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**LEGISLATIVE ALERT 5/26/23**

Deadlines in the Senate and House have ended the floor consideration of all bills, except for concurrence in amendments and conference committee reports to resolve the different versions. The Governor and the legislature continue to negotiate over property tax relief and school vouchers.

To date, approximately 771 bills have been submitted to the Governor, only a few have become law. The Governor can hold bills received in the final 10 days of the session (excluding Sundays) and consider a veto after the session until June 19.

Problem bills can still reappear in conference committee reports, watch for immediate action alerts and contact your legislators, and copy us.

S. B. 175, Silencing County Officials – Died in House Committee on State Affairs.

S. B. 175 passed the Senate by a vote of 19-12, with Sen. Nichols as the only Republican to oppose this legislation to silence local officials. A floor amendment was added to attempt to allow employees of statewide associations to continue to represent local officials before the legislature. Unfortunately, the amendment was incomplete, and S.B. 175 continues to prohibit a county from spending public funds “to pay a nonprofit state association or organization that: (A) primarily represents political subdivisions; and (B) hires or contracts with an individual required to register as a lobbyist...” All association employees who contact the legislature are required to register as a lobbyist. In other words, an employee of TAC or CJCAT could lobby the legislature, but a county could not spend any county funds to support TAC or CJCAT in any way. This “bait and switch” provision will continue to prohibit counties from maintaining a collective voice before the legislature.

S.B. 175 did not receive a hearing in the House Committee on State Affairs and died for lack of action. County officials appreciate the sound judgment by Speaker Phelan, Chairman Hunter and the members of the State Affairs Committee to preserve the ability of county officials and their associations to participate in the legislative process. We will continue to watch conference committee reports for this language.

Backlog in the County Jail and Juvenile Justice Facilities

Several bills were filed to address the backlog in county jail by state inmates, mental health detainees and juveniles. These bills would require that the state agencies accept their responsibilities or provide reimbursement to counties. All of these bills have passed the House, however all but one died in the Senate. HB 2620, requiring reimbursement to counties by TDCJ for its inmates by Rep. Geren/ Sen. King passed the legislature and is on the Governor’s desk.

HB 458 by Craddick - Requires Texas Juvenile Justice Department to accept committed juveniles within 30 days. Died in Senate Criminal Justice.

HB 479 by Hinojosa – Requires Health and Human Services Commission to accept a mentally incompetent defendant within 21 days or reimburse county in an amount equal to HHS cost. Died in Senate.

HB 1563 by Harless - Requires TDCJ to reimburse counties for their daily cost of an inmate awaiting transfer after 45 days. Died in Senate Finance.

HB 2620 by Geren – Requires TDCJ to reimburse a county after the 45th day at the average daily cost of confinement. Sent to Governor for approval!

HB 3363 by Frank – Omnibus bill which requires the state to reimburse counties after deadlines for TDCJ inmates TDHS mental health detainees, TJJD juveniles awaiting transfer from county jail or other facilities. Died in Senate Finance.

Bills of Interest

Good Bills – Need Support

HB 103 by Murr – Allows a retired judge with 96 months of service to serve as a retired visiting judge to a constitutional county court. Sent to Governor.

HB 251 by Murr – Assess visiting statutory probate judge fees against estate. Died in Senate Jurisprudence.

HB 1487 by Gerdes - Creates Rural County Law Enforcement Agency Grant Program which can be used for personnel costs, equipment and training. Died in Senate Local Government

HB 1613 by Shine – Creates local government assistance account to provide state aid for 100% disabled veterans tax exemptions. In Conference Committee. House Conferees: Shine- chair, Clardy, Kuempel, Martinez Fischer and Spiller. No Senate conferees yet

HB 2291 by Slawson – Concealed carry by retired constitutional county judges. Sent to Governor.

HB 2779 by Leach – Includes county judge in state longevity pay supplement. Amended into bill on house floor, Removed by committee substitute in Senate Finance. Need to support House version.

HB 3282 by V. Jones – Requires identification of scrap tire with \$500 fine for violation.

Died in Senate Natural Resources/Economic Development

HB 3352 by Gerdes – Allows a county under 150K population to establish a scrap tire monitoring program. Died in Senate Natural Resources/Economic Development

SB 22 by Springer – Rural Law Enforcement Grants. Sent to Governor.

Problem Bills – Need Work

HB 14 by Harris – Requires third party review of plat applications by developer engineer. Sent to Governor, Needs Veto

HB 159 by Landgraf – Requires an additional publication in a newspaper for the county tax worksheet. Died in Senate Local Government

HB 866 by Oliverson – Limits county development authority and requires third party review by developer engineer. Died on Senate Calendar.

HB 1709 by Canales – Extends to 4 years after final judgement a surety may file a special bill of review. Died in Senate Criminal Justice.

HB 1977 by Morales Shaw - Mandatory juvenile diversion program for county, unless county forces community corrections to operate. Died in Senate

HB 2127 by Burrows – Waives county immunity and allows claims to be filed in any county for enforcing an invalid order or rule in fields of specified codes. Sent to Governor, Needs Veto.

HB 2350 by Harris – Restricts county regulatory authority over certain occupations. Died in Senate

Business and Commerce

HB 2965 by Vasut – Prohibits applicable state law from being waived for civil works projects. Sent to the Governor, Needs Veto.

HB 4082 by Goldman - Limits use of COs and tax anticipation notes. Sent to the Governor, Needs Veto.

HB 5277 by Bucy – Requires access to magistration hearings including by live streaming. Died in Senate Criminal Justice.

SB 987 by Kolkhorst/Gerdes – Requires additional county indigent health care reporting. Sent to the Governor, Needs Veto.

SB 1104 by Birdwell – Restricts county disaster authority. Died in the House.

SB 2037 by Bettencourt – eliminates the ability of counties to adopt subdivision regulations, concerning “minimum lot sizes, lot dimensions, lot frontages, lot setbacks, or other components of lot density.” Died in the House.