



CITY OF HOUSTON

Office of the Mayor

Interoffice

Correspondence

To: Houston City Council

From: Bill Kelly
Director of Government Relations

Date: April 13th, 2021

Subject: State Legislative Update

Major Legislation Update

With Committee work still at a frenzied pace, floor action in both chambers has picked up speed. Priority bills begin to crisscross the Capitol. Here's a sample of some of the major movement this week:

- Senate Bill 1 has been referred to House Committee/set for hearing. This is the state's \$250 billion budget.
- Senate Bill 3; referred to House Committee.
 - This bill would require the weatherization of all generation, transmission and natural gas facilities, prohibit retail electric variable rate plans, and establish an energy emergency alert system to ensure notification of potential outages.
- Senate Bill 5; referred to House Committee.
 - This bill would form a statewide broadband office, require the office to create a statewide broadband plan, and establish a broadband development incentive program.
- House Bill 5; passed out of the House. This is a near identical companion to SB 5 (mentioned above).
- House Bill 10; referred to Senate Committee. This bill remakes the ERCOT governing board.
- House Bill 11; referred to Senate Committee. This bill would require the weatherization of the state's generation fleet.
- House Bill 16; referred to Senate Committee. This bill would prohibit retail electric rate plans indexed to the wholesale price of electricity.

- House Bill 103; passed out of the House. This bill would establish an active shooter alert system.
- House Bill 1239; passed out of the House. This bill would prohibit local ordinances from closing places of worship.

Voting Legislation

Two bills are moving through the Texas Legislature that make changes to Texas voting practices. Senate Bill 7 would limit extended early voting hours (from 6 am – 9 pm), prohibit drive-thru voting and make it illegal to proactively mail out absentee ballot applications, something Harris County attempted this past election.

- The Senate passed the bill, where it will now head to the House, prompting several high-profile corporations to decry the bill.

The public rebuke comes on the heels of MLB’s decision to move the All Star game from Georgia after it passed an election reform bill. This in turn prompted strong responses from Governor Abbott and Lt. Governor Patrick.

- The Governor declined an invitation to throw out the first pitch for the Texas Rangers in response to MLB’s decision. Speaker Phelan also pushed back on the corporate backlash, suggesting he’d like to go “line by line” with them, noting that last election saw “certain areas of the state creating election law out of thin air”.

Houston offered testimony against HB 6:

<https://www.houstontx.gov/govrelations/2021lege/4.1.2021-Turner-Oppose-HB6.pdf>

Healthcare Legislation

The Speaker was joined by Republican and Democrats alike at a press conference to lay out his bipartisan health care legislative agenda: “Health Families, Healty Texas”. The package of legislation is highlighted by legislation to expand telemedicine (HB 4), extend Medicaid coverage for postpartum mothers (HB 133), and a bill to fund research regarding brain disorders (HB 15).

- Houston offered testimony in support of HB 133:
<https://www.houstontx.gov/govrelations/2021lege/3.23.2021-Turner-Support-HB133.pdf>

City of Houston Legislative Priorities

The last two weeks have shown an increase of action on the City of Houston’s Legislative Priorities. Briefly, the Government Relations Team would like to share the following update on the status of these bills.

Passed out of Committee:

- Senate Bill 73 by Senator Borris Miles (Health Dept Medicaid Reimbursement) was passed out of Senate Health & Human Services on 3/29 and passed by the Senate on 4/12

- House Bill 914 by Rep. Ana Hernandez (Authorized Tow by non-peace officers) passed the House 4/7 with a vote of (Y-128-N-17) and was received by the Senate 4/8.
- Senate Bill 355 by Senator Borris Miles (Bandit Signs) was voted out of the Senate Committee on Transportation 4/7 and recommended for Senate Local/Uncontested 4/8.
 - Vice Mayor Pro Tem Martha Castex-Tatum came to Austin to testify in support of the bill and met with Sen. Miles, Sen. West, and State Rep. Shawn Thierry before touring the TML offices.
- Senate Bill 30 by Senator Royce West (relating to the removal of certain discriminatory restrictions and provisions from certain real property records), passed the Senate on 4/4, was received by the House on 4/5, and was referred to House Committee on House Judiciary and Civil Jurisprudence on 4/8. Chairman Jeff Leach will pick up the bill as the House Sponsor.
- House Bill 954 by Chairman Dutton (TDCJ notification of local municipality) was voted favorably out of the Corrections Committee and referred to the House Local and Consent Calendar.

The Week Ahead:

The City of Houston has the following priority bill scheduled to be heard in Committee:

- HB 1157 by Rep. Vo (Relating to hiring and licensing certain veterans as peace officers) expected to be heard 4/15 in House Homeland Security and Public Safety. This bill is the last of the CoH priority bills to get a hearing and Commander Jessica Anderson will be coordinating testimony.
- HB 2525 by Huberty (Lake Houston Dredging) heard on Tuesday 4/13 with Stephen Costello and Mayor Pro Tem Dave Martin testifying in support.

City of Houston Review:

The City of Houston had the following priority bills heard in Committee:

- Senate Bill 900 by Sen. Alvarado (Regulation of Above Ground Storage Units) was heard 4/7 in Senate Natural Resources and Economic Development and was left pending. CM Abbie Kamin has submitted written testimony in support of the bill.
- House Bill 1693 by Rep. Matt Shaheen (Allow Municipal Courts to have access to State TexSafe system) was heard on 4/6 in House Insurance and left pending.

- Senate Bill 1679 by Sen. Alvarado (Houston Land Bank bill) was heard 4/6 in Senate Local Government and left pending. IGR expects the bill to be voted out of Committee next week. The City of Houston submitted written testimony in support of the bill.
- House Bill 1627 by Chairwoman Thompson (Municipal Regulation of Concrete Batch Plants) was heard in House Environmental Regulation with Bishop Dixon, Christian Menefee, the Harris County Attorney, and Dr. Loren Hopkins among others testifying in support of the bill (3/29).
- House Bill 2811 by Chairman Jim Murphy (Public Disclosure of Tier II Chemicals to Public) was also heard in House Environmental Regulation with support testimony from Dr. Loren Hopkins, CoH Health Department (3/29)
- House Bill 1200 by Rep. Morales (regarding the City of Houston's ability to have Historic Preservation Districts) was laid out in House Land & Resource Management (3/31)
- House Bill 2468 by Chair Ed Thompson (Grant funding for TCEQ mobile air monitors) was heard 3/29 in House Environmental Regulation

Defensive Work

The City of Houston GR and the lobby team continues to work to kill our priority bad bills and has offered written and oral testimony against a number of measures that would adversely impact city operations. The GR Team has worked hard to ensure the testimonies come from subject matter experts and, failing that, from the Government Relations office. A brief summary of the current status of these bills:

Senate Bill 10 - City and County Lobby Ban

On Tuesday 4/6, Bill Kelly offered testimony against Senator Bettencourt's lobby ban in Senate Bill 10. Additionally, Bill testified against the "transparency" bill Bettencourt has offered, Senate Bill 1879.

- The bill, as filed, includes very broad language that goes well beyond contract lobbyists. Commander Jessica Anderson has concerns on this measure, as the language would likely affect her work at the capitol.

The City of Houston supported the transparency bill by Rep. Capriglione in the House, as it specifically addressed contract lobbyists under Chapter 305. Bill is set to meet with Bettencourt's office on Monday afternoon to suggest changes to his transparency bill.

While it appears that House Bill 749 will have trouble getting out of committee, Jamaal Smith received notice that the committee substitute for SB 10 will be presented Monday, has been moved to the priority list for the Lt. Gov. and will get out of committee. However, per our count, it is doubtful that SB 10 has the votes to get to the Senate floor, as Senator Seliger, Whitmire, and Lucio III are currently no votes.

COH Testimony: <https://www.houstontx.gov/govrelations/2021lege/4.6.2021-Kelly-Against-SB10.pdf>

House Bill 749 – Banning City Lobbying

House State Affairs Chairman Paddie has been hesitant to call HB 749 for a vote, as the committee is currently against it by a three-vote margin. The author has refused to amend the bill, and this has led to deadlock.

Two weeks ago, in an all-night hearing for House State Affairs, the committee heard both a transparency bill that every city supports as well as Rep. Mayes Middleton's outright ban on city and county lobbying.

COH Testimony: <https://www.houstontx.gov/govrelations/2021lege/03.25.2021-Kelly-Oppose-HB749.pdf>

House Bill 753 – Garbage Franchise Fee

Once again, the 2% statewide cap on franchise fees for garbage pickup has returned, this time on House Bill 753 by Rep. Briscoe Cain. The bill would halve the current City of Houston rate (it has been 4% since 2004) and cost the city \$4 million in revenue.

The bill is still pending in the Environmental Regulations Committee.

COH Testimony: <https://www.houstontx.gov/govrelations/2021lege/3.22.2021-Paez-Oppose-HB753.pdf>

Note on Transparency

As a reminder, the City of Houston posts all of our written testimony for the 2021 Legislative Session on the Government Relations website:

<https://www.houstontx.gov/govrelations/2021-legislative-session.html>

For questions regarding bill positions or testimony, feel free to contact our office.