** Relating to carrying a handgun during a state of disaster.

**Summary:** Amends the Penal Code to allow constitutional carry during a disaster declaration and within 168 hours thereof with or without a license or within 168 hours from an evacuation declaration. The person will also be allowed to carry their handgun into a location operating as an emergency shelter during this period if the owner, controller, or operator authorizes the carrying of a handgun, unless prohibited from possessing a firearm by federal law.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Sheriffs’ Association of Texas (SAT)

**News Clips:** Texas Senate Votes to Allow People to Carry Guns Without a License During Disaster Evacuations, Texas Tribune

Texas: House Passes Evacuation Carry Bill, NRA-ILA

Texas House Passes Emergency Carry Bill, Guns.com

---

**EMERGENCY MANAGEMENT TRAINING AND CREDENTIALS**

**HB 2305 by Morrison.** Relating to a work group on enhancing the training and credentialing of emergency management personnel.

**Summary:** Amends the Government Code to require the Texas Division of Emergency Management (TDEM) to establish a work group of persons knowledgeable about emergency management to study and develop a proposal for enhancing the training and credentialing of emergency management directors, emergency management coordinators, and other emergency management personnel at the state or local level. The work group will assess the training and credentials necessary to effectively oversee the response to and recovery from a disaster, including reviewing current required training courses and consult with institutions of higher education on the development of degree programs in emergency management in addition to the programs that exist in Texas on the bill’s effective date. Requires the work group, not later than Nov. 1, 2020, to submit the proposal to members of the legislature and the governor. The work group is abolished and the bill’s provisions expire Jan. 1, 2021.

**Effective Date: June 14, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

**News Clips:** Rep. Geanie Morrison Votes to Strengthen Statewide Disaster Response & Recovery, Crossroads Today

---

**INSTITUTE FOR A DISASTER RESILIENT TEXAS**

**HB 2345 by Walle.** Relating to the creation of the Institute for a Disaster Resilient Texas.

**Summary:** Amends the Education Code to create the Institute for a Disaster Resilient Texas, to be a component of the Texas A&M University System. The institute is directed to develop data analytics tools to support disaster planning, mitigation, response, and recovery by the state, its political subdivisions, and the public. The institute shall also create and maintain web-based analytical and visual tools to communicate disaster risks and ways to reduce these risks, provide evidence-based information to aid in the creation of state and local partnerships to support disaster planning, mitigation, response, and recovery. The institute must provide updated inundation maps, for use by decision-makers and the public, and collaborate with other institutions of higher education, state agencies, local governments, and other political subdivisions.

**Effective Date: June 14, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

**News Clips:** Walle: Hurricane Harvey Fully Exposed Chinks in Texas’ Armor, Rio Grande Guardian

Texas House of Representatives Passes Series of Bills, KJAS
**FLOOD INFRASTRUCTURE FUND**

**HJR 4 by Phelan.** Proposing a constitutional amendment providing for the creation of the Flood Infrastructure Fund to assist in the financing of drainage, flood mitigation, and flood control projects.

**Summary:** Proposing a constitutional amendment providing for the creation of the Flood Infrastructure Fund to assist in the financing of drainage, flood mitigation, and flood control projects. Would create the fund as a special fund in the state treasury outside the general revenue fund. The fund would be administered by the Water Development Board.

**Effective Date:** Jan. 1, 2020 if the constitutional amendment is approved by voters in November 2019 or no effect.

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas Association of County Auditors (TACA)

**News Clips:** State Senate Unanimously Passes Disaster Relief Bill Package, Community Impact

Texas House Passes Four Disaster Preparation Bills Authored by Beaumont Representative, KBMT-TV

Legislation with $1.7 Billion for Flood Control and Mitigation Projects Goes to Governor, Texas Tribune

**TDEM GUIDE**

**SB 6 by Kolkhorst.** Relating to emergency and disaster management, response, and recovery.

**Summary:** Amends the Government Code to create the disaster response and recovery guide through the Texas Department of Emergency Management (TDEM) to provide a comprehensive approach to disaster recovery for local officials on contracting for debris removal; obtaining federal disaster funding; coordinating the availability and construction of short-term housing and long-term housing; and obtaining assistance from local, state and federal volunteer organizations. Funds for SB 6 are appropriated to the Texas Department of Public Safety in HB 1 General Revenue for transfer to the newly created Disaster Recovery Loan Program Account - a program administered by TDEM to provide short-term loans for disaster recovery projects to eligible political subdivisions.

SB 6 includes the following provisions:

- Includes a catastrophic debris management plan and training for clearance and disposal of disaster debris for political subdivisions, a study group on preventing the creation of wet debris following a disaster, and an emergency management work group for enhancing the training and credentialing of emergency management directors and emergency management coordinators. Additionally, it includes language for TDEM to develop a disaster recovery task force providing special assistance to address financial issues, available federal assistance programs and recovery and resiliency planning to speed up recovery at the local level.

- Creates a disaster recovery loan program established by TDEM, the Disaster Recovery Loan Account, to consist of money appropriated or transferred by the Legislature; money received by the Comptroller for the repayment of loans made from the account; and interest earned on deposits and investments of the account. The legislation allows an eligible county, city or school district located wholly or partly in an area declared to be a disaster by the governor or president of the United States to apply to TDEM for a loan if the political subdivision’s operating budget was submitted to TDEM within 15 days of adoption and TDEM, along with FEMA, determined the estimated cost to rebuild the political subdivision’s infrastructure was greater than 50 percent of total revenue for the current year, among other items.

- Requires the Health and Human Services Commission and TDEM to conduct a study to determine the feasibility of developing a single intake form that will compile all information needed to obtain disaster assistance from multiple state and federal programs for an individual who needs assistance as a result of a disaster; an automated intake system for collecting the information; to coordinate with FEMA and other appropriate state and federal agencies to conduct the study and determine whether the single intake form will be accepted. Not later than Sept. 1, 2020, a written report will be submitted containing the findings of the study and any recommendations to the legislature. This section’s provisions expire Jan. 1, 2021.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)
**FLOOD INFRASTRUCTURE FUNDING**

**SB 7 by Creighton.** Relating to flood planning, mitigation, and infrastructure projects.

**Summary:** Amends the Water Code to establish two new accounts, the Flood Infrastructure Fund and the Texas Infrastructure Resiliency Fund. Both will be managed by the Texas Water Development Board. The Flood Infrastructure Fund will permit loans to political subdivisions, including counties, for flood projects, as well as loans for planning and design costs, permitting costs, and other costs associated with state or federal regulatory activities related to a flood project. The fund will also be used to provide grants to political subdivisions to provide matching funds for participation in a federal program for a flood project. A flood project is defined as a drainage, flood mitigation, or flood control project, including planning and design activities, work to obtain regulatory approval for structural or nonstructural flood mitigation and drainage, and related construction and implementation of structural and nonstructural projects. Local and regional cooperation is the linchpin of the program. Political subdivisions applying for financial assistance for a proposed flood project will have to: demonstrate cooperation with other political subdivisions to address flood control needs in the subdivisions’ area; demonstrate that all affected political subdivisions participated in the process of developing the proposed project; certify that the subdivisions held public meetings on proposed projects; and demonstrate that the technical requirements for the proposed project were completed and compared against any other proposed flood projects in the area.

The fund consists of legislative appropriations, GO bond proceeds, dedicated fees, loan repayments, interest, gifts, grants, and other sources. The primary source of funding will be $3.26 billion from the Economic Stabilization Fund. Article 1 of SB 7 is effective immediately. Article 2, the Flood Infrastructure Fund, becomes effective Jan. 1, 2020 if HJR 4 is approved by voters.

**Effective Date:** Jan. 1, 2020, if the constitutional amendment, proposed by HJR 4, is approved by voters in November 2019.

---

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

**News Clips:** Legislation with $1.7 Billion for Flood Control and Mitigation Projects Goes to Governor, *The Texas Tribune*

Creighton’s SB7 Passed Unanimously by Senate, Bill Goes to House Today, *Reduce Flooding*

Update: State Senate Unanimously Passes Disaster Relief Bill Package, *Community Impact Newspaper*

For Harvey Survivors, Relief Bills Can’t Pass Soon Enough, *Texas Standard*


---

**FLOOD PLANNING**

**SB 8 by Perry.** Relating to state and regional flood planning.

**Summary:** Amends the Water Code and Agriculture Code to direct the Texas Water Development Board to prepare, every five years, a comprehensive state flood plan that incorporates regional flood plans. The plan must provide for the orderly preparation for and the response to flood conditions to protect against the loss of life and property, serve as a guide to state and
local flood control policy, and contribute to water development where possible.

The plan must include: an evaluation of the condition and adequacy of flood control infrastructure on a regional basis; a statewide, ranked list of ongoing and proposed flood control and mitigation projects; an analysis of flood control projects included in previous state flood plans; an analysis of development in 100-year flood plain areas; and legislative recommendations. The board is directed to work with the Texas Commission on Environmental Quality (TCEQ) and a range of other state agencies to develop the flood plan. The board will designate flood planning regions corresponding to each river basin and may divide river basins to avoid having an impractically large area for efficient planning. The board will designate representatives from each region to serve as the initial flood planning group, with these representatives designating additional representatives to serve on the group. Representatives from county government will be included.

The legislation also directs the State Soil and Water Conservation Board to prepare and adopt a plan describing the repair and maintenance needs of flood control dams and update the plan every 10 years.

**Effective Date:** June 10, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas Association of County Auditors (TACA)

**News Clips:** Update: State Senate Unanimously Passes Disaster Relief Bill Package, *Community Impact Newspaper*

A Decisive Week at the Legislature: You can make a difference!, *Sierra Club*

---

**PENAL CODE ENHANCEMENTS DURING DISASTER**

**SB 201 by Huffman.** Relating to increasing the criminal penalties for certain offenses committed in a disaster area or an evacuated area.

**Summary:** Amends the Penal Code to increase the criminal penalties for arson, burglary of vehicles, and criminal trespass when those crimes are committed in a disaster area or an evacuated area. The criminal penalty is elevated to a Class A misdemeanor, punishable by a fine of not more than $4,000, confinement in jail for a term not to exceed one year, or both.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

---

**DISASTER RECOVERY PLANS**

**SB 289 by Lucio.** Relating to disaster housing recovery.

**Summary:** Amends the Government Code to permit local governments to create disaster recovery plans and establish procedures for state review of those plans. SB 289 designates the Texas General Land Office (GLO) as the state agency that receives and administers federal and state funds appropriated for long-term disaster recovery unless the governor designates a different agency. The GLO will collaborate with the Texas Division of Emergency Management and the Federal Emergency Management Agency (FEMA) and seek prior approval from FEMA and the U.S. Department of Housing and Urban Development for the immediate post-disaster implementation of its accepted local housing recovery plans. The GLO may adopt rules to implement the bill’s provisions and will maintain a division with adequate staffing for those purposes.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)
**HOMESTEAD AFTER DISASTER**

**SB 443 by Hancock.** Relating to the period for which a property owner may receive a residence homestead exemption from ad valorem taxation for property that is rendered uninhabitable or unusable as a result of a disaster.

**Summary:** Amends the Tax Code to allow the property owner up to five years to begin construction on their residence, if it was deemed uninhabitable or unusable as a result of the disaster, and allows the tax exemption to remain in place for not more than five years.

**Effective Date:** June 4, 2019

**TAC Affiliates:** 
County Judges and Commissioners Association of Texas (CJCAT), Tax Assessor-Collectors Association of Texas (TACA)

**LIABILITY OF HEALTH CARE PROVIDER IN A DISASTER**

**SB 752 by Huffman.** Relating to liability of volunteer health care providers and health care institutions for care, assistance, or advice provided in relation to a disaster.

**Summary:** The bill extends liability protection for volunteer health care professionals (except in cases of reckless conduct or intentional, willful, or wanton misconduct) and the facilities that sponsor the care or assistance during or in the wake of a man-made or natural disaster. It also clarifies that health care providers and health care institutions are protected under their current limited liability policies during times of natural disaster, even if the location of care is atypical of their current coverage.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** 
County Judges and Commissioners Association of Texas (CJCAT)

**BUSINESS ADVISORY COUNCIL**

**SB 799 by Alvarado.** Relating to emergency management and disaster recovery.

**Summary:** The bill creates a business advisory council to provide advice and expertise on actions state and local governments can take to assist businesses in recovering from a disaster. Requires the advisory council to advise the Texas Division of Emergency Management (TDEM) on policies, rules, and program operations to assist businesses in recovering from a disaster and propose solutions to address inefficiencies or problems in the state or local governmental disaster response with respect to the impact on businesses and the economy.

**SB 799 includes the following provisions:**
Requires the council to advise TDEM on the state resources and services needed to assist businesses in recovering from a catastrophic loss of electric power.
Establishes the wet debris work group composed of representatives of the division, any other state agencies selected by the division, and local and federal governmental entities, with the chief of the division serving as the chair of the work group.
Creates a disaster recovery loan program, established by TDEM, the Disaster Recovery Loan Account, to consist of money appropriated or transferred by the Legislature; money received by the Comptroller for the repayment of loans made from the account; and interest earned on deposits and investments of the account. The legislation allows an eligible county, city or school district, located wholly or partly in an area declared to be a disaster by the governor or president of the United States, to apply to TDEM for a loan if within 15 days of adopting its operating budget and TDEM, along with FEMA, determines the estimated cost to rebuild the political subdivision’s infrastructure was greater than 50 percent of total revenue for the current year, among other items.
Transfers the administration of TDEM from the Texas Department of Public Safety (DPS) to The Texas A&M University (TAMU) System on Sept. 1, 2019 and provides for the continuance of all DPS rules, policies, procedures, and decisions relating to the administration of TDEM.
Includes language from HB 6 by Morrison to require TDEM to develop a disaster recovery task force to operate throughout the recovery period following natural and man-made disasters. TDEM will provide assistance to communities and individuals to address financial issues, identify federal assistance programs, and assist with recovery and resiliency planning.

**Effective Date:** This Act takes effect Sept. 1, 2019, except Sections 1, 2, 3, 4, 5, 6, and 9 which take effect immediately.
**APPRAISAL VALUE OF REPLACEMENT STRUCTURE**

**SB 812 by Lucio.** Relating to the application of the limit on appraised value of a residence homestead for ad valorem tax purposes to an improvement that is a replacement structure for a structure that was rendered uninhabitable or unusable by a casualty or by wind or water damage.

**Summary:** SB 812 amends Subsection 23.23(g) of the Tax Code to include disaster recovery programs administered by political subdivisions of the state. In that same section, SB 812 also replaces a list of references to specific federal laws with the broader term “federal law.” Additionally, the bill requires the General Land Office, and each political subdivision that administers a disaster recovery program, to prepare a list of each replacement structure. Requires the chief appraiser to take certain actions regarding affected property if necessary. Finally, it provides for the delivery of a corrected tax bill and for the refund of taxes paid in excess of the corrected amount due, if applicable.

**Effective Date:** May 7, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Tax Assessor-Collectors Association of Texas (TACA)

**EMERGENCY MANAGEMENT CONTRACTS**

**SB 986 by Kolkhorst.** Relating to contract management standards and information for contracts related to emergency management.

**Summary:** Amends the Government Code to require the Comptroller of Public Accounts to update the statewide contract management guide to include contract management standards and information for contracts related to emergency management. The contract management guide will include preferred contracting standards; information on contracts for services that may be necessary to respond to a natural disaster or to construct, repair, or rebuild property or infrastructure after a natural disaster, including clearing debris and providing information management services and construction services; and advice on preparing for a natural disaster, including procedures to assist an applicable state agency with contracting for such services before a natural disaster occurs. The standards will be developed in consultation with the Texas Division of Emergency Management, Texas A&M AgriLife Extension Service, Texas A&M Engineering Extension Service, and local governmental entities.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas Association of County Auditors (TACA), County Treasurers’ Association of Texas (CTAT)

**News Clips:** Bills Related to Storage and Cybersecurity and Other Energy Issues Signed into Law after Close of 86th Texas Legislature’s Regular Session, Emerging Energy Insights

**ELECTIONS**

**ELECTION BALLOTS**

**HB 88 by Swanson.** Relating to an election ballot.

**Summary:** Amends the Election Code to require the order of candidates’ names in a tie vote and/or runoff election to be the same relative order as on the original ballot. In addition, the bill defines a “ballot marking device” to mean a voting system with an electronic interface that allows a voter to mark a paper ballot.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), Texas Association of Elections Administrators (TAEA)

**GENERAL OBLIGATION BONDS**

**HB 440 by Murphy.** Relating to general obligation bonds issued by political subdivisions.

**Summary:** Amends the Government Code, adding Chapter 1253, to place certain restrictions on the issuance of general obligation debt by political subdivisions including counties. Amends the Education
Code, Section 45.1105 to limit a school district’s ability to use unspent proceeds of an issued general obligation bond. Amends the Election Code, Section 4.003 to require a political subdivision to post notice of the bond election on the political subdivision’s Internet website, if the political subdivision maintains a website. Places limits on a political subdivision’s use of a general obligation bond and limits the use of unspent general obligation bond proceeds.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), County Treasurers’ Association of Texas (CTAT), Texas Association of County Auditors (TACA), County and District Clerks’ Association of Texas (CDCAT), Texas Association of Elections Administrators (TAEA)

### BOND ELECTION NOTICE REQUIREMENTS

**HB 477 by Murphy.** Relating to the notice required before the issuance of certain debt obligations by political subdivisions.

**Summary:** Amends the Election Code and the Local Government Code to modify the statutory requirements regarding notice prior to bond elections and ballot language in these elections. Amends the Election Code, Section 3.009 to require additional information be included when ordering an election authorizing the issuance of a debt obligation. Updates the Local Government Code, Section 271.049 to include new requirements for publishing notices of intention to issue certificates of obligation.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), County Treasurers’ Association of Texas (CTAT), Texas Association of County Auditors (TACA), Texas Association of Elections Administrators (TAEA)

### POSTING ELECTION INFORMATION ON WEBSITES

**HB 933 by Bucy.** Relating to posting of election information on the secretary of state’s and each county’s Internet website.

**Summary:** House Bill 933 amends the Election Code to require counties and the Texas Secretary of State to include copies of all election notices and postings on their Internet websites. The county clerk shall post, on the county’s Internet website, contact information for the county’s election office; notice of the election, including the location of each polling place; name of the building in which the polling place is located, if applicable; and days and hours of voting at each location. If a county does not maintain an Internet website, a copy of a notice of the election shall be placed on the bulletin board used for posting notices of the meeting of the governing body.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), Tax Assessor-Collectors Association of Texas (TACA), Texas Association of Elections Administrators (TAEA)

### REMOVAL OF DECEASED CANDIDATES FROM BALLOT

**HB 1067 by Ashby.** Relating to the omission of a deceased candidate from the ballot in certain elections.

**Summary:** Amends Section 145.098, Election Code to provide that if a candidate dies on or before the deadline for filing an application for a place on the ballot: (1) the authority responsible for preparing the ballots is authorized to choose to omit the candidate...
from the ballot; and if the authority omits the candidate’s name under Subdivision (1), the filing deadline for an application for a place on the ballot for the office sought by the candidate is extended until the fifth day after the filing deadline.

**Effective Date: May 24, 2019**

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), Texas Association of Elections Administrators (TAEA)

---

### REGISTER TO VOTE LICENSE PLATES

**HB 1130 by Hinojosa.** Relating to the issuance of Register to Vote specialty license plates.

**Summary:** HB 1130 amends the Transportation Code to require the Texas Department of Transportation (TxDOT) to create and issue “Register to Vote” specialty license plates to bring awareness to voting and increase voter turnout. TxDOT will retain a portion of the fee to cover administrative costs and the remainder of the fee is to be deposited to an account that may be used only by the Texas Secretary of State for Project V.O.T.E. or a successor voter education program.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), Tax Assessor-Collectors Association of Texas (TACA), Texas Association of Elections Administrators (TAEA)

---

### POLLING PLACE LOCATION NOTICE

**HB 1241 by Bucy.** Relating to the content of a polling place location notice.

**Summary:** The bill adds Section 1.021 to the Election Code to require the written notice of a polling place must state the building name, if any, and the street address, including the suite or room number, if any, of the polling place.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), Texas Association of Elections Administrators (TAEA)

---

### ELECTION CYBERSECURITY OVERHAUL

**HB 1421 by Israel.** Relating to cybersecurity of voter registration lists and other election-related documents, systems, and technology.

**Summary:** Amends the Election Code to improve election cybersecurity and election infrastructure by establishing best practices. HB 1421 requires a county election officer to request an assessment of the cybersecurity of the county’s election system and annual training on cybersecurity from the Texas Office of Secretary of State (SOS). The SOS shall pay the costs of the necessary assessment and training with available funds. The bill requires a county election officer to report cybersecurity breaches at any level of government to legislative committee members with oversight of elections and implement cybersecurity measures to ensure that all devices with access to election data comply to the highest extent possible with SOS adopted rules.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), Texas Association of Elections Administrators (TAEA)

---

### POLLING PLACES

**HB 1888 by Bonnen, G.** Relating to temporary branch polling place hours of operation.

**Summary:** Amends the Election Code and revises the definition of a temporary branch polling place that is located in a movable structure. Additionally, House Bill 1888 requires temporary branch polling places to be open for at least eight hours a day or three hours if the clerk does not serve as the early voting clerk and the territory has fewer than 1,000 registered voters.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), Texas Association of Elections Administrators (TAEA)

**News Clips:** 2019 Texas Legislative Session – Important Hotel Industry Legislation, Texas Hotel & Lodging Association (THLA)

CITIZEN’S UNITED STATUTE UPDATE

HB 3580 by Klick. Relating to the revision or repeal of certain obsolete provisions related to restrictions on political advertising, political contributions, and political expenditures.

Summary: Revises or repeals sections of the Elections Code and Government Code related to restrictions of certain obsolete provisions related to restrictions on political advertising, political contributions, and political expenditures. HB 3580 redefines visual materials to mean photographic, video, or other material containing a still or moving recorded image.

Effective Date: Sept. 1, 2019

TAC Affiliates: County and District Clerks’ Association of Texas (CDCAT), Texas Association of Elections Administrators (TAEA)

COUNTYWIDE POLLING PLACES

HB 3965 by Bohac. Relating to the countywide polling place program.

Summary: House Bill 3965 amends the Election Code, requiring each countywide polling place to post a notice of the four nearest countywide polling places by driving distance. If a court orders any countywide polling place to remain open after 7 p.m., they all must remain open.

Effective Date: Sept. 1, 2019

BOND BALLOT LANGUAGE

SB 30 by Birdwell. Relating to ballot language requirements for a proposition seeking voter approval for the issuance of bonds.

Summary: SB 30 requires that any ballot containing a bond proposition relating to a tax must contain a plain language description of the purpose of the bond. The bill requires the plain language description of the bond proposition to be printed on the ballot and each bond proposition must have its own, separate, plain language description.

Effective Date: Sept. 1, 2019

TAC Affiliates: County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), Texas Association of Elections Administrators (TAEA)

ELECTION RECORDS

SB 902 by Hughes. Relating to public availability of election records; authorizing a fee.

Summary: SB 902 amends the Election Code to require that election records be available not later than the 15th day after the election in an electronic format for a fee of not more than $50. The general custodian of the records for a primary or general election for state and county officers shall create and maintain a list, that states the total number of votes cast in each precinct by personal appearance on election day for public inspection, not later than the day after the election. The list shall be in a downloadable format approved by the Texas Secretary of State (SOS) and shall be posted on the Internet website of the SOS.

Effective Date: Sept. 1, 2019
TAC Affiliates: County and District Clerks’ Association of Texas (CDCAT), Texas Association of Elections Administrators (TAEA)

EMERGENCY MANAGEMENT

PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT


Summary: The bill extends the expiration date for Tax Code Chapter 312 to Sept. 1, 2029. Amends Tax Code Chapter 312 to require a taxing unit, before it may adopt, amend, repeal or reauthorize guidelines or criteria for tax abatement agreements, to hold a public hearing regarding such proposed action at which members of the public are given an opportunity to be heard. Requires the taxing unit to post the current version of its guidelines and criteria on its website. Requires the chief appraiser of the taxing unit to give to the comptroller a report, for each of the first three years following the expiration of a tax abatement agreement, showing the appraised value of the property that was the subject of the agreement. For tax abatements in a municipal reinvestment zone, the Act adds specific information required in the notice of the public meeting at which approval of the tax abatement agreement will be considered. For tax abatements in a county reinvestment zone, the Act requires the tax abatement agreement to be approved by the affirmative vote of a majority of the commissioners court at a regularly scheduled meeting of the commissioners court.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Tax Assessor-Collectors Association of Texas (TACA)

OAG LEGAL COUNSEL IN DISASTERS

SB 416 by Huffman. Relating to legal counsel provided by the attorney general to a political subdivision subject to a declared state of disaster.

Summary: Amends Government Code, Chapter 418, permitting the Texas attorney general to provide legal advice to local officials in times of declared disasters on issues related to disaster mitigation, preparedness, response, and recovery applicable to the area subject to the disaster declaration.

Effective Date: May 20, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA)

MOSQUITO SPRAYING

SB 1113 by Lucio. Relating to a waiver authorizing the application of pesticides for mosquito control by certain municipal or county employees in an emergency.

Summary: Amends the Agriculture Code to authorize a municipal or county health department to apply to the Texas Department of Agriculture (TDA) for a waiver authorizing unlicensed employees of a municipality or county to apply pesticides for mosquito control if the county is in a state of disaster or if the county health department determines that immediate action is needed to control the threat of a mosquito-borne disease. SB 113 also authorizes the TDA, on application by a municipal or county health department, to grant a waiver authorizing unlicensed employees of the municipality or county to apply pesticides for mosquito control under the direct supervision of a licensed applicator employed by the municipality or county, a nearby political subdivision, the state, or the federal government. The employee and the licensed applicator supervising the employee must execute an affidavit promulgated by the TDA describing the supervision arrangement and return the affidavit to the TDA.

Effective Date: May 31, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT)
EMERGENCY SERVICES

DEFINING VOLUNTEER FIRE DEPARTMENTS

**HB 791 by Huberty.** Relating to the definition of volunteer fire department for purposes of certain motor fuel tax exemptions.

**Summary:** Amends Tax Code, Section 162.001 to define “volunteer fire department” (VFD) for the purposes of the exclusion from the taxes on gasoline, diesel fuel, compressed natural gas, and liquefied natural gas sold to a VFD in this state for the VFD’s exclusive use. Defines “volunteer fire department” as a fire department operated by its members, including a part-paid fire department composed of at least 50 percent volunteer firefighters, that is operated on a not-for-profit basis, including a department that is exempt from tax under US Tax Code 501(c)(3) or (4).

**Effective Date:** May 24, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

FINES & FEES

**RURAL VOLUNTEER FIRE DEPARTMENT ASSISTANCE PROGRAM GRANTS**

**HB 3070 by King, Ken.** Relating to grants for emergency assistance under the rural volunteer fire department assistance program.

**Summary:** Amends Government Code, Sections 614.102 and 614.103. Expands the assistance available through the Rural Volunteer Fire Department (VFD) Assistance Program operated by the Texas A&M Forest Service to include the replacement or repair of equipment. Allows a VFD whose equipment is damaged or lost in responding to a state of disaster declared by the governor in an area subject to the declaration to request emergency assistance from the fund for the replacement or repair of damaged or lost personal protective equipment or the purchase of a machine to clean personal protective equipment. Requires at least 10 percent of the annual appropriations from the fund be allocated to such emergency assistance.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

**FEE RECORD INFORMATION**

**HB 435 by Shaheen.** Relating to the maintenance of information entered into a fee record.

**Summary:** Amends Subchapter G, Chapter 51 of the Government Code to classify assessed civil court costs, under certain circumstances, as uncollectible, if the fee has been unpaid for 15 years. This provision of civil court costs does not apply to court costs or fees
imposed by the Supreme Court of Texas, the Texas Court of Criminal Appeals, or a Court of Appeals. The bill also amends the Code of Criminal Procedure to remove the population bracket, thus making all counties eligible to classify a fee assessed in a criminal action as uncollectible.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** Justices of the Peace and Constables Association (JPCA), County and District Clerks’ Association of Texas (CDCAT), County Treasurers’ Association of Texas (CTAT), Texas Association of County Auditors (TACA)

---

**COASTAL COUNTY RULES**

**HB 1628 by Morrison.** Relating to the authority of coastal counties to adopt certain rules for island parks, beach parks, and public beaches; creating a criminal offense.

**Summary:** Amends the Local Government Code to authorize certain counties to establish reasonable rules on camping, access, litter, resource protection, or waste disposal at public beaches, beach parks, or island parks. Promulgated rules must comply with Chapter 352 of the Local Government Code and Chapters 61 and 63 of the Natural Resources Code. The bill creates a Class C misdemeanor punishable by a fine of not more than $500 and can include up to 180 days of deferred disposition.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), Sheriffs’ Association of Texas (SAT), Texas District & County Attorneys Association (TDCAA), Veterans County Service Officers Association of Texas (VCSOAT)

**News Clips:**
- Texas May Finally Kill a Program That Can Land Poor People in Jail for Traffic Fines, *The Texas Tribune*
- Controversial Driver’s License Program is on its Last Breath at the Texas Capitol, *KXAN*
- Texas Senate Passes Bill to Kill Driver Responsibility Program, *The Panola Watchman*
- Bill to End the State’s Driver Responsibility Program Headed to the Governor’s Desk, *The Texas Standard*
- A Texas Program That Larded Fines on Drivers is Dead at Last, Opinion, *Dallas Morning News*
- Repeal of the Driver Responsibility Program, *Soyars & Morgan Law*

---

**DRIVER RESPONSIBILITY PROGRAM REPEALED**

**HB 2048 by Zerwas.** Relating to the repeal of the driver responsibility program and the amount and allocation of state traffic fine funds; eliminating program surcharges; authorizing and increasing criminal fines; increasing a fee.

**Summary:** The bill eliminates program surcharges assessed on drivers convicted of driving offenses and replaces lost revenue with increases in certain fees and fines so there is no impact to funding trauma centers. The bill establishes a $6,000 fine for those operating a motor vehicle while intoxicated with a blood alcohol concentration level of 0.15 or more and provides details on what information needs to be provided to a court for a person to support the claim of being indigent.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT), Texas District & County Attorneys Association (TDCAA), Veterans County Service Officers Association of Texas (VCSOAT)

**News Clips:**
- Texas May Finally Kill a Program That Can Land Poor People in Jail for Traffic Fines, *The Texas Tribune*
- Controversial Driver’s License Program is on its Last Breath at the Texas Capitol, *KXAN*
- Texas Senate Passes Bill to Kill Driver Responsibility Program, *The Panola Watchman*
- Bill to End the State’s Driver Responsibility Program Headed to the Governor’s Desk, *The Texas Standard*
- A Texas Program That Larded Fines on Drivers is Dead at Last, Opinion, *Dallas Morning News*
- Repeal of the Driver Responsibility Program, *Soyars & Morgan Law*

---

**COUNTY AND PUBLIC HEALTH DISTRICT FEES**

**HB 2755 by Price.** Relating to certain county and public health district fees.

**Summary:** Amends Health and Safety Code, Sections 437.012 and 437.0123, and adds Section 437.0124, regarding permit fees for the operation of food service establishments, retail food stores, mobile food units, and roadside food vendors. Limits the fee charged by a county or public health district for issuing or renewing such permits to the amount necessary to recover the county’s or district’s costs to conduct inspections of such facilities and issue such permits and, in the case of Harris County, to otherwise administer such an inspection and permit issuance system. Requires a county or public health district to establish a fee schedule for any fees collected for such activities and revise the fee schedule as necessary. Repeals specific maximum limits on such permit fees.
COLLECTION OF DELINQUENT ALCOHOL PERMITS AND LICENSE FEES

**HB 3754 by Burrows.** Relating to the collection of local permit and license fees authorized under the Alcoholic Beverage Code; authorizing a fee.

**Summary:** Currently, cities and counties have limited options for recovering delinquent alcohol permit and license fees. This bill amends the Alcoholic Beverage Code to allow cities and counties to contract with a third party vendor for collection of the fee once it becomes 60 days late. The bill authorizes the third-party vendor to assess a collection fee in addition to collecting the fee owed to the city or county. Lastly, HB 3754 allows the commission to suspend or cancel the permit if the fee is not paid within 180 days of the fee being levied.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), County Treasurers’ Association of Texas (CTAT)

RECORDS ARCHIVE FEE

**SB 658 by Zaffirini.** Relating to making permanent the former temporary increases in records archive fees and records management and preservation fees charged by

district and county clerks.

**Summary:** Amends the Government Code and Local Government Code to make permanent the temporary increase in fees for historic records preservation charged by county and district clerks. The records archive revenue for both the county clerk and the district clerk is deposited in a dedicated fund and subject to annual reporting requirements.

**Effective Date: Sept. 1, 2019, however, see the Texas Register for the date to begin collecting these fees.**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), County and District Clerks’ Association of Texas (CDCAT), Texas Association of County Auditors (TACA), County Treasurers’ Association of Texas (CTAT)

LAND USE

**TXDOT BROADBAND**

**HB 2422 by Anderson, Charles “Doc.”** Relating to the coordination of certain broadband projects by the Texas Department of Transportation.

**Summary:** Amends the Transportation Code to require the Texas Department of Transportation (TxDOT) to provide notice on their website of ongoing and planned highway construction projects for which the department will provide voluntary joint trenching opportunities in the state’s right-of-way for broadband providers. A broadband provider may collaborate with TxDOT to deploy broadband conduit or other broadband facilities in those rights-of-way. Directs TxDOT to give special consideration to broadband deployments serving rural or underserved communities. To the extent practicable, directs TxDOT to assist political subdivisions in taking advantage of voluntary joint trenching opportunities.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

**News Clips:** Texas Broadband Bills Go To Vote This Week, KERA

Making Connections: State Lawmakers Introduce Bills in Attempt to Bring Better Internet Access to Rural Areas, Gainesville Register
Texas House Advances Rural Broadband Bills, Reform Austin

After the Net Neutrality Debate Settles, Rural Texans Still Lack Broadband Access, Connected Nation

Five Legislative Bills would Extend High-Speed Internet to Rural Texas, Two Bills would Put PUC in Charge, The Texas Energy Report

COUNTY LAND DEVELOPMENT APPLICATIONS

**HB 3167 by Oliverson.** Relating to county and municipal approval procedure for land development applications.

**Summary:** Amends Subchapter A, Chapter 232, Local Government Code, stating the plat application approval procedures in the subchapter apply to a county, regardless of whether a county has entered into an interlocal agreement with a municipality for plat review and approval under Section 242.001(d), Local Gov’t Code. Changes the plat review and approval period from 60 to 30 days; this may be extended by 30 days if certain requirements are met. Requires a commissioners court or designee to provide a plat applicant a written statement of the conditional approval or the reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval. The applicant may submit a written response that satisfies these issues. The commissioners court or designee may not establish a deadline for an applicant to submit this response. Among other matters, in a judicial review of the disapproval, the bill places the burden of proof on the county.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas Association of County Auditors (TACA)

**News Clips:** HB 3167, the Development “Shot Clock” Bill Passes Out of the Texas House, Home Builders Association of Greater Austin

Point Austin: Local Control Now in Chains, Austin Chronicle

LAW ENFORCEMENT

HEMP REGULATIONS

**HB 1325 by King, Tracy O.** Relating to the production and regulation of hemp; requiring occupational licenses; authorizing fees; creating criminal offenses; providing civil and administrative penalties.

**Summary:** The bill amends the Agriculture Code regarding the production of hemp. Defines hemp as any part of the plant Cannabis sativa L. with a delta-9 tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis. Cannabis with a THC of less than 0.3 is excluded from the definition of “marijuana” in the Controlled Substance Act, and the THC in hemp is excluded from the definition of a “controlled substance” in the Act. Hemp is not prosecutable as marijuana or as a Penalty Group 2 THC other than marijuana.

The bill requires the Texas Department of Agriculture (TDA), in consultation with the governor and the attorney general, to develop a state plan to monitor and regulate the production of hemp in Texas and to submit that plan to the U.S. Department of Agriculture. TDA will set and collect fees in amounts that are reasonable and necessary to cover the costs of administering and enforcing the state hemp program up to maximum statutory fee amounts. TDA is permitted to assess an administrative penalty of up to $5,000 per violation against violators of the state hemp program.

The bill requires anyone shipping hemp in Texas to obtain a shipping certificate from TDA if the hemp was produced in Texas or to carry certain other specific
documentation if the hemp was produced outside of Texas. Shipping hemp without the proper certification or documentation is a misdemeanor punishable by a fine of not more than $1,000 and/or a civil penalty in an amount not to exceed $500 for each violation.

The Health and Safety Code is amended to allow establishments to apply for a consumable hemp product manufacturer’s license through rules developed by the Department of State Health Services (DSHS). HB 1325 requires an individual to register with DSHS with each location owned, operated, or controlled by the person at which the products are sold. The bill also requires DSHS and the Department of Public Safety to establish a process for random testing of cannabinoid oil at various establishments that sell, offer the sale, distribute, or use the oil to ensure that oil does not contain harmful ingredients.

Effective Date: June 10, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace & Constables Association (JPCA), Sheriffs’ Association of Texas (SAT)

News Clips: Montgomery County Creates Fund for Hemp Testing, The Courier of Montgomery County
Texas Gov. Greg Abbott Signs Law Legalizing Hemp, CBD Products in Texas, Dallas Observer
Texas House Votes to Legalize the Farming of Industrial Hemp, The Texas Tribune
Gov. Abbott Signs Bill Allowing Farmers in Texas to Grow Hemp, CBS Austin
State Leaders Send Letter to District and County Attorneys Regarding Hemp and Marijuana Possession Cases, Texas Governor Greg Abbott Press Release dated July 18, 2019
Big Dogs Tell DAs to Punish Pot Possession, Del Rio News Herald

Interm Update: Hemp, TDCAA

**Mutual Aid Law Enforcement Task Force**

**HB 1789 by Tinderholt.** Relating to the authority of certain local governmental entities to enter into an agreement to create a mutual aid law enforcement task force.

**Summary:** Amends the Local Government Code to remove a restriction that mutual aid law enforcement task force agreements may only be entered into by neighboring or contiguous entities. Chapter 362 of the Local Government Code permits counties, municipalities, and joint airports to provide mutual aid in times of civil emergency or to enter an agreement to form a mutual-aid law enforcement task force to cooperate in criminal investigations and law enforcement.

Effective Date: June 2, 2019

TAC Affiliates: Sheriffs’ Association of Texas (SAT)

News Clips: Texas Legislature Races to the End of the 86th Regular Session, San Marcos Corridor News

**IDD Detention Standards**

**HB 3116 by White.** Relating to the establishment of a task force to conduct a comprehensive study on best practice standards for the detention of persons with intellectual and developmental disabilities.

**Summary:** The bill establishes a task force to conduct a study on the detention of certain persons with intellectual and developmental disabilities which was a recommendation from the governor’s School and Firearm Safety Action Plan. The bill requires the Texas Commission on Jail Standards (TCJS) to appoint the members of the task force and requires the task force to submit a report to the Legislature on its findings no later than Dec. 1, 2020.

Effective Date: Sept. 1, 2019

TAC Affiliates: Sheriffs’ Association of Texas (SAT), County Judges and Commissioners Association of Texas (CJCAT)


**Crime Stoppers**

**HB 3316 by White.** Relating to the Texas Crime Stoppers Council.

**Summary:** HB 3316 is the result of a recommendation from the governor’s School and Firearm Safety Action Plan to expand campus crime stoppers programs involving public school districts and open-enrollment charter schools in the reporting process by amending

Effective Date: Sept. 1, 2019

TAC Affiliates: Sheriffs’ Association of Texas (SAT)

News Clips: HB 3316, Texas Classroom Teachers Association

**FIRE ARMS TRAINING**


**Summary:** Amends the Occupations Code creating Section 1701.2561 to provide for the development of a basic training program in the use of firearms by county jailers. State statutes address weapons proficiency for peace officers, but not for county jailers. Many Sheriffs’ offices or counties, however, send their county jailers through TCOLE course 3599 (Jail Firearms, Course 2) and permit them to carry a firearm while performing certain duties, such as transporting inmates.

HB 3503 also adds Subsection 1701.355(a-1) to require agencies that employ jailers who have been issued a certificate of firearm proficiency to designate a firearms proficiency officer and to require the jailers to demonstrate their proficiency annually.

Effective Date: June 15, 2019

TAC Affiliates: Sheriffs’ Association of Texas (SAT), County Judges and Commissioners Association of Texas (CJCAT)

**REPORTING REQUIREMENTS FOR HUMAN TRAFFICKING**

HB 3800 by Thompson, Senfronia. Relating to the investigation and prosecution of criminal offenses involving the trafficking of persons.

**Summary:** The bill amends the Code of Criminal Procedure to require certain county offices in a county with a population of more than 50,000, and the Texas Department of Public Safety (DPS), to file a report to the Office of the Attorney General (OAG) on any investigations of human trafficking offenses. This requires the Sheriffs’ department, constable’s office, county attorney’s office, district attorney’s office, and criminal district attorney’s office to report cases of human trafficking to the attorney general. The OAG is required to adopt rules to administer the reporting program and will enter into a contract with a university that can assist in the collection and analysis of the collected information. Reporting begins Aug. 1, 2020 for DPS and counties with a population greater than 500,000 and by Aug. 1, 2021 for counties with a population of fewer than 500,000.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT), Texas District & County Attorneys Association (TDCAA)

News Clips: TDCAA Legislative Update: Week 19, Part II, TDCAA
CIGARETTE TAXES

HB 4614 by Guillen. Relating to the administration, collection, and remittance of the cigarette tax; requiring a permit.

Summary: The bill clarifies and updates the Tax Code by adding and amending definitions instrumental in interpreting taxability, enforcing violations, and resolving issues arising from litigation or general inquiries received by the Comptroller.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA), Sheriffs’ Association of Texas (SAT), Justices of the Peace and Constables Association (JPCA)

SCHOOL SAFETY

SB 11 by Taylor. Relating to policies, procedures, and measures for school safety and mental health promotion in public schools and the creation of the Texas Child Mental Health Care Consortium.

Summary: In addition to many unrelated changes impacting only school districts and junior college districts, SB 11 addresses school shootings after the devastating Sante Fe High School shooting in 2018. The bill tackles this issue by creating a Mental Health Care Consortium to address urgent mental health challenges and improve the mental health care system in Texas. The consortium is made up of 13 health-related institutes of higher education, the Health and Human Services Commission, non-profits, and any other organizations the executive committee of the consortium considers necessary. SB 11 became effective immediately, however, certain provisions of the bill pertaining to school safety have effective dates in 2020.

Effective Date: June 6, 2019

TAC Affiliates: County Judges and Commissioners Association (CJCAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT)

News Clips: Texas School Safety Measures Expanded with House Amendments to Sweeping Legislation, Texas Tribune
School Safety Bill 11 Passed by Texas Senate, Olney Enterprise

SB 11, Texas Classroom Teachers Association
Texas Senate Bill would Require Schools to Create Threat Assessment Teams, Report to TEA, KCEN-TV
School Safety Bill Addressing Texas Students’ Mental Health Awaits Governor’s Approval, KUT
Texas Senate Introduces Extensive School Safety Reform Bill, KERA

PEACE OFFICER LOAN REPAYMENT PROGRAM

SB 16 by Hancock. Relating to a student loan repayment assistance program for certain full-time peace officers in this state.

Summary: Amends the Education Code to require the Texas Higher Education Coordinating Board (THECB) to establish a loan repayment program for peace officers. To be eligible, a person must be employed as a peace officer on or after Sept. 1, 2019 (fiscal year 2020) and have completed at least one year of employment as a full-time peace officer. An eligible person can receive loan repayment assistance for up to five years, but may not exceed a total of $20,000. The bill requires THECB to adopt the rules for the loan repayment program by Dec. 1, 2019.

Effective Date: Sept. 1, 2019

TAC Affiliates: Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT)

Gov. Abbott Signs Bill to Create Student Loan Repayment Program for Texas Peace Officers, KVUE

PUBLIC INTOXICATION RECOVERY

SB 306 by Watson. Relating to the release by a peace officer of certain individuals suspected of the offense of public intoxication.

Summary: Amends Section 14.031 of the Code of Criminal Procedure to provide an additional statutory option for law enforcement to take publicly intoxicated individuals, upon their verbal consent, to a facility that provides a place for these individuals to become sober under supervision.

Effective Date: April 25, 2019

News Clips: Texas School Safety Measures Expanded with House Amendments to Sweeping Legislation, Texas Tribune
School Safety Bill 11 Passed by Texas Senate, Olney Enterprise
TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA), Sheriffs’ Association of Texas (SAT), Justices of the Peace and Constables Association (JPCA)

**Retired Law Enforcement Animals**

SB 2100 by Birdwell. Relating to the transfer of a retired law enforcement animal.

**Summary:** Amends the Government Code to authorize the transfer of a law-enforcement animal that has been retired, including dogs and horses – SB 2100 changes the law governing a county’s disposition of surplus or salvage property to improve a county’s ability to humanely retire law-enforcement animals.

To become effective, SB 2100 requires the passage of a constitutional amendment authorized by SJR 32.

**Effective Date:** Jan. 1, 2020 if the constitutional amendment is approved by voters in November 2019 or no effect.

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT)

News Clips: Texas Proposition 10, Transfer of Care of Law Enforcement Animals Amendment (2019), Ballotpedia

**Law Enforcement Animals**

SJR 32 by Birdwell. Proposing a constitutional amendment to allow the transfer of a law enforcement animal to a qualified caretaker in certain circumstances.

**Summary:** Authorizes a constitutional amendment that will go before the voters on Nov. 5, 2019 to enable the Legislature to allow law enforcement agencies to transfer a law-enforcement animal to an approved caretaker.

**Effective Date:** Jan. 1, 2020 if the constitutional amendment is approved by voters in November 2019 or no effect.

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT)

**Special District Traffic Law Enforcement**

SB 2245 by Paxton. Relating to the enforcement of traffic regulations on a public road that is owned, operated, and maintained by a special district.

**Summary:** Amends the Government Code and the Transportation Code to clarify certain authorizations for counties to enforce traffic regulations in certain special districts.

Existing statutes such as Sections 542.007, 542.008,
542.0081, and 251.151(b) of the Transportation Code address similar topics—a private subdivision’s or special district’s ability to obtain from the county the extension of traffic regulations or county enforcement of traffic regulations to qualifying roads in the subdivision or special district. Sections 542.007–542.0081 authorize use of a petition-and-order process, and Section 251.151(b) authorizes use of an interlocal agreement under Section 791.036 of the Gov’t Code.

**Effective Date:** May 22, 2019

**TAC Affiliates:** Sheriffs’ Association of Texas (SAT)

---

## MENTAL HEALTH

### INTELLECTUALLY DISABLED CRIMINAL DEFENDANTS

**HB 601 by Price.** Relating to procedures and reporting requirements regarding criminal defendants who are or may be persons with a mental illness or an intellectual disability.

**Summary:** Amends the Code of Criminal Procedure to require local mental health authorities or service providers who conduct interviews with defendants to collect information regarding potential mental illness or intellectual and developmental disability.

The report replaces the assessment of defendants currently required, is confidential, and is not subject to the state’s public information law.

An amendment was adopted to address individuals with mental illness or intellectual disabilities, who are charged with violent or sexual offenses and are found incompetent to stand trial or are acquitted by reason of insanity, and who wait for prolonged periods of time in county jails without adequate mental health treatment until they are sent to maximum security units and then assessed to determine whether the unit is an appropriate setting for competency restoration for them. The amendment incorporated SB 562 and addresses these issues by revising the criminal and juvenile procedures regarding persons who are or may be persons with mental illness or intellectual disability, ensuring that an adequate location for a defendant required to receive competency restoration is determined at the outset, rather than waiting for the defendant to be sent to a maximum security unit first before determining the adequate treatment setting.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Sheriffs’ Association of Texas (SAT), County and District Clerks’ Association of Texas (CDCAT), Texas District & County Attorneys Association (TDCAA), Justices of the Peace and Constables Association (JPCA)

### MENTAL HEALTH PROGRAMS IN COUNTY JAILS

**HB 4468 by Coleman.** Relating to county jails and community mental health programs in certain counties.

**Summary:** Amends the Government Code to require the Texas Commission on Jail Standards to arrange for prisoners to access a mental health professional within a reasonable time if one is not available at the jail or through telemedicine health services. The bill provides that a county jailer appointed on a temporary basis be enrolled in the preparatory training program for county jailers on or before the 90th day after the temporary appointment. However, the bill maintains current law providing that a county jailer appointed on a temporary basis has one year to satisfactorily complete the preparatory training program. The bill removes the authorization for a sheriff to petition the Texas Commission on Law Enforcement for reinstatement to a temporary appointment of a person who failed to satisfactorily complete the preparatory training program. The bill prohibits a county jailer appointed on a temporary basis from being promoted to a supervisory position in a county jail.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Sheriffs’ Association of Texas (SAT)

### PRISONER’S HEALTH BENEFITS

**HB 4559 by Fierro.** Relating to access to a county jail prisoner’s health benefits coverage information for mental health service providers.

**Summary:** Amends the Government Code to provide access by local mental health providers to a prisoner’s private insurance. Modifying the statute will reduce the financial burden to the local community and local mental health authorities and allow these entities to extend mental health services.
Effective Date: Sept. 1, 2019
TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Sheriffs’ Association of Texas (SAT)

LAW ENFORCEMENT & MENTAL HEALTH SERVICES

SB 632 by Kolkhorst. Relating to the composition of the governing bodies and the consultation policies of local mental health authorities with respect to sheriffs, their representatives, and local law enforcement agencies.

Summary: Amends the Health and Safety Code to promote improved cooperation among sheriffs and local mental health authorities in their service regions by setting out provisions pertaining to the composition of governing boards and the consultation policies of local mental health authorities with respect to sheriffs and local law enforcement agencies. Local law enforcement officials often deal with people in county jails experiencing mental health issues and are required to conduct extensive screenings related to suicide and mental health. Local mental health authorities may provide services to address those needs, but, law enforcement may not always have full awareness of the services provided by these authorities.

Effective Date: Sept. 1, 2019
TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Sheriffs’ Association of Texas (SAT)

LMHA REGIONAL GROUPS

SB 633 by Kolkhorst. Relating to an initiative to increase the capacity of local mental health authorities to provide access to mental health services in certain counties.

Summary: Amends Chapter 531 of the Government Code to require the Health and Human Services Commission (HHSC) to assign local mental health authorities (LMHAs) that are located in or serve a county with a population of 250,000 or less into regional groups no later than Jan. 1, 2020. The bill requires HHSC to develop a mental health services development plan for each regional group that will increase the capacity of the LMHAs in the group.

Additionally, the bill requires HHSC to publish each plan, an evaluation of each plan, and a comprehensive statewide analysis of mental health services in counties with a population of 250,000 or less on its website no later than Dec. 1, 2020. The section of the bill requiring these plans expires Sept. 1, 2021.

Lastly, the bill amends the Special District Local Laws Code to allow the Midland County Hospital District to impose a sales and use tax.

Effective Date: June 14, 2019
TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Sheriffs’ Association of Texas (SAT)

GRANTS FOR VETERAN MENTAL HEALTH PROGRAMS

SB 822 by Nelson. Relating to the administration of a grant program to support community mental health programs for veterans and their families.

Summary: Amends the Government Code to permit the Health and Human Services Commission (HHSC) to administer a grant program to support community mental health programs for veterans and their families. The grant program requires the HHSC to ensure that each recipient obtains or secures contributions to match 100 percent of the awarded grants with non-state funds. Grant participants in counties with a population of 250,000 or less must match only 50 percent of the grant amount.

Effective Date: May 31, 2019
TAC Affiliates: County Judges and Commissioners
Association of Texas (CJCAT), Veterans County Service Officers Association of Texas (VCSOAT)

MOTOR VEHICLES

**EXTENDED REGISTRATION FOR VEHICLES NOT SUBJECT TO INSPECTION**

**HB 1262 by Bell, Keith.** Relating to the extended registration of certain vehicles not subject to inspection.

**Summary:** The bill allows owners of trailers, semitrailers or pole trailers with a gross weight of less than 7,500 pounds to register the vehicle for extended periods of time, not to exceed five years. The owner is allowed to choose the number of years for the vehicle registration and pay both the registration fee and other local fees assessed at the time of registration for the entire period for which the owner chooses.

**Effective Date: June 5, 2019**

**TAC Affiliates:** Tax Assessor-Collectors Association of Texas (TACA)

**SALES TAX COLLECTION FOR ATVS BOUGHT IN OTHER STATES**

**HB 1543 by Springer.** Relating to methods to enhance the enforcement of the collection of the use tax due on certain off-highway vehicles purchased outside this state; providing a civil penalty.

**Summary:** Currently, many owners of all-terrain vehicles (ATVs) purchase their ATVs out-of-state in order to pay a lower use tax. HB 1543 seeks to remedy this by amending Chapter 151, Tax Code to prohibit a tax assessor-collector from issuing a title for an ATV without proof that the owner has paid the use tax in Texas. The bill requires the comptroller to create forms to be given to the tax assessor-collector by the vehicle owner as proof the use taxes were paid in Texas and creates a workgroup comprised of members determined by the state comptroller and the Tax Assessor-Collectors Association of Texas to develop the form. Additionally, the bill requires manufacturers of off-highway vehicles to submit a report to the comptroller of each warranty issued for an ATV that was sold to a resident by a retailer outside the state. Once the report is received, the comptroller is required to collect from the owner any unpaid use taxes for the vehicle.

**Effective Date: Sept. 1, 2019**

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Tax Assessor-Collectors Association of Texas (TACA)

**DMV SUNSET BILL**

**SB 604 by Buckingham.** Relating to the continuation and functions of the Texas Department of Motor Vehicles and to the operations of certain other entities performing functions associated with the department.

**Summary:** The Texas Department of Motor Vehicles (DMV) was created in 2009 by the Legislature to handle vehicle titles, registrations, and license plates. This was the first session the DMV went through the Texas Sunset Commission’s review process, which examines the agency for the purpose of making improvements to troubled programs and/or eliminating redundancies within the organization. Additionally, the Texas Sunset Commission has the ability to abolish or extend the existence of any state agency during the review process.

SB 604 amends the Transportation Code, extending the DMV through Sept. 1, 2031 when the agency will again go through the Sunset review process. The bill includes the following changes:

Requires the DMV board to adopt rules and policies that establish standards for reviewing contested cases before the board. Additionally, the bill authorizes a licensed salvage vehicle dealer to buy and/or sell salvage and non-repairable motor vehicles that have been issued a salvage or non-repairable vehicle title. SB 604 adds a new web-based education training requirement for independent motor vehicle dealers for both new applicants and renewal applicants.

Authorizes the use of digital license plates. SB 604 allows a digital plate to be placed on the back of a vehicle in lieu of a physical license plate, but requires a physical plate on the front of the vehicle unless the vehicle is in a specific class not required to display two plates. The bill maintains the registration process in accordance with Chapter 502 of the Transportation Code and authorizes the use of digital plates on commercial fleet vehicles and vehicles owned or operated by a governmental entity. Additionally, for vehicles with digital plates, the bill authorizes a
registration insignia to be displayed on the plate in lieu of a sticker on the front windshield. Moreover, the bill requires the DMV board to establish, by rule, specifications and requirements for the digital plates. In doing so, the board must consult with the Texas Department of Public Safety. SB 604 allows the DMV to contract with the digital license plate provider directly for the sale, lease, and installation of digital plates, and allows the DMV to collect a fee for these services.

Establishes a risk-based system for monitoring and preventing fraud related to vehicle registration and titling. The bill authorizes the DMV and the tax assessor-collector to audit, perform a compliance review, or investigate a person providing titling and registration services. Furthermore, the DMV may adopt rules and policies for the maintenance and use of the registration and titling system and has sole authority over access to the system. In coordination with the tax assessor-collectors, the DMV is required to develop, adopt and implement rules that create a clear criteria for the suspension or denial of access to the registration and titling system. Rules established for the registration and titling system must be completed by March 1, 2020. The bill requires the DMV to implement a registration and title system training program and requires individuals using the system to complete the training. The DMV is required to adopt rules regarding the training program by Dec. 1, 2019.

Requires all county tax assessor-collectors to make WebDealer available to all motor vehicle dealers and allow them to submit titling and registration applications electronically. Tax assessor-collectors must make the program available by Sept. 1, 2020. Furthermore, SB 604 requires counties to comply with state contracting practices and establishes specific criteria for contracts with full service deputies. Each county that contracts with full service deputies is required to rebid the contracts no later than March 31, 2020.

Requires the DMV to initiate a study for the impact of the alternatively fueled vehicle industry on the state and options available for collecting state fees from alternatively fueled vehicle owners, establishes the criteria for the study, and establishes who the study shall be conducted by. Results from the study shall be submitted by the DMV no later than Dec. 1, 2020.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT), Tax Assessor-Collectors Association of Texas (TACA)

DPS SUNSET WITH DRIVER LICENSE PROGRAM TRANSFER STUDY

SB 616 by Birdwell. Relating to the continuation and functions of the Department of Public Safety of the State of Texas, the conditional transfer of the driver licensing program to the Texas Department of Motor Vehicles, the abolition of the Texas Private Security Board, the transfer of the motorcycle and off-highway vehicle operator training programs to the Texas Department of Licensing and Regulation, and the regulation of other programs administered by the Department of Public Safety; imposing an administrative penalty; authorizing and repealing the authorization for fees.

Summary: Amends the Government Code, to continue the Texas Department of Public Safety (DPS) through the year 2031, at which point the agency will go through the Texas Sunset Commission’s review process again. The bill requires the DPS to create and implement a physical fitness program in accordance with generally accepted scientific standards and meet all state and federal labor and employment laws. The DPS is also required to develop and implement best practices for the collection, protection, and sharing of personal information, and to issue a report on their developments with the Legislature by Sept. 1, 2020. Additionally, the agency is required to issue an annual report by May 30 on border crime and other criminal activity.

SB 616 authorizes a conditional transfer of the driver license program from DPS to the Department of Motor Vehicles (DMV), creating a workgroup to come up with a transition plan to ensure the transfer takes place by Aug. 31, 2021. The workgroup includes DPS and DMV and requires them to adopt a transition plan for the transfer of powers, duties, functions, programs and activities related to the driver license program, and include completion dates for substantial phases of the transfer. Additionally, the bill calls for a study of the most effective use of existing state and county resources, including personnel,
property, and resources potentially available through an intergovernmental agreement to administer the program. The study must prioritize administrative efficiency, cost savings, and accessibility to citizens across the state, including rural areas.

The bill requires DPS to contract with an independent third-party vendor to conduct a feasibility study and make recommendations on the opportunities and challenges of transferring the driver license program. The study commissioned by DPS is to be submitted to the Legislature, governor, the Sunset Advisory Commission, DPS and DMV by Sept. 1, 2020. The Legislature appropriated funds for the commission of the study.

On Sept. 1, 2021, the driver license program is to be transferred from DPS to DMV, including existing rules, policies, fees, contracts, pending contested cases, property, funds, and more. Additionally, all full-time employees hired primarily to administer the driver license program are transferred. In the meantime, the Legislature appropriated additional funds to DPS specifically for the driver license program to hire additional staff and increase their hours of operation.

Additionally, the bill extends the renewal requirement from six years to eight years for driver licenses, provisional licenses, learner licenses, occupational licenses, and other licenses specified by the bill. Fees for driver license renewals are increased from $24 to $32 and for Class M license renewals from $32 to $43. Other specific license fees are also increased to accommodate the extended renewal period. If an individual’s license was issued prior to June 1, 2020, then the individual is subject to the six year renewal period. If the individual’s license is issued after June 1, 2020, then the individual is subject to the eight year renewal period.

Effective Date: Sept. 1, 2019 except Article 8 is effective on Sept. 1, 2020, and Section 8.026 is effective immediately.

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Sheriffs’ Association of Texas (SAT), Tax Assessor-Collectors Association of Texas (TACA)

News Clips: Driver’s License Centers Have Hours-Long Waits, But Will Texas Lawmakers Fix the Problem?, Dallas Morning News

How a New Bill Could Lessen the Wait Time for Driver Licenses, KVUE

OPEN GOVERNMENT

PUBLIC INFORMATION ACT EXCEPTION FOR BIDDING

HB 81 by Canales. Relating to the disclosure under the public information law of certain information related to parades, concerts, or other entertainment events open to the general public that are paid for with public funds.

Summary: The bill limits the competition or bidding exception in the Public Information Act to provide that information relating to the receipt or expenditure of public or other funds by a governmental body for a parade, concert, or other entertainment event paid for with public funds is subject to disclosure. Voids contract provisions that violate this provision.

Effective Date: May 17, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA)

News Clips: A Loophole Helped McAllen Hide How Much it Paid Enrique Iglesias: The Texas House on Wednesday Moved to Patch It, Texas Tribune
Summary: Amends Local Government Code, Chapter 161 (County Ethics Commissions in Certain Counties) to provide that, in a county with a county ethics commission, the county ethics commission shall disclose on the county’s website the following information about contracts for services that would require a person to qualify as a lobbyist under Government Code, Chapter 305: contract dates and duration terms; the final amount of money the political subdivision paid in the previous fiscal year; the identity of all parties and subcontractors to the contract; and the legislative agenda of the county. The county may post the lobbying contract on its website in lieu of posting this information. The amendment makes the information in these lobbying contracts subject to the Public Information Act.

Amends Local Government Code Section 140.0045 to require a political subdivision to include in its proposed budget a comparison between budgeted and actual expenses in the preceding year for Chapter 305 lobbying expenses (“expenditures for directly or indirectly influencing or attempting to influence the outcome of legislation or administrative action,” as those terms are defined in Chapter 305).

Effective Date: June 14, 2019

TAC Affiliates: County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), County Treasurers’ Association of Texas (CTAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT), Tax Assessor-Collectors Association of Texas (TACA), Texas Association of County Auditors (TACA), Texas District & County Attorneys Association (TDCAA)

PUBLIC INFORMATION ACT EXCEPTION

HB 2828 by King, Phil. Relating to the exception of certain information related to the humane disposition by a municipality or county of an animal from required disclosure under the public information law.

Summary: Creates an exception to the Public Information Act for certain personally identifying information of a person who obtains an animal from a municipality or county making a humane disposition of the animal; allows a governmental body to disclose such information only under certain specified circumstances relating to the protection of public health and safety.

Effective Date: June 10, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Sheriffs’ Association of Texas (SAT)

PUBLIC’S RIGHT TO COMMENT AT OPEN MEETINGS

HB 2840 by Canales. Relating to the right of a member of the public to address the governing body of a political subdivision at an open meeting of the body.

Summary: Amends the Texas Open Meetings Act, specifically the Government Code, to require a governmental body, including a county commissioners court, to allow each member of the public who desires to address the body regarding an item on an agenda, for an open meeting, to do so. The bill provides that a speaker may criticize the acts and policies of a commissioners court at any public meeting. The governing body may adopt reasonable rules regarding the public’s right to address the body, including placing time limits. Those commissioners courts that have adopted the model rules of procedure will need to approve some amendments to their rules to conform to the new requirements.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT)

News Clips: 5 Big Updates to Texas Government Transparency Laws, Law 360

COUNTY JUDGE PERSONAL INFORMATION DISCLOSURE

SB 489 by Zaffirini. Relating to personal information that may be omitted from certain records, licenses, and reports and to other court security measures.

Summary: Amends the Election Code to require the Texas Ethics Commission to remove or redact the residence address of a federal or state judge or their spouse from any campaign report upon receiving notice from the Office of Court Administration of the judge’s qualification for office or upon written request from the judge or spouse.

The bill also amends the Local Government Code to require the county clerk to redact the address of a county attorney, state judge or municipal court
judge; the spouse of a county attorney, state judge or municipal court judge; or a candidate for the office of county attorney, state judge or municipal court judge, from any financial disclosure statement filed by the county attorney, state judge, municipal court judge, or candidate before the statement is available to the public.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), County and District Clerks’ Association of Texas (CDCAT), Justices of the Peace and Constables Association (JPCEA), Sheriffs’ Association of Texas (SAT), Texas District & County Attorneys Association (TDCAA)

OPEN MEETINGS ACT REVISIONS

SB 494 by Huffman. Relating to certain procedures applicable to meetings under the open meetings law and the disclosure of public information under the public information law in the event of an emergency, urgent public necessity, or catastrophic event.

Summary: The bill revises certain procedures relating to the Open Meetings Act and the Public Information Act in the event of an emergency, urgent public necessity, or catastrophic event. Amends provisions relating to the notice of an emergency meeting or an emergency addition to an agenda. Provides that the notice of a meeting to deliberate or take action on an emergency or urgent public necessity, or the supplemental notice to add the deliberation or taking of action on an emergency or urgent public necessity as an item to the agenda, is sufficient if posted for at least one hour before the meeting is convened.

Limits the deliberation or action that a governmental body may take on a matter at such a meeting and authorizes the attorney general to bring an action on any violations relating to unauthorized deliberations or actions. The bill also clarifies and expands what constitutes an emergency or urgent public necessity.

Additionally, the bill authorizes the temporary suspension of certain requirements of the Public Information Act for a governmental body impacted by a catastrophe and specifies the process and time frame for suspending the requirements, which includes certain notice to the attorney general and the public, among other provisions.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), County and District Clerks’ Association of Texas (CDCAT), Texas District & County Attorneys Association (TDCAA)

DISCLOSURE OF CONTRACTING INFORMATION

SB 943 by Watson. Relating to the disclosure of certain contracting information under the public information law.

Summary: Amends the Government Code to expand public disclosure requirements related to governmental contracts under the Public Information Act. The bill defines “contracting information” and establishes the information is public unless excepted under other provisions. The bill also creates specific contracting information exceptions for confidential information, such as trade secrets and proprietary information. The bill requires public disclosure of certain types of contracting information maintained by a governmental body, including information in vouchers or contracts relating to the receipt or expenditure of public funds, solicitation or bid documents relating to a contract with a governmental body, or communications between a governmental body and a vendor or contractor during the solicitation, evaluation, or negotiation of a contract.

News Clips: Ready, Set, File: Transparency Bills Passed by Legislature Could Open the Door to Once-Public Records, Texas Observer
5 Big Updates to Texas Government Transparency Laws, Law 360
6 Investigates: Lawmakers Repair Loopholes in State Open Government Laws, KRISTV.com
TAB on Verge of Big Wins at Capitol, Texas Association of Broadcasters
Capriglione & Watson Send Public Information Bill to the Governor’s Desk!, KTVN
Texas Legislature Took Steps Forward - and Other Steps Back, Statesman
**TEMPORARY CUSTODIAN PUBLIC INFORMATION ACT PROCEDURES**

**SB 944 by Watson.** Relating to the public information law.

**Summary:** The bill amends the Government Code revising the Public Information Act to provide a process for a governmental body to retrieve public information held by a temporary custodian, specify the procedure for making a written request, require the attorney general to create a request form, and create an exception for certain health information.

A temporary custodian is defined as an officer or employee of a governmental body who, in the transaction of official business, created or received public information that the officer or employee had not provided to the governmental body's officer for public information. A temporary custodian with possession, custody, or control of public information must surrender or return the information within 10 days after the governmental body's officer for public information requests it.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), County and District Clerks’ Association of Texas (CDCAT), Texas District & County Attorneys Association (TDCAA), Texas Association of County Auditors (TACA), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT), Tax Assessor-Collectors Association of Texas (TACA), County Treasurers’ Association of Texas (CTAT)

**News Clips:** TPA Pushes for Transparency Reform, Texas Press Association

Texas House Adds Arrest Report Measure to Open Records Package, Statesman

Open Records Bill Passes Texas House, Added Measure would Eliminate Dead Suspect Loophole, KXAN

5 Big Updates to Texas Government Transparency Laws, Law 360

Texas Legislature Races to the End of the 86th Regular Session, San Marcos Corridor News

---

**WALKING QUORUMS**

**SB 1640 by Watson.** Relating to the open meetings law.

**Summary:** In February 2019, the Texas Criminal Court of Appeals ruled that the Texas Open Meetings Act was “unconstitutionally vague.” The Open Meetings Act outlines the basic requirements providing for public access to, and information about, governmental meetings. Presiding Judge Sharon Keller wrote for the majority and stated “…the statute before us wholly lacks any specificity, and any narrowing construction we could impose would be just a guess, an imposition of our own judicial views. This we decline to do.”

The bill amends the Government Code to modify the circumstances under which a violation of the open meetings law might occur. The bill modifies the definition of “deliberation” to include written exchanges outside of an authorized open meeting. The offense modified by the bill will now be a misdemeanor punishable by a fine of not less than $100 or more than $500, confinement in the county jail for not less than one month or more than six months, or both the fine and confinement.

**Effective Date:** June 10, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA), Sheriffs’ Association of Texas (SAT), County and District Clerks’ Association of Texas (CDCAT), Texas Treasurers’ Association of Texas (CTAT), Justices of the Peace and Constables Association (JPCA), Texas Association of County Auditors (TACA), Tax Assessor-Collectors Association of Texas (TACA), Texas Association of Elections Administrators (TAEA), Veterans County Service Officers Association of Texas (VCSOAT)

---

**PROPERTY TAX**

**PROPERTY TAXES**

**SB 2 by Bettencourt.** Relating to ad valorem taxation; authorizing fees.

**Summary:** SB 2, the Texas Property Tax Reform and Transparency Act of 2019, makes substantial changes to the property tax system amending the Education, Local Government, Health and Safety, Government, Special District, and Tax Codes. The bill compresses
SB 2 changed some of the tax rate terminology and their associated formulas. Currently, the “effective tax rate” refers to the tax rate a county would need to raise the same amount of property tax revenue after taking into account changes in appraised values. SB 2 changed the terms “effective tax rate” and “effective maintenance and operations tax rate” to “no-new-revenue tax rate” and “no-new-revenue maintenance and operations tax rate,” respectively. The formula for calculating the no-new-revenue tax rate and no-new-revenue maintenance and operations tax rate did not change.

Currently, the term “rollback tax rate” is the maximum tax rate that a county is permitted to set before a petition by voters can be triggered requiring voter approval. The rollback rate for a county is the effective maintenance and operations rate multiplied by 1.08, then adding the current debt rate. SB 2 changes the term “rollback tax rate” to “voter-approval tax rate.”

SB 2 lowers the rollback rate, now called the voter-approval tax rate, to 3.5 percent (multiply by 1.035). If a county adopts a tax rate of 3.5 percent or greater, an automatic election will be triggered for November.

The voter-approval tax rate can be further modified by special adjustments such as including any unused increment rate, or utilizing special provisions that pertain to a county with a hospital district, experience a natural disaster, or incur indigent defense expenses among other considerations.

Most of the provisions of SB 2 will not be effective until January 2020. For counties with a population of less than 200,000, the majority of the bill will not be effective until January 2021.

The Comptroller will disseminate new forms to assist all taxing entities in calculating a tax rate for 2020. It is anticipated the forms and sample templates will be available in the Fall of 2019.

**Effective Date:** Jan. 1, 2020; except for certain provisions that become effective Sept. 1, 2020, while other provisions become effective on either Jan 1, 2021 or Jan. 1, 2022.

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), County Treasurers’ Association of Texas (CTAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT),

---

### SB 2 Timelines

<table>
<thead>
<tr>
<th>Action Item</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>If the appraisal review board for an appraisal district has not approved the appraisal records for the district by July 20, the chief appraiser must prepare and certify an estimate of the taxable value of the property in the district.</td>
<td>July 25</td>
</tr>
<tr>
<td>The assessor must submit the appraisal roll for the taxing unit with the total appraised, assessed, and taxable values of all property and the total taxable value of new property to the governing body.</td>
<td>Aug. 1, or as soon as practicable after</td>
</tr>
<tr>
<td>The taxing unit’s collector must certify the anticipated collection rate, based on calculations determined in SB 2, for the current year. If the collector certified an anticipated collection rate in the preceding year and the collection rate exceeded the anticipated rate, the collector must also certify the amount of debt taxes collected in excess of the anticipated amount in the preceding year.</td>
<td>Aug. 1, or as soon as practicable after</td>
</tr>
<tr>
<td>A designated officer or employee must calculate the no-new-revenue tax rate and the voter-approval tax rate, as determined by SB 2, and submit the calculation forms to the county assessor-collector.</td>
<td>As soon as practicable after Aug. 1</td>
</tr>
<tr>
<td>The designated officer or employee must submit the rates to the governing body and post the rates on the taxing unit’s website in the manner prescribed by the comptroller.</td>
<td>Aug. 7, or as soon as practicable after</td>
</tr>
<tr>
<td>The chief appraiser must deliver by mail or email the estimated amount of taxes imposed on the property to each property owner in the taxing unit.</td>
<td>Aug. 7, or as soon as practicable after</td>
</tr>
<tr>
<td>The governing body must adopt a tax rate.</td>
<td>The later of Sept. 30 or the 60th day after the appraisal roll was received</td>
</tr>
<tr>
<td>If the tax rate adopted exceeds the voter-approved rate, the tax rate must be approved by the voters.</td>
<td>Adoption of the tax rate not later than the 71st day before the next uniform election</td>
</tr>
<tr>
<td>The governing body of a taxing unit, other than a school district, may not hold a hearing on a proposed tax rate or to adopt a tax rate until the chief appraiser has delivered the notices to property owners and made available the tax rate calculations on the appraisal district’s website.</td>
<td>Must be a minimum of five days after the chief appraiser has complied with the requirements</td>
</tr>
</tbody>
</table>
News Clips: House Committee Passes Senate Property Tax Bill — After Altering it to Look More Like the Lower Chamber’s Version, Texas Tribune
Gov. Greg Abbott Signs Bill Designed to Limit Property Tax Growth, Texas Tribune
Texas House Passes ‘Property Tax Transparency’ Bill SB2, KVUE Austin
Aaron Layman: Property Tax Reform and Transparency Act Another Orchestrated Farce, Denton Record-Chronicle
SB2 Passes the Texas House, Reform Austin
With Obstacles Out of the Way, Texas Senate Passes Property Tax Overhaul Bill, Dallas News
Property Tax Reform Bill SB2 Gains Steam in 86th Texas Legislature, Highlander News
Texas Senate Passes Property Tax Bill, Avoids ‘Nuclear Option’ Procedural Move, KUT
Texas House Approves Property Tax Legislation, Austin American Statesman

PROPERTY TAX APPEALS

HB 380 by Geren. Relating to public school finance and public education; creating a criminal offense; authorizing the imposition of a fee.

Summary: Amends the Tax Code regarding judicial property tax review of appraisal review board determinations that a taxpayer is entitled to appeal to court. A property owner may appeal an order of the appraisal review board determining that the appraisal review board lacks jurisdiction to finally determine a protest by the property owner because the property owner failed to comply with a statutory requirement. A property owner who establishes that the appraisal review board had jurisdiction to issue a final determination of the protest is entitled to a final determination by the court of the protest on any ground, regardless of whether the property owner included the ground in the property owner’s notice of protest. The bill also provides that for certain appeals, if a plea to the jurisdiction is filed in the appeal on the basis that the property owner failed to exhaust the property owner’s administrative remedies, the court may remand the action to the appraisal review board with instructions to allow the property owner an opportunity to cure the property owner’s failure to exhaust administrative remedies.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJAC), Tax Assessor-Collectors Association of Texas (TACA)

DEFERRED PROPERTY TAX PAYMENTS

HB 1883 By G. Bonnen. Relating to deferred payment of ad valorem taxes for certain persons serving in the United States armed forces.

Summary: The bill amends the Tax Code, regarding property tax collections, to permit an eligible person serving on active duty, regardless of whether the person is serving during a war or national emergency, to pay delinquent property taxes without penalty or interest no later than 60 days after the person is discharged from active military service; the person returns to the state for more than 10 days; or the person returns to non-active duty status in the reserves.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJAC), Tax Assessor-Collectors Association of Texas (TACA)

DELINQUENT PROPERTY TAXES

HB 1885 by G. Bonnen. Relating to the waiver of penalties and interest if an error by a mortgagee results in failure to pay an ad valorem tax.

Summary: The bill amends the Tax Code, regarding property tax delinquency, to permit the governing body of a taxing unit to waive penalties and interest on a delinquent tax if: (1) the property for which the tax is owed is subject to a mortgage that does not require the owner of the property to fund an escrow account for the payment of the taxes on the property; (2) the tax bill was mailed or delivered by electronic means to the mortgagee of the property, but the mortgagee failed to mail a copy of the bill to the owner of the property; and (3) the taxpayer paid the tax not later
than the 21st day after the date the taxpayer knew or should have known of the delinquency.

**Effective Date:** January 1, 2020

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJAC), Tax Assessor-Collectors Association of Texas (TACA)

### LEASED VEHICLES PROPERTY TAX EXEMPTION

**SB 58 by Zaffirini.** Relating to the exemption from ad valorem taxation of leased motor vehicles that are not held primarily for the production of income by the lessee.

**Summary:** The bill amends the Tax Code, regarding property tax exemptions, to specify that a motor vehicle that is leased to the state or a political subdivision of the state, or leased to an organization that is exempt from federal taxation is presumed to be used for non-income producing activities.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJAC), Tax Assessor-Collectors Association of Texas (TACA)

### TAX REVENUE FOR CONVENTION CENTERS

**HB 4347 by Anchia.** Relating to the authority of certain municipalities to use certain tax revenue for hotel and convention center projects and other qualified projects.

**Summary:** Amends Chapter 351, Tax Code to provide authority for bracketed municipalities to use certain state and local tax revenue for hotel and convention center projects.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJAC), Tax Assessor-Collectors Association of Texas (TACA)

### PUBLIC FINANCE

### PUBLIC FUNDS INVESTMENT ACT

**HB 2706 by Capriglione.** Relating to authorized investments for governmental entities and a study of the investment and management of funds by public schools.

**Summary:** House Bill 2706 amends the Public Funds Investment Act, Government Code to expand the authority of a governmental entity governed by the act to purchase, sell, and invest public funds by authorizing investments in repurchase agreements that are secured by commercial paper and corporate bonds. Among other provisions, the bill includes, as an authorized investment, commercial paper with a stated maturity of 365 days or fewer from the date of issuance (previously 270 days), changes the calculation of yield for an authorized investment through an eligible investment pool, and revises eligibility standards for receiving funds from and investing funds on behalf of an applicable entity. The bill provides for a study conducted by the Texas Education Agency regarding the investment and management of funds by public school districts and open-enrollment charter schools.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County and District Clerks’ Association of Texas (CDCAT), County Judges and Commissioners Association of Texas (CJCAT), Texas Association of County Auditors (TACA), County Treasurers’ Association of Texas (CTAT)

**News Clips:** That’s a Wrap: Texas’ 86th Legislative Session, Texas Restaurant Association

Texas House Bill Benefitting Commerce Passes to Governor’s Desk, Commerce Journal
PUBLIC RETIREMENT SYSTEMS REPORTING

**SB 322 by Huffman.** Relating to the evaluation and reporting of investment practices and performance of certain public retirement systems.

**Summary:** Amends the Government Code, Chapter 802 to require certain public retirement systems to hire an independent firm to evaluate the retirement system’s investment practices. A retirement system that has a book value of $100 million on the last day of the fiscal year will be required to have an evaluation every three years. A retirement system that has a book value of less than $100 million and at least $30 million on the last day of the fiscal year will be required to have an evaluation every six years. The bill excludes public retirement systems with a book value of less than $30 million on the last day of the fiscal year from the evaluation requirement.

No later than the 31st day after the governing body receives a report, the retirement system must submit an annual investment performance report to the Pension Review Board.

The bill requires that the Pension Review Board include an investment performance report in its biennial report to the Legislature.

**Effective Date:** Effective immediately

**TAC Affiliates:** County Treasurers’ Association of Texas (CTAT), Texas Association of County Auditors (TACA)

---

PUBLIC HEALTH

**EMERGENCY MEDICAL SERVICE PERSONNEL CERTIFICATION**

**HB 1418 by Phelan.** Relating to disease prevention and preparedness information for emergency medical services personnel on certification or recertification.

**Summary:** The bill amends the Health and Safety Code by adding Section 773.0551. Requires the Health and Human Services Executive Commissioner by rule to adopt a system under which the Health and Human Services Commission (HHSC) must provide certain immunization information to applicants for certification or recertification as emergency medical services personnel. If the applicant’s immunization history is included in the state immunization registry, the system must require HHSC to provide the applicant information from the registry. Otherwise, the system must require HHSC to provide the applicant information about the benefits of being included in the registry and the specific risks to emergency medical services personnel when responding to an emergency of exposure to and infection by a potentially serious or deadly communicable disease that an immunization may prevent.

**Effective Date:** May 27, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Sheriffs’ Association of Texas (SAT)

---

**HEALTH CARE PROVIDER PARTICIPATION PROGRAMS**

**HB 4289 by Coleman.** Relating to the authority of certain local governments to create and operate health care provider participation programs.

**Summary:** The bill amends the Health and Safety Code adding Chapters 300 and 300A authorizing local jurisdictions, counties and municipalities, to administer a health care provider participation program to provide additional compensation to hospitals by collecting mandatory payments from each hospital in the jurisdiction. Annual hearings are required. A health care provider participation program now allows local jurisdictions to collect a mandatory payment from nonpublic hospitals to fund intergovernmental transfers and for uniform rate enhancements for
nonpublic hospitals in Medicaid managed care in which the local government is located.

**Effective Date:** June 10, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

---

**PUBLIC SCHOOL FINANCE**

**SCHOOL FINANCE**

**HB 3 by Huberty.** Relating to public school finance and public education; creating a criminal offense; authorizing the imposition of a fee.

**Summary:** The bill makes major revisions to school finance formulas revising several chapters of the Education, Government, Penal, Insurance, and Tax Codes. The bill allocates approximately $11.6 billion total for school funding, with $6.5 billion used to modernize public school funding formulas and roughly $5.1 billion to be used to achieve property tax relief. The bill increases per-student funding; expands pre-K offerings; provides teachers, librarians, nurses, and counselors with a pay raise; and lessens the state’s reliance on “Robin Hood” payments from property-wealthy schools to property-poor schools.

The bill contains provisions to compress school property taxes by 8 cents in 2020 and up to 13 cents in 2021 which is expected to provide $5.1 billion in property tax relief over those two years. It will also cap a school district’s ability to raise taxes to no more than 2.5 percent after 2021. The property tax changes are expected to reduce recapture (Robin Hood), the amount of local funds sent to the State and other school districts to fund education, by $3.5 billion.

Schools collect approximately 54-56 percent of all property taxes levied in the state so any reduction in school property taxes will provide significant savings to property owners.

**Effective Date:** Sept. 1, 2019, varies by section.

**TAC Affiliates:** Tax Assessor-Collectors Association of Texas (TACA), Texas Association of Elections Administrators (TAEA)

**News Clips:** Gov. Abbott Signs Public School Finance Reform Bill into Law, KXAN

House Bill 3 Marks Major Triumph, Corsicana Daily

---

**PURCHASING**

**COMPETITIVE CONTRACT BIDS**

**SB 1720 by Lucio.** Relating to the threshold contract amount at which a county is required to engage in a competitive purchasing procedure for certain purchases.

**Summary:** Amends the Transportation Code raising the threshold contract amount from $25,000 to $50,000, for which a county is required to engage in a competitive purchasing procedure for purchases recommended by the county road engineer.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), County Treasurers’ Association of Texas (CTAT), Texas Association of County Auditors (TACA)

---
RECORDS

INQUEST SUMMARY REPORTS

HB 300 by Murr. Relating to inquest summary reports and the preservation of evidence collected in the course of an inquest.

Summary: District clerks are no longer required to receive and retain certified inquest summary reports from a justice of the peace. The certified copies of inquest summary reports, received and retained before the effective date of the Act, may be destroyed by the clerk in accordance with the district court’s records retention schedule.

Effective Date: June 10, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA), County and District Clerks’ Association of Texas (CDCAT)

RECORDS CONCERNING REAL OR PERSONAL PROPERTY

SB 2128 by Creighton. Relating to the recording by a county clerk of certain documents concerning real or personal property.

Summary: Amends the Local Government Code and the Property Code by requiring the index entry for a paper document, that is a tangible copy of an electronic record, if it has been declared to be a true and correct copy of the electronic record contain the names of the grantees and grantors. Additionally, the bill allows a county clerk to record a paper or tangible copy of an electronic record that is otherwise eligible under state law to be recorded in the real property records that has been declared by a notary public or other officer, who may take an acknowledgment or proof, to be a true and correct copy of the electronic record.

Effective Date: Sept. 1, 2019

TAC Affiliates: County and District Clerks’ Association of Texas (CDCAT), County Treasurers’ Association of Texas (CTAT)

STATE BUDGET

STATE BUDGET FOR THE 2020-2021 BIENNIUM

HB 1 by Zerwas. General Appropriations Bill.

Summary: HB 1, the 2020-2021 Texas General Appropriations Act, appropriates $250.652 billion on priorities including public school funding, property tax relief, Medicaid funding, transportation infrastructure, disaster relief, higher education, environmental regulations, and border security.

Effective Date: Sept. 1, 2019

TAC Affiliates: All Officials

News Clips: Texas House, Senate Approve Budget Deal with Agreements on School Finance, Property Tax, and Hurricane Harvey Recovery, The Texas Tribune

From Property Taxes to Teacher Pay, Here’s How the Texas Legislature Handled Spending Priorities, The Texas Tribune

Texas House, Senate Approve Budget Deal for the Next Two Year, The Rivard Report

Texas House Approves 2020-21 Budget Plan, Keeps Extra $9 Billion For School Finance, KUT

Conservative Texas Budget vs. the Legislature’s Budget, Texas Public Policy Foundation

The Texas Senate and House Have Released Their State Budget Proposals – Now What?, Center for Public Policy Priorities

ONLINE SALES TAX

HB 1525 by Burrows. Relating to the administration and collection of sales and use taxes applicable to sales involving marketplace providers.

Summary: The bill clarifies the administration and collection of sales and use taxes involving marketplace providers (i.e., online sales). This is not a new tax but instead streamlines the collection of existing sales and use tax and is a result of the Supreme Court’s recent South Dakota vs. Wayfair, Inc. decision. The bill defines a marketplace seller and the duties to collect. It also defines the location of the sale to be the location to which the items are delivered or at which possession is taken by the purchaser. The state is expected to collect between $250 and $450 million a year as a result of HB 1525.
Effective Date: Oct. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Texas Association of County Auditors (TACA)

News Clips: After Supreme Court ruling, Texas Bills Will Bring in $850 Million in Online Sales Tax, Texas Tribune
Texas Could Begin Collecting Sales Tax from Out-of-State Online Sales, KXAN

ONLINE SALES TAX RATE

HB 2153 by Burrows. Relating to a single local use tax rate as an alternative to combined local use tax rates for computing the amount of local use taxes remote sellers are required to collect and to the allocation of tax revenue collected at that rate.

Summary: The bill establishes a single local use tax rate of 1.75 percent for goods subject to sales tax by a seller who may not have a physical presence in the state and is currently not collecting local sales tax. The goal is to simplify the sales and use tax rate, which varies depending on the local community, that is to be collected by an online marketplace.

Effective Date: Oct. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), County Treasurers’ Association of Texas (CTAT), Texas Association of County Auditors (TACA)

SPORTING GOODS TAX

SB 26 by Kolkhorst. Relating to the allocation to and use by the Parks and Wildlife Department and Texas Historical Commission of certain proceeds from the imposition of state sales and use taxes on sporting goods.

Summary: Amends sections of the Government Code, Parks and Wildlife Code, and Tax Code related to the allocation of proceeds from sales and use taxes on sporting goods to the Parks and Wildlife Department and the Historical Commission. The bill takes effect only if the proposed constitutional amendment, requiring the sales tax collected on sporting goods to be used for State parks and designated historic sites, is passed by voters in November 2019 (SJR 24).

The bill creates a dedicated account and outlines the permitted uses for allocations of proceeds to include: acquisition, operation, maintenance, and capital improvements of parks; other purposes authorized under Chapter 24, Parks and Wildlife Code; and payment of debt service on bonds issued by the department.

Effective Date: Requires passage of the constitutional amendment or no effect. If passed, Section 442.073 takes effect Jan. 1, 2020; other provisions would then become effective Sept. 1, 2021.

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT)

USE TAX ON SPORTING GOODS

SJR 24 by Kolkhorst. Proposing a constitutional amendment relating to the appropriation of the net revenue received from the imposition of state sales and use taxes on sporting goods.

Summary: Proposes a constitutional amendment to provide for the automatic allocation of the net revenue received each state fiscal year from the collection of the sporting goods sales tax to the Parks and Wildlife Department and the Texas Historical Commission.

Effective Date: Sept. 1, 2021 if the constitutional amendment is approved by voters in November 2019 or no effect.
"2019-2020 SUPPLEMENTAL BUDGET BILL"

SB 500 by Nelson. Relating to making supplemental appropriations and reductions in appropriations and giving direction, including direction regarding reimbursement, and adjustment authority regarding appropriations.

Summary: The bill addresses the funding gaps and concerns that have arisen since the Legislature adopted the 2018-2019 budget. SB 500 contains appropriations of roughly $1.7 billion from General Revenue, $6.1 billion from the Economic Stabilization Fund, and $2.1 billion from federal funds for a total of roughly $10.0 billion. The bill includes significant appropriations to state agencies impacted by Hurricane Harvey, funds the Medicaid shortfall, and provides funding for county roads impacted by the energy industry. The Legislative Budget Board SB 500 Infographic has detailed analysis and a breakdown of where all the appropriations were made.

Effective Date: June 6, 2019, except Sections 74(a), 75(a), 76(a), and 77(a) have no effect.

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), County Treasurers’ Association of Texas (CTAT), Texas Association of County Auditors (TACA)
TRANSPORTATION INFRASTRUCTURE FUNDING FOR COUNTIES

HB 4280 by Morrison. Relating to the grant program distributing money from the transportation infrastructure fund.

Summary: Amends the Transportation Code to change the criteria for a county to be eligible for a grant from the Transportation Infrastructure Fund (TIF) and changes the methodology for determining the distribution of TIF grants among the eligible counties.

Revises the allocation requirements of the TIF grant by decreasing from 20 percent to 10 percent the allocation of grants distributed according to weight tolerance permits. It also increases from 50 percent to 60 percent the total allocation of grants distributed according to well completions, with 45 percent to be distributed according to horizontal well completions and 15 percent to be distributed according to vertical well completions.

Requires a county to advertise and receive competitive bids before entering into a contract to use the grant funds. It also requires that any county receiving funds from the grant must use the funds within five years of being awarded the funds.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Texas Association of County Auditors (TACA)

VETERANS

TEXAS VETERANS COMMISSION SUNSET BILL

SB 601 by Hall. Relating to the continuation and functions of the Texas Veterans Commission.

Summary: The bill continues the Texas Veterans Commission until 2031 when it will again be up for review under the Texas Sunset Commission. The bill requires the commission to annually evaluate and set priorities for each program it administers, to set success measures and corresponding targets for those programs, to annually report on each program’s success in meeting those measures and targets, and to regularly evaluate the commission’s claims assistance services. Additionally, the bill requires a commissioners court to give employment preference, when hiring a veterans county service officer, to veterans who qualify for the veteran’s employment preference under Chapter 657, Government Code.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Sheriffs’ Association of Texas (SAT), Justices of the Peace and Constables Association (JPCA), Veterans County Service Officers Association of Texas (VCSOAT)

VETERAN COURTS REPORTING

SB 1180 by Menéndez. Relating to reporting regarding veterans treatment court programs.

Summary: Amends the Government Code to require the Texas Veterans Commission to report to the governor, lieutenant governor, and speaker of the house of representatives the number of defendants who participate in each veterans treatment court program, the number who successfully completed each program, and the number who did not successfully complete each program, as well as the amount of grant funding received by each program. Amends current law to authorize a veterans treatment court program established under this chapter (Veterans Treatment Court Program) to collect from a participant in the program a reasonable program fee not to exceed $1,300, rather than not to exceed $1,000, and certain other fees.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Veterans County Service Officers Association of Texas (VCSOAT)

TEXAS VETERANS LAND BOARD SUNSET BILL

SB 607 by Watson. Relating to the operations and functions of the Texas Veterans Land Board and the sunset review date for and programs administered by the board.

Summary: The bill continues the Veterans’ Land Board until 2031 when it will again be up for review under the Texas Sunset Commission.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Veterans County Service Officers Association of Texas (VCSOAT)
VETERANS COUNTY SERVICE OFFICER TASK FORCE

SB 2104 by Zaffirini. Relating to the creation of the Texas Veterans County Service Officer Task Force.

**Summary:** Amends the Government and Education Code and establishes the Texas Veterans County Service Officer Task Force to study the impact and efficacy of veterans county service officers in Texas. Requires the task force to examine the role and duties of veteran county service officers in each county, identify the regions of Texas that are in need of officers, and determine types and levels of state support needed in order for officers to appropriately advocate for the veterans they serve. It requires the Texas Veterans Commission to prepare and submit, not later than Dec. 1, 2020, a report based on the task force’s recommendations regarding those issues to the Senate Committee on Veteran Affairs and Border Security and the House Committee on Defense and Veterans’ Affairs. The bill’s provisions expire Jan. 1, 2021.

**Effective Date:** This Act takes effect Sept. 1, 2019, except Section 5 (Section 54.241, Education Code, as amended) which takes effect immediately.

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Veterans County Service Officers Association of Texas (VCOSAT)

VETERAN REEMPLOYMENT AFTER A MISDEMEANOR

HB 714 by Lucio, III. Relating to a reemployment program available to certain veterans placed on community supervision for a misdemeanor offense.

**Summary:** Amends the Code of Criminal Procedure, Government Code, and Labor Code to establish a veterans reemployment program that will provide education and training to veterans who are placed on community supervision or deferred adjudication after being convicted of a misdemeanor offense. The program is comprised of courses developed by the Texas Workforce Commission that will provide the participant with workplace skills that are likely to lead to employment. Successful completion of the program occurs after a veteran obtains and retains employment for three consecutive months, diligently searches for employment for six months, or upon a determination by the court that the veteran is unemployable due to a disability. Upon successful completion of the program, a veteran is provided a hearing where a judge will determine if an order of nondisclosure should be ordered for the records of the offense resulting in the veteran’s placement on community supervision.

**Effective Date:** June 2, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA), Veterans County Service Officers Association of Texas (VCOSAT)

LAW ENFORCEMENT CERTIFICATION FOR MILITARY

HB 971 by Clardy. Relating to proficiency certification of law enforcement officers with military service.

**Summary:** Amends the Occupational Code to require the Texas Commission on Law Enforcement (TCOLE) to adopt rules allowing law enforcement officers who served in the military to receive credit toward a proficiency certificate based on their military service. TCOLE must adopt necessary rules to implement this provision as soon as practicable after the effective date of the bill.

**Effective Date:** Sept. 1, 2019

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA), Sheriffs’ Association of Texas (SAT)
Mental Health First Aid for Veterans

HB 4429 by Blanco. Relating to mental health first aid training for veterans and immediate family members of veterans.

Summary: Amends the Government Code and Health and Safety Code to require the Texas Veterans Commission to coordinate for local delivery of mental health first aid (MHFA) for veterans training to veterans and their families, tasks the Texas Department of State Health Services to provide for the coordination of MHFA for veterans training for veterans and their families, and changes reporting requirements to reflect that local mental health authorities will provide mental health first aid veterans training.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), Veterans County Service Officers Association of Texas (VCSOAT)

Workers’ Compensation — Peace Officers

SB 1582 by Lucio. Relating to benefits for peace officers relating to certain diseases or illnesses.

Summary: Under current law, firefighters and emergency medical technicians are entitled to certain workers’ compensation benefits due to exposure to dangerous substances in the course and scope of their work. To be eligible for this entitlement, they have to meet specific criteria, establishing they had no previously existing health conditions prior to their employment, have been employed for a minimum of five years, and experienced the illness or injury while performing job related duties. SB 1582 adds peace officers into the entitlement under workers’ compensation for immunizations, respiratory illness, heart attacks and strokes.

Effective Date: Sept 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT)

News Clips: Revenue Caps, Cemeteries, Red-Light Cameras: 18 Bills Affecting Sugar Land Now That the Legislative Session is Over, Community Impact Newspaper

Workers’ Compensation — PTSD


Summary: In 2017, the Legislature authorized coverage for post-traumatic stress disorder (PTSD) arising from a singular event to be covered under the workers’ compensation system. House Bill 2143 expands the eligibility for PTSD treatment under the workers’ compensation system from a singular event to include multiple events. Additionally, the bill requires that in order to be eligible for PTSD treatment under the workers’ compensation system, the work related events must be a producing cause of the PTSD. Lastly, the bill establishes the date of injury is the date for which the first responder knew or should have known that the PTSD may be work related.

Effective Date: Sept. 1, 2019

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT)

Workers’ Compensation — Cancers

SB 2551 by Hinojosa. Relating to liability, payment, and death benefits for certain workers’ compensation claims.

Summary: Medical evidence indicates that firefighters are at a higher risk of cancer as a result of fighting fires and increased exposure to carcinogens. In 2005, the Legislature created the presumption statute, which created an entitlement to workers’ compensation coverage for specific cancers that had a direct link to fighting fires. Over time, interested parties have disagreed on which cancers are actually covered in the presumption statute. Senate Bill 2551 not only provides clarity for workers’ compensation providers and firefighters regarding which cancers are presumed to be work-related, but also expands the number of cancers covered from three to 11. Additionally, the bill clarifies that the firefighter’s work must be a substantial contributing factor, and without which the cancer or illness would not have occurred. If it is shown that other factors outside of the course and scope of employment significantly contributed to the
cancer or illness, the workers’ compensation carrier has the ability to rebut the claim. The bill allows for sanctions, administrative penalties, and attorney’s fees to be assessed.

The bill also creates a fund for payment of death and lifetime income benefits. The optional fund allows political subdivisions or pools to accumulate and invest assets for the purpose of paying those benefits and administrative costs.

**Effective Date:**  June 10, 2019

**TAC Affiliates:**  County Judges and Commissioners Association of Texas (CJCAT)

**News Clips:**  Firefighter Bill Awaits Governor’s Signature, Baytown Sun

First Responder Cancer Bill Sent to Texas Governor, Business Insurance

Firefighter Worker’s Comp Bill Heading to Governor’s Desk, CBS 4 News

---

**VETOED BILLS**

**ATASCOSA COUNTY ARB PILOT**

**HB 994 by Guillen.** Relating to appeals to justice courts of certain ad valorem tax determinations.

**Summary:** Establishes a pilot program in Atascosa County allowing property owners to bring certain appeals of an appraisal review board (ARB) order to a justice court rather than to a district court or to binding arbitration. The appraised value of the property as determined by the ARB must be valued at $500,000 or less and the property must be located within that justice court precinct. If the justice court determines that it does not have jurisdiction of the appeal, the court shall dismiss the appeal. The bill takes effect Sept. 1, 2019 and would apply to any appeal filed on or after that date. The provisions of this bill will expire Sept. 1, 2025. Lastly, the bill requires the Office of Court Administration to conduct a study and report on the effectiveness in increasing efficiency and accessibility with recommendations to the Legislature not later than Dec. 1, 2026.

**Effective Date:** Vetoed

**Governor’s Veto Statement:** The Tax Code permits homeowners to protest the appraised value of their property to an Appraisal Review Board and, if they are not satisfied with the Board’s ruling, to appeal that ruling to district court or binding arbitration. House Bill 994 would have created an exception to this process for just one county, allowing homeowners in Atascosa County whose homes are valued at $500,000 or less to appeal to a justice of the peace, rather than to a district court or arbitration. The Legislature has not identified a reason to treat the residents of one county so differently, and to depart from uniform procedures for property tax appraisal and protest. View the Veto Proclamation

**TAC Affiliates:** Justices of the Peace and Constables Association (JPCA), Tax Assessor-Collectors Association of Texas (TACA)
MAGISTRATE SIGNATURE REQUIREMENT

HB 93 by Canales. Relating to the inclusion of a magistrate’s name on certain signed orders.

Summary: Amends Chapter 2, Code of Criminal Procedure by adding Article 2.101 to require any signed order issued by a magistrate and pertaining to a criminal matter to include the magistrate’s name in legible handwriting, typewritten form, or stamp print in addition to the magistrate’s signature.

Effective Date: Vetted

Governor’s Veto Statement: House Bill 93 would mandate that all orders by magistrate judges not only be signed, but also include the magistrate’s name in legible print or writing. Yet it does not address what the consequences would be if the magistrate’s name is not printed in the form prescribed, which could create loopholes for opportunistic litigants and prompt needless challenges to court orders. The author may have intended to address the integrity of court orders against possible forgery, but the bill as drafted is not the right answer.

Since the Eighty-Sixth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision. View the Veto Proclamation

TAC Affiliates: County and District Clerks’ Association of Texas (CDCAT), Justices of the Peace and Constables Association (JPCA), Texas District & County Attorneys Association (TDCAA)

DISASTER REMEDIATION CONTRACTOR CRIMINAL OFFENSE

HB 2856 by Morrison. Relating to restrictions under disaster remediation contracts; creating a criminal offense.

Summary: The bill creates a Class B misdemeanor for a disaster remediation contractor who requires a person to make a full or partial payment under a contract before the contractor begins work or from requiring that the amount of any partial payment under the contract exceed an amount reasonably proportionate to the work performed. Creates a felony of the third degree if the offense was committed with the intent to defraud the person contracting for disaster remediation services.

Effective Date: Vetted

Governor’s Veto Statement: Senate Bill 1804 was a laudable effort to address domestic violence, until someone slipped in an ill-considered giveaway to a radioactive waste disposal facility. Unfortunately, the bill author’s good idea about domestic violence has been dragged down by a bad idea about radioactive waste. View the Veto Proclamation

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT), County and District Clerks’ Association of Texas (CDCAT), Sheriffs’ Association of Texas (SAT)

News Clips: An Amendment about Waste Facility fees Was Added to a Widely Supported Domestic Violence Bill. Will it Stick?, Texas Tribune

86th Texas Legislature Updates: March 12, 2019, Citizens’ Environmental Coalition

TDCAA Legislative Update: Week 12, Part I, TDCAA

DOMESTIC VIOLENCE

SB 1804 by Kolkhorst. Relating to public health and safety; authorizing the imposition of a tax.

Summary: Amends the Code of Criminal Procedure, Government Code, Special Districts Code, and the Tax Code. Requires entry of certain conditions of bond information into the statewide law enforcement information system and by setting certain victim notification requirements. Not later than the next business day after the magistrate issues an order imposing a condition of bond, the magistrate shall send a copy of the bond to the appropriate authorities including the attorney representing the state.

Effective Date: Vetted

Governor’s Veto Statement: House Bill 2856 attempts to address the very real problem of disaster-remediation contractors who take advantage of disaster victims. But it does so with a stiff criminal penalty in an area where civil remedies already exist, which could discourage well-intentioned, quality tradespeople from seeking work in Texas following a disaster. This could inadvertently harm victims and impede recovery. We must take a more measured approach to this issue—as was done in House Bill 2320, which I have signed into
law this session. I look forward to working with the author next session. View the Veto Proclamation

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Texas District & County Attorneys Association (TDCAA), Texas Association of County Auditors (TACA), County Treasurers’ Association of Texas (CTAT)

**News Clips:** GHBA Goes to Austin, Greater Houston Builders Association

### VOLUNTEER EMERGENCY RESPONDERS

**HB 2348 by King, Tracy O.** Relating to the prohibition of certain employment discrimination regarding an employee who is a volunteer emergency responder.

**Summary:** Amends the Labor Code to prohibit employment discrimination against an employee who is a volunteer emergency responder. The bill sets the maximum number of absences in a calendar year for such an employee at 14 days unless the absence is approved by the employer. It requires the employee to make a reasonable effort to notify an employer of any absences and to submit written verification of participation in an emergency if the employee is unable to notify the employer in advance.

The bill authorizes an employer to reduce the wages otherwise owed to the employee for any pay period due to the employee’s time off for an authorized absence or to require the employee to use existing vacation leave time, personal leave time, or compensatory leave time for the absence, except as otherwise provided by a collective bargaining agreement. The bill expressly does not affect an employee’s right to wages or leave time under statutory provisions relating to leave for volunteer firefighters and emergency medical services volunteers.

**Effective Date:** Vetoed

**Governor’s Veto Statement:** First responders play a vital role in disaster recovery, so I appreciate the good intentions of the author. But this does not mean we need to create a new civil cause of action so that employees who volunteer in disasters can sue their employers. House Bill 2348 would open the door to such lawsuits against both public and private employers. Employers have every incentive to accommodate their brave employees who serve as first responders, but they deserve the flexibility to develop their own leave policies for their employees, instead of having the State dictate the terms. View the Veto Proclamation

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT)

**News Clips:** House Bill Offers Protection for Volunteer Emergency Responders, Big Country Homepage

Proposed Texas Bill would Protect Volunteer First-Responders’ Day Job, Concho Valley Homepage

### FLOOD VEHICLE BRAND FOR DMV

**HB 2112 by Thompson, Ed.** Relating to salvage motor vehicles, including flood vehicles, and nonrepairable motor vehicles.

**Summary:** The bill provides a definition of flood vehicle and authorizes the Texas Department of Motor Vehicles (DMV) to issue one of the following titles if the department considers it appropriate: salvage vehicle title, salvage record of title, nonrepairable vehicle title, and nonrepairable record of title.

The bill requires an insurance company who pays a claim on a salvage or nonrepairable vehicle to submit a report to the DMV stating they paid a claim on the vehicle, have not acquired ownership of the vehicle and have determined the vehicle to be salvage or nonrepairable. The owner of a salvage vehicle or nonrepairable vehicle may not sell or transfer ownership of the vehicle without the proper designation from the DMV.

**Effective Date:** Vetoed

**Governor’s Veto Statement:** After Hurricane Harvey, I formed the Governor’s Commission to Rebuild Texas, which identified ways to improve how our government responds to natural disasters. One of the Commission’s recommendations was to develop a process for the Department of Motor Vehicles to coordinate with the Federal Emergency Management Agency to ensure that it has the information necessary to identify flooded vehicles. I have now signed into law House Bill 2310, which implements that recommendation.

House Bill 2112 also seeks to address the challenge of identifying flooded vehicles, but in doing so, it would eliminate the current methodology for identification
and repeal the provision of law added by House Bill 2310. The new process established in House Bill 2310 should have a chance to work. View the Veto Proclamation

TAC Affiliates: Tax Assessor-Collectors Association of Texas (TACA)

News Clips: Texas House Passes Bill to Allow Automatic Issuance of Salvage Titles to Flood Damaged Vehicles, Cornerstone Credit Union League

AIR AMBULANCE SUBSCRIPTION PROGRAMS

HB 463 by Springer. Relating to reciprocity agreements between certain air ambulance companies operating a subscription program.

Summary: Amends Health and Safety Code to require the executive commissioner of the Health and Human Services Commission to adopt rules related to air ambulance companies that ensure the protection of health and safety, comply with federal law, and establish minimum standards for reciprocity agreements. The bill would require air ambulance companies that operate a subscription program to enter into reciprocity agreements with all other air ambulance companies in the same service delivery area that also operate a subscription program.

The federal Airline Deregulation Act (ADA) applies to and therefore preempts state law in price regulations of air transportation. See 49 U.S.C.A. Section 41713 and Texas Attorney General Opinion No. GA-0684.

Effective Date: Vetoed

Governor’s Veto Statement: House Bill 463, by mandating that air ambulance companies enter into reciprocity agreements, would unnecessarily intrude into the operations of private businesses and could very well reduce the availability of products that protect rural Texans from expensive air ambulance bills. The author was understandably trying to help Texans, but this bill likely runs afoul of federal law and could have unintended consequences. The Legislature and the federal government should find better ways to address the high costs of air ambulance services. View the Veto Proclamation

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT)

HEALTH CARE PROVIDER PARTICIPATION PROGRAM

HB 651 by Springer. Relating to the creation and operations of health care provider participation programs in counties not served by a hospital district or a public hospital.

Summary: Amends the Health and Safety Code to add Chapter 299, to authorize a county that is not served by a hospital district or public hospital to create and operate a health care provider participation program. The program will collect a mandatory payment from non-public hospitals to fund intergovernmental transfers to subsidize indigent care programs and provide the non-federal share of a Medicaid supplemental payment program.

Effective Date: Vetoed

Governor’s Veto Statement: I have signed House Bill 4289, which grants counties, cities, and hospital districts the authority to establish a health care provider participation program. In light of House Bill 4289, House Bill 651 is unnecessary because it sought to achieve the same purpose and similarly would grant authority to establish these programs, but only for certain counties. I am grateful to Representative Springer and Senator Kolkhorst for working to address this important issue. View Governor’s veto statement.

TAC Affiliates: County Judges and Commissioners Association of Texas (CJCAT)
### VETERAN TREATMENT COURTS

**HB 2481 by Metcalf.** Relating to the administration of a veterans treatment court program.

**Summary:** Amends the Government Code and Code of Criminal Procedure to allow a veterans treatment court program to transfer responsibility for supervising a defendant’s participation in a program to another veterans court treatment program in a county adjacent to the county where the defendant resides. The bill also allows a court to place a defendant in a pending criminal case in a veterans court program in a county adjacent to the county where the defendant resides. Permits a county commissioners court to establish a Juvenile Family Drug Court Program.

**Effective Date: Vetoed**

**Governor’s Veto Statement:** House Bill 2481, as passed by the House, represented an improvement in access to specialty treatment courts for our Texas veterans. Unfortunately, a last-minute amendment was added in the Senate and would create a juvenile family drug court program that is entirely different and unrelated. This new program would authorize a court to exercise jurisdiction over an individual who has never been charged with any crime, but who resides in the home of a child subject to a case under Title 3 of the Family Code and who is suspected by the Department of Family and Protective Services of having a substance abuse problem. The lack of due-process protections is unacceptable. Next session, I look forward to increasing the ability of our Texas veterans to access treatment without this concerning program attached.

[View the Veto Proclamation]

**TAC Affiliates:** County Judges and Commissioners Association of Texas (CJCAT), Justices of the Peace and Constables Association (JPCA), Veterans County Service Officers Association of Texas (VCSOAT)
2019 LEGISLATIVE ANALYSIS REPORT

STATE BUDGET
FISCAL YEARS 2020-2021
2020-2021 State Budget Overview: Items of Interest to Counties

The approved state budget for the 2020-2021 biennium, House Bill 1, totals $250.7 billion, a 6.3% increase over the two-year budget approved by the 85th Legislature. TAC has identified and tracked those budget items of interest to county officials in the following charts.

In addition to HB 1, Senate Bill 500, the supplemental bill for the 2018-2019 state budget, also includes items of interest to counties. It includes funds for disaster recovery, flood planning and infrastructure, earthen dam repairs, and transportation infrastructure grants to counties affected by increased oil and gas production. These items are listed in the SB 500 columns and are primarily funded by the Economic Stabilization Fund.

Property Tax/School Finance Reform. The biggest increase in the 2020-2021 state budget, a total of $11.5 billion, is for increased state funding of public schools. Items include: an increase to the Basic Allotment, pay raises for teachers and other school employees ($6.5 billion), school district property tax relief ($5 billion) through the compression of school district tax rates, and reduced recapture payments (a $3.5 billion decrease). This funding was contingent on the enactment of House Bill 3.

Disaster Recovery/Flood Infrastructure. SB 500 provides $838 million in state funds to assist cities and counties in drawing down FEMA Public Assistance and Hazard Mitigation grant funds for Hurricane Harvey recovery, and long-term infrastructure projects by the U.S. Army Corps of Engineers; $840 million to develop and fund projects under the State Flood Plan; and $150 million to fund the repair and improvement of earthen dams. Funding to provide matching funds for disaster recovery, and U.S. Army Corps of Engineer and State Flood Plan projects was contingent on the enactment of Senate Bill 7.

Other HB 1 funding highlights of interest to counties are listed below, along with information regarding any related, additional funding in SB 500.

- Zero funding for new construction of state hospitals and other inpatient mental health (MH) facilities – down from $300 million in the 2018-2019 budget ($445.4 million in SB 500).
- MH community hospitals – up by 11%, from $243.8 million in 2018-2019 to $270.6 million in the 2020-2021 budget.
- Transportation Infrastructure Fund (TIF) – $125 million allocation from any available source of revenue to provide grants to eligible counties ($125 million for TIF grants in SB 500).
- No new funding for Disaster Grants – down from $126.8 million in 2018-2019 funding ($100 million in SB 500).
- Indigent Defense – an increase of $28 million, from $66.4 million in 2018-19 to $94.4 million in the 2020-2021 budget.
# 86th Legislature State Budget - Items of Interest to Counties

**HB 1 Conference Committee Report**  
Funding by Article, All Funds (in Millions)

<table>
<thead>
<tr>
<th>All Functions</th>
<th>Est./Budgeted 2018-2019 Biennium</th>
<th>State Budget 2020-2021 Biennium</th>
<th>Biennial Change</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article I - General Government</td>
<td>$7,503.3</td>
<td>$7,430.0</td>
<td>($73.3)</td>
<td>-1.0%</td>
</tr>
<tr>
<td>Article II - Health and Human Services</td>
<td>$83,584.2</td>
<td>$84,368.7</td>
<td>$784.5</td>
<td>0.9%</td>
</tr>
<tr>
<td>Article III - Agencies of Education</td>
<td>$81,229.0</td>
<td>$94,525.9</td>
<td>$13,296.8</td>
<td>16.4%</td>
</tr>
<tr>
<td>Public Education</td>
<td>$60,492.7</td>
<td>$72,673.1</td>
<td>$12,180.3</td>
<td>20.1%</td>
</tr>
<tr>
<td>Higher Education</td>
<td>$20,736.3</td>
<td>$21,852.8</td>
<td>$1,116.5</td>
<td>5.4%</td>
</tr>
<tr>
<td>Article IV - Judiciary</td>
<td>$857.1</td>
<td>$892.3</td>
<td>$35.3</td>
<td>4.1%</td>
</tr>
<tr>
<td>Article V - Public Safety and Criminal Justice</td>
<td>$18,378.5</td>
<td>$16,040.3</td>
<td>($2,338.3)</td>
<td>-12.7%</td>
</tr>
<tr>
<td>Article VI - Natural Resources</td>
<td>$6,566.0</td>
<td>$9,013.0</td>
<td>$2,447.1</td>
<td>37.3%</td>
</tr>
<tr>
<td>Article VII - Business and Economic Development</td>
<td>$36,587.5</td>
<td>$37,057.1</td>
<td>$469.6</td>
<td>1.3%</td>
</tr>
<tr>
<td>Article VIII - Regulatory</td>
<td>$671.7</td>
<td>$647.4</td>
<td>($24.3)</td>
<td>-3.6%</td>
</tr>
<tr>
<td>Article IX - General Provisions</td>
<td>$0.0</td>
<td>$285.3</td>
<td>$285.3</td>
<td>N/A</td>
</tr>
<tr>
<td>Article X - Legislature</td>
<td>$392.8</td>
<td>$392.1</td>
<td>($0.8)</td>
<td>-0.2%</td>
</tr>
<tr>
<td><strong>Total, All Articles</strong></td>
<td><strong>$235,770.2</strong></td>
<td><strong>$250,652.1</strong></td>
<td><strong>$14,882.0</strong></td>
<td><strong>6.3%</strong></td>
</tr>
</tbody>
</table>

**Amount of Tax Relief (ISD tax rates only)**  
($4,980.0)

**Growth Excluding Property Tax Relief**  
$9,902.0  4.2%

**Notes:**

Amounts estimated or budgeted for the 2018-19 biennium include supplemental spending adjustments in Article II for Medicaid and foster care, but do not include adjustments from SB 500. **For more on SB 500 - see LBB info-graphic.**

Biennial change and percentage change are calculated on actual amounts before rounding. Therefore, figure totals may not sum due to rounding.

Source: Legislative Budget Board
### ART. I - GENERAL GOVERNMENT

<table>
<thead>
<tr>
<th>Article/Agency</th>
<th>Program Name/Strategy</th>
<th>85th GAA (2018-19 Base)</th>
<th>SB 500 Conference Committee Report</th>
<th>Conference Committee Report HB 1 2020-21 Biennium</th>
<th>% Change [over/under 85th GAA]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fiscal Programs - Comptroller of Public Accounts</td>
<td><strong>Lateral Road Fund Districts</strong>: These funds are allocated from the state motor fuel tax. The funds are to be used for improvements or construction on county lateral roads (Transportation Code 256.002). Strategy A.1.5</td>
<td>$14,600,000</td>
<td>$14,600,000</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Gross Weight/Axle Fee Distribution</strong>: This fund is dedicated to counties for partial reimbursement for overweight truck road damage. (Transportation Code 621.353) Estimated. Strategy A.1.10</td>
<td>$33,905,550</td>
<td>$34,000,000</td>
<td>0.3%</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Disabled Veterans Assistance Payments</strong>: Property tax relief for disabled veterans; offset payments to eligible cities and counties. Strategy A.1.12</td>
<td>$8,550,000</td>
<td>$20,000,000</td>
<td>207.7%</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Mixed Beverage Tax Reimbursement</strong>: Reimbursements to counties and incorporated municipalities from mixed beverage tax collections (Tax Code 183.051). Estimated. Strategy A.1.2</td>
<td>$445,467,000</td>
<td>$492,855,000</td>
<td>10.6%</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>County Taxes - University Lands</strong>: Payment of county taxes on university lands. Estimated. Strategy A.1.4</td>
<td>$14,434,483</td>
<td>$15,747,708</td>
<td>9.1%</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Grant Program Local Continuing Education</strong>: These funds may be used to pay for continuing education for law enforcement personnel. The funds are allocated to the county based on the number of law enforcement personnel. Strategy A.1.7</td>
<td>$12,000,000</td>
<td>$12,000,000</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td>Commission on State Emergency Communications</td>
<td><strong>9-1-1 Services</strong>: Grants and assistance to local governments via RPCs as they develop and implement regional plans and maintenance for 9-1-1 services. Includes Next-Gen 9-1-1 Implementation. Strategy A.1.1 &amp; Strategy A.1.2</td>
<td>$124,849,610</td>
<td>$133,493,081</td>
<td>6.9%</td>
<td></td>
</tr>
<tr>
<td>Texas Emergency Services Retirement System (TESRS)</td>
<td><strong>TESRS</strong> was created to administer the pension fund by SB 220, 83rd Legislature, 2013. TESRS previously existed as a pension fund under the auspices of the Office of the Firefighters’ Pension Commissioner.</td>
<td>$4,091,420</td>
<td>$4,091,420</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td>Trusteed Programs within the Office of the Governor</td>
<td><strong>Disaster Funds</strong>: Helps cover the cost of the 25 percent match required for FEMA local disaster grants. Strategy A.1.1.</td>
<td>$126,828,288</td>
<td>$100,000,000</td>
<td>Unexpended balance (UB) N/A</td>
<td></td>
</tr>
</tbody>
</table>
### ART. I - GENERAL GOVERNMENT

<table>
<thead>
<tr>
<th>Article/Agency</th>
<th>Program Name/Strategy</th>
<th>85th GAA (2018-19 Base)</th>
<th>Conference Committee Report HB 1 2020-21 Biennium</th>
<th>% Change [over/under 85th GAA]</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Criminal Justice</strong>: Grants to local entities, non-profit organizations, and independent school districts for a variety of criminal justice related projects. Strategy B.1.1</td>
<td>$899,872,187</td>
<td>$600,925,466</td>
<td>-14.1%</td>
<td></td>
</tr>
<tr>
<td><strong>County Essential Services Grant</strong>: Funds for counties with unanticipated and extraordinary expenses, generally criminal justice related. Strategy B.1.2</td>
<td>$4,644,964</td>
<td>$2,340,666</td>
<td>-49.6%</td>
<td></td>
</tr>
<tr>
<td><strong>Prostitution Prevention and Pre-Arrest Diversion Programs</strong>: Grants to counties for the implementation of prostitution prevention and pre-arrest diversion programs. Rider 35 [Strategy B.1.1, Criminal Justice Grants]</td>
<td>$2,921,000</td>
<td>$3,500,000</td>
<td>19.8%</td>
<td></td>
</tr>
<tr>
<td><strong>Grants for Local Border Security</strong>: To fund grants to local law enforcement agencies to support Operation Border Star. The grant funds may also be awarded for the humane processing of the remains of undocumented migrants. Rider 20 [Strategy B.1.3, Homeland Security]</td>
<td>$10,200,000</td>
<td>$10,200,000</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td><strong>Border Security Operations</strong>: For border prosecution grants. Rider 18 [Strategy B.1.3, Homeland Security]</td>
<td>$12,000,000</td>
<td>$15,126,000</td>
<td>26.1%</td>
<td></td>
</tr>
<tr>
<td><strong>Truancy Prevention Court Cost</strong>: Grants to justice, municipal, and constitutional county courts to establish a new juvenile case manager in a jurisdiction that does not already have a juvenile case manager. Rider 21; Dedicated Acct. No. 5164 [Strategy B.1.1, Criminal Justice Grants]</td>
<td>$6,193,872</td>
<td>$6,193,872</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td><strong>Anti-Gang Programs</strong>: Grants for anti-gang activities. Rider 23 [Strategy B.1.1, Criminal Justice Grants]</td>
<td>$10,200,000</td>
<td>$14,200,000</td>
<td>39.2%</td>
<td></td>
</tr>
<tr>
<td><strong>Bullet Resistant Vests</strong>: To fund grants to local law enforcement agencies and/or to DPS for the purchase of bullet-resistant personal body armor compliant with the National Institute of Justice standard for rifle protection. Rider 27 [Strategy B.1.1, Criminal Justice Grants]</td>
<td>$25,000,000</td>
<td>$5,000,000</td>
<td>-80.0%</td>
<td></td>
</tr>
<tr>
<td><strong>Grants for Technology Infrastructure</strong>: To provide grants to local law enforcement agencies for upgrading technology infrastructure to implement incident based reporting. Rider 26; Dedicated Acct. No. 5153 [Strategy B.1.1, Criminal Justice Grants]</td>
<td>$11,300,000</td>
<td>$10,000,000</td>
<td>-11.5%</td>
<td></td>
</tr>
</tbody>
</table>

*Trusted Programs within the Office of the Governor*
### 86TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

<table>
<thead>
<tr>
<th>Article/Agency</th>
<th>Program Name/Strategy</th>
<th>85th GAA (2018-19 Base)</th>
<th>SB 500 Conference Committee Report</th>
<th>Conference Committee Report HB 1 2020-21 Biennium</th>
<th>% Change [over/under 85th GAA]</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ART. I - GENERAL GOVERNMENT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Trusteed Programs within the Office of the Governor</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Drug Court Grants:</strong> Funding for those counties that would like to implement a drug court. Rider 12; Dedicated Acct. No. 5174 [Strategy B.1.1, Criminal Justice Grants]</td>
<td></td>
<td></td>
<td></td>
<td>$4,000,000</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Internet Crime Against Children Task Forces:</strong> Grant funds to prevent and stop internet crimes against children, with priority given to local government programs that prevent technology-facilitated exploitation. Rider 19 [Strategy B.1.1, Criminal Justice Grants]</td>
<td></td>
<td></td>
<td></td>
<td>$1,600,000</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Child Sex Trafficking Prevention Unit:</strong> Operating costs for the Unit, and victim service grants. Rider 24 [Strategy B.1.1, Criminal Justice Grants]</td>
<td></td>
<td></td>
<td></td>
<td>$5,668,300</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Grants for County Jail Medication-assisted Treatment for Opioid and Alcohol Dependence:</strong> Grants to provide inmates in county jails access to FDA-approved medication-assisted treatment for opioid and alcohol dependence. Rider 35 [Strategy B.1.1, Criminal Justice Grants] NEW</td>
<td></td>
<td></td>
<td></td>
<td>-</td>
<td>$1,000,000 N/A</td>
</tr>
<tr>
<td><strong>Grants for Testing of Forensic Evidence:</strong> Grants to reimburse District Attorneys for costs associated with the testing of forensic evidence. Rider 33 [Strategy B.1.1, Criminal Justice Grants] NEW</td>
<td></td>
<td></td>
<td></td>
<td>-</td>
<td>$2,000,000 N/A</td>
</tr>
<tr>
<td><strong>Grants to Sexual Assault Forensic Exam (SAFE)-Ready Facilities:</strong> Not to exceed (NTE) $50,000 per facility in any FY. Rider 30 [Strategy B.1.1, Criminal Justice Grants] Funded out of General Revenue; 50% of funds for new facilities. NEW</td>
<td></td>
<td></td>
<td></td>
<td>-</td>
<td>$6,000,000 N/A</td>
</tr>
<tr>
<td><strong>Economic Development/Tourism:</strong> Loans to economic development corporations that assist local regions and communities with economic growth and development through job creation and capital investment. Strategy C.1.1</td>
<td></td>
<td></td>
<td></td>
<td>$429,041,476</td>
<td>24.5%</td>
</tr>
<tr>
<td><strong>Historical Commission</strong></td>
<td><strong>Courthouse Preservation:</strong> Grants to counties for the renovation and rehabilitation of historic courthouses. Strategy A.1.3</td>
<td></td>
<td></td>
<td>$21,531,921</td>
<td>$25,000,000</td>
</tr>
<tr>
<td><strong>Development Assistance Programs:</strong> Grants to cities and counties that promote economic development through historic preservation. Strategy A.2.1</td>
<td></td>
<td></td>
<td></td>
<td>$3,533,218</td>
<td>$3,512,718 -0.6%</td>
</tr>
<tr>
<td><strong>Library and Archives Commission</strong></td>
<td><strong>Aid to Local Libraries:</strong> Funding for the Loan Star Libraries grants for public library service enhancements, including the Texas Reads Grants for literacy programs and Library System Negotiated Grants for regional library system initiatives. Strategy A.1.2</td>
<td></td>
<td></td>
<td>$7,221,409</td>
<td>$8,890,039 23.1%</td>
</tr>
<tr>
<td>Article/Agency</td>
<td>Program Name/Strategy</td>
<td>85th GAA (2018-19 Base)</td>
<td>SB 500 Conference Committee Report</td>
<td>Conference Committee Report HB 1 2020-21 Biennium</td>
<td>% Change (over/under 85th GAA)</td>
</tr>
<tr>
<td>---------------</td>
<td>-----------------------</td>
<td>--------------------------</td>
<td>-----------------------------------</td>
<td>---------------------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>Secretary of State</td>
<td><strong>Elections Administration:</strong> Maintain Uniformity &amp; Integrity of Elections; Oversee Election Process. Strategy B.1.1</td>
<td>$8,555,022</td>
<td>$11,849,700</td>
<td>38.5%</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Primary Funding/VR Postage:</strong> Election financing; VR Postal Payment services. Strategy B.1.2.</td>
<td>$15,911,866</td>
<td>$19,147,600</td>
<td>20.3%</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Elections Improvement (HAVA):</strong> Provides for elections improvements for equipment that meets voting systems standards; provisional voting; statewide voter information for election officials, poll workers, and election volunteers. Strategy B.1.4 (Federal Funds/restrictions on use - match required)</td>
<td>$8,379,954</td>
<td>$17,243,859</td>
<td>105.8%</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Financing Voter Registration:</strong> Payments to Counties for Voter Registration. Strategy B.1.5</td>
<td>$5,777,500</td>
<td>$5,777,500</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td>Veterans Commission</td>
<td><strong>Veterans Assistance Grants:</strong> Provides grants to non-profits or local governments to provide direct services to TX veterans and their families. Strategy B.1.1</td>
<td>$28,006,589</td>
<td>$26,157,438</td>
<td>-6.6%</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Housing for Texas Heroes:</strong> Provides grants to non-profits or local governments providing temporary or permanent housing to TX veterans and their families. Strategy B.1.2</td>
<td>$10,832,000</td>
<td>$12,132,000</td>
<td>12.0%</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Veterans Treatment Courts:</strong> Strategy B.1.3</td>
<td>$4,755,000</td>
<td>$5,000,000</td>
<td>5.2%</td>
<td></td>
</tr>
<tr>
<td>Article/Agency</td>
<td>Program Name/Strategy</td>
<td>85th GAA (2018-19 Base)</td>
<td>SB 500 Conference Committee Report</td>
<td>% Change [over/under 85th GAA]</td>
<td></td>
</tr>
<tr>
<td>---------------</td>
<td>----------------------</td>
<td>--------------------------</td>
<td>----------------------------------</td>
<td>--------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>ART. II - GENERAL GOVERNMENT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department of Family &amp; Protective Services</td>
<td>CPS Direct Delivery Staff: Strategy B.1.1</td>
<td>$1,445,087,834</td>
<td>$1,626,112,004</td>
<td>12.5%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Child Abuse and Neglect Prevention Program: Prevention and Early Intervention Programs, Goal C</td>
<td>$209,944,506</td>
<td>$214,176,598</td>
<td>2.0%</td>
<td></td>
</tr>
<tr>
<td>Health and Human Services Commission</td>
<td>Mental Health Svcs-Adults: Contracts with Community Mental Health Centers to deliver MH services in communities across Texas. Strategy D.2.1</td>
<td>$714,901,392</td>
<td>$764,100,202</td>
<td>6.9%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mental Health Svcs-Children: Funding for children in need of MH services. Strategy D.2.2</td>
<td>$166,081,934</td>
<td>$184,635,596</td>
<td>11.2%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mental Health Crisis Svcs: Funding to address mental health and substance abuse crisis. Strategy D.2.3</td>
<td>$321,413,746</td>
<td>$343,263,746</td>
<td>6.8%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Substance Abuse Services: Strategy D.2.4</td>
<td>$517,618,303</td>
<td>$464,363,294</td>
<td>-10.3%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Behavioral Health Waivers/Amendments: Strategy D.2.5</td>
<td>$103,351,235</td>
<td>$104,599,388</td>
<td>1.2%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Indigent Health Care Reimbursement (UTMB): Health care for the uninsured and indigent in Texas. Strategy D.3.1</td>
<td>$878,886</td>
<td>$878,886</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>County Indigent Health Care Svcs: Counties are required to offer basic health services to indigent residents as the payers of last resort. Once a county spends 8% of its General Revenue tax levy (GRTL) on indigent care, the county can then request state matching funds. Strategy D.3.2</td>
<td>$1,758,251</td>
<td>$1,758,251</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mental Health State Hospitals: Strategy G.2.1</td>
<td>$804,133,888</td>
<td>$898,738,475</td>
<td>11.8%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mental Health Community Hospitals: Strategy G.2.2</td>
<td>$243,830,476</td>
<td>$270,620,452</td>
<td>11.0%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>New Construction of State Hospitals and Other Inpatient MH Facilities: Capital Budget Item. [Strategy G.4.2]</td>
<td>$300,000,000</td>
<td>$445,354,363</td>
<td>-100.0%</td>
<td></td>
</tr>
<tr>
<td>Department of State Health Services</td>
<td>EMS and Trauma Care Systems: Provides EMS certifications, including funding for local project grants. Strategy B.2.1</td>
<td>$253,743,171</td>
<td>$252,269,959</td>
<td>-0.6%</td>
<td></td>
</tr>
</tbody>
</table>
## ART. III - EDUCATION

<table>
<thead>
<tr>
<th>Article/Agency</th>
<th>Program Name/Strategy</th>
<th>85th GAA (2018-19 Base)</th>
<th>SB 500 Conference Committee Report</th>
<th>Conference Committee HB 1 2020-21 Biennium</th>
<th>% Change (over/under 85th GAA)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Texas Education Agency</strong></td>
<td><strong>FSP - Equalized Operations &amp; Equalized Facilities:</strong> Foundation School Program – Equalized Operations &amp; Equalized Facilities, Strategies A.1.1 and A.1.2</td>
<td>$42,720,000,00</td>
<td>$1,442,500,000</td>
<td>$43,173,872,923</td>
<td>1.1%</td>
</tr>
<tr>
<td><strong>Contingency for House Bill 3</strong></td>
<td><strong>- Foundation School Program Appropriations and Funding Sources. See Art. IX, Sec. 18.115</strong></td>
<td></td>
<td>$11,480,000,000</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Contingency for HB 3</strong></td>
<td><strong>- TEA Administrative and Bill Pattern Revisions. See Art. IX, Sec. 18.114</strong></td>
<td></td>
<td>$(3,478,862,928)</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Law Enforcement Management Institute Acct. No. 581:</strong> Estimated Appropriation Authority</td>
<td></td>
<td>$6,948,255</td>
<td>$7,183,000</td>
<td></td>
<td>3.4%</td>
</tr>
<tr>
<td><strong>Correctional Mgmt. Institute of TX Acct. No. 5083:</strong> Estimated Appropriation Authority</td>
<td></td>
<td>$2,800,224</td>
<td>$4,569,000</td>
<td></td>
<td>63.2%</td>
</tr>
<tr>
<td><strong>Texas A&amp;M Forest Service</strong></td>
<td><strong>Volunteer Fire Dept. Acct 5064:</strong> Grant programs to local volunteer fire departments (cities and counties) – providing them with equipment and training.</td>
<td>$48,103,097</td>
<td>$2,458,240</td>
<td>$46,103,097</td>
<td>-4.2%</td>
</tr>
<tr>
<td><strong>Rural Volunteer Fire Dept. Acct. 5066:</strong></td>
<td><strong>Grant programs to local volunteer fire departments – providing them with equipment and training.</strong></td>
<td>$3,405,000</td>
<td>$3,405,000</td>
<td></td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Wildfire Emergency Funds:</strong> Emergency Wildfire Reimbursement – Supplemental Appropriation. Strategy B.1.4</td>
<td></td>
<td>$54,909,580</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Rural Border County Emergency Services:</strong></td>
<td><strong>Grants for Rural Border County EmergencyServices. Rider 8 (Strategy B.1.1) NEW</strong></td>
<td></td>
<td>$200,000</td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>UNT Health Science Center at Fort Worth</strong></td>
<td><strong>Forensic Laboratory:</strong> Conducts blood and DNA tests associated with paternity testing for the Office of Attorney General, and services for other entities approved by the UNT Health Science Center. [Strategy D.2.1]</td>
<td>$5,791,292</td>
<td>$5,791,292</td>
<td></td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Texas Missing Person and Human Identification Program:</strong></td>
<td></td>
<td>$2,122,664</td>
<td>$2,122,664</td>
<td></td>
<td>0.0%</td>
</tr>
</tbody>
</table>
# 86th Legislature State Budget - Items of Interest to Counties

<table>
<thead>
<tr>
<th>Article/Agency</th>
<th>Program Name/Strategy</th>
<th>85th GAA (2018-19 Base)</th>
<th>SB 500 Conference Committee Report</th>
<th>Conference Committee HB 1 2020-21 Biennium</th>
<th>% Change (over/under 85th GAA)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ART. IV - JUDICIARY</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Office of Court Administration</strong></td>
<td>Indigent Defense: State funding to assist counties in providing quality legal representation in a cost-effective manner. Strategy D.1.1</td>
<td>$66,435,712</td>
<td>$94,435,712</td>
<td>42.1%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Uniform Case Management System: Provides magistrates immediate access to critical information. Capital Budget Item. Riders 21 and 22 (Strategy A.1.2)</td>
<td>$ -</td>
<td>$29,651,160</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Contingency for Senate Bill 325: Establish and maintain a registry for protective orders. Rider 23 (Strategy A.1.2)</td>
<td>$ -</td>
<td>$350,000</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td><strong>Court of Criminal Appeals</strong></td>
<td>Judicial and Court Personnel Training: Provides for the continuing legal education of judges and court personnel. Strategy B.1.1</td>
<td>$23,878,485</td>
<td>$27,383,764</td>
<td>14.7%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Judicial Education - Alternatives to Inpatient MH Treatment for Forensic Cases: Allocate unspecified amount of funds from Judicial Education, Strategy B.1.1, to make prosecutors and judges aware of educational opportunities. Rider 6</td>
<td>$ -</td>
<td>$ -</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Judicial Education - Mental Health: CLE for judges, court staff, prosecuting attorneys and criminal defense attorneys on MH issues &amp; pre-trial diversion. $187,500 in General Revenue each FY from Strategy B.1.1, Rider 7</td>
<td>$375,000</td>
<td>$375,000</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td><strong>Judiciary Section, Comptroller’s Department</strong></td>
<td>District Judges: State-funded salaries for approx. 472 judges in courtrooms across the state. Estimated. Strategy A.1.1</td>
<td>$134,134,524</td>
<td>$135,114,524</td>
<td>0.7%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Constitutional County Judge: A county judge is entitled to an annual salary supplement from the state of $15,000 if at least 40 percent of the functions that the judge performs are judicial functions (Govt. Code 26.006). Estimated. Strategy C.1.1</td>
<td>$11,255,594</td>
<td>$11,255,594</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Statutory County Judge 573 Supplement: Govt. Code 25.0015. Estimated. Strategy C.1.2</td>
<td>$41,080,490</td>
<td>$41,374,490</td>
<td>0.7%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Statutory Probate Judge Supplement: Govt. Code 25.0021. Estimated. Strategy C.1.3</td>
<td>$2,739,572</td>
<td>$2,739,572</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>District Attorney - Salaries: Help defray the salaries and expenses of the office (Govt. Code 41.013). Estimated. Strategy B.1.1</td>
<td>$1,483,454</td>
<td>$1,483,454</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td>Article/Agency</td>
<td>Program Name/Strategy</td>
<td>85th GAA (2018-19 Base)</td>
<td>SB 500 Conference Committee Report</td>
<td>Conference Committee HB 1 2020-21 Biennium</td>
<td>% Change (over/under 85th GAA)</td>
</tr>
<tr>
<td>---------------</td>
<td>-----------------------</td>
<td>------------------------</td>
<td>-----------------------------------</td>
<td>---------------------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td><strong>Judiciary Section, Comptroller’s Department</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional Prosecutors Salaries: Govt. Code 46.002, 46.003, 46.005 Estimated Strategy B.1.2</td>
<td></td>
<td>$43,595,937</td>
<td>$43,595,937</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td>Felony Prosecutors Salaries: Govt. Code 44.220, 45.175, 45.280 Estimated Strategy B.1.3</td>
<td></td>
<td>$681,070</td>
<td>$681,070</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td>Prosecutors, Subchapter C: Govt. Code 43.180 (Harris), and 41.201(1) Strategy B.1.4</td>
<td></td>
<td>$272,046</td>
<td>$272,046</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td>Asst. Prosecutor Longevity Pay: These funds are used to supplement the pay of assistant district attorneys that have at least four years of lifetime service credit as an assistant prosecutor. Strategy D.1.1</td>
<td></td>
<td>$8,769,700</td>
<td>$523,295</td>
<td>$9,292,995</td>
<td>6.8%</td>
</tr>
<tr>
<td>County Attorney Supplement: Govt. Code 46.0031, Strategy D.1.2</td>
<td></td>
<td>$12,066,669</td>
<td>$12,066,669</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td>Special Prosecution Unit - Walker County: Strategy D.1.4</td>
<td></td>
<td>$10,453,757</td>
<td>$10,855,663</td>
<td>3.8%</td>
<td></td>
</tr>
<tr>
<td>Juror Pay: Used to reimburse counties for the cost of juror services. Estimated. Strategy D.1.7</td>
<td></td>
<td>$21,763,400</td>
<td>$21,763,400</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td>Cost of Extraordinary Prosecution: Strategy D.1.9</td>
<td></td>
<td>$1,306,750</td>
<td>$ -</td>
<td>-100.0%</td>
<td></td>
</tr>
<tr>
<td><strong>Special Provisions - Judiciary</strong></td>
<td>Sec. 9 Contingent on House Bill 2384 (Judicial Salary Increase): See Art. IX, Sec. 18.25. Contingency for HB 2384</td>
<td>$ -</td>
<td>$35,210,801</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Article/Agency</td>
<td>Program Name/Strategy</td>
<td>85th GAA (2018-19 Base)</td>
<td>SB 500 Conference Committee Report</td>
<td>Conference Committee HB 1 2020-21 Biennium</td>
<td>% Change (over/under 85th GAA)</td>
</tr>
<tr>
<td>---------------</td>
<td>----------------------</td>
<td>-------------------------</td>
<td>-------------------------------------</td>
<td>-----------------------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td><strong>ART. V - PUBLIC SAFETY &amp; CRIMINAL JUSTICE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Basic Supervision:</strong> State aid to the local community supervision and corrections department (CSCD) to pay for misdemeanor probation funding - primarily staff and departmental operations. (Health Insurance is now accounted for separately) Strategy A.1.1</td>
<td>$140,142,048</td>
<td>$136,912,473</td>
<td>-2.3%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Probation Insurance:</strong> Insurance Contributions for Local CSCD employees. Estimated (Art. I, Employee Retirement System, Strategy B.1.2)</td>
<td>$129,495,204</td>
<td>$143,136,883</td>
<td>10.5%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Diversion Program:</strong> Residential treatment and rehabilitation programs for offenders in lieu of incarceration in jail or prison. Strategy A.1.2</td>
<td>$246,569,016</td>
<td>$250,569,016</td>
<td>1.6%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Community Corrections:</strong> Treatment and rehabilitation of offenders in the community, including some special needs programs and restitution programs. Strategy A.1.3</td>
<td>$86,360,909</td>
<td>$86,360,909</td>
<td>0.0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Treatment Alternatives to Incarceration:</strong> Community based programs targeted to treating offenders in community in lieu of revoking to jail or prison. Strategy A.1.4</td>
<td>$21,547,951</td>
<td>$21,547,951</td>
<td>0.0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Special Needs Programs and Services:</strong> The Texas Correctional Office on Offenders with Medical or Mental Impairments coordinates with the Department of State Health Services, county and municipal jails, and community mental health and mental retardation centers to establish methods for the continuity of care for pre- and post-release activities of defendants who are returned to the county of conviction after the defendant’s competency has been restored. Strategy B.1.1</td>
<td>$50,732,173</td>
<td>$55,172,545</td>
<td>8.8%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Academic/Vocational Training:</strong> Provides TDCJ inmates with education and skills training so they will be better qualified in the workforce upon release from prison. Strategy C.2.2</td>
<td>$3,838,088</td>
<td>$5,838,088</td>
<td>52.1%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>In-Prison SA Treatment:</strong> Substance Abuse Treatment - In-Prison Treatment and Coordination. Strategy C.2.5</td>
<td>$65,419,087</td>
<td>$65,419,087</td>
<td>0.0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Substance Abuse Felony Punishment:</strong> Substance Abuse Treatment – Substance Abuse Felony Punishment Facilities. Strategy C.2.4</td>
<td>$99,441,070</td>
<td>$99,996,966</td>
<td>0.6%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## ART. V - PUBLIC SAFETY & CRIMINAL JUSTICE

<table>
<thead>
<tr>
<th>Article/Agency</th>
<th>Program Name/Strategy</th>
<th>85th GAA (2018-19 Base)</th>
<th>SB 500 Conference Committee Report</th>
<th>% Change (over/under 85th GAA)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Department of Criminal Justice</strong></td>
<td>Operate Parole: (Goal E) Includes following strategies: Parole Release Processing, E.1.1; Parole Supervision, E.2.1; Halfway House Facilities, E.2.2; and, Intermediate Sanction Facilities, E.2.3.</td>
<td>$364,573,703</td>
<td>$366,179,188</td>
<td>0.4%</td>
</tr>
<tr>
<td></td>
<td>Payments to District Clerks: Payments to District Clerks in counties with 4 or more TDCJ correctional facilities are allocated $12,000 per fiscal year in equal monthly installments for costs incurred in filing TDCJ inmate correspondence [Out of appropriated funds] Rider 49</td>
<td>$24,000</td>
<td>$24,000</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Commission on Jail Standards</strong></td>
<td>Harris County Community Corrections Facility: Rider 53 [Strategy A.1.2, Diversion Programs]</td>
<td>$12,000,000</td>
<td>$12,000,000</td>
<td>0.0%</td>
</tr>
<tr>
<td></td>
<td>Pretrial Diversion: County pretrial diversion for misdemeanor and felony offenses. Rider 56 [Strategy A.1.2, Diversion Programs]</td>
<td>$8,341,305</td>
<td>$10,341,306</td>
<td>63.1%</td>
</tr>
<tr>
<td><strong>Texas Juvenile Justice Department</strong></td>
<td>Jail Standards: (Goal A) The Inspection and Enforcement strategy</td>
<td>$1,885,207</td>
<td>$2,092,306</td>
<td>11.0%</td>
</tr>
<tr>
<td></td>
<td>Prisoner Safety Grants: Grants to county jails for capital improvements associated with prisoner safety. Strategy C.1.1 [GR-Dedicated Acct. No. 5172]</td>
<td>$1,128,390</td>
<td>$129,290</td>
<td>-88.5%</td>
</tr>
<tr>
<td></td>
<td>Juvenile Justice Alternative Education Program: The Juvenile Justice Alternative Education Program (JJAEP) funding provides reimbursement to the juvenile boards of counties with a population of 125,000 or greater who are required to operate a JJAEP per Chapter 37 of the Texas Education Code (TEC). Counties are reimbursed at the rate of $79 per day for each mandatory student attendance day (as defined in TEC 37.007). Also $3 million is eligible for summer school, if sufficient funds are available at that time of the fiscal year. $96/student/day. Strategy A.1.6</td>
<td>$12,500,000</td>
<td>$12,500,000</td>
<td>0.0%</td>
</tr>
<tr>
<td></td>
<td>Prevention and Intervention: Strategy A.1.1</td>
<td>$6,024,354</td>
<td>$6,024,354</td>
<td>0.0%</td>
</tr>
<tr>
<td></td>
<td>Basic Probation Supervision: Strategy A.1.2</td>
<td>$71,693,924</td>
<td>$73,603,421</td>
<td>2.7%</td>
</tr>
<tr>
<td></td>
<td>Community Programs: Strategy A.1.3</td>
<td>$88,859,791</td>
<td>$89,359,791</td>
<td>0.6%</td>
</tr>
<tr>
<td></td>
<td>Pre and Post Adjudication Facilities: Strategy A.1.4</td>
<td>$49,564,314</td>
<td>$49,564,314</td>
<td>0.0%</td>
</tr>
<tr>
<td>Article/Agency</td>
<td>Program Name/Strategy</td>
<td>85th GAA (2018-19 Base)</td>
<td>SB 500 Conference Committee Report</td>
<td>% Change (over/under 85th GAA)</td>
</tr>
<tr>
<td>---------------</td>
<td>----------------------</td>
<td>--------------------------</td>
<td>----------------------------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td><strong>ART. V - PUBLIC SAFETY &amp; CRIMINAL JUSTICE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Texas Juvenile Justice Department</td>
<td>Commitment Diversion: Strategy A.1.5</td>
<td>$38,985,000</td>
<td>$38,985,000</td>
<td>0.0%</td>
</tr>
<tr>
<td></td>
<td>Mental Health Services Grants: Strategy A.1.7</td>
<td>$28,356,704</td>
<td>$28,356,704</td>
<td>0.0%</td>
</tr>
<tr>
<td></td>
<td>Regional Diversion Alternatives: Strategy A.1.8</td>
<td>$18,585,963</td>
<td>$21,585,963</td>
<td>16.1%</td>
</tr>
<tr>
<td></td>
<td>Harris County Leadership Academy: Rider 32 [Strategy A.1.4, Pre and Post Adjudication Facilities]</td>
<td>$2,000,000</td>
<td>$2,000,000</td>
<td>0.0%</td>
</tr>
<tr>
<td></td>
<td>Non-Profit Pilot Programs: Pilot programs in Harris, Hidalgo and Cameron counties for counseling, life-skills and hands-on vocational training for previously committed to JJD state correctional custody. Rider 36 [Strategy A.1.2, Basic Probation Supervision]</td>
<td>$ -</td>
<td>$500,000</td>
<td>N/A</td>
</tr>
<tr>
<td>Department of Public Safety</td>
<td>Emergency Management (TDEM): Goal D (includes FEMA funds)</td>
<td>$6,719,363,169</td>
<td>$3,503,535,449</td>
<td>-47.9%</td>
</tr>
<tr>
<td></td>
<td>Contingency for HB 2794 See Art. IX, Sec. 18.29</td>
<td>$ -</td>
<td>$375,000</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Contingency for HB 6 See Art. IX, Sec. 18.43</td>
<td>$ -</td>
<td>$10,406,830</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Contingency for SB 982 See Art. IX, Sec. 18.78</td>
<td>$ -</td>
<td>$ -</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Contingency for SB 6 See Art. IX, Sec. 18.91</td>
<td>$ -</td>
<td>$10,000,000</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Crime Laboratory Services: Strategy E.1.1</td>
<td>$71,266,865</td>
<td>$5,770,426</td>
<td>$123,686,052</td>
</tr>
<tr>
<td></td>
<td>Contingency for HB 1399 See Art. IX, Sec. 18.08</td>
<td>$ -</td>
<td>$2,834,358</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Contingency for HB 8 See Art. IX, Sec. 18.49</td>
<td>$ -</td>
<td>$2,468,460</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Drivers License Services: Strategy F.1.1</td>
<td>$243,628,824</td>
<td>$490,644,346</td>
<td>$101.4%</td>
</tr>
<tr>
<td></td>
<td>Contingency for HB 2048 - Repeal of the Driver Responsibility Program See Art. IX, Sec. 18.20</td>
<td>$ -</td>
<td>$4,383,784</td>
<td>N/A</td>
</tr>
</tbody>
</table>
## ART. VI - NATURAL RESOURCES

<table>
<thead>
<tr>
<th>Article/Agency</th>
<th>Program Name/Strategy</th>
<th>85th GAA (2018-19 Base)</th>
<th>SB 500 Conference Committee Report</th>
<th>Conference Committee HB 1 2020-21 Biennium</th>
<th>% Change over/under 85th GAA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks &amp; Wildlife Department</td>
<td><strong>Local Park Grants:</strong> Funds provide 50% matching grants to local governments and other entities authorized by provisions in the Texas Parks and Wildlife Code, Chapter 24. Strategy B.2.1</td>
<td>$37,356,848</td>
<td>$36,132,685</td>
<td></td>
<td>-3.3%</td>
</tr>
<tr>
<td></td>
<td><strong>Boating Access and Other Grants:</strong> Funding for Recreational Trails, Community Outdoor Outreach, Boating Access and other grants. Recreational Trails Grants provide 80% matching funds (maximum $200,000) to build trails in local communities. This program receives federal funding from the National Recreational Trail Fund. Strategy B.2.2</td>
<td>$35,024,624</td>
<td>$17,674,686</td>
<td></td>
<td>-49.5%</td>
</tr>
<tr>
<td></td>
<td><strong>Enforcement Programs:</strong> Wildlife, Fisheries and Water Safety Enforcement. Funding for Game Wardens. Strategy C.1.1</td>
<td>$134,643,991</td>
<td>$5,000,000</td>
<td>$120,894,583</td>
<td>-10.2%</td>
</tr>
<tr>
<td>Railroad Commission</td>
<td><strong>Oil and Gas Well Plugging and Remediation:</strong> Strategy C.2.1</td>
<td>$106,357,780</td>
<td>$109,291,152</td>
<td></td>
<td>2.8%</td>
</tr>
<tr>
<td>Commission on Environmental Quality</td>
<td><strong>Texas Emissions Reduction Plan (TERP):</strong> TERP was established in 2001 by the 77th Legislature, to reduce nitrogen oxides (NOx) and other emissions from heavy-duty on-road vehicles and non-road equipment by providing grants and rebates for voluntary upgrades and replacements, including school buses. Strategy A.1.1, Rider 19</td>
<td>$154,739,737</td>
<td>$154,739,737</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Waste Management and Permitting:</strong> Section 361.014(b) of the Health and Safety Code requires TCEQ to provide grants to COGs for local and regional municipal solid waste planning and management activities. Strategy A.2.3</td>
<td>$19,355,380</td>
<td>$19,550,442</td>
<td></td>
<td>1.0%</td>
</tr>
<tr>
<td>Water Development Board</td>
<td><strong>Texas Infrastructure Resiliency Fund (TIRF)/Flood Infrastructure Fund:</strong> Contingent on passage of SB 7, provides matching funds for city and county FEMA Public Assistance and Hazard Mitigation Grants and infrastructure projects by the US Army Corp of Engineers; and, develops and funds flood infrastructure projects under the State Flood Plan.</td>
<td>$ -</td>
<td>$1,678,000,000</td>
<td>$ -</td>
<td>N/A</td>
</tr>
<tr>
<td>Soil and Water Conservation Board</td>
<td><strong>Flood Control Dam Maintenance:</strong> Earthen Dam Infrastructure Projects</td>
<td>$ -</td>
<td>$150,000,000</td>
<td>$ -</td>
<td>N/A</td>
</tr>
</tbody>
</table>
## 86TH LEGISLATURE STATE BUDGET - ITEMS OF INTEREST TO COUNTIES

<table>
<thead>
<tr>
<th>Article/Agency</th>
<th>Program Name/Strategy</th>
<th>85th GAA (2018-19 Base)</th>
<th>SB 500 Conference Committee Report</th>
<th>Conference Committee HB 1 2020-21 Biennium</th>
<th>% Change [over/under 85th GAA]</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ARTICLE VII- BUSINESS &amp; ECONOMIC DEVELOPMENT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department of Motor Vehicles</td>
<td><strong>Automobile Burglary &amp; Theft Grants</strong>: Provides grants to law enforcement jurisdictions to support motor vehicle theft and burglary enforcement teams and non-profit organizations designed to reduce the incidence of motor vehicle theft and burglary. Strategy B.2.1</td>
<td>$25,671,702</td>
<td>$25,671,702</td>
<td>0.0%</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Capital Budget Item</strong>: Technology Replacement &amp; Upgrades - Regional Support for County Tax Assessor-Collector Offices</td>
<td>$ -</td>
<td>$10,025,000</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Department of Transportation</td>
<td><strong>Contracted Planning &amp; Design</strong>: Provides funding for all aspects of structural planning,</td>
<td>$1,528,921,601</td>
<td>$956,919,344</td>
<td>-37.4%</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Transportation Infrastructure Fund (New Rider)</strong>. Conference Committee adds rider (#47) directing TXDOT to allocate $125 million from any available source of revenue to provide grants for transportation infrastructure projects located in areas of the state affected by increased oil and gas production. Funding allocation, no funds added for this purpose.</td>
<td>$ -</td>
<td>$125,000,000</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td><strong>ARTICLE VIII- REGULATORY</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department of Insurance</td>
<td><strong>State Fire Marshal</strong>: Prevents and reduces losses through fire investigations, building inspections, code enforcement, licensing and regulation, and fire prevention programs. Strategy C.1.1</td>
<td>$10,248,904</td>
<td>$9,533,362</td>
<td>-7.0%</td>
<td></td>
</tr>
<tr>
<td><strong>ARTICLE IX - GENERAL PROVISIONS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section 17.13</td>
<td><strong>Economic Stabilization Fund Appropriations – Informational Listing</strong></td>
<td>$988,908,981</td>
<td>$ -</td>
<td>-100.0%</td>
<td></td>
</tr>
<tr>
<td>Section 17.07</td>
<td><strong>Border Security – Informational Listing</strong></td>
<td>$800,000,000</td>
<td>$800,600,000</td>
<td>0.1%</td>
<td></td>
</tr>
<tr>
<td>Section 10.04</td>
<td><strong>Behavioral Health &amp; Substance Abuse Services – Informational Listing</strong></td>
<td>$7,604,541,299</td>
<td>$7,775,690,411</td>
<td>2.3%</td>
<td></td>
</tr>
</tbody>
</table>