

**THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §**

KEITH BONNER, COUNCIL PLACE 1
DAVID LANDS, COUNCIL PLACE 2
HARRY OPLIGER, COUNCIL PLACE 3
ED PERRY, COUNCIL PLACE 4
CRYSTAL SARMIENTO, COUNCIL PLACE 5
JEROME HUDSON, COUNCIL PLACE 6



DAN DAVIS, MAYOR
DAN JOHNSON, CITY MANAGER
TAMMY BELL, CITY SECRETARY

**NOTICE OF A CITY COUNCIL MEETING
OF THE CITY OF MANVEL
December 2, 2024**

**NOTICE IS HEREBY GIVEN
5:30 P.M. WORKSHOP – 6:00 P.M. REGULAR SESSION**

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the Manvel City Council will convene a regular meeting at the Manvel City Hall, located at 20031 Hwy 6, Manvel Tx 77578 for the purpose of discussing and if appropriate, take action with respect to the following items:

NOTE: The City Council of the City of Manvel reserves the right to discuss any items in Closed Session whenever authorized under the Texas Open Meetings Act, Chapter 551, of the Texas Government Code. The City Council may discuss the items on this agenda in any order.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpreter services must be made 48 hours prior to this meeting. Please contact the City Secretary at 281-489-0630 x6 for further information.

CITY OF MANVEL MISSION STATEMENT

The City of Manvel is a safe and responsible community, embracing the values of our past, present, and future citizens.

Workshop Session

Update / Discussion on the City Center.

Discussion on any topic as listed on the current agenda.

Regular Session

Call To Order

Invocation

Inspirational Reading - Councilmember Sarmiento

Pledge

Pledge of Allegiance and Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible.

Presentation

Recognitions:

Manvel Junior High 8th Grade Football Team - Undefeated Season

Elaine Graham Retirement (2003-2024)

Public Comments: "Comment Card" Required

o Members of the public with business before the board, NOT scheduled on the agenda as a public hearing (that have submitted a public comment card) may have three (3) minutes to address the board. o The board may not participate in any discussion and cannot vote on the subject you present unless it is listed on the agenda as an action item.

City Manager Update

Update on current events and city issues.

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Acceptance of ROW Dedication Deed from HJR Hwy 6, LLC., establishing the ROW location over the western portion of Tract 37, Sec 71, Emigration Land Company Subdivision, Manvel, Texas; authorizing the City Manager to execute acceptance of the deed; and approving a letter of no objection from the City Manager to allow relocation of the current access used by Aspect Energy (for Scout Well) to the resulting right-of-way.

Items Removed from Consent Agenda

Regular Agenda

1. Consideration and possible action to approve the second and final reading of Ordinance 2024-O-35;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ORDINANCE NO. 2020-O-14 PERTAINING TO ZONING AND DEVELOPMENT RELATED PROVISIONS AND REQUIREMENTS FOR DEL BELLO LAKES PLANNED UNIT DEVELOPMENT (PUD) TO AUTHORIZE NAICS USE CODE 4411 "MOTOR VEHICLE DEALER" FOR THE COMMERCIAL PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF HIGHWAY 288 AND DEL BELLO BOULEVARD; PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP, PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF. *(Favorable recommendation by PD&Z failed on 10/15/2024, Vote 1-5) *The Applicant has requested postponement of action by Council on this item until the 11/4/2024 City Council meeting.*
(On 10/21/24 City Council voted to postpone the agenda item until 11/18/24 City Council Meeting).

2. Consideration and possible action to authorize the City Manager to execute an agreement between the City of Manvel and Viewpoint with Dennis Quaid.
3. Discussion on City Involvement in the Upcoming Legislative Session.

Mayor and Council Comments

Update on current events and city issues.

Additionally, pursuant to Texas Government Code § 551.0415, City Council Members and city staff may make a report about items of community interest during a meeting of the governing body without having given notice of the report.

Items of community interest include:

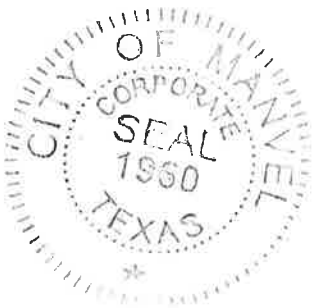
- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

Adjourn

CERTIFICATION

I, Tammy Bell, City Secretary for the City of Manvel, do hereby certify that the foregoing Agenda of the Manvel City Council is true and correct and that I posted such notice on the bulletin board at the Manvel City Hall; a place convenient and readily accessible to the public on November 27, 2024 in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551.001 et.seq). Said notice remained posted for at least 72 hours preceding the scheduled time of the meeting.


TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS





MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: December 2, 2024

TOPIC: Consider approval and acceptance of Right-of-Way Dedication Deed from HJR Hwy 6, LLC., establishing the right-of-way location over the western portion of **Tract 37, Section 71**, Emigration Land Company Subdivision, Manvel, Texas; authorizing the City Manager to execute acceptance of the deed; and approving a letter of no objection from the city manager to allow relocation of the current access used by Aspect Energy (for Scout Well) to the resulting right-of-way.

BACKGROUND: This is a right-of-way dedication located on south side of Hwy 6, across from Manvel Town Center HEB gas station. Please note the following:

- Aspect Energy LLC holds mineral lease rights in the area on a property which is accessed from HWY 6.
- A gravel driveway access was permitted by Texas Department of Transportation within the City's 40-foot-wide right-of-way. A letter of no objection to the driveway access was issued by the City Manager in 2019.
- There has been a dispute between Aspect Energy LLC and HJR HWY 6 who owns the adjoining property to the east regarding the location of the driveway. HJR HWY 6 claims that the driveway is encroaching their property.
- As a resolution both parties have agreed to move the access to the west so that it is outside the property owned by HJR HWY 6.
- The City has agreed to the relocation of the access conditioned upon HJR HWY 6 providing an approximate 10-foot-wide right-of-way to the City. This dedication would be otherwise required at the time of development of the property. This dedication is required to avoid any confusion or dispute in the future regarding the location of the right-of-way.

STAFF RECOMMENDATION: Staff recommends approval and acceptance of Right-of-Way Dedication Deed from HJR Hwy 6, LLC; authorizing the City Manager to execute acceptance of the deed; and approving a letter of no objection to allow relocation of the current access used by Aspect Energy (for Scout Well) to the resulting right-of-way.

ATTACHMENTS: Draft Right-of-Way Dedication Deed from HJR Hwy 6, LLC

FUNDING ISSUES

- ☒ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER

Jose Abraham,
Director of Development Services

FINANCE DIRECTOR APPROVAL _____**CITY MANAGER APPROVAL** _____

DEDICATION OF RIGHT-OF-WAY

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BRAZORIA §

That HJR Hwy 6, LLC, a Texas limited liability company whose address is c/o Richard Rainer, 9121 Elizabeth Road, Suite 108, Houston, TX 77055 (hereinafter referred to as "Grantor"), for and in consideration of the sum of TEN and No/100 (\$10.00) DOLLARS cash; the releases, representations, and warranties contained herein; the benefits to accrue to the citizens of the City of Manvel, Texas; and other valuable consideration, has DEDICATED, GIVEN, GRANTED, AND CONVEYED and by these presents does hereby DEDICATE, GIVE, GRANT, AND CONVEY unto the City of Manvel, Texas, a home-rule municipal corporation organized and existing under the laws of the State of Texas (hereinafter referred to as "Grantee"), its successors and assigns, public right-of-way over and under the following area:

A 4,322 square foot tract of land for the purpose of a 10.00 foot road right of way dedication, out of and being part of that certain tract of land described in deed to HJR HWY 6, LLC, under Brazoria County Clerk's File No. 2021020262, Official Public Records of Brazoria County, Texas, being situated in the H.T. & B.R.R. Survey, Abstract Number 560, Brazoria County, Texas, being further described in Exhibit A and B attached hereto.

Said dedication as public right-of-way includes, but is not limited to, the right to pedestrian access, vehicular traffic access, construction of roadways, landscaping, use for utility purposes (including but not limited to storm sewer lines, water lines, sanitary sewer lines, gas lines, electric power distribution lines, and communication lines), located within that certain tract or parcel of real property more particularly described above and further described by metes and bounds on **Exhibits A and B** attached hereto and incorporated herein for all purposes.

The Grantee may do and perform all acts necessary to lay, construct, maintain, inspect, operate, protect, repair, alter, change the size of, replace, relocate, substitute, and/or remove said roadway and utilities along, across, over, and under said right-of-way, and operate thereon all necessary machinery and equipment.

The right-of-way, and the rights and privileges herein granted, shall be perpetual.

In consideration of the foregoing dedication, the City of Manvel, Texas, as Grantee, forever releases all right, title, and interest to the remainder of **Tract 37, Section 71**, Emigration Land Company Subdivision, as described in **Exhibit C** attached, or any right-of-way dedication or designation made prior to the date of this Dedication.

TO HAVE AND TO HOLD the above-described right-of-way, together with, all and singular, the rights and appurtenances thereto in any manner belonging, unto the said Grantee, her heirs, successors, assigns, and legal representatives, and Grantor hereby binds herself, her heirs, representatives, successors and assigns to warrant and forever defend all and singular said easement and right-of-way to Grantee and its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this ____ day of _____, 2024.

HJR HWY 6, LLC

By: _____
Title: _____
GRANTOR

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Before me, a notary public, on this day personally appeared Richard Rainer, known to me or proved to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, acknowledged that he signed the foregoing instrument in the capacity designated and for the purposes and consideration.

Notary Public, State of Texas

ACCEPTED this ____ day of _____, 2024.

CITY OF MANVEL, TEXAS

By: _____
Title: _____
GRANTEE

ACKNOWLEDGEMENT

THE STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

Before me, a notary public, on this day personally appeared _____, known to me or proved to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, acknowledged that he signed the foregoing instrument in the capacity designated and for the purposes and consideration.

Notary Public, State of Texas

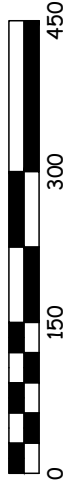
NOTES:

1. ALL BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, AS DEFINED BY ARTICLE 21.071 OF THE NATURAL RESOURCES CODE OF THE STATE OF TEXAS, 1983 DATUM (2011 ADJUSTMENT) EPOCH 2010.00. ALL DISTANCES ARE ACTUAL DISTANCES. SCALE FACTOR = 0.999866596.

2. THE SURVEYOR HAS NOT ABSTRACTED THIS PROPERTY. THIS DESCRIPTION WAS PREPARED WITHOUT A TITLE COMMITMENT, THERE MAY BE OTHER MATTERS WHICH APPLY.

EXHIBIT "A"

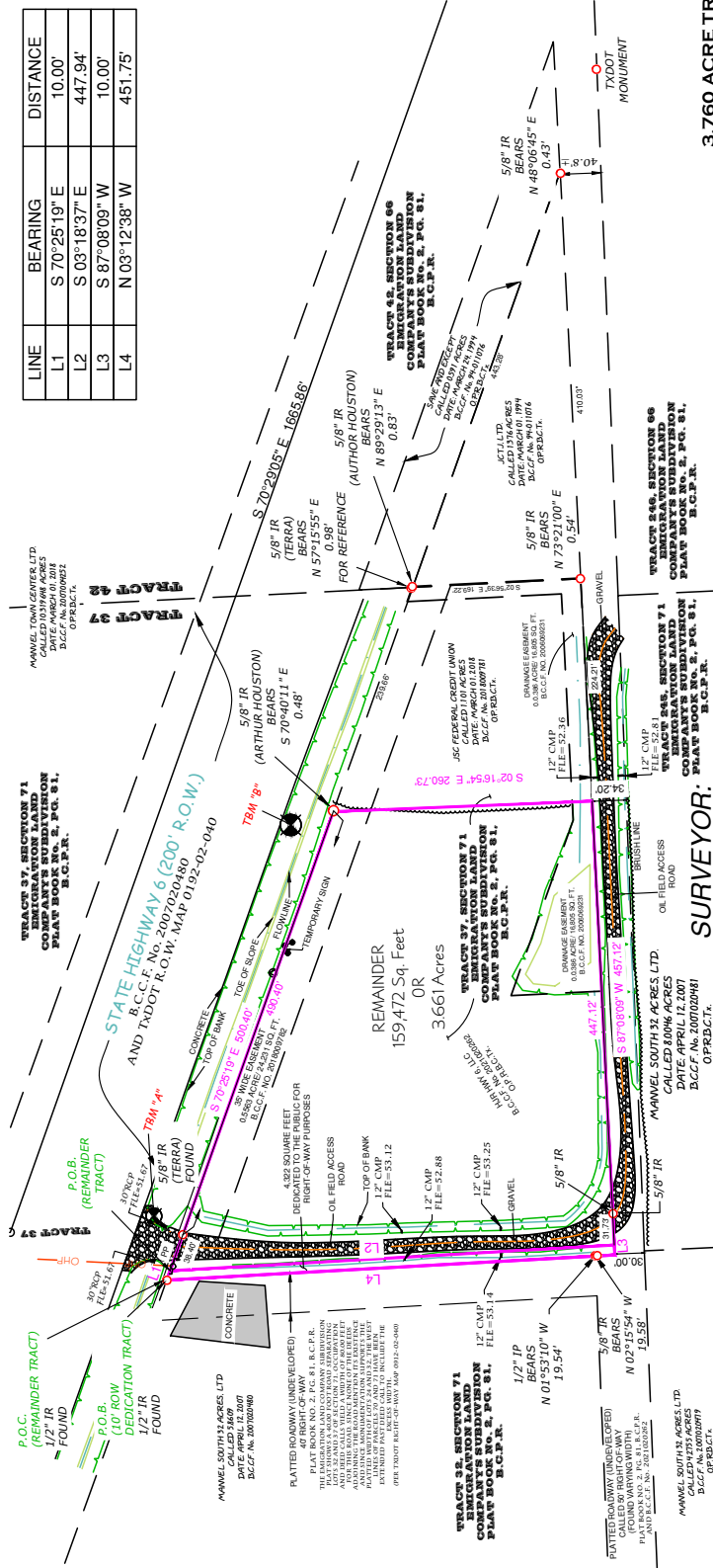
10' R.O.W. DEDICATION



SCALE: 1" = 150'
DATE: NOVEMBER 09, 2024

BRAZORIA COUNTY CLERK'S FILE
B.C.C.F.
B.C.P.R.
CORRUGATED METAL PIPE
OFFICIAL PUBLIC RECORDS BRAZORIA COUNTY TEXAS
POINT OF BEGINNING
P.O.B.
POWER POLE
PP.
REINFORCED CONCRETE PIPE
RCP.

LINE	BEARING	DISTANCE
L1	S 70°25'19" E	10.00'
L2	S 03°18'37" E	447.94'
L3	S 87°08'09" W	10.00'
L4	N 03°12'38" W	451.75'



SURVEYOR:

F.M.S. SURVEYING
7523 RUSSELL STREET,
MANVEL, TEXAS 77578
PHONE: (281) 519-8530,
EMAIL: rchase@fmsurveying.com
TBPELS FIRM # 10040400
FMS JOB No. 66397
DRAFTING: REC
www.fmsurveying.com



3.760 ACRE TRACT OF LAND
DESCRIBED IN DEED TO HJR HWY 6,
L.L.C., RECORDED IN/UNDER BRAZORIA
COUNTY CLERK'S FILE NUMBER
2021020262 OF THE DEED RECORDS
OF BRAZORIA COUNTY, TEXAS,
H.T. & B.R.R. CO. SURVEY
ABSTRACT NO. 560,
BRAZORIA COUNTY, TEXAS.

NOVEMBER 14, 2024

SHEET 1 OF 3

EXHIBIT "B"

10' R.O.W. DEDICATION

METES & BOUNDS DESCRIPTION

OF

a 4,322 square foot tract of land for the purpose of a 10.00 foot road right-of-way dedication, out of and being part of that certain tract of land described in deed to HJR HWY 6, LLC. under Brazoria County Clerk's File No. (B.C.C.F. No.) 2021020262, Official Public Records Brazoria County, Texas (O.P.R.B.C.Tx.), being situated in the H.T. & B.R.R. Survey, abstract Number 560, Brazoria County, Texas, with said 4,322 square foot tract of land being further described in metes and bounds as follows, (all bearings referenced hereon are based on the Texas State Plane Coordinate System. South Central Zone No. 4204, NAD 83);

BEGINNING: at a 1/2-inch iron rod found in the South line of State Highway 6 (called 200.00 feet in width), as shown on TXDOT right-of-way-map 0192-02-040, at the Northeast corner of a 40' unopened road right of way, at the Northwest corner of this tract;

THENCE: S 70°25'19" E, along and with the South line of said State Highway 6 and North line of this tract, a distance of 10.00 feet to a Point For Corner, same being the Northwest corner of the remainder of the HJR HWY 6 tract and Northeast corner of this tract, from which bears a 5/8-inch iron rod with cap stamped "Terra" found S 70°25'19" E, 38.40 feet;

THENCE: S 03°18'37" E, departing from the South line of said State Highway 6, along and with the West line of said remainder of the HJR tract and East line of this tract, and to the North line of a Platted Road (called 50.00 feet in width), but found varying width, as shown on map recorded in/under Pat Book No. 2, Page 81, a distance of 447.94 feet to a Point For Corner, same being the Southwest corner of said HJR HWY 6 remainder tract and Southeast corner of this tract, from which bears a 5/8-inch iron found, N 87°08'09" E, 31.73 feet;

THENCE: S 87°08'09" W, along and with the North line of said Platted Road (varying width) and the South line of this tract, a distance of 10.00 feet to a Point For Corner, same being the Southeast corner of said 40' unopened right of way and Southwest corner of this tract, from which bears a 5/8-inch iron rod found N 02°15'54" W, 19.58 feet and also bears a 1/2-inch iron pipe found, N 01°15'54" W, 19.54 feet;

THENCE: N 03°12'38" W, along and with the West line of this tract and East line of said Manvel South 32 Acres, LTD. tract, a distance of 451.75 feet to the **POINT OF BEGINNING** and containing 4,322 square feet of land for the purposes of a 10.00 foot right-of-way dedication.

EXHIBIT "C"
REMAINDER 3.661 ACRE
TRACT

METES & BOUNDS DESCRIPTION

OF

a 3.661 acre (159,472 square foot) tract of land, out of and being part of that certain tract of land described in deed to HJR HWY 6, LLC. under Brazoria County Clerk's File No. (B.C.C.F. No.) 2021020262, Official Public Records Brazoria County, Texas (O.P.R.B.C.Tx.), being situated in the H.T. & B.R.R. Survey, abstract Number 560, Brazoria County, Texas, with said 159,472 square foot tract of land being further described in metes and bounds as follows (all bearings referenced hereon are based on the Texas State Plane Coordinate System. South Central Zone No. 4204, NAD 83);

COMENCING: at a 1/2-inch iron rod found in the South line of State Highway 6 (called 200.00 feet in width), as shown on TXDOT right-of-way-map 0192-02-040, at the Northeast corner of a 40' unopened road right of way, at the Northwest corner of a proposed 10.00 foot road right of way dedication tract;

THENCE: S 70°25'19" E, along and with the South line of said State Highway 6 and North line of a proposed 10.00 foot road right-of-way dedication, a distance of 10.00 feet to a Point For Corner and **POINT OF BEGINNING** of the herein described tract;

THENCE: S 70°25'19" E, continuing along and with the South line of said State Highway 6, along and with the North line of this tract a distance of 38.40 feet passing a 5/8-inch iron rod with cap stamped "Terra" found, for a total distance of 490.40 feet to a Point For Corner, same being the Northwest corner of a certain tract of land described in deed to JSC Federal Credit Union, recorded in/under B.C.C.F. No. 2018009781, O.P.R.B.C.Tx. and Northeast corner of this tract, from which bears a 5/8-inch iron rod with cap stamped "Arthur Houston" found, S 70°40'11" E, 0.48 feet;

THENCE: S 02°16'54" E, departing from the South line of said State Highway 6, along and with the West line of said JSC Federal Credit Union tract and East line of this tract, and to the North line of a variable width unopened road right of way, a distance of 260.73 feet to a Point For Corner, same being the Southwest corner of said JSC Federal Credit Union tract and Southeast corner of this tract;

THENCE: S 87°08'09" W, along and with the North line of said variable width unopened road right of way and South line of this tract, a distance of 415.39 feet passing a 5/8-inch iron rod, for a total distance of 447.12 feet to a Point For Corner, same being the Southeast corner of a Proposed 10.00 foot road right of way dedication tract and Southwest corner of this tract;

THENCE: N 03°18'37" W, departing from the North line of said variable width unopened road right of way, along and with the East line of said Proposed 10.00 foot road right of way dedication tract, a distance of 447.94 feet to the **POINT OF BEGINNING** and containing 3.661 acres of land.

I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE GROUND, AND IN ACCORDANCE WITH THE INFORMATION PROVIDED TO ME, AND CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY.



SCOTT R. SHERIDAN
REGISTERED PROFESSIONAL LAND SURVEYOR, No. 6171



NOVEMBER 14, 2024



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: December 2, 2024

TOPIC: A request by Garrett Nondorf, with permission from the Del Bello Lakes Subdivision owner/developer, to amend Ordinance No. 2020-O-14 which pertains to zoning and development related provisions and requirements for Del Bello Lakes Planned Unit Development (PUD) to authorize NAICS use code 4411 "Motor Vehicle Dealer" for the 16 acres commercial property generally located at the southeast corner of Highway 288 and Del Bello Boulevard.

BACKGROUND: Ordinance No. 2017-O-45 created the Del Bello Lakes Planned Unit Development District (PUD). This Planned Unit Development was previously amended twice to include (1) temporary signage allowance for the residential development (Ordinance No. 2020-O-2) and (2) specific signage regulations for the Keating Toyota site. The applicant is requesting a PUD amendment to allow a second Motor Vehicle Dealership use within the 16-acre commercial tract on the south side of Del Bello Road. The PUD allowance for Motor Vehicle Dealership uses is limited to the tract on the north of Del Bello Road, which allowed the existing Toyota dealership.

This request was submitted in August 2024. The applicant has provided with a concept site plan for the that entire 30-acre tract with approximate 16-acre car dealership along the SH 288 frontage and other retail uses on the remaining 14-acre tract. According to this conceptual plan the car dealership includes two roughly 30,000 square-foot buildings, and an associated car wash for the dealership. The site plan also depicts five pad sites for restaurants with drive-throughs along Del Bello Road and other commercial uses, and an interior parcel on the remaining acreage.

The applicant has indicated that the tract is more suited for a car dealership and that they have not received much interest from other commercial businesses such as restaurants and offices. They have also indicated that they have two potential buyers interested in developing a car dealership at this location. They have argued that if the PUD amendment is not approved, the tract shall remain vacant or a long time. The applicant has also stated that the amount of sales tax provided to the City of Manvel would be limited as the state of Texas dictates the portions of sales tax that go to cities. In general, sales tax is provided for part sales and services at the dealerships.

A public hearing for this request was held by the Planning, Development, and Zoning Commission (PD&Z) on August 26, 2024 and one was held by the City Council on September 3, 2024. Following these public hearings, the applicant has reached out the staff and confirmed that the requested allowance for the car dealership only applies to 16 acres out of the 30-acre commercial tract as shown in the proposed concept site

plan. The applicant is also proposing certain design features such as landscaping buffer, masonry wall, and outdoor lighting measures to address public comments and concerns.

POINTS TO CONSIDER:

- Del Bello Lakes Planned Unit Development is predominantly residential with very limited commercial acreage allocation. An approximate 81% of the acreage is allocated for residential lots, associated infrastructure and amenities. The commercial acreage is limited to roughly 19% of the total acreage (approximately 50 acres).
- Out of the total 50 acres allocated for commercial, 16.97 acres used by the existing car dealership, which is an approximate 35.94% of the total commercial allowance (Table 1 below).
- Approval of this proposed amendment to allow a car dealership on 16 acres will result in a total of 33.97 acres (including the existing Toyota dealership) dedicated for motor vehicle sales use. This constitutes approximately 67.94% of the commercial allocation and will result in reduced variety of other retail uses. The PUD was created with an expectation that the only one car dealership will be allowed, and that the remaining commercial acreage would include other retail sales and service uses needed to serve the residents.
- Due to the location of the subject site along a major thoroughfare, the proposed amendment is not anticipated to create any traffic related concerns.
- The detention capacity for the subject site was considered in the overall drainage plan and calculation for Del Bello Lakes development. Therefore, an on-site detention will not be required.



Table 1: Del Bello PUD - Analysis of Commercial Acreage		
Use	Acres	Percentage
Existing Motor Vehicle Dealership.	17.97	35.94%
Proposed Motor Vehicle Dealership	16	32.00%
Remaining Commercial*	16.03	32.06%

PUBLIC HEARING COMMENTS FROM THE AUGUST 26, 2024, PD&Z MEETING:

During the public hearing held at the August 26, 2024 PD&Z meeting, 14 members of the public spoke regarding this PUD amendment; 12 members were against the requested PUD amendment and two members were not opposed to the request. Following is a summary of the comments from the members of the public.

Concerns mentioned during the PD&Z public hearing:

1. Lighting: The members of the public were concerned with the lighting at the proposed dealership. Several suggestions included a lower color temperature to be less bright for the existing dealership. Another suggestion was stating the hours for dealership lighting and after-hours lighting.
2. Traffic: There were several concerns regarding test drives within the adjacent neighborhoods, and car haulers driving down roads causing damage (Iowa Lane

for example). Some members spoke about not wanting more traffic on Del Bello Boulevard and other roads. There was also a concern of safety of those on speeding test drives or not paying attention through neighborhoods where children and pets are located.

3. Drainage: There were concerns regarding the required detention for this proposed development, and that development of this could cause drainage/flooding issues.
Note: Based on the detention calculation in the Detention and Drainage Facilities Plan for the Del Bello Lakes Development, the provided detention has sufficient capacity to accommodate the subject site.
4. Noise: There was a complaint regarding the noise that the dealership produces, including using the alarms to find vehicles on the lot.
5. Property values: There were concerns that having another dealership could reduce the values for homes in the area.
6. Community benefit: There were suggestions that any development should benefit the community, such as commercial uses including restaurants or family friendly businesses such as a YMCA. Several members spoke that the dealership would provide less benefit for the new car dealership being added for this area.

Comments for those neutral for proposed PUD amendment:

1. "With the car dealership, at least we know what we are getting, and that they will be closed on Sunday." A strip center could have later hours and they believe that traffic will be reduced when 288 construction is complete. They suggested having a lower color temperature for lighting.
2. Prefer to have one owner instead of a strip center with restaurants, dry cleaners, could be much worse. They were for the dealership, but recommended having hours tied to the lighting, and some concern with traffic on Del Bello.
3. Neutral, they feel something could be done with the lighting plans to address concerns.

PUBLIC HEARING COMMENTS FROM SEPTEMBER 3, 2024, COUNCIL MEETING:

During the public hearing held at the August 26, 2024 PD&Z meeting, 6 members of the public spoke regarding the requested PUD amendment. Following is a summary of the comments from the members of the public.

1. Noise: Concerns were mentioned regarding the noise of another dealership, especially in the late night.
2. Health: Concerned with the health effects of operations of a new dealership and required tanks.
3. Traffic: Concerns with more traffic in neighborhoods and stop signs being ran,

worried about children and pets' safety.

4. Clarification question: Provide more information to residents to get a meeting consensus prior to meeting. Clarification on NAICS Code 4410 and uses for the property.
5. Landscape buffer: Recommend including a landscape buffer with trees to buffer residents, if approved.

SEPTEMBER 23, 2024, PD&Z MEETING:

The requested PUD amendment was included on the September 23, 2024 agenda as a workshop item as well as an action item. The applicant, due to an urgent family event, requested to reschedule their item, therefore, no action was taken. However, the item was discussed as a workshop item so that the Commission had an opportunity to refresh their memory and ask questions. However, since the applicant had not provided any update and were not able to attend the meeting, the discussion was limited to the original request.

October 15, 2024, PD&Z meeting:

The applicant presented the requested PUD Amendment and clarified that the revision specifies the allowance for motor vehicle sales use, limited to 16 acres as indicated in the concept plan.

KEY CONCERNS AND RESPONSES PROVIDED BY THE APPLICANT:

- Drainage
The applicant mentioned that Mr.  Rusk from LJA Engineering confirmed that the detention provided for the Del Bello Lakes Development has sufficient capacity to accommodate the subject site. Therefore, no additional detention is required for the commercial development.
- Noise Mitigation:
The property owner has agreed to construct a 6-foot composite wood wall along the boundary between the 16-acre commercial area and the residential properties to reduce noise. The existing residential backyard fence will remain in place.
- Foliage:
Trees will be planted at 30-foot intervals along the boundary of the 16-acre site. A mix of evergreen tree species will be used, and a 25-foot landscape setback will be provided to further buffer the residential areas from the commercial use.
- Lighting:
All lighting will comply with Manvel's new lighting standards and will meet or exceed the mitigation strategies used at the car dealership north of Del Bello Blvd. A photometric plan is currently being prepared to ensure compliance.

STAFF RECOMMENDATION: Staff does not recommend approval of Ordinance No. 2024-O-35 as the proposed amendments to the Del Bello Planned Unit Development (PUD) as the proposed land uses do not provide for sufficient variation in commercial designated areas within this development.

Recommended Conditions if the PD&Z is considering Approval:

Per the request of the applicant, staff recommends tabling of this request to allow the applicant to address concerns, including the following previous conditions:

1. Motor Vehicle Sales use on the southside of del bello road shall be limited to 16 acres of land as shown in the proposed concept plan.
2. Only motor vehicle sales use which primarily sells new cars shall be permitted.
3. A minimum 25-foot landscaping buffer shall be provided between the car dealership and abutting residential lots with a minimum of one tree planted every twenty feet.
4. A minimum 6-foot-tall masonry fence shall be installed within the landscape buffer.
5. Outdoor lighting shall be shielded and shall conform with the Illuminating Engineering Society of North America ("IES") criteria for full cut-off fixtures, which is 100 percent of light output below 90 degrees, and 90 percent of light output below 80 degrees from a vertical line through the fixture.
6. Outdoor lighting shall be deflected, shaded, and focused away from abutting properties and shall not be a nuisance to abutting properties, and shall be designed so that any overspill of lighting onto abutting properties shall not exceed three-tenths foot-candles, measured vertically and horizontally.

PD&Z RECOMMENDATION: On October 15, 2024, the Planning, Development, and Zoning (PD&Z) Commission recommended the following additional conditions to the staff conditions:



1. Engineered 8ft masonry wall requirement instead of 6ft,
2. Change staff recommendation number 3 to a minimum of 45 feet instead of 25 feet with one tree every 20 feet,
3. Add dimmable to staff recommendation number 6,
4. The dealership must accommodate any vehicle transport deliveries on property.

A motion to recommend approval of Ordinance No. 2024-O-35 to the City Council failed with a vote of one (1) "Yeas" to five (5) "Nays" at their October 15, 2024, meeting. Therefore, the Planning, Development, and Zoning commission is not recommending approval of Ordinance No. 2024-O-35 that pertains to the requested Del Bello Lakes PUD amendment.

OCTOBER 21, 2024, CITY COUNCIL MEETING:

The applicant requested to postpone their item to allow more time to adjust the proposed plan based on feedback from the October 15, 2024, PD&Z meeting and discussions with a few residents that followed.

Therefore, City Council made a motion to postpone it to November 18th, 2024 with a vote of six (6) "Yeas" to zero (0) "Nays".

NOVEMBER 18, 2024, CITY COUNCIL MEETING:

The City Council approved Ordinance No. 2024-O-35 with the following conditions, passing the motion with a vote of five (5) 'Yeas' to two (2) 'Nays':

1. Motor Vehicle Sales use on the south side of Del Bello Road shall be limited to 16 acres of land as shown in the proposed concept plan.
2. Only motor vehicle sales use which primarily sells new cars shall be permitted.
3. A minimum 30-foot landscaping buffer shall be provided between the car dealership and abutting residential lots with a minimum of one 3.5-inch caliper evergreen tree planted every 25-feet.
4. A minimum 8-foot-tall masonry fence shall be installed within the landscape buffer.
5. Outdoor lighting shall be shielded and shall conform with the Illuminating Engineering Society of North America ("IES") criteria for full cut-off fixtures, which is 100 percent of light output below 90 degrees, and 90 percent of light output below 80 degrees from a vertical line through the fixture.
6. Outdoor lighting shall be deflected, shaded, dimmable and focused away from abutting properties and shall not be a nuisance to abutting properties, and shall be designed so that any overspill of lighting onto abutting properties shall not exceed three-tenths foot-candles, measured vertically and horizontally.
7. The dealership must accommodate any vehicle transport deliveries on property.
8. No mini storage allowed on the 30-acre commercial tract.

ATTACHMENTS Ordinance No. 2024-O-35 Application packet.

**FUNDING ISSUES**

- ☒ **Not applicable**
☐ **Not budgeted**
☐ **Full amount already budgeted**
☐ **Funds to be transferred from Acct.#**

SUBMITTING STAFF MEMBER
Ellie Roohbakhsh

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____

**DEVELOPMENT SERVICES DEPARTMENT**

20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

REZONING APPLICATION**PROJECT INFORMATION**

Project Name: PID 173460
Project Location/Address: SE Corner of Hwy 288 + Del Bello Blvd
Legal Description: _____
Current Zoning: Light Commercial Proposed Zoning: Light Comm. w/ Car Dealership Allowed
Parcel/Tax ID# (s): 173460 Total Acreage: 30.36 Proposed Land Use: Car Dealership

APPLICANT INFORMATION

Applicant Name: Garrett Nandorf
Company Name: 288 Associates LP
Address: One Greenway Plaza, Ste 750 City: Houston State: TX Zip: 77046
Phone #: 713-623-6000 Email: G.Nandorf@FlagshipCo.com

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT, and I, the undersigned, am authorized to make this application on behalf of the owner(s). I understand that this application will expire one year from the date submitted.

[Signature] 6/14/2024
Applicant Signature (REQUIRED) Date

PROPERTY OWNER INFORMATION

Owner(s) Name: 288 Associates, LP
Address: One Greenway Plaza, Ste 750 City: Houston TX State: TX Zip: 77046
Phone #: 713-623-6000 Email: DMarberg@Flagshipco.com

PROPERTY OWNER'S AUTHORIZATION (Required – If owner is also the applicant, must sign as both):

I am the owner of the property for which this application is being made. I authorize the above person (Applicant) to submit this application and to correspond with the City of Manvel regarding this application on my behalf.

[Signature] 6/14/2024
Owner's Signature (REQUIRED) Date



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6

MANVEL, TX 77578

P: 281-489-0630

F: 281-489-0634

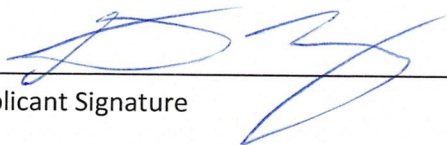
SUBMITTAL CHECKLIST

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the development; however, it is incumbent upon the applicant to inquire about these exceptions for your project **before** submitting an application. Answers to rezoning applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a formal application. Please call the phone number on the application to schedule an appointment. Submit application and accompanying documents to the Permits and Inspections at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

REZONING SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Rezoning Application (with all signatures)	✓
One (1) Legal Description of Property (metes & bounds description if not platted)	✓
One (1) Copy of Recorded Plat (if platted)	N/A
One (1) Applicant Letter of Request	✓
Traffic Impact Analysis, if applicable	
Paid Application Fee	✓

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.


Applicant Signature

6/14/2024
Date



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

LETTER OF AUTHORIZATION

Have property owner complete and sign, if applicant differs from property owner.

288 Associates, LP
Owner Name

One Greenway Plaza, Ste 750
Owner Address

Houston, TX 77046
Owner City, State Zip

6/14/2024
Date

Development Services
20025 Highway 6
Manvel, TX 77578

Dear City of Manvel Development Services,

I, 288 Associates, LP, certify that I am the owner of the project property located at SE Corner of Hwy 288 + Del Bello Blvd and that the forgoing statements and answers made and all data, information, and evidence herewith submitted are in all respects to the best of my knowledge and belief, true, and correct. I appoint Garrett Nondorf with the company _____ (if applicable) to act as my representative for this project. I agree to be responsible for payment of bills due to the City of Manvel related to this application. Furthermore, I understand that any material misrepresentation of this application, failure to comply with ordinances, and /or failure to remit payment for services can lead to delays in this project – up to and including rejecting the project and forfeiting any fees paid.

Please contact me directly at DMinberg@Flagshipco.com if you have any questions.

Sincerely,

David Minberg on behalf of
Owner Name 288 Associates, LP

Owner Signature [Signature] Managing Partner

PUD Amendment Request for Ordinance No. 2017-O-45

Dear Mr. Duval,

I am writing to propose an amendment to the Public Utility District (PUD) Agreement (Ordinance No. 2017-O-45) to allow for the specific zoning use of car dealerships within the PUD south of Del Bello Blvd.

Please find attached a letter addressing three items:

1. Reasoning for why the PUD amendment is being requested,
2. Support for why the applicant/property owner is petitioning to amend the PUD, and
3. Suggested changes to language in the adopted PUD document.

Respectfully,

Garrett Nondorf, Owner's Representative

Letter to Manvel PD&Z

As an owner of property in Manvel for more than twenty years, we have observed the incredible growth the City has experienced in the past decade. This encouraging trend has and will continue to lead to greater opportunities both culturally and financially, and we look forward to being a small part of that.

In our section of the City, at Hwy 288 & Del Bello Blvd, we have begun to see the symptoms of growth pop up around us with the development of the Del Bello Lakes community and a Toyota car dealership. As we look forward to what is next in the area and choose viable users for our 30-acre land tract, we must assess how long it will take for the surrounding growth to mature and be able to sustain businesses that will thrive.

In performing this assessment, it has become clear to us that there are significantly more households required to support many services beyond more than just convenience stores and gas stations. Citizens want a vibrant city, not one where buildings sit vacant and land sits empty. It is our goal to move this portion of the city towards that vibrant and thriving end. Towards that purpose, we have identified car dealerships as both a viable use for this specific land and an accretive business interest for the City. Ordinance 2017-O-45 currently does not allow for the use of car dealerships south of Del Bello Blvd and that is why we are applying to amend the PUD agreement.

By amending the PUD Agreement to include car dealerships as an allowable land use, we can foster a diverse and dynamic mix of commercial enterprises that cater to the needs and preferences of Manvel residents. This amendment would align with the long-term vision and goals outlined in the city's 2015 comprehensive plan, promoting sustainable growth and prosperity while preserving the unique character and identity of Manvel. Without allowing for car dealerships in the PUD, the site's viable options for development will be extremely limited and it will continue to sit vacant for the foreseeable future.

As Manvel has strived to build and maintain City systems and infrastructure during the recent extended period of population growth, water and sewer availability has become a closely watched resource. Car dealerships have very low water & sewer requirements on a per square foot basis and placing a dealership here would limit the impact on the City's water & sewer capacity. The trunk water and sewer are already in place to the boundary of the commercial site and ready for connection. Additionally, outfall drainage and detention are already in place so there is no additional detention needed to develop the commercial sites. Any interior drainage would comply with city regulations.

Safety and security is the primary concern in regard to lighting at the property. However, we recognize the importance of not disturbing neighboring homes with light pollution. To that end, the dealership user would comply with all city restrictions. Additionally, the use of House Side Shields and appropriate pole heights would be part of this plan.

The existing car dealership has been a good neighbor in the community. Their employees volunteer at local charities and events and the business donates to multiple Manvel charitable causes. That includes the donation of cars to Manvel PD for use in sting operations and the Shop with a Cop charity event during Christmas. The dealership also employs Manvel PD to prevent crime, having

them on duty every day from 10 in the evening to 6 in the morning. We believe they will continue to be a good neighbor and be amenable to requests from the City in order to create another location at this site should they wish to be the user at our site.

The car dealership has generated economic value for Manvel in the form of new jobs, new residents, and increased tax revenue. Of the more than 150 employees at the existing dealership, nearly half of them now have homes in Manvel. While the direct sales tax paid by car dealerships is generally low relative to their total sales, the economic growth and indirect sales tax dollars received can surpass that of another commercial use on the site paying standard sales tax rates to the City.

The dealership currently operating at the northeast corner has said over 70% of their business comes from out-of-town customers, pulling consumers in from Sugar Land, Gulf Freeway, Clear Lake, League City, and the Med Center. This ability to attract consumers from other towns also generates ancillary businesses nearby to take advantage of the larger customer base. With the success that this dealership has had at their location north of Del Bello, there is demonstrable demand for more automobile sales in this area, which will lead to more jobs, more local businesses, and higher income for the City.

For the reasons stated above, we propose that the language currently listed under “Automobile Sales” in the PUD Agreement be amended from:

Automobile Sales (Permitted on commercial property located north of Del Bello Blvd ONLY)
441 2017 NAICS Code Motor Vehicle and Parts Dealers (No Specific Use Permit is required for this use)

To:

Automobile Sales (Permitted on commercial property located north of Del Bello Blvd and on the specified 16 acre tract south of Del Bello Blvd ONLY)
441 2017 NAICS Code Motor Vehicle and Parts Dealers (No Specific Use Permit is required for this use)

I respectfully request that the City of Manvel Planning, Development, and Zoning Department consider this proposal and undertake the necessary steps to amend the PUD Agreement accordingly. I am available to discuss this matter further and provide any additional information or support as needed.

Thank you for your attention to this matter and we look forward to a favorable outcome that will benefit our community as a whole.

Respectfully,

Garrett Nondorf, Owner’s Representative

DETENTION CALCULATIONS:

EXAMPLE:

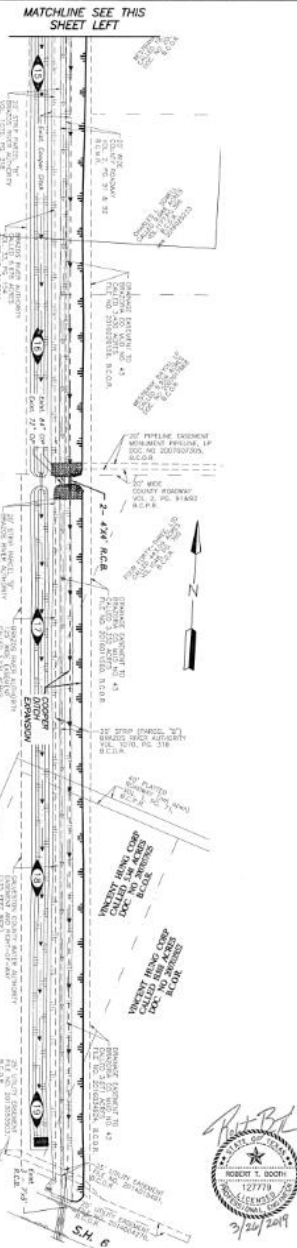
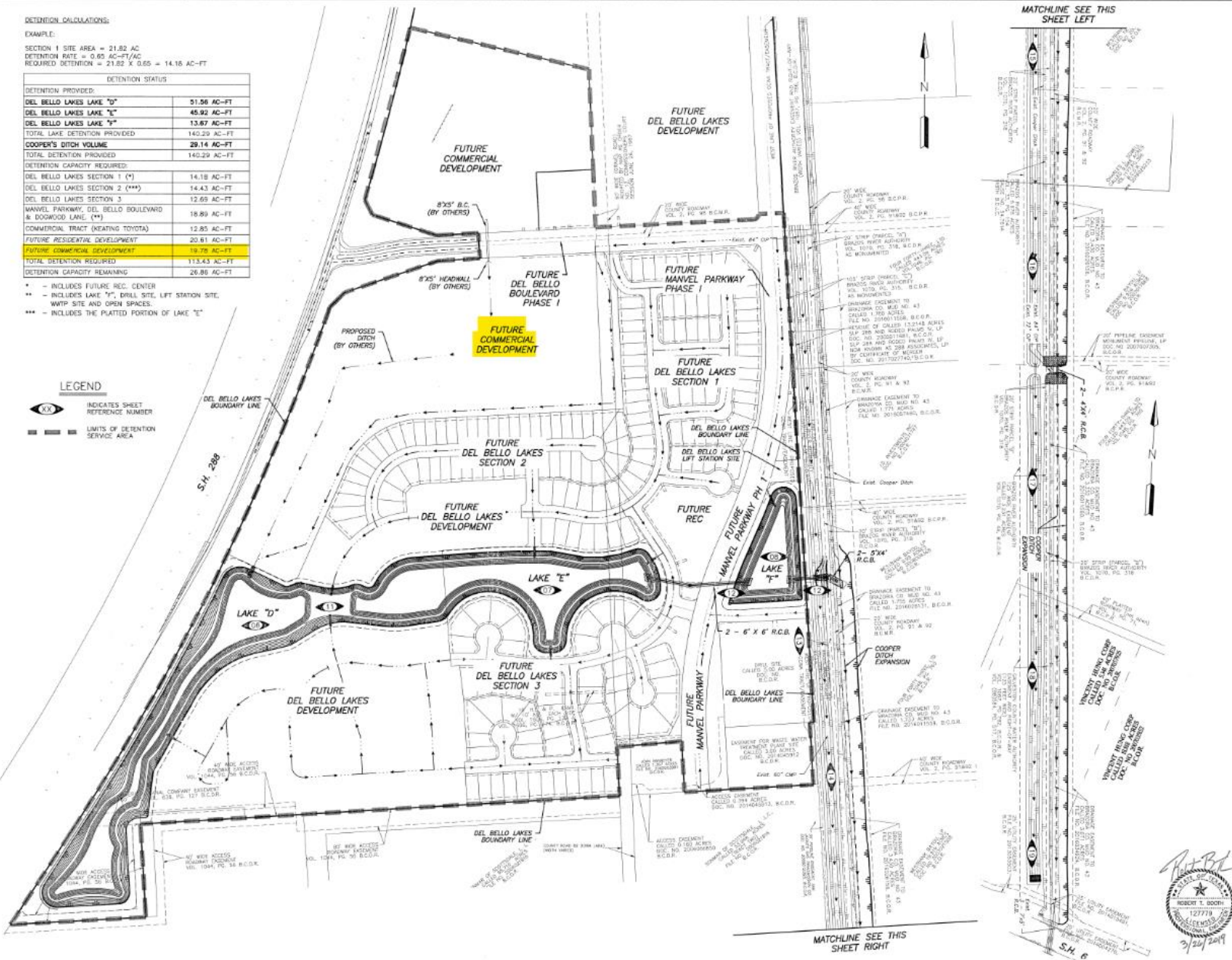
SECTION 1 SITE AREA = 21.82 AC
 DETENTION RATE = 0.05 AC-FT/AC
 REQUIRED DETENTION = 21.82 X 0.05 = 14.18 AC-FT

DETENTION STATUS	
DETENTION PROVIDED:	
DEL BELLO LAKES LAKE "D"	51.56 AC-FT
DEL BELLO LAKES LAKE "E"	45.92 AC-FT
DEL BELLO LAKES LAKE "F"	13.67 AC-FT
TOTAL LAKE DETENTION PROVIDED	140.29 AC-FT
COOPER'S DITCH VOLUME	29.14 AC-FT
TOTAL DETENTION PROVIDED	140.29 AC-FT
DETENTION CAPACITY REQUIRED:	
DEL BELLO LAKES SECTION 1 (**)	14.18 AC-FT
DEL BELLO LAKES SECTION 2 (***)	14.43 AC-FT
DEL BELLO LAKES SECTION 3	12.69 AC-FT
MANUEL PARKWAY, DEL BELLO BOULEVARD & DOGWOOD LANE (**)	18.89 AC-FT
COMMERCIAL TRACT (HEATING TOYOTA)	12.85 AC-FT
FUTURE RESIDENTIAL DEVELOPMENT	20.61 AC-FT
FUTURE COMMERCIAL DEVELOPMENT	19.79 AC-FT
TOTAL DETENTION REQUIRED	113.43 AC-FT
DETENTION CAPACITY REMAINING	26.86 AC-FT

- * - INCLUDES FUTURE REC. CENTER
- ** - INCLUDES LAKE "F", DRILL SITE, LIFT STATION SITE, WATP SITE AND OPEN SPACES.
- *** - INCLUDES THE PLATTED PORTION OF LAKE "E"

LEGEND

- INDICATES SHEET REFERENCE NUMBER
- LIMITS OF DETENTION SERVICE AREA



BOOK DESCRIPTION:

A BRICK DISK STAMPED "CORN-1" SET ON A CONCRETE HEADWALL AT THE INTERSECTION OF CULVERT "2" AND THE NORTH SIDE OF CR 58. A KEY MAP SHOWS NEAR CROSS WEST DETENTION.

ELEVATION = 59.14 FEET, NAVD-83 (2001 ADJ.) (CR 1.85 FEET FOR NAVD-83 (1988 ADJ.))

PRODUCT TYPE:

A 5/8" HIGH ROD WITH AN ALUMINUM THROF DISC LOCATED AT THE INTERSECTION OF CULVERT "2" AND THE NORTH SIDE OF CR 58. A KEY MAP SHOWS NEAR CROSS WEST DETENTION.

ELEVATION = 52.08 FEET, NAVD-83 (2001 ADJ.) (CR 1.85 FEET FOR NAVD-83 (1988 ADJ.))

FLOODPLAIN INFO:

BY GRAPHICAL PLOTTING, THE SUBJECT TRACT DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA. THE SUBJECT TRACT DOES LIE WITHIN ZONE "2" (UNDESIGNED, ON THE FIRM MAP). ZONE "2" (UNDESIGNED) IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 100-YEAR FLOODPLAIN" AS SHOWN ON THE FEDERAL FLOODPLAIN MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS FOR BRAZORIA COUNTY, TEXAS AND INCORPORATED AREAS, MAP NO. 480503010N, EFFECTIVE DATE: JUNE 5, 1989.

THE DEL BELLO LAKES DEVELOPMENT IS ENTIRELY OUTSIDE THE LIMITS OF THE FLOODPLAIN AND THE 100-YEAR FLOODPLAIN.

NOTES:

1. THE PROPOSED SWALES SHOWN ARE TEMPORARY SWALES TO DRAIN UNDEVELOPED AREAS UNTIL THEY ARE DEVELOPED AS A LATER DATE.
2. PROPOSED TEMPORARY SWALES SHALL HAVE A MAXIMUM 5:1 SIDE SLOPE.

DRAINAGE RECORD DRAWING

I, THE ENGINEER, HEREBY CERTIFY THAT THIS DRAWING REFLECTS THE INFORMATION SUBMITTED TO ME BY THE CLIENT, LOCATION AND SPACE AND THAT THE CONSTRUCTION WAS IN SUBSTANTIAL COMPLIANCE WITH THE CONTRACT DOCUMENTS.

CONTRACT NO. 2019-01-001
 DATE: 01/11/2019
 REVISION: 01/11/2019

BRAZORIA COUNTY M.U.D. NO. 43
 PHASE I DETENTION AND DRAINAGE FACILITIES TO SERVE DEL BELLO LAKES

DETENTION SERVICE AREA

LJA Engineering, Inc.

2020 Shapers Drive
 Suite 400
 Houston, Texas 77042
 Phone: 713.853.5330
 Fax: 713.853.5200
 Email: info@lja.com
 Website: www.lja.com

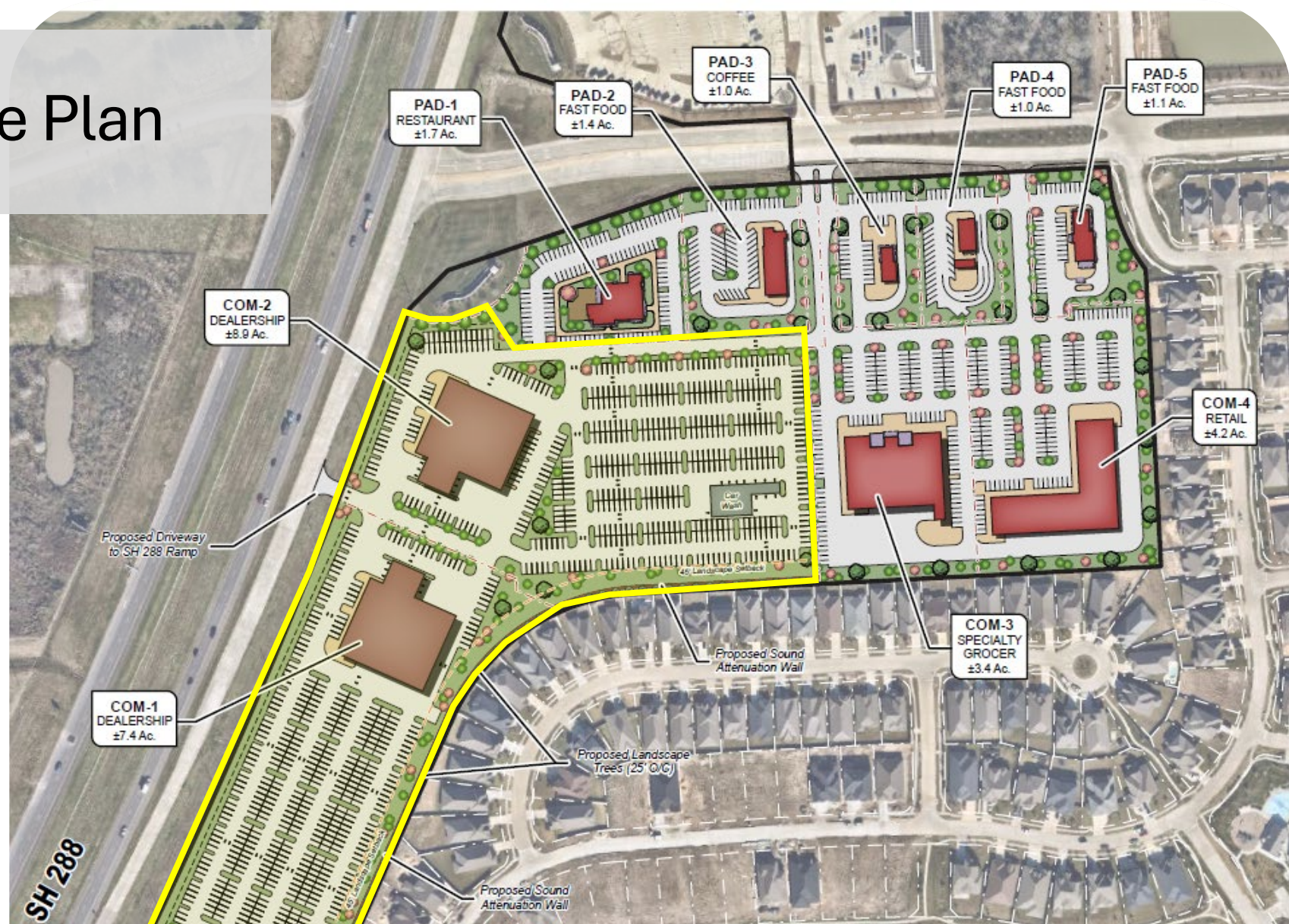
LJA PROJECT NO.: 2197-1812

SUBMITTED: 01/11/2019
 SCALE: 1" = 200'
 DATE: APR 2019
 SURVEYED BY: LJA
 DESIGNED BY: LJA
 CHECKED BY: LJA
 CITY: DALLAS, TX

REVISION: BY: DATE: 01/11/2019
 SHEET NO. 05 OF 22 SHEETS
 CITY: DALLAS, TX



Concept Site Plan



Proposed Amendment Language: Automobile Sales (Permitted on commercial property located north of Del Bello Blvd and on the specified 16+/- acre tract south of Del Bello Blvd as identified on "Exhibit A" and highlighted therein ONLY)

Boundary Wall

- The property owner shall agree to construct a wall to reduce noise along the boundary of the 16 acres where the residential and commercial abut.
- The wall shall be 6' in height and be constructed of composite wood material.
- The existing fence along the residential backyards will remain in place.



Lighting

- Lighting will meet every requirement of Manvel's newly released light standards, and will meet or exceed existing lighting mitigation strategies at the car dealership north of Del Bello Blvd.
- A photometric plan is currently being prepared.



Foliage

- Trees shall be planted at 30' on center along the 16-acre boundary.
- A mix of evergreen tree species shall be used.
- A 25' Landscape Setback will provide further distance from the homes to the commercial usage.



Drainage & Detention

- The residential and commercial property owners had an agreement where the residential developers would construct the necessary detention for all the land within BCMUD 43 including the commercial sites. That outfall drainage and detention is already in place so there is no additional detention needed to develop the commercial sites. In addition, the trunk water and sewer are also in place to the boundary of the commercial site ready for connection. The connection points are along Del Bello Blvd.
- The key is that all developed flow from both commercial sites needs to be conveyed to the southern pond. That is where the detention is located for these sites. The sanitary sewer can be run in multiple different ways to accommodate the site plan but the connection to the system is along Del Bello Blvd.

- *Michael Rusk, PE*

LJA Engineering

ORDINANCE NO. 2024-O-35

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ORDINANCE NO. 2020-O-14 PERTAINING TO ZONING AND DEVELOPMENT RELATED PROVISIONS AND REQUIREMENTS FOR DEL BELLO LAKES PLANNED UNIT DEVELOPMENT (PUD) TO AUTHORIZE NAICS USE CODE 4411 “MOTOR VEHICLE DEALER” FOR THE COMMERCIAL PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF HIGHWAY 288 AND DEL BELLO BOULEVARD; PROVIDING FOR THE AMENDMENT OF THE CITY’S OFFICIAL ZONING MAP, PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

* * * * *

WHEREAS, 288 Associates, L.P. is the owner (the “Owner”) of land in the general area of the northwest corner of the intersection of Hwy 288 and west of SH 6 comprising approximately 267.726 acres and mostly within the boundaries of Brazoria County Municipal Utility District No. 43; and

WHEREAS, the development is named the Del Bello Lakes development; and

WHEREAS, in 2017 the 267.726 acres was rezoned from Open Planned Unit Development (O-PUD) District to the Planned Unit Development (PUD) District and a PUD Document was approved regarding development regulations; and,

WHEREAS, in 2020, by Ordinance No. 2020-O-02, the PUD document provisions were amended related to temporary signage; and,

WHEREAS, in 2020, by Ordinance No. 2020-O-14, the PUD document provisions were amended related to single-tenant monument/pylon sign and wall mounted sign; and

WHEREAS, the owner has made an application for amendment of the Planned Unit Development District to amend the PUD document provisions to allow NACIS code 4411 “Motor Vehicle Dealers” within the commercial district on an approximate 16-acre tract on the south side of Del Bello Lake Boulevard, which currently is prohibited;

WHEREAS, the Planning Development, and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on said PUD document amendment; and

WHEREAS, the Planning, Development, and Zoning Commission has recommended in its report the denial of such request, and

WHEREAS, the City Council deems it appropriate to approve PUD amendments; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The Planned Unit Development (PUD) District for Del Bello Lakes, which was approved by Ordinance 2020-O-14, is hereby amended to allow NAICS code 4411 “Motor Vehicle Dealers” within the commercial district on an approximate 16-acre tract located on the south side of Del Bello Lake Boulevard with the following conditions:

- a) Motor Vehicle Sales use on the south side of Del Bello Road shall be limited to the 16 acres of land as shown in the proposed concept plan ("16-acre Tract").
- b) Only motor vehicle sales use which primarily sells new cars shall be permitted.
- c) A minimum 30-foot landscaping buffer shall be provided between the 16-acre Tract and abutting residential lots with a minimum of one 3.5-inch caliper evergreen tree planted every 25-feet.
- d) A minimum 8-foot-tall perimeter masonry fence shall be installed within the edge of the landscape buffer.
- e) Outdoor lighting shall be shielded and shall conform with the Illuminating Engineering Society of North America ("IES") criteria for full cut-off fixtures, which is 100 percent of light output below 90 degrees, and 90 percent of light output below 80 degrees from a vertical line through the fixture.
- f) Outdoor lighting shall be deflected, shaded, dimmable and focused away from abutting properties and shall not be a nuisance to abutting properties, and shall be designed so that any overspill of lighting onto abutting properties shall not exceed three-tenths foot-candles, measured vertically and horizontally.
- g) The dealership must require any vehicle transport deliveries to be on property.

h) No mini storage allowed on the 30-acre commercial tract south of Del Bello Boulevard.

Section 3. The Del Bello PUD document has been revised and amended to show the allowance of NACIS code 4411 “Motor Vehicle Dealers” and the designation of said land, as described and as provided in Section 2 above, attached hereto as an Exhibit.

Section 4: The Zoning District Map of the City of Manvel shall be revised and amended to show the designation of said land, as described and as provided in Section 2 above, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 5. Development of the Property shall strictly comply with the **Del Bello Lakes Planned Unit Development (PUD)**, attached hereto and made a part of hereof for all purposes.

Section 6. The City Council hereby finds and determines that said rezoning comports to the City’s comprehensive land use plan, and to the extent of any conflict, amends said comprehensive land use plan. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Manvel, save and except the specific change in zoning classification of said tracts as described above.

Section 7. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of

Manvel, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 8. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

PASSED AND APPROVED on first reading this _____ day of _____, 2024.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day of _____, 20____.

Dan Davis, Mayor

ATTEST:

Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney

DEL BELLO LAKES
PUD DOCUMENT

DEL BELLO LAKES

**Planned Unit Development
±267.7 ACRES**

**Prepared for:
MAK Development**

PREPARED BY:

**BGE| Kerry R. Gilbert and Associates
23501 Cinco Ranch Blvd.
Suite A-250
Katy, Texas 77494**



**KERRY R. GILBERT
& ASSOCIATES**

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I. INTRODUCTION

This application was prepared on behalf of MAK Development pursuant to the City of Manvel's ordinances related to Planned Unit Development District (PUD). The purpose of the PUD District is to encourage flexibility in the use and development of land in order to promote the most appropriate uses; to provide a high level of amenities and encourage a pedestrian friendly environment; and to provide flexibility in the development of land subject to the development standards coordinated with the necessary public services and facilities. The PUD also provided long-term certainty in the regulator requirements, development standards and the construction of public and private improvements. This PUD is critical to securing financing and investment for the development. The developers are proceeding with reliance on the binding nature of this document and the city to allow development in accordance with this document.

The Southpointe Crossing PUD District ("Southpointe Crossing") is a mixed-use project located within the City of Manvel, Brazoria County, Texas. Southpointe Crossing consists of approximately 267.7 acres of land and is physically located immediately east of SH 288, north of Highway 6, south of County Road 58, and generally west of FM 1128. The Area Location Map (Exhibit A) located in the Exhibits section of this document illustrates the location of Southpointe Crossing. The overall project site is comprised of several large tracts.

A strong community character will be achieved within the proposed development by creatively mixing land uses, administering high quality architectural and design standards and providing a variety of amenities. Southpointe Crossing will be divided into two areas: 1) commercial and 2) single-family residential. The commercial area will be immediately adjacent to SH 288 and the residential area will compose the remainder of the tract. As a part of the residential component, Southpointe Crossing will contain a wide variety of housing products and price ranges.

II. EXISTING CONDITIONS

SITE DESCRIPTION

Consistent with property in the region, the site upon which Southpointe Crossing will be located (the "Site") is generally flat with ground elevations ranging from 55 feet to 60 feet. Brazoria County is considered to be the coastal prairie with its proximity to the Gulf Coast. The Site has some vegetation but is mostly prairie land and fields. North of the site is CR 58 and the American Canal, at which the American Canal then turns ninety degrees and continues south through the site to Highway 6. Although there are a number of bayous in the region, the Site is not encumbered with a bayou and the Site is not impacted by the floodway or floodplain.

There are a number of existing roads that impact the Site, including,

- SH 288 abuts the western boundary of the Site and is a state roadway. It should be noted that the segment of SH 288 from CR 58 south to SH 6 does not currently include frontage roads.
- CR 82, also known as Iowa Lane, runs north-south through the Site. Iowa Lane provides a strong connection from its current location at CR 58 south to Highway 6. Currently, Iowa Lane is a two lane unimproved roadway.
- Rodeo Palms Parkway is midway between CR 58 and SH 6, and intersects with SH 288. Rodeo Palms Parkway is the boulevard entry into the Rodeo Palms subdivision located on the west side of SH 288. To the east of SH 288, the roadway will become Del Bello Boulevard. Currently, to the east of SH 288, the portion of the road located within the TXDOT right-of-way is paved. A grade separated intersection is planned for the SH 288 and Rodeo Palms/Del Bello Blvd intersection.
- CR 58 (Croix Rd.) located north of the property, currently is a two lane county road that intersects with SH 288.

Also affecting the Site is a fault zone which traverses east/west in two different locations. The location impacts the southern portion of the SLP Tract. A sixty (60) foot easement has been designated for the fault line. A geologist study of the fault was conducted in recent years and, as with other fault zones in the Houston area, earthquakes are not associated with this fault zone.

The development of the Site will be affected by various required proposed physical features including arterial roadways and drainage facilities.

Exhibit B shows an aerial photo of the Site. Exhibits C and D provide a legal description and boundary survey for the property.

SURROUNDING LAND USE

Generally, the surrounding land use is undeveloped acreage with some large lot residential. A residential development, Rodeo Palms, is located across SH 288 to the west and is primarily single-family residential. New Hope Church is also located west of the property, across SH 288. Manvel High School is located nearby on Highway 6.

The surrounding area can be seen on the Area Map and the Project Aerial map (Exhibit A and B). The Sedona Lakes neighborhood is located further north of the site. Pomona is located northwest of the project, on the northern side of CR 58 (Croix Rd).

III. GOALS AND OBJECTIVES

The Southpointe Crossing PUD District creates a quality development with the following goals: community cohesiveness, multiple housing options, quality and character of community, and orderly growth. Further, the goals reflect the flexibility to achieve a high quality mixed-use development in a coordinated suburban setting.

The goals and objectives for Southpointe Crossing are outlined below.

<u>Goal</u>	<u>Objective</u>
Community Cohesiveness	Provide compatible and functional land uses for employment, shopping, living and recreation activities.
Multiple Housing Options	Provide a variety of housing options and price ranges in a single cohesive neighborhood.
Quality and Character of Community	Provide high quality planning and architecture along with implementation of creative designs, building standards, and uniformity in building construction.
Orderly Growth	Provide community integrity through an experienced development team and careful application of flexible regulations and architectural controls.

The goals and objectives for Southpointe Crossing will be achieved through the implementation of a strong neighborhood character and coordination of compatible land uses. In addition, Southpointe Crossing's desirability shall be enhanced by various commercial and retail components including shopping, restaurants, and convenience retail, as well as other community and neighborhood amenities including recreational uses, parks, open space, greenbelts, and trails. The combination of commercial and residential uses in a coordinated and controlled environment will provide the residents with the quality and convenience essential to the community.

The community's strong character will be ensured through guidelines and controls for architectural standards and design aesthetics, open space and landscaping, perimeter treatments and neighborhood amenities, such as sidewalks and neighborhood recreation spaces. There will be guidelines and controls for the single-family residential and for the Commercial development.

Long-term sustainability will be provided for the community through the adoption of a land use plan and regulations that allow for quality responses to market conditions.

Orderly growth will be achieved through a master plan implemented by an experienced land development team. This will ensure a completed project that is consistent in character and content, providing residents, businesses and visitors with a clear sense of community.

In summary, the planning strategies that will be implemented for Southpointe Crossing will ensure its economic feasibility, desirability and quality, by providing flexible land use controls, high quality planning, thoughtful architectural and aesthetic guidelines and meaningful neighborhood recreation spaces.

IV. PROJECT / PLAN DESCRIPTION

LAND USE

Southpointe Crossing will be composed of multiple land uses that may include single-family residential, commercial, retail, recreational, etc. The final composition of the allowed land uses shall be dictated by market conditions.

The Conceptual Development Plan (Exhibit E) for Southpointe Crossing illustrates the mix of uses proposed and the potential for a variety of housing products and commercial areas. The Commercial District includes a number of commercial reserves for larger retail and anchor stores and also smaller pad sites for retail and restaurants. SH 288 and Del Bello Blvd provide the primary access to this area.

The residential component is located west of Manvel Parkway and the American Canal. It will be a collection of individual neighborhood cells that take their access from Del Bello Blvd., Manvel Parkway and/or an internal local street system that provides connections within the neighborhood and to the surrounding areas. The lake/detention components are located throughout the residential areas. The residential cells will be developed with varying lot sizes and product types as market conditions dictate.

The table below lists the various land uses illustrated on the conceptual development plan (Exhibit E), along with their respective acreages and percentage of the gross land area.

Acreage Per Land Use Summary

Land Use Category	Acreage*	% Of Gross Acreage
Infrastructure/Constraints	+31.8	12.0%
Major Thoroughfares (Manvel Parkway and Del Bello Blvd)	±17.9	
Local Streets	+6.7	
Water Plant Site	+2.2	
Wastewater Treatment Plant Sites	+3.0	
Elevated Storage Tank Site***	+2.0	
Recreation / Open Space	+67.0	25%
Recreation Center/Parks	+4.1	
Landscape/ Open Space/ Easements	+9.2	
American Canal	+7.7	
Detention Lakes/Drainage Easements	+41.2	
Drill Site/Park	+4.8	
Non-Residential	+50.0	19%
Commercial	+50.0	
Residential	+118.9	44%
SF Residential (50' x 120')	97 lots	22%
SF Residential (55' x 120')	101 lots	23%
SF Residential (60' x 125')	150 lots	35%
SF Residential (70' x 125')	89 lots	20%
Total	**437 lots	
TOTALS	267.7	

*All acreages are preliminary and are subject to change as development occurs

**Final lot count subject to change in accordance with PUD regulations as development occurs

*** Elevated Storage Tank site: If not used by the City, that site may be developed for any use approved in the PUD or any governmental use.

LAND USE/ REGULATORY COMPLIANCE

In order to implement the conceptual master plan as currently proposed, each of the proposed land uses has been assigned zoning categories consistent with the current City of Manvel zoning regulations. The assigned zoning designations and the total acreage for each are as follows (see Exhibit F):

Zoning Designation	Acreage	% Of Gross Acreage
Light Commercial (LC) Commercial, Retail, Office, Hotel, Mixed-Use, etc.	50.0 acres	18.4%
Single-family Residential Single Family Residential, Recreation/ Open Space, Drainage/Detention, Utilities (WTP, WWTP, Drill Site)	217.7 acres	81.6%
TOTAL	±267.7 acres	100.0%

*All acreages are preliminary and are subject to change as development occurs

Land use shall be regulated on a total acreage basis. Each land use/zoning category may be increased in acreage by up to 10% with a corresponding decrease in the other use. The percentage land use area change is required to ensure the success of Southpointe Crossing by maintaining the flexibility to modify land use sizes in response to changes in economic and market conditions. This will allow Southpointe Crossing to remain competitive in the real estate market over the life of the project and the ability to make adjustments as necessary to accommodate specific end users in a timely manner. However, the following restrictions still apply to specific lot sizes within the development:

- a. Lots having a minimum width of fifty (50) feet shall not exceed the lesser of twenty two percent (22%) of the total lots in the community or 115 total lots.
- b. Lots having a minimum width of less than sixty (60) feet shall not exceed the lesser of forty five percent (45%) of the total lots in the community or 225 total lots.
- c. Lots having a minimum width of sixty (60) feet or greater shall comprise at least fifty five percent (55%) of the total lots in the community.
- d. The total number of lots for the development shall not exceed 500 lots.

Lot Distribution Table

Typical Lot Size	Percentage of Lots
50'X120'	22%
55'X120'	23%
60' wide or larger	55%

Land uses and location of the various lots sizes may be interchanged within the boundaries of the PUD, provided they are in compliance with the acreage and percentage restrictions referred to above and otherwise conform to the City of Manvel's regulations for such uses (unless specifically excepted in this document). In the event a proposed land use exceeds the established acreage by more than 10%, a variance must be requested and approved by the City of Manvel City Council.

The land use/zoning designations for each parcel within Southpointe Crossing are illustrated on the Land Use/ Zoning Categories, Exhibit F.

PERMITTED USES

Residential

In addition to all uses permitted with the City of Manvel Single Family Residential Zoning District the following uses are permitted within the PUD's Single Family Residential District.

Water Plant
Waste Water Treatment Plant
Recreation Center
Sports Fields
Drill Site

Commercial

All uses permitted with the City of Manvel Light Commercial Zoning District are permitted within the PUD's Light Commercial District. In addition, the following uses shall be considered permitted uses with the PUD.

Automobile Sales: NAICS Code 441 (2017) - Motor Vehicle and Parts Dealers. This use is allowed without a Specific Use Permit:

- a) On commercial property located north of Del Bello Blvd,
- b) On the specified 16+/- acre tract south of Del Bello Blvd as identified on Exhibit L, subject to the following conditions:
 - 1. Motor Vehicle Sales use on the south side of Del Bello Road shall be limited to 16 acres of land as shown in the proposed concept plan.
 - 2. Only motor vehicle sales use which primarily sells new cars shall be permitted.
 - 3. A minimum 30-foot landscaping buffer shall be provided between the car dealership and abutting residential lots with a minimum of one 3.5-inch caliper evergreen tree planted every 25-feet.
 - 4. A minimum 8-foot-tall masonry fence shall be installed within the landscape buffer.
 - 5. Outdoor lighting shall be shielded and shall conform with the Illuminating Engineering Society of North America ("IES") criteria for full cut-off fixtures, which is 100 percent of light output below 90 degrees, and 90 percent of light output below 80 degrees from a vertical line through the fixture.
 - 6. Outdoor lighting shall be deflected, shaded, dimmable and focused away from abutting properties and shall not be a nuisance to abutting properties, and shall be designed so that any overspill of lighting onto abutting properties shall not exceed three-tenths foot-candles, measured vertically and horizontally.
 - 7. The dealership must accommodate any vehicle transport deliveries on property.
 - 8. No mini storage allowed on the 30-acre commercial tract.

THOROUGHFARE PLAN

Southpointe Crossing will have ample mobility through the variety of thoroughfares, both existing and future, in and around the tract. The community will have direct access off of SH 288 on the west side of the property. In addition, Del Bello Blvd will be developed as a 120' wide Parkway that extends east west and connects to SH 288. Manvel Parkway (120' ROW) will be constructed north south through the property. Manvel Parkway will connect the tract to SH 6 and CR 58 (Croix Rd) which further increased the mobility.

Commercial Tract

The access to the commercial areas will come primarily from Del Bello Boulevard and SH 288. Additional traffic flow and circulation will be accommodated by Manvel Parkway connecting to Southpointe Crossing from CR 58 (Croix Rd) and SH 6.

Residential

The single-family residential component of the development will take primary access off Manvel Parkway. Additional access may be taken from Del Bello Blvd. where appropriate. Internal local streets will complete the circulation of the residential neighborhood.

The thoroughfare street plan for Southpointe Crossing and the surrounding vicinity is illustrated on Exhibit G - Conceptual Arterial Plan.

DEVELOPMENT GUIDELINES

Unless otherwise outlined in this document, all City of Manvel Subdivision and Zoning regulations in place at the time this document is adopted shall apply to this PUD. Any change to the below guidelines and/or other applicable regulations shall require a variance granted by the City of Manvel City Council.

Residential

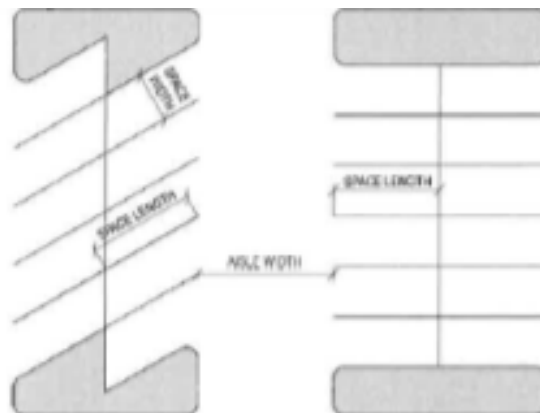
The following regulations apply to all single family development.

- 1) Lot Size - See lot distribution table on Page 7
 - a. Minimum lot size - 6,000 sq.ft.
 - b. Minimum lot width - Fifty (50) feet measured at the building line. Lot width is subject to lot width caps specified under Land Use/ Regulatory Compliance (see page 7).
 - c. Minimum lot depth - No minimum lot depth
- 2) Building Setbacks
 - a. Minimum front yard setback - Twenty five (25) feet on typical lots
- Twenty (20) feet on cul de sac lots
 - b. Minimum side yard setback- Five (5) feet
 - c. Minimum corner yard setback- Ten (10) feet
 - d. Minimum rear yard setback- Fifteen (15) feet, five (5) feet for accessory structures
- 3) Building Height
 - a. Maximum building height - Forty (40) feet

Commercial

- 1) Lot Size
 - i. Minimum lot width - Sixty (60) feet measured at the building line.
 - ii. Minimum lot depth - 100feet
- 2) Building Setbacks
 - i. Minimum front yard setback - Twenty five (25) feet
 - ii. Minimum side yard setback - Zero (0) feet
 - iii. Minimum corner yard setback-Ten (10) feet
 - iv. Minimum rear yard setback - Ten (10) feet

- 3) Building Height
 - i. Building heights must be in compliance with the below standards:
 - i. Pad Site - No building may exceed thirty five (35) feet in height.
 - ii. Commercial Anchor Tenant- No building may exceed sixty (60) feet in height
- 4) Building Materials
 - i. All commercial buildings must be composed of a minimum of seventy five (75) percent masonry exclusive of windows, doors or other transparent materials. The calculation shall be based on the total square footage of all facades.
 - ii. The following materials shall meet the masonry requirement:
 - i. Stone
 - ii. Brick
 - iii. Concrete (including tilt wall)
 - iv. Hollow clay tile
 - v. Concrete Masonry Unit (CMU)
 - vi. Glass block
 - vii. True Stucco
 - viii. Insulated concrete forms (ICF)
 - iii.i Non masonry materials may not exceed twenty five (25) percent of the building's elevation.
 - v. The following non-masonry materials are permitted. Prior to approval of the use of the below materials, proof must be provided to show that the material and installation process meets ICC and Texas Windstorm standards and as approved by the City's Building Official or City Engineer.
 - i. Cementitious Fiber
 - ii. EIFS
 - iii. Architectural metal panels
 - v. Nationally or regionally recognized chains will be permitted to use trademarked "trade dress" specific materials not listed above (metal roofing and/or siding, wood siding, etc.)
 - i. Regionally recognized chains shall mean any chain with a minimum of five (5) locations within the greater Houston area.
 - ii. Nationally recognized chains shall mean any chain with a minimum of ten (10) locations within two (2) or more states.
 - vi. All color selections shall be harmonious with adjacent development within the site and consistent with first rate commercial development in the area.
- 5) Parking
 - i. The project should have a minimum of 5.0 spaces per 1,000 square feet of gross leasable floor area.
 - ii. Shared parking is permitted subject to a public document agreement between the participating owners. Shared parking shall meet the minimum parking ratio requirements.
 - iii. All parking shall be measured based on the below illustration:



- iv. All parking stalls shall be a minimum of ten (10) feet in width by nineteen (19) feet in length and must meet the minimum requirements in the table below:

	Angle	Aisle Width (ft)
One Way	0 Degrees	14
	60 Degrees	24
	90 Degrees	24
Two Way	0 Degrees	20
	60 Degrees	24
	90 Degrees	24

- v. All parking lots shall comply with the Fort Bend County Outdoor Lighting Regulations.

6) Open Storage

- a. Open storage is permitted within the parking lot for temporary seasonal sales or temporary promotional events.
- b. No permits are required for temporary storage

7) Landscape Requirements

- i. A minimum of ten (10) percent of the site (excluding building footprint) shall be landscaped. All pervious area shall be counted toward the total landscape area (excluding pavers).
- ii. Landscaping and/or decorative fence shall screen outside storage areas, loading docks, garbage collection bins and delivery entrances from adjacent property and public street right-of-way
- iii. Street Trees
 - i. A minimum of 1 and ½ caliper inches is required for every thirty (30) feet of street frontage.
 - ii. No street tree shall be less than three (3) inch caliper
 - iii. The maximum allowed spacing between trees is forty five (45) feet.
 - iv. Trees may grouped or placed at regular intervals so long as the spacing requirements listed above are met.
- iv. Parking lot landscaping
 - i. In addition to the Street Trees noted above, a tree of minimum two inch (2") caliper shall be provided within or adjacent to the parking area at tree islands that:
 - a. Are at least nine feet (9') wide.
 - b. Each have a square footage of minimum 180 SF
 - c. Are located so that no parking **space is** further away than one hundred feet (100') from a tree island
 - ii. Shrub planting shall be placed along the perimeter of a parking lot in order to screen the parking lot. The shrubs shall be maintained at a maximum height of 36 inches.
 - iii. At entrance and exits, shrubs shall be no higher than twelve (12) inches in height.

UTILITIES

Utilities will be provided by B.C.M.U.D. No. 43 and the City pursuant to a Utility Agreement.

SIGNAGE

Signage within the PUD shall conform to overall sign guidelines established below.

1) Temporary Signs

- a. Temporary signs used during construction of the development recognizing builders, architects, engineers, leasing representative, lenders, etc., must all be tastefully displayed on one (1) 4' x 8' vertical sign. All temporary signs must be removed when the principle building on the applicable Building Site is occupied. Additional, temporary Builder Signs directing potential home buyers to various neighborhoods/model homes may be installed. These temporary signs will remain as long as homebuilders are constructing in the neighborhood. See Exhibit K for approved signage size and style.
- b. Notwithstanding anything set forth in the PUD to the contrary, temporary billboard signs used by the developer to advertise the development shall be permitted one time over the life of the project. Del Bello Lakes may include one temporary billboard sign ("Dual-Face Sign") generally located at the southwest corner of the development (shown on Exhibit K1 attached hereto), with dimensions not to exceed a sign area of 34.75 feet in width by 10 feet in height, and an overall maximum sign height of 13 feet (measured at grade) (as shown on Exhibit K2 attached hereto), at the general locations shown on Exhibit K3 attached hereto (collectively, "Temporary Signs"). The temporary billboard sign shall be removed on or before April 30, 2021.

2) Neighborhood Monumentation

- a. Primary Neighborhood Monumentation
 - i. Shall be located at intersection of S.H. 288 and Del Bello Blvd
 - ii. May incorporate structural, landscape and water elements
 - iii. Maximum height shall be twenty five (25) feet.
 - iv. Maximum width for the monument structure is 170'
 - v. Letter height shall be proportional to the signage structure
- b. Secondary Monumentation is permitted at all the following locations
 - i. Entrances to individual sections
 - ii. Intersection of HWY 288 and Del Bello Blvd
 - iii. Intersection of Manvel Pkwy and DelBello Blvd.
 - iv. Signage shall be consistent with the style of the Primary Neighborhood Monumentation
 - v. Signage height shall not exceed eight (8) feet when measured from grade
 - vi. Signage width shall not exceed fifteen (15) feet

3) Commercial Signage

- a. **Multi-Tenant Pylon Signs** -A multi-tenant sign is defined as a freestanding sign with signage panels for multiple tenants within a single development. (For example, a multi-tenant sign serving a shopping center may be located on land not owned by the primary tenant but would still be permitted, provided that it's a part of the same development.)
 - i. Maximum Height
 - 1) Signs shall not exceed fifty (50) feet in height along SH 288 frontage.
 - 2) Signs shall not exceed forty (40) in height along all other street frontage.
 - 3) The bottom of such sign message area shall not be less than ten (10) feet above the surrounding finished grade level.
 - ii. Maximum Width - twenty five (25) feet.

- iii. Off-Premise signage located within the development is permitted for other tenants located within the shopping center. No billboard signs are permitted.
- iv. One (1) multi-tenant sign is permitted for each entrance into the development from SH 288 and/or Del Bello Blvd. that is approved by the Texas Department of Transportation (TxDot)
- b. **Single Tenant Monument/Pylon Signs** - A single-tenant sign is defined as a freestanding sign advertising a single use.
 - i. Maximum Height
 - 1) Signs may not exceed six (6) feet in height.
 - ii. Signs shall not exceed fifty (50) square footage in area
 - iii. One single tenant monument sign is permitted for each parcel. If a parcel has frontage on two thoroughfares, one monument sign is permitted on each street frontage.
 - iv. At no point shall any single tenant monument/pylon sign be within 100 feet of any other sign.
 - v. Notwithstanding anything to the contrary set forth herein, on the 18 Ac. Commercial Tract located at the northeast corner of Hwy 288 and Del Bello Blvd, the following signage regulations apply:
 - 1) A single tenant monument/pylon sign no greater than forty (40) feet in height is permitted along Hwy 288. See Exhibit K4 and K6 for approved sign design and location.

c. Wall Mounted Signage

- i. Buildings thirty (30) feet or less in height.
 - 1) Maximum Letter Height - thirty six (36) inches for one line of text, eighteen (18) inches for two lines of text
 - 2) Maximum overall Height - thirty six (36) inches for one line of text, forty two (42) inches for two lines of text.
 - 3) The signage face shall not exceed 80% of storefront width of the tenant space.
- ii. Buildings over thirty (30) feet in height.
 - 1) For every additional six (6) feet in height over thirty (30) feet, an additional twelve (12) inches of letter height is permitted, up to a maximum overall height of seventy two (72) inches.
 - 2) The signage face shall not exceed 80% of the storefront width of the tenant.
- iii. Notwithstanding anything to the contrary set forth herein, on the 18 Ac. Commercial Tract located at the northeast corner of Hwy 288 and Del Bello Blvd, the following additional wall mounted signage regulations apply:
 - 1) Primary wall mounted signage is permitted on the front entrance portal. The signage must be consistent with the approved sign design and location as shown in Exhibit K5 and Exhibit K6.
 - a. Additional wall mounted signage is permitted for any buildings on this tract but will be subject to the regulations listed in i. and ii. above.
- d. All signage shall be located a minimum of ten (10) feet from the property line.
- e. There shall be a minimum of 100 feet between signs.
- f. All signage must be perpendicular to the right of way.

- g. Electronic Reader Boards/ LED screens are permitted under the following regulations:
 - i. LED signs are permitted for on premised signs and/or for tenants within a single development.
 - ii. No internal or external illumination of the LED screens will be allowed between the hours of 10pm and 6am.
 - iii. Maximum illumination will be the difference between ambient light and full wattage cannot be more than .2 foot-candles at 75 feet. Automatic dimmer equipment must be installed and operational.
 - iv. Maximum wattage at 6,500.
 - 1) Temporary Signage
 - a. Subject to the regulations listed in Section 53-10 of the City of Manvel Code of Ordinances in effect at the time this document is approved by City Council.
 - 2) Prohibited Signage
 - a. Unless specifically permitted in the above regulations, all signage listed in 53-11 of the City of Manvel Code of Ordinances in effect at the time this document is approved by City Council, is prohibited.

SITE PLANS

The development of individual commercial parcels shall meet all development guidelines specified above, and within all applicable City of Manvel ordinances.

1) Development Review and Approval

In lieu of the review process specified in Section 77-51 of the Manvel Code of Ordinances, all development plans for non-residential projects within the PUD boundary will be reviewed and approved by the city staff and the Development Review Committee. Staff and the DRC will review to ensure compliance with the PUD document. A permit cannot be unreasonably withheld so long as all PUD standards are met, it meets all applicable laws and city codes and it does not negatively impact the health and safety of the community. If denied, an appeal can be made to the Board of Appeals and/or other applicable committee. This does not apply to the platting process.

AMENITIES/ OPEN SPACE

Open space accounts for approximately 26% of the gross acreage within the Southpointe Crossing. The Open Space calculation includes all parks, landscape reserves, landscaped right-of-ways, pipeline easements, drainage easements, trails, linear parks, tot lots, natural open space areas, drill sites and publically accessible detention/ drainage facilities. The proposed open space amenities and the acreages are as follows:

Open Space Amenity	Acreage*
Recreation Center/Parks	±4.1
Landscape/ Open Space	±1.2
American Canal	±7.7
Detention Lakes/Drainage Easements	±41.2
Drill Site/Park	±4.8
TOTAL	67.0

*All acreages are preliminary and are subject to change as development occurs

Parks Ordinance

Per the City of Manvel parks requirement, there shall be a minimum of one (1) acre of park land for every 100 proposed dwelling units dedicated for the use of parks. Based upon the estimated number of 437 single-family residential homes, the Southpointe Crossing PUD district will be required to provide approximately ±4.4 acres of park space. If the total lot count changes, the parkland dedication requirement will be adjusted in accordance with the minimum requirement listed above. The requirement will be fulfilled with the dedication of ±4.1 acres of a park and recreation center for the Southpointe Crossing as well as over ±40 acres of lake/detention areas within the subdivision. The recreation center will be located centrally within the residential component and will be easily accessible for all residents. The center will likely include a clubhouse and pool facilities. See Exhibit H for a Conceptual Amenities Plan.

1) Parkland will be credited based on the following criteria:

A. Parkland Dedication may be provided through the following methods

a. Private Parkland and/or;

1. No more than fifty (50) percent of the required parkland dedication acreage may be comprised of private parkland

b. Public parks/open space and/or;

- v. Public Parkland may be dedicated to the City of Manvel and/or owned and maintained by the HOA or MUD. However, to be considered public parkland, the area must be available to all residents of the City of Manvel.

- c. Trails and/or;
 - 1. No more than fifty (50) percent of the required parkland dedication acreage may be comprised of trails
 - 2. In order to qualify for credit as trails, land must contain elements as outlined below.
 - a. All-weather hike/bike and or equestrian paths, landscaping and sodding installed according to the construction standards of the city for trails;
 - b. Have connections to surrounding parks, recreation areas, school and/or trails and sidewalks (when applicable).
 - c. Contain an average minimum width of 30 feet and a minimum width of 20 feet;
 - d. Have side slopes not to exceed a three to one (3:1) ratio; and
 - d. Money in lieu of land
- B. The development shall provide ten (10) parking spaces for every acre of required parkland. The required parking may be provided within any of the applicable dedicated parkland reserves. As long as the total number of required parking spaces are provided, separate parking is not required for each parkland reserve. The parking requirement may be met through the following methods and/or any combination of each method-
- a. Off street parking
 - b. Adjacent parking
 - 1. On local residential streets, parallel and/or head in parking immediately adjacent to the travel lanes is permitted so long as the following requirements are met:
 - a. Additional pavement must be provided to accommodate the parking. This must be in addition to the minimum paving width of the required travel lanes.
 - b. The parking must be privately maintained by the MUD or HOA
 - c. May be located within the ROW or adjacent reserve

THOROUGHFARE REALIGNMENT

As part of the City of Manvel thoroughfare plan a variety of major thoroughfares, and major and minor collector streets will be constructed to replace existing city roads throughout the city. These new roadways will be superior to, or at least functionally equivalent to the existing roads. One of the roads proposed to be realigned is Iowa Lane. Currently, Iowa Lane runs north and south through the proposed Southpointe Crossing development.

As a part of the development process for Southpointe Crossing, Iowa Lane is proposed to be eliminated and replaced with Manvel Parkway through the below steps:

- 1) Abandon the Iowa Lane road right of way thru the property. Abandonment will be completed per the applicable Right of Way abandonment ordinance
- 2) The Developer will construct a public road that connects to Iowa Lane at the north property line and the south property line. The Developer may temporarily interrupt continuous access during development, provided the connections are made with the development of the final plats, on the north and south end respectively. Temporarily is defined as 120 days.
- 3) If utilities are located within the Right of Way, any existing easements must be retained as needed.
- 4) Phasing of the roadway replacement will maintain a public North south roadway thru the property.

DESIGN AND CONSTRUCTION STANDARDS AND APPLICABLE ORDINANCES

- 1) Regulatory Standards and Development Quality.

One of the primary purposes of this Agreement is to provide for quality development of the Property and certainty as to the regulatory requirements applicable to the development of the Property throughout the development process. Feasibility of the development of the Property is dependent upon a predictable regulatory environment and stability in the projected land uses. In exchange for the Developer's performance of the obligations under this Agreement to develop the Property in accordance with certain standards and to provide the overall quality of development described in this Agreement, the City agrees that it will not impose or attempt to impose any moratoriums on building or growth within the Property except when based on shortage of essential public utilities as specified in Texas Local Government Code Section 212.135.

The City and the Developer intend to establish development and design rules and regulations which will ensure a quality, unified development, yet afford the Developer predictability of regulatory requirements throughout the term of this Agreement. The City of Manvel Design Criteria Manual (excluding the items specified within this document) and Construction Standards in effect at the time of building permit applications shall apply to all development within the PUD. However, the following sections of Section 6 of the Design Criteria Manual, as set forth on Appendix A attached hereto and made a part hereof, shall be grandfathered for the PUD.

2) Vested Rights

The City and the Developer agree that the approval for this PUD Ordinance, on TBD (the "Vesting Date"), constitutes a "permit" for the purposes of Texas Local Government Code Chapter 245, and that Chapter 245 shall apply to the development of the Property. The development of public and private Improvements to the Property shall be governed by those City Ordinances that are in effect on the Vesting Date. The Developer may avail itself of changes in the City Ordinances after the Vesting Date that enhance or protect the development of the Property by providing written notice to the City of its intent to do so. This Agreement shall not be construed to prohibit the City's application to the project or the Property of new or amended ordinances or regulations that are exempt from the application of Chapter 245 as provided by §245.004 of such Chapter 245 unless such new or amended ordinance conflicts with an express provision of this Ordinance or the Utility Agreement.

3) Precedence of Regulations

The design, construction, financing, ownership and operation of the public improvements shall be governed the City Ordinances as of the Vesting Date, this Ordinance, and by the Utility Agreement with Brazoria County MUD No. 43. In the event of conflict or inconsistency among those documents, precedence will be given in the following order: the Utility Agreement, this Ordinance, the City Ordinances as of the Vesting Date.

PHASING / DEVELOPMENT SCHEDULE

The first phase of the single family development will be south of Del Bello Blvd and north of the detention/lake. Phase two will be the remainder of the southern portion of the development. Phase 3 and 4 will include development of the tracts north of Del Bello Blvd. A separate roadway construction and phasing plan will be included as a part of the utility agreement. The final location and timing of all phases will be dependent upon market conditions and is subject to change. See Exhibit J for a Preliminary Phasing Map. Commercial development will be driven by market conditions.

At the time of the first plat for the development is submitted/approved, the full right of way for Del Bello Blvd from S.H. 288 to the eastern edge of the property must be dedicated. This may be done through a separate street dedication plat or as a part of a section plat. The following conditions apply

- The developer does not have to construct the improvements until development begins adjacent to the thoroughfare and access is needed. Specific triggers for construction are established through the Phasing Plan included in the Utility Agreement for the project and will be constructed proportional to development.



B

a project aerial map for
**SOUTHPOINTE
CROSSING**
± 267.7 ACRES OF LAND

BGE CONSULTANTS
— Land Planning Consultants —
21541 Green Ranch Blvd., Suite A 150
Irving, Texas 75039



Tel: 281.576.0300

APRIL 21, 2017
10:24 PM

THIS DRAWING IS A PRELIMINARY REPRESENTATION FOR INFORMATION PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSE.

304 | 305 | 306 | 307 | 308 | 309 | 310 | 311 | 312 | 313 | 314 | 315 | 316 | 317 | 318 | 319 | 320 | 321 | 322 | 323 | 324 | 325 | 326 | 327 | 328 | 329 | 330 | 331 | 332 | 333 | 334 | 335 | 336 | 337 | 338 | 339 | 340 | 341 | 342 | 343 | 344 | 345 | 346 | 347 | 348 | 349 | 350 | 351 | 352 | 353 | 354 | 355 | 356 | 357 | 358 | 359 | 360 | 361 | 362 | 363 | 364 | 365 | 366 | 367 | 368 | 369 | 370 | 371 | 372 | 373 | 374 | 375 | 376 | 377 | 378 | 379 | 380 | 381 | 382 | 383 | 384 | 385 | 386 | 387 | 388 | 389 | 390 | 391 | 392 | 393 | 394 | 395 | 396 | 397 | 398 | 399 | 400 | 401 | 402 | 403 | 404 | 405 | 406 | 407 | 408 | 409 | 410 | 411 | 412 | 413 | 414 | 415 | 416 | 417 | 418 | 419 | 420 | 421 | 422 | 423 | 424 | 425 | 426 | 427 | 428 | 429 | 430 | 431 | 432 | 433 | 434 | 435 | 436 | 437 | 438 | 439 | 440 | 441 | 442 | 443 | 444 | 445 | 446 | 447 | 448 | 449 | 450 | 451 | 452 | 453 | 454 | 455 | 456 | 457 | 458 | 459 | 460 | 461 | 462 | 463 | 464 | 465 | 466 | 467 | 468 | 469 | 470 | 471 | 472 | 473 | 474 | 475 | 476 | 477 | 478 | 479 | 480 | 481 | 482 | 483 | 484 | 485 | 486 | 487 | 488 | 489 | 490 | 491 | 492 | 493 | 494 | 495 | 496 | 497 | 498 | 499 | 500 | 501 | 502 | 503 | 504 | 505 | 506 | 507 | 508 | 509 | 510 | 511 | 512 | 513 | 514 | 515 | 516 | 517 | 518 | 519 | 520 | 521 | 522 | 523 | 524 | 525 | 526 | 527 | 528 | 529 | 530 | 531 | 532 | 533 | 534 | 535 | 536 | 537 | 538 | 539 | 540 | 541 | 542 | 543 | 544 | 545 | 546 | 547 | 548 | 549 | 550 | 551 | 552 | 553 | 554 | 555 | 556 | 557 | 558 | 559 | 560 | 561 | 562 | 563 | 564 | 565 | 566 | 567 | 568 | 569 | 570 | 571 | 572 | 573 | 574 | 575 | 576 | 577 | 578 | 579 | 580 | 581 | 582 | 583 | 584 | 585 | 586 | 587 | 588 | 589 | 590 | 591 | 592 | 593 | 594 | 595 | 596 | 597 | 598 | 599 | 600 | 601 | 602 | 603 | 604 | 605 | 606 | 607 | 608 | 609 | 610 | 611 | 612 | 613 | 614 | 615 | 616 | 617 | 618 | 619 | 620 | 621 | 622 | 623 | 624 | 625 | 626 | 627 | 628 | 629 | 630 | 631 | 632 | 633 | 634 | 635 | 636 | 637 | 638 | 639 | 640 | 641 | 642 | 643 | 644 | 645 | 646 | 647 | 648 | 649 | 650 | 651 | 652 | 653 | 654 | 655 | 656 | 657 | 658 | 659 | 660 | 661 | 662 | 663 | 664 | 665 | 666 | 667 | 668 | 669 | 670 | 671 | 672 | 673 | 674 | 675 | 676 | 677 | 678 | 679 | 680 | 681 | 682 | 683 | 684 | 685 | 686 | 687 | 688 | 689 | 690 | 691 | 692 | 693 | 694 | 695 | 696 | 697 | 698 | 699 | 700 | 701 | 702 | 703 | 704 | 705 | 706 | 707 | 708 | 709 | 710 | 711 | 712 | 713 | 714 | 715 | 716 | 717 | 718 | 719 | 720 | 721 | 722 | 723 | 724 | 725 | 726 | 727 | 728 | 729 | 730 | 731 | 732 | 733 | 734 | 735 | 736 | 737 | 738 | 739 | 740 | 741 | 742 | 743 | 744 | 745 | 746 | 747 | 748 | 749 | 750 | 751 | 752 | 753 | 754 | 755 | 756 | 757 | 758 | 759 | 760 | 761 | 762 | 763 | 764 | 765 | 766 | 767 | 768 | 769 | 770 | 771 | 772 | 773 | 774 | 775 | 776 | 777 | 778 | 779 | 780 | 781 | 782 | 783 | 784 | 785 | 786 | 787 | 788 | 789 | 790 | 791 | 792 | 793 | 794 | 795 | 796 | 797 | 798 | 799 | 800 | 801 | 802 | 803 | 804 | 805 | 806 | 807 | 808 | 809 | 810 | 811 | 812 | 813 | 814 | 815 | 816 | 817 | 818 | 819 | 820 | 821 | 822 | 823 | 824 | 825 | 826 | 827 | 828 | 829 | 830 | 831 | 832 | 833 | 834 | 835 | 836 | 837 | 838 | 839 | 840 | 841 | 842 | 843 | 844 | 845 | 846 | 847 | 848 | 849 | 850 | 851 | 852 | 853 | 854 | 855 | 856 | 857 | 858 | 859 | 860 | 861 | 862 | 863 | 864 | 865 | 866 | 867 | 868 | 869 | 870 | 871 | 872 | 873 | 874 | 875 | 876 | 877 | 878 | 879 | 880 | 881 | 882 | 883 | 884 | 885 | 886 | 887 | 888 | 889 | 890 | 891 | 892 | 893 | 894 | 895 | 896 | 897 | 898 | 899 | 900 | 901 | 902 | 903 | 904 | 905 | 906 | 907 | 908 | 909 | 910 | 911 | 912 | 913 | 914 | 915 | 916 | 917 | 918 | 919 | 920 | 921 | 922 | 923 | 924 | 925 | 926 | 927 | 928 | 929 | 930 | 931 | 932 | 933 | 934 | 935 | 936 | 937 | 938 | 939 | 940 | 941 | 942 | 943 | 944 | 945 | 946 | 947 | 948 | 949 | 950 | 951 | 952 | 953 | 954 | 955 | 956 | 957 | 958 | 959 | 960 | 961 | 962 | 963 | 964 | 965 | 966 | 967 | 968 | 969 | 970 | 971 | 972 | 973 | 974 | 975 | 976 | 977 | 978 | 979 | 980 | 981 | 982 | 983 | 984 | 985 | 986 | 987 | 988 | 989 | 990 | 991 | 992 | 993 | 994 | 995 | 996 | 997 | 998 | 999 | 1000

Curve	Radius	Length	Area	Vol	Stress	Stress Raising
1	100	100	100	100	100	100
2	100	100	100	100	100	100
3	100	100	100	100	100	100
4	100	100	100	100	100	100
5	100	100	100	100	100	100
6	100	100	100	100	100	100
7	100	100	100	100	100	100
8	100	100	100	100	100	100
9	100	100	100	100	100	100
10	100	100	100	100	100	100

Submitted: 07/10/2016 09:40 AM
 Approved: 07/10/2016 09:40 AM
 By: [Redacted]
 For: [Redacted]
 Reason: [Redacted]

1998	17,427	24	17,451
1999	17,427	24	17,451

DEFENDANT'S EXHIBIT CONTAINED HEREIN IS BEING SUBMITTED FOR THE COURT'S INFORMATION AND IS NOT BEING OFFERED INTO EVIDENCE. IT IS NOT BEING OFFERED INTO EVIDENCE BECAUSE IT IS NOT RELEVANT TO THE CASE. IT IS NOT BEING OFFERED INTO EVIDENCE BECAUSE IT IS NOT MATERIAL TO THE CASE. IT IS NOT BEING OFFERED INTO EVIDENCE BECAUSE IT IS NOT COMPETENT EVIDENCE. IT IS NOT BEING OFFERED INTO EVIDENCE BECAUSE IT IS NOT PROBATIVE EVIDENCE. IT IS NOT BEING OFFERED INTO EVIDENCE BECAUSE IT IS NOT MATERIAL TO THE CASE. IT IS NOT BEING OFFERED INTO EVIDENCE BECAUSE IT IS NOT COMPETENT EVIDENCE. IT IS NOT BEING OFFERED INTO EVIDENCE BECAUSE IT IS NOT PROBATIVE EVIDENCE.

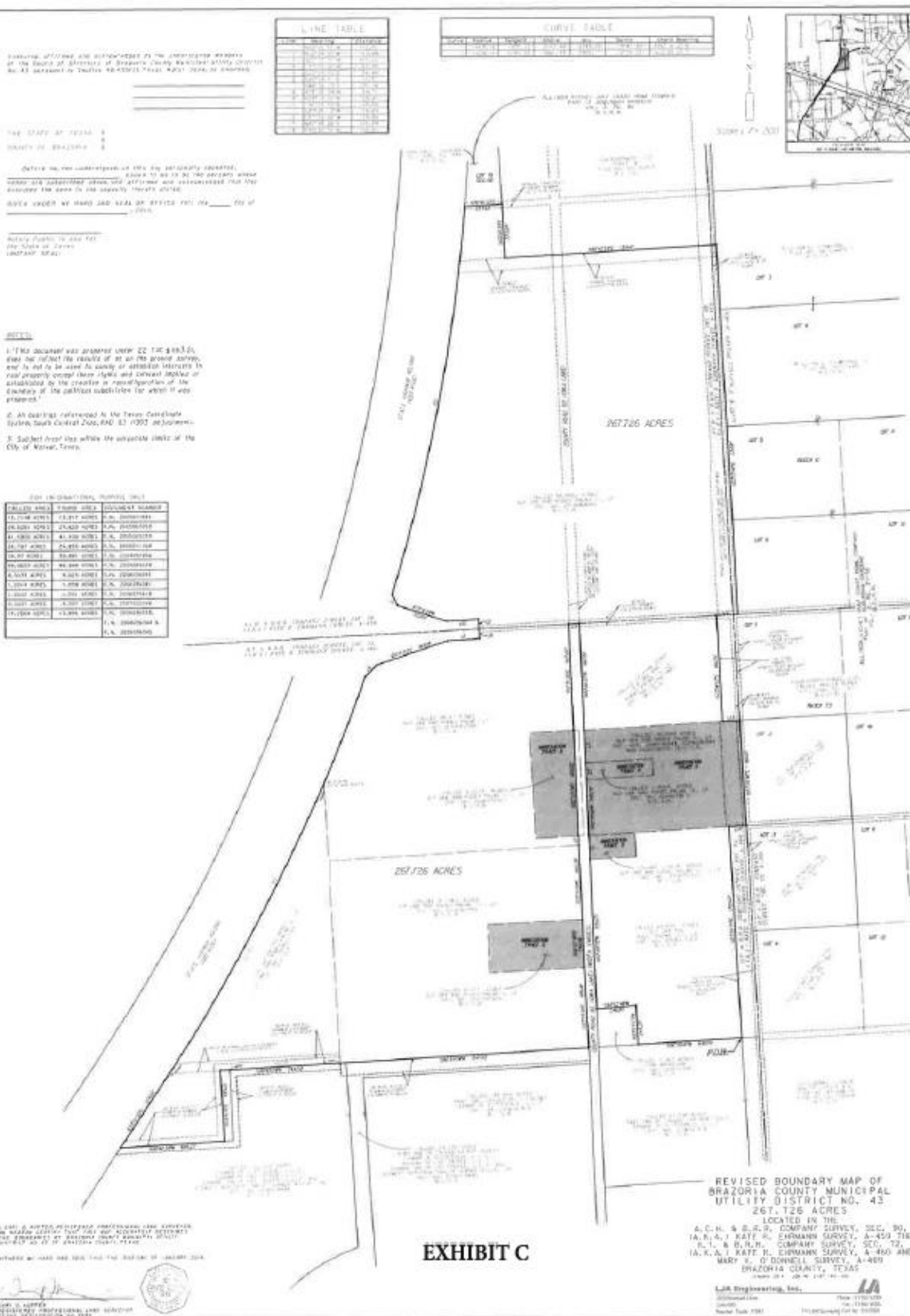
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FIELD

¹ This document was arranged under 22 USC 4833b, does not reflect the results of an on-site ground survey, and is not to be used for analysis or attribution interests in real property except those strictly and directly implied or established by the creative or representative of the identity of the political subdivision for which it was prepared.

2. All dealings referenced to the Texas Catalogs System, South Central Zone, RAO 83 (1993) as follows:

3. Subject Area lies within the corporate limits of the City of Mount Vernon.

[illegible]

REVISED BOUNDARY MAP OF
BRAZORIA COUNTY MUNICIPAL
UTILITY DISTRICT NO. 43
267.726 ACRES

267.126 ACRES
LOCATED IN THE
A. C. H. & S. R. COMPANY SURVEY, SEC. 30,
T. 1. S. 4. N. KATE R. EHRMANN SURVEY, A-459 THE
E. L. & B. H. COMPANY SURVEY, SEC. 72,
T. 1. S. 4. N. KATE R. EHRMANN SURVEY, A-460 AND
MARY E. O'DONNELL SURVEY, A-461
DRAZONIA COUNTY, TEXAS

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Revised Edition 1991

18

Phone: (714) 940-0000
Fax: (714) 940-0000
E-mail: info@trenton.edu

EXHIBIT C

EXHIBITD

January 31, 2014
Job No. 2197-1401-106

DESCRIPTION OF 267.726 ACRES

Being 267.726 acres of land located in the A. C. H. & B. R. R. Co. Survey, Section 90 also known as the Kate A. Ehrmann Survey, Abstract 459, the H. T. & B. R. R. Co. Survey, Section 72 also known as the Kate R. Ehrmann Survey, Abstract 460, and the Mary V. O'Donnell Survey, Abstract 469, of Brazoria County, Texas, more particularly being all of that certain called 39.97 acre tract conveyed to SLP 288 and Rodeo Palms, LP, by an instrument of record in Document Number 2004052956, Official Records of Brazoria County, Texas (B.C.O.R.), all of that certain called 99.9653 acre tract conveyed to SLP 288 and Rodeo Palms II, LP by an instrument of record in Document Number 2004064049, B.C.O.R., all of those certain called 24.6261 and 41.0900 acre tracts conveyed to SLP 288 and Rodeo Palms 111, LP by an instrument of record in Document Number 2005007053, B.C.O.R., all of that certain called 13.2148 acre tract conveyed to SLP 288 and Rodeo Palms IV, LP by an instrument of record in Document Number 2005011681, B.C.O.R., all of that certain called 24.797 acre tract conveyed to SLP 288 and Rodeo Palms V, LP by an instrument of record in Document Number 2006011164, B.C.O.R., all of the residue of certain called 4.5079 acre tract conveyed to SLP 288 and Rodeo Palms VII, LP by an instrument of record in Document Number 2006036081, B.C.O.R., all of that certain called 1.0014 acre tract conveyed to SLP 288 and Rodeo Palms VIII, LP by an instrument of record in Document Number 2006056531, B.C.O.R., all of that certain called 1.0002 acre tract conveyed to SLP 288 and Rodeo Palms IX, LP by an instrument of record in Document Number 2006073819, B.C.O.R., all of that certain called 4.007 acre tract conveyed to SLP 288 and Rodeo Palms X, LP by an instrument of record in Document Number 2007020209, B.C.O.R., and all of that certain tract of land conveyed to SLP 288 and Rodeo Palms VI, LP listed as follows: called 14.2564 acres of record in Document Numbers 2006036043 and 2006036044, B.C.O.R., called 12.8576 acres, 0.1578 acres, and 1.2407 acres of record in Document Number 2006036045, B.C.O.R., called 13.0154 acres of record in Document Numbers 2006036046 and 2006036047, B.C.O.R., said 267.726 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas Coordinate System, South Central Zone, NAO 83 (1993 adjustment));

BEGINNING at a 4-inch square concrete monument found for the southeast corner of said 24.6261 acre tract, same being northeast corner of that certain called 53.948 acre tract (referred to as Tract Two) conveyed to Sonmar of Scottsdale, L.L.C. by an instrument of record in Document Number 2006021816, B.C.O.R.;

Thence, South $86^{\circ} 38' 47''$ West, along the common line of said 53.948 and 24.6261 acre tracts, 649.78 feet to a point for the common south corner of said 24.6261 acre tract and that certain called 1.367 acre tract conveyed to Joan Banneyer by an instrument of record in Document Number 2005003981, B.C.O.R.;

Thence, North $03^{\circ} 23' 23''$ West, along the common line of said 24.6261 and 1.367 acre tracts, 243.20 feet to a point for the northeast corner of said 1.367 acre tract, same being a re-entrant corner on the southerly line of said 24.6261 acre tract;

Thence, South $84^{\circ} 52' 48''$ West, continuing along said common line, 246.95 feet to a point for the common west corner of said 24.6261 and 1.367 acre tracts, said point being on the monumented east right-of-way line of County Road No. 82 (width varies, AKA Iowa Lane);

Thence, North $02^{\circ} 30' 35''$ West, along said east right-of-way line and the west line of said 24.6261 acre tract, 935.05 feet to a point for the common west corner of said 24.6261 acre tract and the aforementioned 1.0014 acre tract;

Thence, North $02^{\circ} 42' 57''$ West, continuing along said east right-of-way line and along the west line of said 1.0014 acre tract, 152.51 feet to a point for the southwest corner of the aforementioned 14.2564 acre tract, same being the northwest corner of said 1.0014 acre tract;

Thence, North $02^{\circ} 19' 50''$ West, continuing along said east right-of-way line and along the west line of said 14.2564 acre tract, 347.79 feet to a point for a re-entrant corner on the west line of said 14.2564 acre tract and the southwest corner of the aforementioned 1.0002 acre tract;

Thence, North 02° 29' 22" West, continuing along said east right-of-way line and along the west line of said 1.0002 acre tract, 103.99 feet to a point for the northwest corner of said 1.0002 acre tract and an interior corner on the west line of said 14.2564 acre tract;

Thence, North 02° 37' 51" West, continuing along said east right-of-way line and along the west line of said 14.2564 acre tract, 206.10 feet to a point for the northwest corner of said 14.2564 acre tract, same being the southwest corner of the aforementioned 13.2148 acre tract;

Thence, North 02° 26' 27" West, continuing along said east right-of-way line and along the west line of said 13.2148 acre tract, 667.51 feet to a point for the northwest corner of said 13.2148 acre tract on the aforementioned common survey line of the aforementioned Kate R. Ehrmann Surveys, Abstracts 459 and 460, and the south line of the aforementioned 99.9653 acre tract;

Thence, South 87° 02' 42" West, departing said east right-of-way line and along said common survey line, 65.46 feet to a point for the northeast corner of the aforementioned 39.97 acre tract, said point being on the monumented west right-of-way line of said County Road 82;

Thence, South 02° 31' 35" East, departing said common survey line and said south line and along the common line of said 39.97 acre tract and said west right-of-way line, 665.62 feet to a point for the most northerly southeast corner of said 39.97 acre tract and on the north line of the aforementioned 4.5079 acre tract;

Thence, South 02° 30' 04" East, continuing along said west right-of-way line, 660.21 feet to a point on the south line of said 4.5079 acre tract, same being the most southerly common east corner of said 4.5079 and 39.97 acre tracts;

Thence, South 02° 08' 00" East, continuing along said west right-of-way line and along the east line of said 39.97 acre tract, 56.86 feet to a point for the common east corner of said 39.97 acre tract and the aforementioned 41.0900 acre tract;

Thence, South 02° 31' 09" East, continuing along said west right-of-way line and along the most northerly east line of said 41.0900 acre tract, 466.28 feet to a point for the northerly common east corner of said 41.0900 acre tract and the aforementioned 4.007 acre tract;

Thence, South 02° 27' 49" East, continuing along said common line, 300.58 feet to a point for the southerly common east corner of said 41.0900 and 4.007 acre tracts on the aforementioned west right-of-way line of said County Road 82;

Thence, South 03° 03' 21" East, along the common line of said 41.0900 acre tract and said west right-of-way line, 499.41 feet to a point for the southeast corner of said 41.0900 acre tract;

Thence, South 86° 38' 04" West, departing said west right-of-way line, and along the common line of said 41.0900 acre tract and those certain called 23.595 and 120.00 acre tracts conveyed to Sonmar of Albuquerque, L.L.C., Sonmar of Las Cruces, L.L.C., Sonmar Inn of Las Cruces, L.L.C., and Midwest Heritage Inn of Gurnee Mills, Inc. by an instrument of record in Document Number 2006018645, B.C.O.R., 1,547.42 feet to a point for the common south corner of said 41.0900 acre tract and the aforementioned 24.797 acre tract;

Thence, South 86° 40' 24" West, along the common line of said 24.797 and 120.000 acre tracts, passing at 685.77 feet a point for the most northerly northwest corner of said 120.000 acre tract, continuing in all 744.32 feet to point for a re-entrant corner on the south line of said 24.797 acre tract;

Thence, South 03° 15' 15" East, along the most southerly east line of said 24.797 acre tract, 443.26 feet to a point for the monumented most southerly southeast corner of said 24.797 acre tract on a north line of said 120.000 acre tract;

Thence, South 86° 40' 38" West, along a common line of said 24.797 and 120.000 acre tracts, 645.27 feet to a point for the common west corner of said 24.797 and 120.000 acre tracts on the east right-of-way line of State Highway 288 (420 feet wide);

Thence, North 33° 07' 30" East, along the common line of said east right-of-way line and said 24.797 acre tract, 529.07 feet to a point for corner, the beginning of a curve;

Thence, continuing along said common line and along the arc of a tangent curve to the left having a radius of 11,669.16 feet, passing at 2,074.19 feet the common north corner of said 24.797 acre tract and the aforementioned 39.97 acre tract, and continuing along the common line of said east right-of-way line and said 39.97 acre tract, a total arc length of 2,789.08 feet through a central angle of $13^{\circ} 41' 40''$, and a chord that bears North $26^{\circ} 16' 40''$ East, 2,782.44 feet to the end of said curve;

Thence, North $44^{\circ} 59' 41''$ East, continuing along said common line, 100.51 feet to an angle point on said common line;

Thence, North $71^{\circ} 17' 23''$ East, continuing along said common line, 469.14 feet to an angle point on said common line;

Thence, North $86^{\circ} 26' 20''$ East, continuing along said common line, 200.16 feet to an angle point on said common line;

Thence, North $03^{\circ} 32' 09''$ West, continuing along said common line, 59.71 feet to a point for the common west corner of said 39.97 acre tract and the aforementioned 99.9653 acre tract;

Thence, North $03^{\circ} 14' 01''$ West, along the common line of said east right-of-way line and the westerly line of said 99.9653 acre tract, 59.97 feet to an angle point on said common line;

Thence, South $86^{\circ} 53' 59''$ West, continuing along said common line, 199.68 feet to an angle point on said common line;

Thence, North $72^{\circ} 14' 29''$ West, continuing along said common line, 320.19 feet to an angle point on said common line;

Thence, North $27^{\circ} 25' 12''$ West, continuing along said common line, 79.64 feet to an angle point on said common line, the beginning of a curve;

Thence, continuing along said common line and 2,466.17 feet along the arc of a non-tangent curve to the left having a radius of 11,669.16 feet, a central angle of 12° 06' 32", and a chord that bears North 10° 44' 09" East, 2,461.58 feet to a point for the northwest corner of said 99.9653 acre tract, same being on the south line of Lot 19, Section 90 of the Allison Richey Gulf Coast Home Company Part of Suburban Gardens, a subdivision of record in Volume 2, Page 98, S.C.P.R.;

Thence, North 86° 46' 02" East, departing said common line and along the common line of said Lot 19 and 99.9653 acre tract, 233.63 feet to a point for the southeast corner of said Lot 19 and the most northerly northeast corner of said 99.9653 acre tract, said point being on the west line of that certain 14.1479 acre tract (referred to as Tract E) conveyed to VOS Partners, Ltd. by an instrument of record under File Number 99-050835, S.C.O.R.;

Thence, South 03° 08' 38" East, along the common line of said 99.9653 acre tract and said VOS Partner's tract, 333.68 feet to a point for a re-entrant corner in the north line of said 99.9653 acre tract and a southerly southwest corner of said VDB Partner's tract;

Thence, North 86° 42' 53" East, continuing along said common line and the south line of that certain called 46.8412 acre tract (referred to as Tract D) conveyed to VDB Partners, Ltd. by an instrument of record under File Number 99-050835, B.C.O.R., 1,319.41 feet to a point for the common east corner of said 99.9653 acre tract and said VDB Partner's 46.8412 acre tract;

Thence, South 03° 13' 40" East, along the monumented east line of said 99.9653 acre tract, 2,311.91 feet to a point for the southeast corner of said 99.9653 acre tract, said point being on the common survey line of the aforementioned Mary V. O'Donnell Survey, Abstract 469 and the aforementioned H. T. & B. R. R. Co. Survey, Section 73, Abstract 301;

Thence, South 87° 02' 42" West, along the south line of said 99.9653 acre tract and the common survey line of said Mary V. O'Donnell Survey and said H. T. & B. R. R. Co. Survey, Section 73, passing at 29.37 feet a point for the common east corner of the aforementioned Kate A. Ehrmann Surveys, Abstracts 459 and 460, the southwest corner of said Mary V. O'Donnell Survey, Abstract 469, and the northwest corner of said H. T. & B. R. R. Co. Survey, Section 73, Abstract 301, and continuing in all a distance of 133.90 feet to a point for the northeast corner of said 13.2148 acre tract, same being the northwest corner of a tract of land (referred to as "Tract C") conveyed to Brazos River Authority of record in Volume 1070, Page 315, Deed Records of Brazoria County, Texas (B.C.D.R.);

Thence, South 03° 19' 52" East, along the common line of said 13.2148 acre tract and said Brazos River Authority tract, 661.76 feet to a point for the southeast corner of said 13.2148 acre tract, said point being on the north line of the aforementioned 14.2564 acre tract;

Thence, North 86° 44' 26" East, along the north line of said 14.2564 acre tract, 106.24 feet a point for corner on the common survey line of said Kate R. Ehrmann Survey, Abstract 460 and said H. T. & B. R. R. Co. Survey, Section 73, Abstract 301;

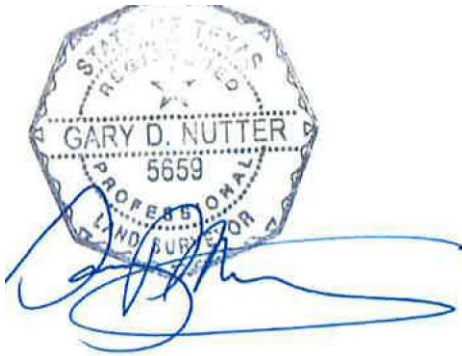
Thence, South 03° 28' 46" East, along said common survey line, 660.01 feet to a point for the northeast corner of the aforementioned 24.6261 acre tract, said point being on the south line of said 14.2564 acre tract;

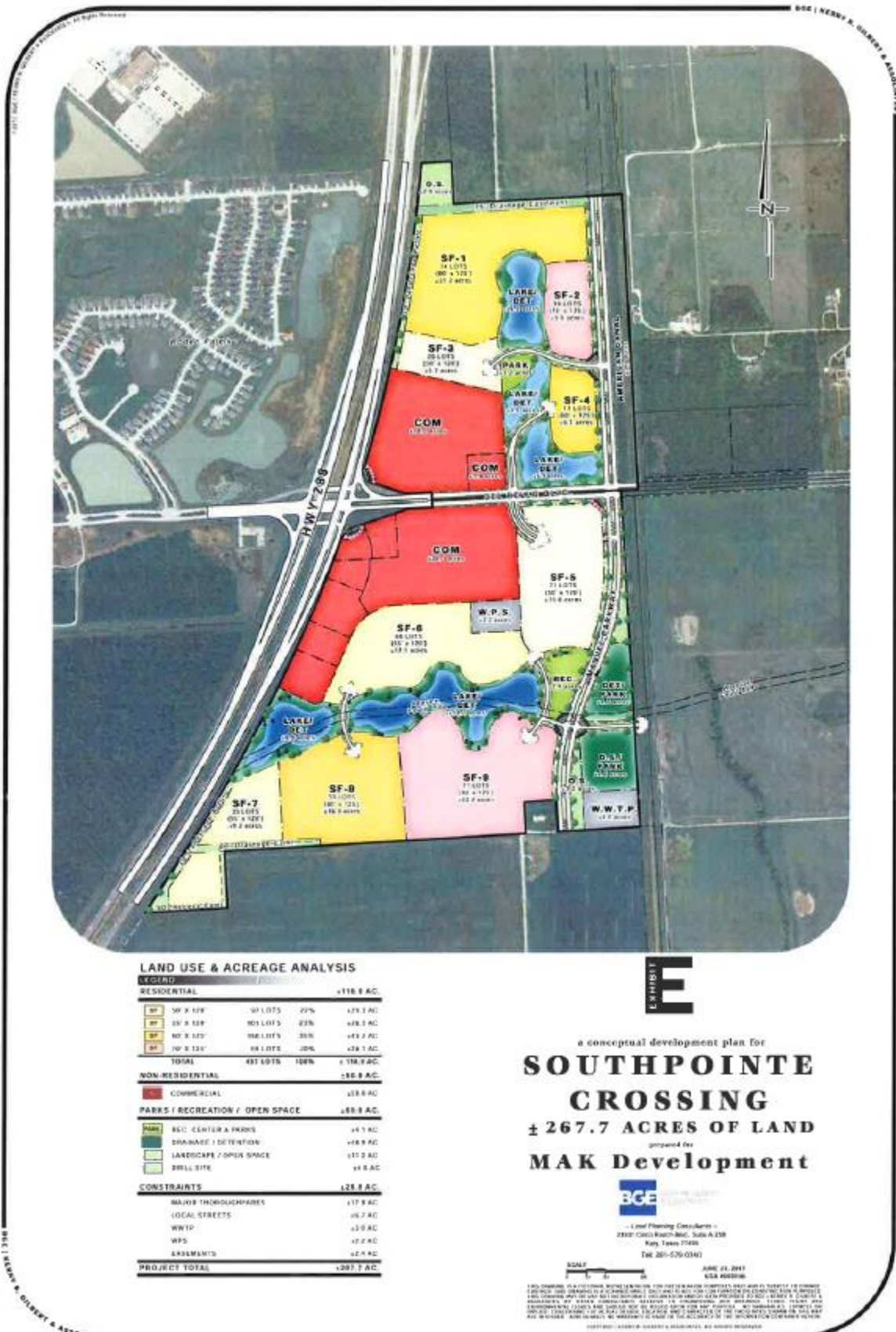
Thence, South 86° 30' 31" West, along the south line of said 14.2564 acre tract, 108.01 feet to a point for the northeast corner of said 24.6261 acre tract, same being the northwest corner of a tract of land (referred to as "Tract D") conveyed to Brazos River Authority of record in Volume 1070, Page 315, B.C.D.R.;

Thence, South 03° 20' 34" East, departing said south line and along the east line of said 24.6261 acre tract, 1,320.07 feet the POINT OF BEGINNING and containing 267.726 acres of land.

Note: This document was prepared under 22 TAC § 663.21, does not reflect the results of an on-the-ground survey and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

LJA Engineering, Inc





LAND USE & ACREAGE ANALYSIS

LEGEND			
RESIDENTIAL ±116.8 AC.			
SF	50' X 120'	50 LOTS	23%
SF	50' X 120'	50 LOTS	23%
SF	50' X 120'	50 LOTS	23%
SF	50' X 120'	50 LOTS	23%
TOTAL		400 LOTS	100% ±116.8 AC.
NON-RESIDENTIAL ±50.8 AC.			
COM	COMMERCIAL ±18.8 AC.		
PARKS / RECREATION / OPEN SPACE ±69.8 AC.			
REC	REC. CENTER & PARKS ±9.3 AC.		
W.P.S.	WETLANDS / DETENTION ±6.9 AC.		
D.R.	LANDSCAPE / OPEN SPACE ±10.2 AC.		
W.W.T.P.	WETLANDS / OPEN SPACE ±6.8 AC.		
CONSTRAINTS ±28.8 AC.			
MAJOR THROUGHFARES ±17.8 AC.			
LOCAL STREETS ±6.2 AC.			
W.W.T.P. ±3.0 AC.			
W.P.S. ±7.2 AC.			
EROSION ±2.8 AC.			
PROJECT TOTAL		±207.7 AC.	

E

a conceptual development plan for **SOUTHPONTE CROSSING** ± 267.7 ACRES OF LAND prepared for **MAK Development**



Lead Planning Consultants
 2800 CINDY BROWN BLVD., Suite A 208
 Katy, Texas 77450
 Tel: 281-579-0340

SCALE 1" = 100' DATE: JUNE 21, 2017
 654 000000

THIS DOCUMENT IS A PRELIMINARY CONCEPTUAL DEVELOPMENT PLAN AND IS NOT A FINAL DESIGN. IT IS SUBJECT TO CHANGE WITHOUT NOTICE. THE DEVELOPER AND THE CONSULTANT ASSUME NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE CONSULTANT'S RESPONSIBILITY IS LIMITED TO THE PREPARATION OF THIS CONCEPTUAL DEVELOPMENT PLAN. THE DEVELOPER AND THE CONSULTANT ASSUME NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE CONSULTANT'S RESPONSIBILITY IS LIMITED TO THE PREPARATION OF THIS CONCEPTUAL DEVELOPMENT PLAN.



F

a land use classification map for
SOUTHPONTE CROSSING
 ± 267.7 ACRES OF LAND
 prepared for
MAK Development



Land Planning Consultants
 2501 Cinco Ranch Blvd., Suite A 200
 Baytown, Texas 77614
 Tel: 281-578-5340



JUNE 22, 2011
 KDA 400018

THIS MAP WAS PREPARED BY THE CONSULTING ENGINEER FOR THE DEVELOPER, AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE DEVELOPER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CONSULTING ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND IT TO BE IN SUBSTANTIAL ACCORD WITH THE INFORMATION PROVIDED BY THE DEVELOPER. THE CONSULTING ENGINEER HAS NOT CONDUCTED A SURVEY OF THE SITE AND HAS NOT DETERMINED THE EXACT BOUNDARIES OF THE SITE. THE CONSULTING ENGINEER HAS NOT CONDUCTED A STUDY OF THE SITE AND HAS NOT DETERMINED THE EXACT BOUNDARIES OF THE SITE. THE CONSULTING ENGINEER HAS NOT CONDUCTED A STUDY OF THE SITE AND HAS NOT DETERMINED THE EXACT BOUNDARIES OF THE SITE.



a conceptual arterial plan for
**SOUTHPOINTE
 CROSSING**
 ± 267.7 ACRES OF LAND

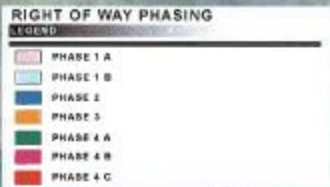
BCE CONSULTING GROUP
 - Land Planning Consultants -
 22001 Cherry Ranch Blvd., Suite 4-200
 Katy, Texas 77459

Tel: 281-579-0340



JUNE 01, 2017
 SCA 000040

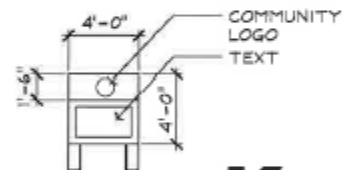
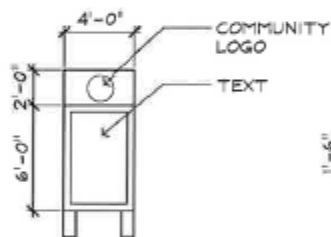
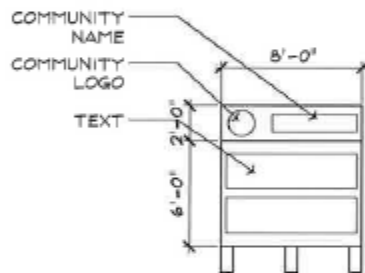
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• Land Planning Consultants •
22501 Civic Ranch Blvd., Suite A-200
Katy, Texas 77454

SCALE

OCTOBER 16, 2017
RUE 001010



a signage exhibit for
**SOUTHPOINTE
 CROSSING**
 ± 267.7 ACRES OF LAND



3rd and 10th Sts. N. & Highway 101
 2500 West 10th St., Suite 200
 Weymouth, MA 01988



Scale: 1" = 10'-0" (30.48m)
 1/8" = 1'-0" (30.48cm)

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Exhibit K1



Exhibit K2

30'

28.5"

4.75'

6'

4.75'

10'

5'

3'

4"x6" - Wood Posts

Build Your Story Here.

Del Bello Lakes

A New Home Community | Coming Soon

DelBelloLakes.com

Ashton Woods Homes | Perry Homes | Shea Homes | Westin Homes

	PLEASE CHECK YOUR PROOF THOROUGHLY Check the artwork as well as the copy. You are responsible for finding errors at the proofing stage. Once a proof is approved, we considered it ready for print. <i>Any artwork, copy and /or layout errors discovered after the print will be your responsibility.</i>	Sept 2019 Del Bello Lakes 10'x30' - "V" Billboard Phone: 281-395-9100 info@signmaxx.com 1403 Vander Wilt Ln., Katy, Texas 77449
---	--	---

Exhibit K3



LOT SUMMARY

50'x 120'	100 LOTS	22%
55'x 120'	103 LOTS	23%
60'x 130'	181 LOTS	40%
70'x 130'	64 LOTS	15%

TOTAL 448 LOTS

a master plan for
DEL BELLO LAKES
± 268.4 ACRES OF LAND
prepared for
SHEA HOMES/MAK

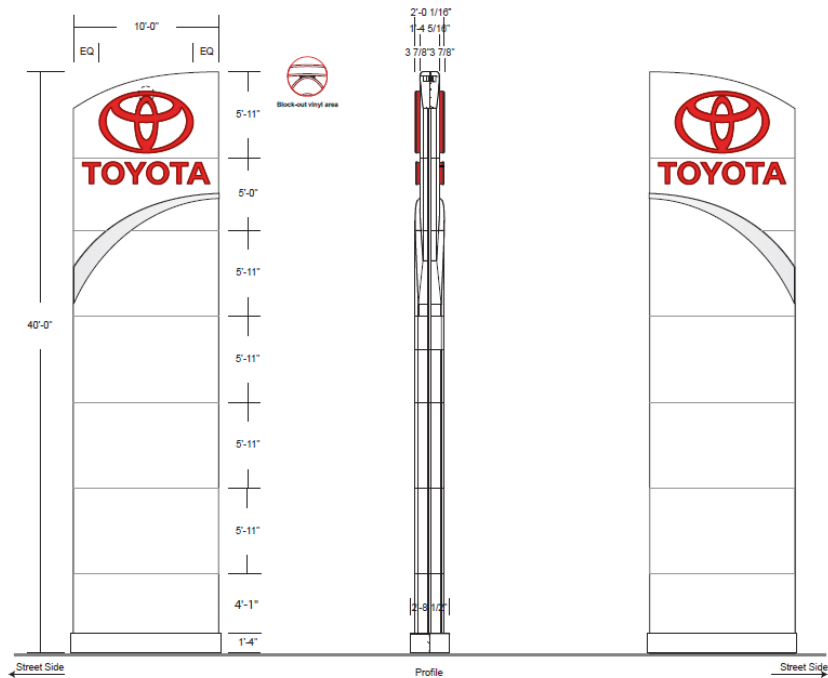
META

26375 Katy Freeway, Ste. 300
Katy, Texas 77494
Tel: 281-810-1822

MTA-00101C
OCTOBER 31, 2019

EXHIBIT K4

CUSTOM 40' HEIGHT TO BE REVIEWED
& APPROVED BY TOYOTA



Specifications

Custom 1040 - D/F Illuminated Pylon Sign

1/8" aluminum fabricated panels
Painted Toyota white

Toy-5: Panned & embossed molded Toyota logo
(4'-3"h x 6'-6 13/16"w) 21.99 sq.ft.
Clamshell trim
Lexan polycarbonate: Bayer Red D99
3M 3635-208 block out vinyl applied second surface
Aluminum coil pre-painted red
Illuminated with red LED

Panned & embossed molded Toyota letters
(1'-5 13/16"h x 8'-10 15/16"w) 13.22 sq.ft.
Clamshell trim
Lexan polycarbonate: Bayer Red D99
Aluminum coil pre-painted red
Illuminated with red LED

1/8" aluminum 3D "Swoosh"
Painted 31 Medium Gray

Electrical hook-up by others

Colors

- ☐ Toyota White
- ☒ Bayer Red D99
- ☒ 3M 3635-208 Block Out Vinyl
- ☒ 31 Medium Gray

Project ID
NF2-25965

Date: Jan-23-2019
Scale: 1/8" = 1'-0"
Sales: N.Fry
Designer: A.Ioannou

Rev. #: R1
Date: May-1-2019

Revision Note:
Revised to custom 40'
height.

☒ Conceptual

Information Required:

☒ Master

☒ Electrical

☒ 120V ☐ 347V
☐ Other _____

Customer Approval

Signature

MM/DD/YYYY

It is the Customer's responsibility to ensure that the structure of the building is designed and constructed to accept the installation of the signs being ordered. Please call PDS to provide further details if required.

All rights reserved. The artwork depicted herein are copyright and are the exclusive property of Pattison Sign Group and its such cannot be reproduced in whole or in part without written permission by Pattison Sign Group.

TOYOTA

42321s
Toyota of Alvin
3507 FM 528
Alvin, TX

Sign Item

5G8

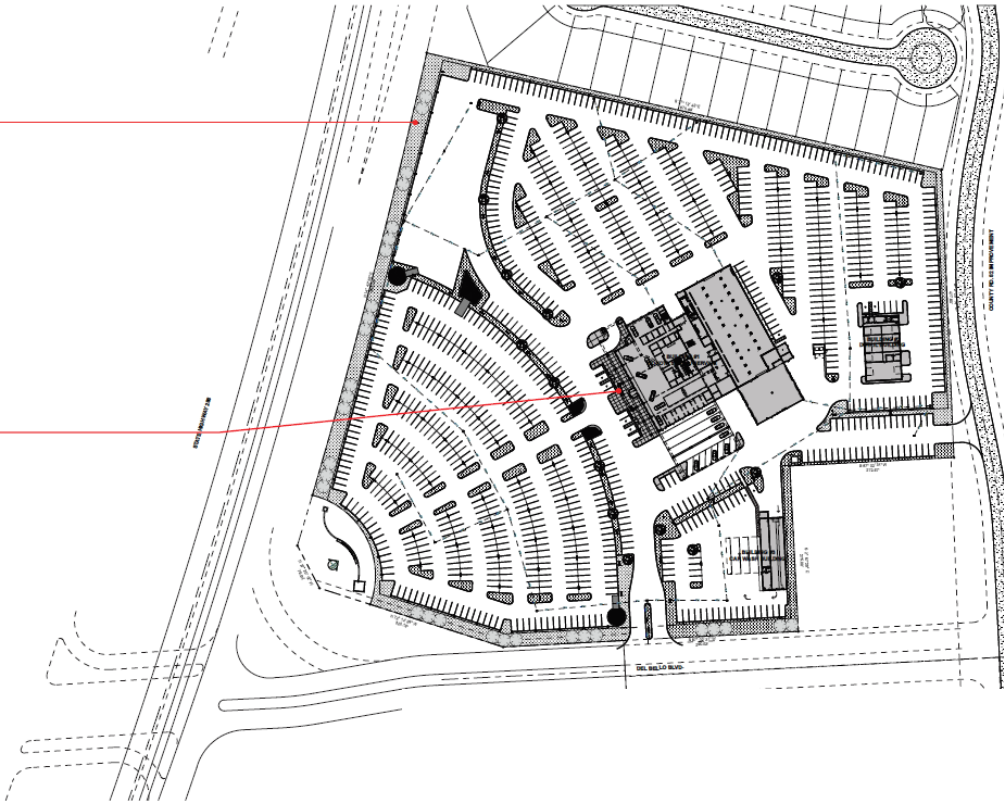


1040



SL90

EXHIBIT K6



Project ID
NF2-25965

Date: FEB-20-2020
Scale: N.T.S.
Sales: N.Fry
Designer: C.Sabatino

Rev. #: R5

Date:

Revision Note:

☒ Conceptual

Information Required:

☒ Master

☒ Electrical

☐ 120V ☐ 347V

☐ Other _____

Customer Approval

Signature

MM/DD/YYYY

It is the Customer's responsibility to ensure that the structure of the building is designed and constructed to accept the installation of the signs being ordered. Please ask PDS to provide further details if required.

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425215
Toyota of Alvin
3507 FM 528
Alvin, TX

Sign Item

Site Plan



555 Ellesmere Road Toronto, Ontario, Canada M1R 4E8
(Toll Free) 1.866.635.1110 (Fax) 1.855.759.4865
www.pattisonsign.com



This sign to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.



Fluorescent, Neon and HID lamps contain Mercury (Hg). Dispose of the lamps according to local, Provincial, State or Federal Laws.

Exhibit K6

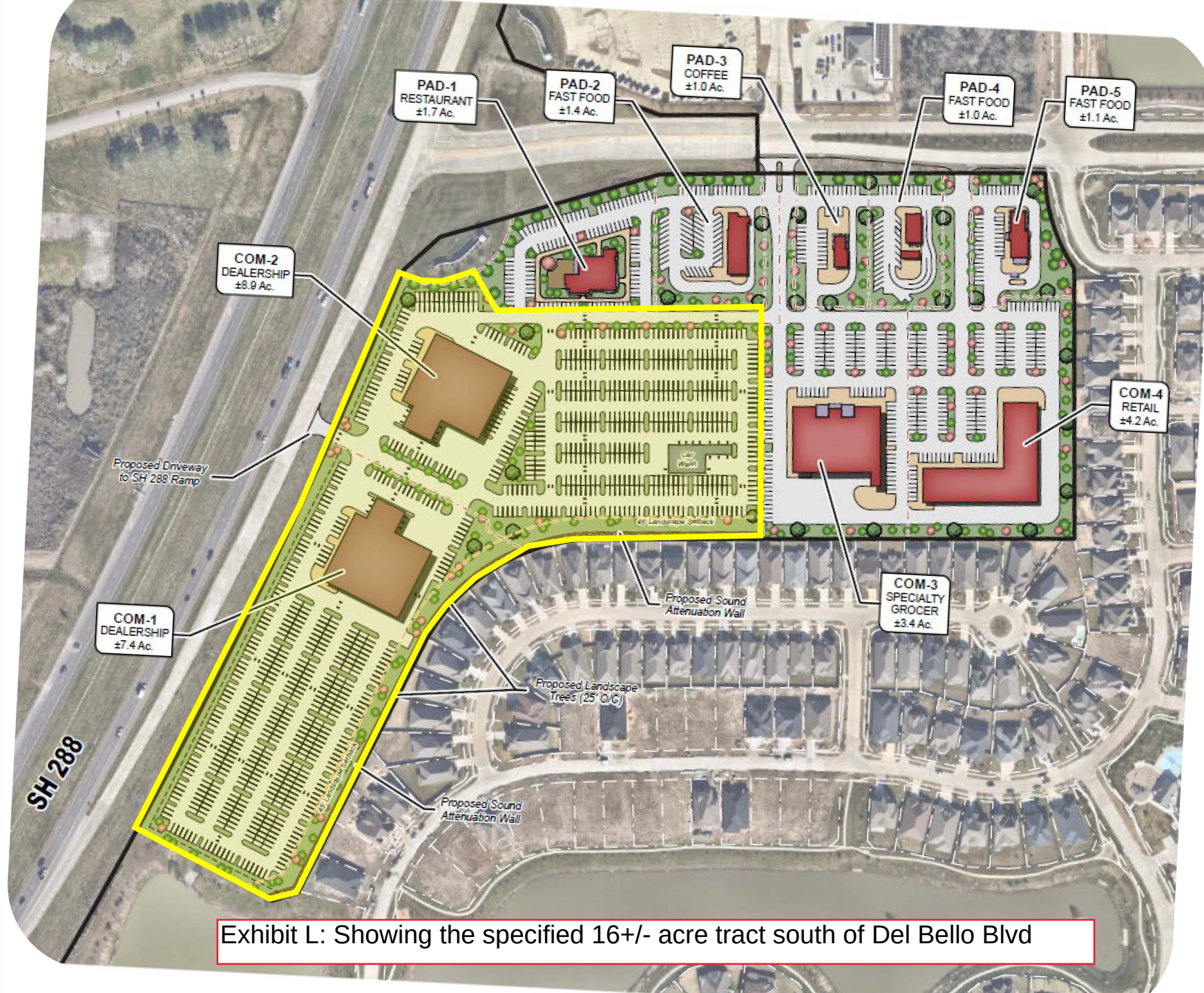


Exhibit L: Showing the specified 16+/- acre tract south of Del Bello Blvd

NATIONAL

Public Television Documentary

Viewpoint short-form documentary (3-5 minutes) will be distributed to Public Television stations in all 50 states, airing for one year, for unlimited broadcast (estimated reach for one year is 60 million households). The short-form documentary is hosted by Dennis Quaid.

5-6 Minute Corporate Profile

Viewpoint will provide the production of one (1) broadcast quality, 5-6 minute educational documentary profile in HD with expansive and detailed information documenting the issues and educational message that concern your target audience.

Internet Media

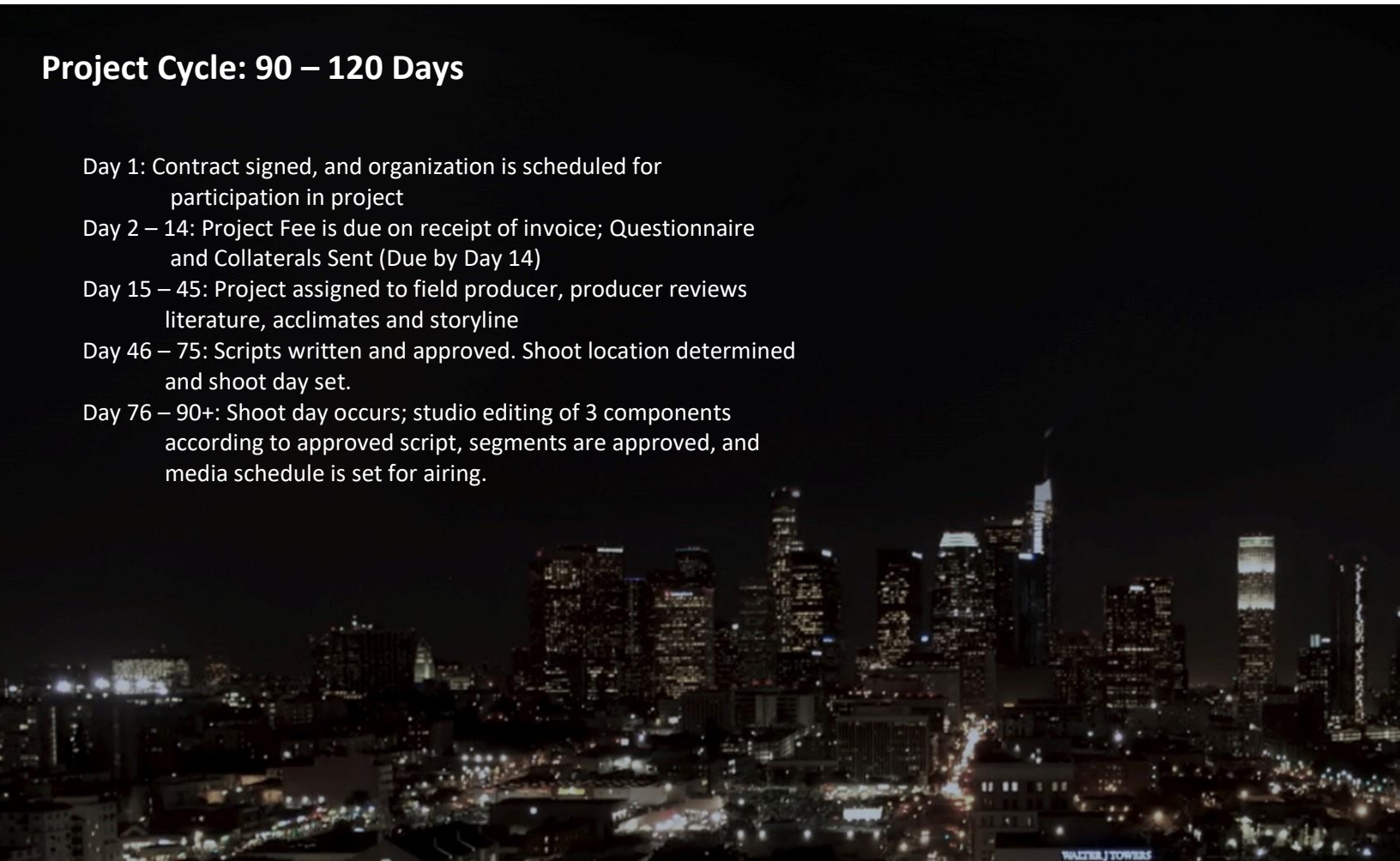
Viewpoint will digitize the 5-6 minute documentary into a digital file for streaming on your company or organization's website, and will be delivered in a format for streaming on social media. Viewpoint will design and generate an email campaign to your narrowcasted audience sending up to 1,000,000 video emails from the Viewpoint email database.

Commercial Television Airings

Viewpoint will provide the production of one (1) highend one-minute educational commercial segment used for network distribution, broadcast once prime time in over 84 million homes via MSNBC, CNBC, or an equivalent network; and airing 400 times in the top 100 Designated Market Areas during peak and prime time on networks such as CNBC, CNN Headline News, The Learning Channel, Discovery Life, Discovery Channel, or equivalent networks.

Project Cycle: 90 – 120 Days

- Day 1: Contract signed, and organization is scheduled for participation in project
- Day 2 – 14: Project Fee is due on receipt of invoice; Questionnaire and Collaterals Sent (Due by Day 14)
- Day 15 – 45: Project assigned to field producer, producer reviews literature, acclimates and storyline
- Day 46 – 75: Scripts written and approved. Shoot location determined and shoot day set.
- Day 76 – 90+: Shoot day occurs; studio editing of 3 components according to approved script, segments are approved, and media schedule is set for airing.



VIEWPOINT

— WITH DENNIS QUAID —



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VIEWPOINT

WITH DENNIS QUAID

CONTENT PROVIDER BENEFITS

PARTNERING WITH VIEWPOINT

VIEWPOINT is uniquely positioned in the educational media market. The segments created are not just for a "general" audience; rather, these segments are customized to feature important aspects of your specific industry. Our partnerships allow VIEWPOINT to feature the biggest names, organizations, and breaking storylines to create the most intuitive and entertaining content available for the viewer.

PUBLIC TELEVISION SEGMENT

VIEWPOINT will develop and deliver a 3-5 minute educational segment comprehensively covering your field, hosted by Dennis Quaid. This cutting edge, network ready segment will feature topics specifically pertaining to your industry, and what role your organization plays in it. Every segment highlights new technologies, trends, and advancements being made while abiding by the strict educational statutes expected by Public Television.

PROJECT DELIVERABLES

As a thank you for participating as a Content Provider for the VIEWPOINT, a high end Commercial and Custom Documentary will be created and distributed to a wide array of national and international media outlets with millions of viewers. This content is high-quality, informative, and content-specific. These files will be provided as HD digital files at the completion of the project.

VIEWPOINT

WITH DENNIS QUAID

NETWORK EXPOSURE

COMMERCIAL DISTRIBUTION

VIEWPOINT utilizes strategic partnerships with various networks such as CNBC, MSNBC, The Learning Channel, CNN, Fox Business, The Discovery Channel, and many more to place commercial segments that are constructed to communicate the key issues impacting your target markets. These national spots reach over 84 million households nationwide, and only air in peak and prime-time slots.

Additionally, these spots are independently distributed on a regional basis in the top one hundred DMAs across the country, reaching an additional 30 million households.

DOCUMENTARY

CUSTOM CORPORATE DOCUMENTARY

The **VIEWPOINT** team understands that to have the proper content, it is critical to secure exemplary stories from our participant's. We also understand and realize the need for organizations such as yours to have a valuable set of deliverables at the conclusion of the project.

In addition to the other segments created, **VIEWPOINT** will utilize the resources provided, such as the additional footage obtained on the one-day location shoot, to produce a 5-6 minute corporate identity segment solely featuring your organization, and for your exclusive use. Using the driving industry story from our Content Providers as the backbone, this customized segment will feature the content in groundbreaking ways. The final segment can serve as a conduit to audiences online and elsewhere.

VIEWPOINT

WITH DENNIS QUAID

INTERNET EXPOSURE

INTERNET DISTRIBUTION & NARROWCASTING

VIEWPOINT has a unique laser targeted approach to internet branding for the series and our participant's educational content. Our Narrowcasting campaign involves the demographic targeting of audiences most inclined to take interest in your story and/or product. Content Providers and Partners of the **VIEWPOINT** have the ability to Narrowcast information and link directly to the video and/or applicable online content through a customized email campaign. Those receiving the email are demographically selected opt-in viewers who have an explicit interest in the topic and content presented.

PTV FACTS

PUBLIC TELEVISION FACTS

Public Television base is Affluent, Educated Adults as a Target Audience.
Public Television Viewers in areas of: (% more likely than US Average)

WEALTH

- 84% more likely to own \$150,000+ in stocks
- 42% more likely to have used money management or financial counsel
- 21% more likely to own investment real estate
- 67% more likely to have spent \$6,000+ in foreign travel in the last year

EMPLOYMENT

- 14% more likely to have the job title of Vice President
- 13% more likely to have the job title of President

EDUCATION

- 25% more likely to have completed post-graduate education
- 25% more likely to have taken adult education courses in the last year
- 54% more likely to attend museums
- 44% more likely to be a book club member

VIEWPOINT

WITH DENNIS QUAID

PRODUCTION CYCLE

PRE-PRODUCTION SCHEDULE

- Sign and Return Production Authorization - Upon Receipt
- Pre-Production Fee Due - Upon Receipt of Invoice, net 14 days
- Fill out and Return Project Research Questionnaire - Within 2 weeks of Receipt
- Send Collateral Materials (Logos, documents, website, etc.) - Within 2 weeks of Receipt

PRODUCTION SCHEDULE (90 DAY PROJECT SCHEDULE)

Day 1 - Field Producer Assigned to your Project at beginning of the Month

Day 2-3 - Field Producer reviews Project Research Questionnaire and Collateral Materials and Speaks with the Participant

Day 7-8 - Shoot Date and Location are confirmed by Participant

Day 30-45 - Script is Written and Story Board is developed

Day 35-50 - Participant Informs Field Producer of Script Approval or Technical Revisions within a Week of Receipt

Day 55-65 - Shoot Takes Place on Date and Location Selected by Participant

Day 65-80 - Segments are Edited based on Approved Script and Shot List

Day 85-90 - Segments are Approved by Participant within 10 days of Receipt

Day 90 - Segments are Delivered to the Participant in HD format on a Flash Drive

Day 90+ - Participant is Notified of Public Television Distribution and Scheduled for Commercial Airings and Internet Distribution



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: 11/18/24

TOPIC

Discussion on City Involvement in the Upcoming Legislative Session

BACKGROUND

The Texas Legislature will be convening its upcoming session. This presents an opportunity for the City to engage proactively with legislative matters that may impact municipalities, such as local governance authority, infrastructure funding, property tax reform, and other issues critical to our community.

The discussion will focus on strategies for engagement, including direct advocacy, collaboration with municipal organizations, and tracking proposed legislation.

Council input is requested to determine priorities and the City's level of participation in legislative advocacy.

Discussion Points:

1. Identification of key legislative priorities for the City of Manvel.
2. Options for active participation, forming partnerships, or designating staff to monitor and engage in the legislative process.
3. Engagement with advocacy organizations to amplify the City's voice.

RECOMMENDATION

No formal action required at this time. Council is encouraged to provide input and direction to staff regarding the City's approach to involvement in the legislative session.

--

SUBMITTING MEMBER
Mayor Davis

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____



November 22, 2024
Number 45

Cities Win Legal Challenge to Franchise Fee Limitations

Last week, the Austin Court of Appeals [issued an opinion](#) ruling in favor of a coalition of 58 Texas cities, led by the City of McAllen, in their constitutional challenge to two state laws limiting the fees cities may charge certain utility companies for use of the public right-of-way.

The lawsuit was initially filed in 2017 following the passage of [S.B. 1004](#) during that year's legislative session, which authorized telecommunications companies to install small cell node technology for 5G wireless service in the public rights of way for an annual fee to the city of \$250 per node, adjusted annually based on the consumer price index. The city coalition sought a declaration that the \$250 limit on network node fees in S.B. 1004 violated the Texas Constitution. The city coalition then amended the suit in 2019 to similarly challenge the constitutionality of [S.B. 1152](#), which allowed a provider of both telecommunications and cable services to stop paying the lesser of its state cable franchise or telephone access line fee, whichever is less for the company statewide, even if the company used the public right-of-way to provide that service. In both instances, the cities argued that the limitations on city franchise fees in the legislation amounted to an unconstitutional grant of public money in violation of the gift prohibition in the Texas Constitution.

At the trial level, the district court granted the cities' motion for summary judgment, finding that S.B. 1152 was unconstitutional. However, the trial court ruled in favor of the state on S.B. 1004, finding that the small cell fee limitation was constitutional.

The Austin Court of Appeals last week ruled in favor of the city coalition on both issues. In other words, the court upheld the district court's finding that S.B. 1152 violates the Texas Constitution and reversed the district court's determination that S.B. 1004's \$250 small cell node fee was sufficient to not run afoul of the Texas Constitution. On the second issue, the appellate court relied on a recent Texas Supreme Court case to determine that there is a fact question as to whether the \$250 statutory fee for small cell nodes is inadequate compensation to cities and remanded that issue back to the district court.

The League's board previously approved financial and legal support to the City of McAllen and the coalition to bring the challenge forward. Additionally, the League, in conjunction with numerous cities, vigorously opposed S.B. 1004 and S.B. 1152 when the bills were originally filed. Those in opposition testified that the bills violated Texas Constitutional protections against giving away public resources to for-profit entities and eroded local land use authority to respond to citizen concerns.

In all likelihood, the state will appeal this decision to the Texas Supreme Court. Additionally, it is quite possible that legislation is pursued in the upcoming legislative session to remedy the constitutional defects in both S.B. 1004 and S.B. 1152. The League will continue to monitor the litigation and provide updates as they become available.

DOL Salary Rule Struck Down by Federal Court

On November 15, 2024, a Texas federal court set aside the U.S. Department of Labor (DOL) rule adopted earlier this year that increased the minimum salary threshold in three steps for executive, administrative, and professional (EAP) employees under the Fair Labor Standards Act (FLSA). The ruling, applicable to all employers, including Texas cities, in effect reinstates the 2019 minimum salary threshold of \$684 per week (or \$35,568 per year).

Background

As we [previously reported](#), the DOL adopted the rule on April 23, 2024, increasing the minimum salary threshold EAP employees would have to be paid to qualify for the overtime pay exemption. The first salary threshold increase went into effect on July 1, 2024, and increased the minimum salary threshold from \$684 per week (or \$35,568 per year) to \$844 per week (or \$43,888 per year). The second increase was slated for January 2025 and set the minimum threshold to \$1,128 per week (or \$58,656 per year). Future updates to the salary and compensation structure were to automatically take place every three years thereafter. Additionally, the minimum salary threshold for "highly compensated employees" increased from \$107,432 per year to \$132,964 per year on July 1, 2024, and was set for a second increase to \$151,164 per year on January 1, 2025.

Summary of the Court's Ruling

In its decision, the court noted that although the DOL has express authority to define and delimit the terms of the EAP exemption, its authority is still limited. The court concluded that because the DOL's 2024 minimum salary thresholds were so substantial in contrast to the 2019 rule, the DOL essentially eliminated consideration of whether an employee's duties aligned with those in the EAP categories as intended by the FLSA and instead created a "salary-only test." This, in the court's

view, is not within the DOL's statutory authority. Further, because Congress conferred no authority on the DOL to implement automatic increases every three years, the rule also violated the federal notice-and-comment rulemaking requirements.

What should cities do now?

Although the DOL could appeal the ruling, it's likely that President-elect Trump's incoming administration will not favor such an appeal. In light of this, cities that did not adjust their EAP exempt employees' salaries on July 1, 2024, or were waiting for the conclusion of the litigation, are not required to do anything now that the DOL rule has been struck down. On the other hand, cities that reclassified employees from exempt to nonexempt or that made salary adjustments to comply with the July 1 increase have the discretion to reconsider these changes but are strongly encouraged to consult with legal counsel before doing so. City employers are also no longer required to comply with the January 1, 2025, increase as a result of the court's ruling. The League will continue to monitor this litigation and provide updates.

Governor Issues Executive Order on Critical Infrastructure

On Wednesday, Governor Abbott [issued](#) an [executive order](#) directing the Texas Division of Management (TDEM) and the Public Utility Commission to prepare for potential threats against critical infrastructure from hostile foreign governments or their proxies. Among other things, the order directs:

1. TDEM to convene a task force that surveys the vulnerabilities of the state government, local governments, and critical infrastructure in the event of a conflict. The task force shall recommend policies and best practices to address any vulnerabilities.
2. The Electricity Reliability Council (ERCOT) shall create a secure, dedicated communications channel for telecommunication and electrical infrastructure companies to use to help ERCOT prioritize load requests during a critical grid incident. ERCOT shall have this communications channel operational by June 30, 2025.

Get Involved During the Legislative Session: Grassroots Involvement Program

During the upcoming Texas legislative session, Texas cities will face many challenges and opportunities. TML will need to mobilize our membership at key points during session. The Grassroots Involvement Program (GRIP) is one way to do so. Our GRIP survey focuses on a variety of items including your areas of expertise and involvement with other professional organizations. Most importantly, the GRIP survey asks how well you know various state legislators and if you are willing to communicate with those legislators during the session. TML's grassroots approach will be crucial to our efforts.

If you have a relationship with your legislator(s) or want to be more involved during session, please take the time to complete the [GRIP survey](#). Past efforts have proven that such participation is a highly effective tool.

We ask that you complete the survey as soon as possible.

TxCDBG Community Development Fund Applications Due

The Texas Department of Agriculture is accepting applications for its Community Development (CD) Fund program. The [CD Fund](#) provides grants of up to \$500,000 to CDBG non-entitlement cities for public facilities-related projects. Eligible uses of the funds include water, wastewater, street, drainage, and housing-related projects.

Interested city officials can find more information about the CD Fund application process [here](#). CD Fund applications must be received by **December 9**.

City-Related Bills Filed

(Editor's Note: Both the House and Senate reserved lower number bills that will be filed later in the process, the first House bill filed was H.B. 151 and the first Senate bill was S.B. 41.)

Land Use

[H.B. 243](#) (Spiller) – Eminent Domain: would, among other things, allow the Office of Attorney General (OAG) to initiate an eminent domain proceeding to acquire real property owned by an alien or foreign entity if the OAG has reason to believe and shows the real property is being used in a manner that violates state or federal law or creates a risk to the state's critical infrastructure.

[H.B. 282](#) (Vasut) – Extraterritorial Jurisdiction Subdivision Authority: would provide that for a county with a population of 370,000 or more that contains more than six cities each with populations under 2,000: (1) the commissioners court of the county may issue an order amending an agreement to regulate subdivision plats and approve permits in the extraterritorial jurisdiction (ETJ) with the city and transfer control of subdivision authority to the county for certain qualifying parcels located in the city's ETJ; and (2) any party to the agreement may submit amendments to the agreement to binding arbitration under certain conditions.

[H.B. 294](#) (Cortez) – Residential Food Production: would, among other things: (1) prohibit a city from adopting or enforcing an ordinance or restrictive covenant that prohibits any of the following activities on a single-family residential lot: (a) the growing of fruits and vegetables; or (b) the raising of six or fewer domestic fowls or six or fewer rabbits; (2) allow a city to impose reasonable regulations on the growing of the fruits and vegetables in the front, side, or rear yard of a residence, including: (a) a requirement that the growing area be maintained in good condition of visible from the street faced by the lot or from an adjoining lot; and (b) a requirement for the trimming or removal of a tree as necessary for the maintenance of a utility easement; (3) allow a city to impose reasonable regulations on the raising or keeping of fowls or rabbits on a single-family residential lot to control odor, noise, safety, or sanitary conditions that do not have the effect of prohibiting the raising or keeping of the fowl or rabbits, including: (a) a limit on the number of

fowl or rabbits that is more than the minimum number allowed by (1), above, or a total combined number of eight fowl and rabbits; (b) a prohibition on raising or keeping of a rooster; (c) the minimum distance between an animal shelter and a residential structure other than the animal owner's own residence; (d) a requirement for fencing or shelter sufficient to contain the fowl or rabbits on the owner's property; (e) minimum requirements for combined housing and outdoor space of at least 20 square feet per fowl and nine square feet per rabbit; (f) a requirement to address sanitary conditions in a manner that prevents accumulation of animal waste in a quantity sufficient to create an offensive odor or attract pests; or (g) a requirement that the fowl or rabbits may only be kept in the side or rear yard of a residence; (4) provide that the requirements in (1) and (2), above, do not apply to a condominium unit; (5) provide that an ordinance adopted by a city that violates state law is void; and (6) provide that many of the regulations in (1)–(5), above, apply to property owners associations as well.

H.B. 327 (Bernal) – Zoning Protest Supermajority: would provide that the ability to protest a proposed change to a zoning regulation or boundary by petition and force a supermajority vote of the city council to approve the proposed change does not apply to a property on which a development is located that has applied for or received credits under the Low Income Housing Tax Credit Program.

H.B. 341 (C. Morales) – Bicycle Lane Study: would provide that the Texas Department of Transportation in consultation with the Texas A&M Transportation Institute, shall study the extent to which the availability of bicycle lanes reduces the rate of traffic collisions involving persons operating bicycles, electric bicycles, or motor-assisted scooters and submit a report to the legislature.

H.B. 363 (K. Bell) – County Municipal Utility Districts: would provide that before a petition requesting creation of a municipal utility district which is to be located outside the corporate limits of a city is filed with the Texas Commission on Environmental Quality, notice must be sent to the commissioners court of each county in which the proposed district is to be located and shall: (1) generally describe the boundaries to be included in the district; and (2) inform the commissioners of the right to: (a) respond to the notice; (b) review the petition requesting creation of the proposed district; and (c) submit a written opinion on the creation of the proposed district. (Companion bill is **S.B. 102** by Hall.)

H.B. 369 (Tepper) – Housing Density: would (1) prohibit a city from adopting or enforcing an ordinance, zoning variance, or other regulation that allows for the construction of more than one single-family dwelling on a lot that: (a) was zoned for single-family dwellings on September 1, 2023; and (b) is located in a subdivision with at least one developed lot; (2) prohibit a city from changing a zoning classification, regulation, boundary, or an allowed use under a zoning classification for the purpose of allowing more than one single-family dwelling on a lot described by (1), above; (3) create an exception to (1) and (2), above, to allow a city to adopt or enforce a regulation if the city: (a) sends certain written notice to each owner of real property zoned for single-family dwelling within 200 feet of each property affected by the proposed ordinance or regulation described in (1) or (2), above; and (b) obtains an affidavit from each owner consenting to the ordinance or regulation; and (4) provide that any person who has sustained an injury in fact, actual or threatened, from a city ordinance, order, or rule adopted or enforced by a city in violation

of (1)-(3), above, or a trade association representing the person, has standing to bring an action against the city.

H.B. 377 (Cortez) – Municipal Service Agreements: would provide that for annexation of property into a city which requires a certain written services agreement to be entered between the owners of the property and the city: (1) the written services agreement may not be entered into earlier than the 90th day before the date of annexation; and (2) any agreement that authorizes a city to annex the property that is the subject of the agreement may not waive the requirement that the city and land owners enter into a written service agreement.

H.B. 407 (C. Morales) – Solar Energy Building Requirements: would provide, among other things, that: (1) a city by ordinance shall incorporate into its municipal building code a requirement that the construction of new residential buildings suitable for one to four families must be compatible with the installation of certain solar energy devices that may be interconnected with the electric distribution system serving the area; (2) a residential builder shall have construction inspected for compliance with the requirements in (1), above; and (3) failure to comply with the requirements described in (1), above, or a violation of (2), above, is a Class C misdemeanor.

H.B. 411 (Rosenthal) – Housing Assistance Regulation: would repeal the state law that prohibits cities from adopting regulations prohibiting landlords from refusing to lease or rent housing or accommodation to a person because the person's lawful source of income to pay rent includes funding from a federal housing assistance program.

H.B. 447 (K. Bell) – Municipal Utility District Road Bonds: would require that before a municipal utility district may issue a bond to finance a road project, each entity with jurisdiction over a road intersection located inside the district or within one mile of the boundaries of the district, or over a road that will provide ingress or egress from a residential development in the district, must conduct a study evaluating potential changes to traffic patterns and volumes for the intersection or road that would result from the project.

H.B. 576 (Shaheen) – Lien Foreclosure: would expand the definitions of "trustee" and "substitute trustee" to include a city as an authorized entity under the terms of certain security instruments to exercise the power of sale. (Companion bill is **S.B. 372** by **Campbell**.)

H.B. 602 (Swanson) – Municipal Utility District Board Member Qualifications: would require all members of a municipal utility district's board of directors to own land subject to taxation in the district.

H.B. 733 (C. Bell) – Citizenship Requirements for Contracts for Deed: would provide, among other things, that the seller under certain contracts for deed or lease/purchase agreements may not enter into such a contract unless the purchaser or potential purchaser presents the seller certain proof of United States citizenship or legal residency.

H.B. 747 (C. Bell) – International Plumbing Code: would mandate that the Texas State Board of Plumbing Examiners adopt the 2015 or later edition of the International Plumbing Code.

H.B. 769 (Gervin-Hawkins) – Pedestrian Infrastructure Grant Program: would, among other things, provide: (1) for the creation of the pedestrian infrastructure grant fund; (2) that the Texas Department of Housing and Community Affairs (TDHCA) administer the fund; and (3) that TDHCA may make grants to neighborhood organizations to construct certain pedestrian infrastructure related to sidewalks, curbs, or pedestrian lighting.

H.B. 871 (Reynolds) – Building Codes: would, among other things, provide for the adoption of the International Residential Code and International Building Code as they existed on May 1, 2021, as the municipal residential building code and municipal commercial building code for all cities in Texas.

H.B. 878 (Vasut) – Density Preemption & Accessory Dwelling Units: This bill addresses, among other things, both density preemption in certain cities, and the regulation of accessory dwelling units (ADUs) in all cities. The density preemption components of the bill apply to a city with a population of 85,000 or more that is wholly or partly located in a county with a population of one million or more, and would provide, among other things, that:

1. a city may not adopt or enforce a regulation that requires a residential lot to be: (a) larger than 2,500 square feet; (b) wider than 16 feet; or (c) deeper than 30 feet;
2. if regulating the density of dwelling units on a residential lot, a city may not adopt or enforce a regulation that requires a ratio of dwelling units per acre that results in fewer than 31.1 units per acre;
3. on certain defined “small lots,” which are residential lots that are 4,000 square feet or less, a city may not adopt or enforce a regulation that requires a small lot to have: (a) a setback greater than five feet from the front, back, or side of the property; (b) covered parking; (c) more than one parking space per unit; (d) off-site parking; (e) more than 30 percent open space or permeable surface; (f) fewer than three full stories not exceeding 10 feet in height; (g) a maximum building bulk; (h) wall articulation requirement; or (i) certain other zoning restrictions;
4. a city may require with respect to a small lot: (a) the sharing of a driveway with another lot; or (b) permitting fees equivalent to the fees charged for the development of a lot the use of which is restricted to a single-family residence;
5. a property owner may apply for a special exception from the lot or building requirements in Numbers 1-4, above, if they: (a) propose to exempt an area contiguous to an area subject to these regulations; and (b) demonstrate the approval of a certain percentage of owners of property in certain areas of the contiguous property; and
6. a property owner may bring court action against a city that violates the requirements in Numbers 1-4, above, and seek damages and attorney fees;

The bill addresses ADU regulation by providing, among other things, that:

1. on a lot zoned for single-family home or duplex, a city may not adopt or enforce a regulation that: (a) prohibits an owner of a lot from building an ADU; (b) prohibits an owner from selling or leasing an ADU; (c) requires owner occupancy; (d) requires parking for an ADU; (e) requires a minimum lot size for an ADU larger than the minimum lot size required by the city for: (i) a single-family home or duplex; or (ii) an ADU on September 1, 2025, if certain conditions apply; (f) requires setbacks larger than five feet for an ADU; (g) prevents an owner of a lot zoned for single-family or duplex from converting an existing structure to an ADU through certain setbacks; (h) applies growth, density, or bulk restrictions to an ADU; (i) provides a limitation on the square footage of an ADU that is less than 50 percent of the square footage of the primary dwelling unit or 800 square feet; (j) regulates certain aspects of ADU design; (k) requires the height of a room in an ADU to be more than 14 feet; (l) charges an impact fee on an ADU under 800 square feet or that conflicts with the state statute on impact fees; (m) charges any additional fee specific to ADUs including parkland or right-of-way dedication; (n) imposes any restriction on ADU occupancy based on age or employment; (o) prohibits an owner of a lot that is at least 10,000 square feet from building two ADUs; or (p) prohibits an ADU based on open space or permeable surface restrictions;
2. a city may: (a) apply its generally applicable height limitations, front setback limitations, site plan review, and other zoning requirements to ADUs; (b) publish ADU plans, building codes, and design standards, which may include height, setback, landscape, aesthetics standards, and maximum size of an ADU; (c) authorize an ADU on a lot that: (i) contains a historic structure; (ii) is located in an area used to implement a water conservation plan; or (iii) is located in an area subject to a certain standard for a plumbing product imposed by the Texas Water Development Board; (d) apply its short-term rental regulations to an ADU; (e) prohibit the sale of an ADU separately from the primary dwelling unit;
3. a city that requires a permit to construct an ADU shall: (a) process the permit application ministerially without discretionary review or a hearing; (b) consider only whether the application satisfies the applicable building codes, design standards, and fire codes; and (c) approve or deny the application not later than the 60th day after the date the applicant submits the completed application;
4. a permit application described in Number 3, above, is considered approved if the city does not approve or deny the application on or before the 60th day after the applicant submits the application; and
5. a city found by the attorney general to have violated these regulations may not adopt a tax rate that exceeds the city's no-new-revenue tax rate for the tax year that begins on or after the date of the determination.

H.B. 950 (Hayes) – Municipal Services Following Annexation: would, among other things: (1) define “full municipal services” to mean a city’s provision of each of the following services to land following annexation: (a) police protection; (b) fire protection including fire hydrants; (c) emergency medical services; (d) solid waste collection; (e) construction, operation, and maintenance of: (i) water and wastewater facilities; (ii) roads and streets, including lighting; and

(iii) other city building, facilities, or services; (2) provide that a city must provide full municipal services to annexed property by: (a) September 1, 2029 for property annexed prior to September 1, 2025; and (b) the fourth anniversary of the date of annexation for property annexed after September 1, 2025; and (3) provide that if a city fails to provide full municipal services by the deadlines in (2), above, an affected landowner may bring an action seeking disannexation.

H.B. 954 (Spiller) – Extraterritorial Jurisdiction Subdivision Plat Cancellations: would provide that a person owning real property located in a portion of the city’s extraterritorial jurisdiction subject to county control over platting may apply to the county commissioner’s court for cancellation of certain subdivision plats.

H.B. 987 (Toth) – Building Permit Shot Clock: would, among other things, reduce the amount of time permitted for a city to grant or deny a building permit application from 45 days to 30 days.

H.B. 993 (Toth) – Building Permit Application Process: would, among other things: (1) require a city to provide certain notice to an applicant for a building permit, if the city is unable to grant or deny a building permit within 45 days of application; (2) provide that a city may reach a written agreement with an applicant providing for a deadline for granting or denying a building permit that goes beyond the 45 day limit only for a commercial building permit; and (3) prohibit a city from: (a) denying a building permit solely because the city is unable to grant or deny the application within 45 days of the date of application; or (b) requiring an applicant to waive certain requirements.

H.B. 1228 (Gates) – Emergency Repairs to Residential Buildings: would provide, among other things that: (1) a city shall allow an owner of a damaged residential building to immediately begin to repair to the building if: (a) the owner applies for an emergency permit; and (b) the repairs are necessary to protect public safety, prevent further damage to the building, or protect the overall structural integrity of the building; (2) an owner of a residential building may apply for an emergency permit to conduct repairs by filing an application not later than the third business day after the later of the date the repairs commence or the date the city is able to accept the application; (3) the governor may not exempt a city from (1), above, by an executive order related to a declared disaster; (4) an owner of a residential building who is prohibited from conducting repairs by a city in violation of (1), above, may bring an action against the city for damages, including litigation costs and reasonable attorney’s fees; and (5) governmental immunity to suit and from liability is waived.

H.B. 1322 (Hopper) – Small Cities Platting Shot Clock: would provide that for cities with populations under 10,000: (1) the municipal authority responsible for approving plats shall approve, approve with conditions, or disapprove a plat within 90 days after the date the plat is filed; (2) if the city requires a plat be approved by the city council in addition to the planning commission, the city council shall approve, approve with conditions, or disapprove a plat within 90 days after the plat is approved by the planning commission; (3) if the city receives a response following a previous conditional approval or disapproval of a plat, the city shall determine whether to approve or disapprove the plat no later than the 45th day after the date the response was submitted.

H.B. 1360 (A. Hernandez) – Building Materials Exemptions: would, among other things, provide for additional exemptions to the current building materials preemption related to: (1) an energy code adopted by the State Energy Conservation Office for building energy efficiency performance standards; (2) an energy and water conservation design standards established by the State Energy Conservation Office; and (3) a high-performance building standards approved by a board of regents relating to the construction of a building, structure, or other facility owned by an institution of higher education.

S.B. 102 (Hall) – County Municipal Utility Districts: would provide that for a municipal utility district which is to be located outside the corporate limits of a city before a petition requesting creation of a proposed district is filed with the Texas Commission on Environmental Quality, notice must be sent to the commissioners court of each county in which the proposed district is to be located and shall: (1) generally describe the boundaries to be included in the district; and (2) inform the commissioners of the right to: (a) respond to the notice; (b) review the petition requesting creation of the proposed district; and (c) submit a written opinion on the creation of the proposed district. (Companion bill is **H.B. 363** by **K. Bell**.)

S.B. 103 (Hall) – Prohibition Against Real Property Ownership and Contracting with Certain Foreign Entities: would provide, among other things, that: (1) the following entities and individuals may not purchase or otherwise acquire title to real property in Texas: (a) a governmental entity of China, Iran, Russia, or North Korea; (b) a company or entity that is (i) headquartered in China, Iran, Russia, or North Korea; (ii) directly or indirectly under the control of China, Iran, Russia, or North Korea; or (iii) owned or under the control of one or more individuals who are citizens of China, Iran, Russia, or North Korea; (c) a company or other entity that is owned or controlled by a company or entity described in (1)(b), above; or (d) an individual who is a citizen of China, Iran, Russia, or North Korea; (2) a city may not enter a contract payable with public money with: (a) a governmental entity or other entity described in (1), above; or (b) an individual who is a citizen of China, Iran, Russia, or North Korea.

S.B. 141 (Hall) – Limitations on Chicken Regulations: would, among other things, provide that a city: (1) may not adopt or enforce a regulation prohibiting the raising or keeping of six or fewer chickens on a single-family residential lot; (2) may impose reasonable regulations on the raising or keeping of poultry on a single-family residential lot that do not have the effect of prohibiting the activity, including: (a) a limit on the number of chickens that may be raised or kept in excess of six; (b) a prohibition on poultry breeding; (c) a prohibition on keeping roosters; or (d) the minimum distance between a chicken coop and a residential structure.

S.B. 210 (West) – Expedited Permit Review for Affordable Housing Projects: would provide that in cities with a population over 100,000: (1) an application for a building permit for certain affordable housing projects submitted to the city for review must be granted or denied in no more than 50 percent of the time allotted by the city to grant or deny any residential building permit application; and (2) if the city has adopted an accelerated residential building permit review process, an applicant for building permit for certain affordable housing projects shall be allowed to submit the application for review under the accelerated process.

S.B. 250 (Flores) – Annexation of Connecting Railroad Right-of-Way: would, among other things, provide that a city that is annexing an area may also annex an additional area if: (1) the area is adjacent to a right-of-way of a railway line, spur, or other railroad property that is: (a) contiguous and runs parallel to the city’s boundaries; and (b) contiguous to the area being annexed; and (2) each owner of the area agrees to the annexation by the municipality.

S.B. 291 (Schwertner) – Eminent Domain Penalties: would provide that an entity that fails to disclose certain appraisal reports in connection with an offer to acquire real property through eminent domain is liable to the property owner for reasonable attorney’s fees incurred by the owner in connection with the entity’s acquisition of the owner’s property.

S.B. 292 (Schwertner) – Condemnation Notice and Initial Offer Updates: would: (1) amend the “Landowner’s Bill of Rights,” to include additional information on the condemnation process, the condemning entity’s obligations to the property owner, the property owner’s options during condemnation, and the entity’s right to sue for permission to survey the property; (2) require an entity seeking to condemn property to provide a survey permission form to include information on the property owner’s rights to refuse permission, negotiate terms, and hold the entity responsible for damages; and (3) require an entity with eminent domain authority, which seeks to acquire property without using that authority, to separately identify and make a separate offer for the real property it seeks to acquire outside the condemnation process.

S.B. 363 (Eckhardt) – Valuation of Conservation Easements in Condemnation: would provide that when valuing property subject to a conservation easement for the purposes of condemnation, the value of the property being condemned as well as any damages to the owner’s remaining property shall be valued based on the property’s highest and best use as though the property was not burdened by a conservation easement.

S.B. 372 (Campbell) – Lien Foreclosure: would expand the definitions of “trustee” and “substitute trustee” to include a city as an authorized entity under the terms of certain security instruments to exercise the power of sale. (Companion bill is **H.B. 576** by **Shaheen**.)

S.B. 385 (Flores) – Recreational Vehicle Parks: would: (1) adopt certain construction safety standards applicable to certain privately owned and operated recreation vehicle parks or campgrounds on which sites for recreational vehicles, recreational park trailers, or other camping units are offered primarily for use by the public for overnight stays; and (2) prohibit a city from adopting a policy, rule, ordinance, or order that regulates environmental health and sanitation, electrical distribution system safety, liquefied petroleum gas storage and dispensing safety, or fire protection, if the policy, rule, ordinance, or order imposes more stringent standards than those adopted in (1), above.

Public Safety and Emergency Management

H.B. 162 (Cain) – Extreme Risk Protective Orders: would, among other things: (1) preempt cities from adopting or enforcing a rule, ordinance, order, policy, or other similar measure relating to an extreme risk protective order unless state law specifically authorizes the adoption and enforcement of such a rule, ordinance, order, policy, or measure; (2) prohibit cities from accepting

federal grant funds for the implementation, service, or enforcement of a federal statute, order, rule, or regulation purporting to implement or enforce an extreme risk protective order against a person in this state; and (3) provide that any person who serves or enforces or attempts to serve or enforce an extreme risk protective order against a person in this state, unless the order was issued under the laws of this state, commits a state jail felony criminal offense.

H.B. 170 (Guillen) – Peace Officer Civil Liability: would: (1) provide that a defendant who threatens to use force or deadly force that is justified is immune from civil liability for personal injury or death that results from the defendant’s threat to use force or deadly force, as applicable; (2) provide that a defendant who is found to be immune from liability in (1), above, is entitled to recover reasonable attorney’s fees, court costs, lost income, and other expenses incurred by the defendant in connection with the action; and (3) repeal the provision that states that the fact that conduct in (1), above, is justified does not abolish or impair any remedy for the conduct that is available in a civil suit.

H.B. 201 (M. Perez) – Motor Fuel Theft: would, among other things: (1) add motor fuel theft, including through the use of motor fuel manipulation devices, to the list of criminal activity in which the Financial Crimes Intelligence Center (FCIC) of the Texas Commission of Licensing and Regulation serves as the state’s primary entity for the planning, coordination, and integration of law enforcement response; and (2) provide that the FCIC may, on request, provide assistance to a law enforcement or other governmental agency regarding any matter within the center’s expertise.

H.B. 230 (Rosenthal) – Office of Community Violence Intervention: would, among other things: (1) create the Office of Community Violence Intervention (Office) for the purposes of, among other things: (a) providing leadership, coordination, and technical assistance to promote effective state and local efforts on reducing preventable injuries and deaths resulting from all forms of physical violence; (b) collaborating with governmental entities, law enforcement agencies, community-based organizations, business leaders, and other appropriate individuals in Texas to develop evidence-based policies, strategies, and interventions to reduce the impacts of violence in Texas; and (c) awarding grants; (2) provide that the Office, with the advice of an advisory committee, shall award grants for community violence intervention and prevention through a competitive process to counties and cities that are disproportionately impacted by a high incidence of violence; and (3) provide that a county or municipal recipient of a grant award under (2), above, must distribute not less than 50 percent of the grant money to one or more of the following: (a) a community-based organization; (b) an Indian tribe or tribal organizations; or (c) a public entity whose primary focus is community safety or gun violence prevention.

H.B. 234 (Johnson) – Extreme Risk Protective Orders: would, among other things: (1) provide that, in certain circumstances, courts may issue an extreme risk protective order against a person exhibiting dangerous behavior or conduct as a result of a serious mental illness, including any behavior or conduct related to the person’s use of firearms, requiring the person to relinquish his or her firearms; (2) require local law enforcement agencies to: (a) take possession of a person’s firearms when a court issues an extreme risk protective order against that person and to immediately provide the person a written copy of the receipt for the firearm and written notice of the procedure for return of the firearm; (b) if applicable, notify the court that issued the extreme

risk protective order that the person who is the subject of the order has relinquished the firearm not later than seven days after the law enforcement agency receives the firearm; (c) conduct a check of state and national criminal history record information to verify whether the person may lawfully possess a firearm not later than 30 days after receiving notice from the court that the extreme risk protective order has expired; and (d) if the check described in (2)(c), above, verifies that the person may lawfully possess a firearm, provide written notice to the person by certified mail stating that the firearm may be returned to the person if the person submits a written request before the 121st day after the date of the notice; (3) provide that a local law enforcement agency in possession of a firearm relinquished because of an extreme risk protective order may not destroy the firearm but may sell the firearm to a licensed firearms dealer if the check in (2)(c), above, shows that the person may not lawfully possess a firearm or the person does not submit a written request as required by (2)(d), above; and (4) provide that the proceeds from the sale of a firearm in (3), above, shall be paid to the owner of the seized firearm, less the cost of administering this article with respect to the firearm.

H.B. 253 (Talarico) – Possession of Controlled Substance: would provide that the criminal offense of possession of a controlled substance does not apply to a person who uses, possesses with intent to use, delivers, possesses with intent to deliver, or manufactures with intent to deliver testing equipment that identifies the presence of controlled substance. (Companion bill is **S.B. 362** by **Eckhardt**.)

H.B. 260 (Lalani) – Firearm Purchasing by Sex Offenders: would provide, among other things, that: (1) a person subject to sex offender registration as a result of a reportable conviction or adjudication for an offense occurring on or after September 1, 2025, may not purchase a firearm; and (2) a local law enforcement authority that provides to a person a sex offender registration form for verification shall include with the form a statement describing the prohibitions listed in (1), above.

H.B. 270 (Rosenthal) – False Reports: would provide that: (1) a person who submits a false report to a law enforcement agency or emergency service provider, with the intent that the law enforcement agency or emergency service provider take action against a falsely accused person, is liable to the falsely accused person for an amount not to exceed \$250 if the report was submitted due to bias or prejudice against the falsely accused person's race, color, disability, religion, national origin or ancestry, age, gender, sexual orientation, or gender identity; and (2) if a falsely accused person prevails in an action brought under (1), above, the person may recover attorney's fees and costs incurred in bringing the action.

H.B. 307 (Vasut) – Defendant Credit: would increase a defendant's confinement, labor, and community service credit from \$100 to \$150 when a defendant is convicted of a misdemeanor and the defendant's punishment is assessed at a pecuniary fine and is unable to pay the fine and costs adjudged. (Companion bill is **S.B. 55** by **Zaffirini**.)

H.B. 336 (Schofield) – Law Enforcement Services: would provide, among other things, that a county sheriff or constable in a county with a population of one million or more may enter into a contract with a property owners' association or an owner of land in a subdivision to provide law enforcement services in the sheriff's county: (1) in and near the area managed or regulated by the

association or the area owned by the owner; and (2) to the persons residing in or visiting an area described in (1), above.

H.B. 440 (Morales) – Emergency Alerts: would provide that the following alerts must be in English and Spanish: (1) power outage alerts to electricity customers; (2) America’s Missing: Broadcast Emergency Response (AMBER) and missing persons with intellectual disabilities alerts; (3) active shooter alerts; (4) silver alerts for missing senior citizens or persons with Alzheimer’s disease; (5) blue alerts to aid in the apprehension of an individual suspected of killing or causing serious bodily injury to a law enforcement officer; and (6) coordinated law enforcement adult rescue (CLEAR) alerts for missing adults.

H.B. 448 (Gervin-Hawkins) – Dangerous Dogs: would provide that a city animal control authority in the city’s extraterritorial jurisdiction (ETJ) may seize and impound a dangerous or aggressive dog until a court orders its disposition if: (1) the authority receives a notarized affidavit signed by at least two residents from different households in the ETJ requesting assistance from the authority and alleging that: (a) a dangerous or aggressive dog has repeatedly attacked humans, domestic animals, or livestock within the ETJ; and (b) due to the presence of a dangerous or aggressive dog, the ETJ is an unsafe environment for humans, domestic animals, or livestock; and (2) in the ETJ: (a) no animal control authority is authorized to operate; or (b) the operating animal control authority does not provide for the seizure or impoundment of dangerous or aggressive dogs.

H.B. 479 (Bernal) – Firearms Sales: would provide that: (1) a licensed firearms dealer shall report, in the form and manner prescribed by the Department of Public Safety (DPS), the multiple sales or transfers of two or more rifles made to the same transferee, other than a licensed firearms dealer, on a single occasion or on more than one occasion during a period of five consecutive business days, to DPS and if any of the applicable sales or transfers occurred in a city, the police department of each city in which the applicable sales or transfers occurred; and (2) a licensed firearms dealer who violates (1), above, commits a Class A misdemeanor offense.

H.B. 487 (Tepper) – Gambling Devices: would, among other things, provide that: (1) the term “gambling device” includes an “eight-liner” device; (2) it is a defense to prosecution for gambling that the conduct consists of entirely playing or using a gambling device in which: (a) skill is the predominant requirement for the player or user to win or be awarded a thing of value for playing or using the device; and (b) the player or user may only win or be awarded as a thing of value for playing or using the device: (i) noncash merchandise available only on the premises where the device is located; or (ii) a ticket, coupon, or other representation of value redeemable only on the premises where the device is located for noncash merchandise; (3) for purposes of (2), above: (a) the value of the noncash merchandise or representation of value redeemable for noncash merchandise won or awarded for a single play of game on or use of a gambling device may not exceed the lesser of a wholesale value of ten times the amount charged for the single play or use or five dollars; and (b) the wholesale value of an item of noncash merchandise won or awarded for playing or using the device or for which a person may redeem one or more tickets, coupons, or other representations of value won or awarded for playing or using the device may not exceed \$50; (4) it is a defense to prosecution for gambling that the conduct consists entirely of playing or using a gambling device in which the player or user of the device may win or be awarded only the opportunity to continue playing the game or using the device and the opportunity is not

exchangeable for another thing of value; (5) it is a defense to promoting gambling, keeping a gambling place, or possession of a gambling device, equipment, or paraphernalia that the conduct consists of or is a necessary incident to offering, using, or maintaining one or more gambling devices used exclusively for conduct for which (2) or (4), above, provides a defense to a person playing or using the device, including manufacturing, transporting, storing, or repairing the device; (6) a licensed authorized organization operating or conducting bingo may exhibit and allow patrons to play or use a gambling device described in (2), above; and (7) certain state law provisions relating to game rooms are repealed.

H.B. 498 (Meza) – Family Violence Cases: would: (1) require a court, in regard to a person convicted of certain family violence offenses or subject to a family violence protective order, to provide written notice to the person that he/she is prohibited from acquiring, possessing, or controlling a firearm, and order the person to surrender all firearms; and (2) provide various ways a person in (1), above, may surrender a firearm, including surrender to a law enforcement agency.

H.B. 505 (Bucy) – Homelessness: would: (1) require a state registrar, a local registrar, or a county clerk to issue a homeless individual's birth record to the homeless individual without a fee; (2) require the Department of State Health Services to adopt a process to verify a person's status as a homeless individual and prescribe the documentation necessary for the issuance of a certified copy of a birth record; (3) require the Department of Public Safety (DPS) to adopt a process to verify a person is a homeless individual; (4) provide that an individual who can verify a homeless individual's status for the purposes of (2) and (3), above, includes the director of a law enforcement agency of a political subdivision that appoints or employs peace officers; and (5) require DPS to exempt a homeless individual from the payment of fees for the issuance of a driver's license or personal identification certificate only if there is a sufficient amount in the identification fee exemption account to waive the fees.

H.B. 523 (Harrison) – Disaster Orders: would, among other things, provide that: (1) a state or local official may issue recommendations and nonbinding guidelines to assist with a state of disaster and may coordinate public and private resources to prevent or respond to the disaster; (2) notwithstanding any other law, an order issued by the governor or a state or local official that regulates or infringes on the rights of any private person must be: (a) narrowly tailored to serve a compelling public health or safety purpose; and (b) limited in duration, applicability, and scope to reduce any infringement on individual liberty; (3) district and appellate courts have jurisdiction to hear cases challenging a state or local disaster order and shall expedite hearings for the cases; (4) a court may invalidate or enjoin a disaster order or the application of a disaster order that is not narrowly tailored to serve a compelling public health or safety purpose because of the order's inequality in application to or impact on groups, situations, or circumstances; (5) only the governor may issue an order that infringes in a nontrivial manner on a protected constitutional right, including but not limited to: (a) the rights to travel, work, assemble, and speak; (b) the freedom of religious exercise; (c) the right to contract without state interference; (d) property rights; (e) the freedom from unreasonable searches and seizures; and (f) the freedom to purchase lawfully acquired firearms and ammunition; (6) an order in (5), above, expires on the 30th day after the date the governor issues the order unless the governor or legislature terminates the order on an earlier date or the legislature extends the order on or before the expiration date; and (7) the

governor may only suspend state agency orders and rules (not statutory requirements) during a state of disaster.

H.B. 529 (Bumgarner) – Bulletproof Vest and Body Armor Grant Program: would provide that a law enforcement agency means an agency of the state or an agency of a political subdivision of the state authorized by law to employ peace officers, including an independent school district.

H.B. 535 (R. Lopez) – Pedestrians and Bicycle Operators: would provide that: (1) an operator of a motor vehicle shall exercise due care to avoid colliding with a pedestrian or a person operating a bicycle on a highway or street; (2) an operator of a motor vehicle passing a pedestrian or a person operating a bicycle on a highway or street that has two or more marked lanes running in the same direction shall move the motor vehicle to a lane other than the lane used by the pedestrian or bicycle operator while passing the pedestrian or bicycle operator; (3) for purposes of passing to the left of another vehicle, a safe distance from a pedestrian or any part of a bicycle is: (a) at least three feet if the operator's vehicle is a passenger car or a light truck; or (b) at least six feet if the operator's vehicle is a commercial motor vehicle or a truck other than a light truck; (4) for purposes of passing to the right of another vehicle, conditions permit safely passing a pedestrian or a bicycle to the right only if the motor vehicle passes: (a) at least three feet from the pedestrian or any part of the bicycle if the operator's vehicle is a passenger car or a light truck; or (b) at least six feet from the pedestrian or any part of the bicycle if the operator's vehicle is a commercial motor vehicle or a truck other than a light truck; (5) it is an affirmative defense to prosecution that at the time of the offense the pedestrian or bicycle operator was acting in violation of a traffic law in a manner that contributed to the offense; and (6) these provisions apply only to a person operating a motor vehicle within the boundaries of a city with a population of 100,000 or more.

H.B. 547 (C. Morales) – Lost or Stolen Firearm Reporting: would provide that: (1) a peace officer who receives a report from an owner of a firearm that the firearm was lost or stolen shall report the loss or theft to the Department of Public Safety (DPS); (2) the report must include: (a) the name of the owner; (b) any available information about the firearm; and (c) the date that the owner became aware the firearm was lost or stolen; (3) DPS shall regularly send all reports received under (1), above, to the National Crime Information Center; and (4) failure to report to a peace officer or law enforcement agency a lost or stolen firearm by an owner within 24 hours after the time the person became aware the firearm was lost or stolen constitutes a criminal offense.

H.B. 589 (Thompson) – Anti-Human Trafficking Measures: would, among other things, provide that: (1) the Texas Department of Licensing and Regulation (TDLR) may combat human trafficking by: (a) establishing within TDLR an anti-trafficking unit; (b) identifying businesses operating within industries regulated by TDLR that are impacted by human trafficking; and (c) coordinating with: (i) the office of the attorney general, including any council, task force, or work group established by that office to combat human trafficking; (ii) local, state, and federal law enforcement agencies; and (iii) any nongovernmental entity engaged in efforts to combat human trafficking or assist victims; (2) the Texas Commission of Licensing and Regulation may adopt rules to combat human trafficking for any program regulated by TDLR, including rules for conducting inspections and investigations; and (3) information that identifies an individual as a victim of human trafficking is confidential and excepted from disclosure under the Public Information Act.

H.B. 652 (Harris Davila) – Defunding Municipalities: would, among other things, provide that: (1) a “defunding municipality” may not use public money to provide private security to an elected official of the municipality; and (2) a contract entered into in violation of (1), above, is void as against public policy.

H.B. 656 (Thompson) – Cite and Release: would, with respect to issuing citations in lieu of arrest for misdemeanor offenses, provide that: (1) the Bill Blackwood Law Enforcement Management Institute of Texas, in collaboration with law enforcement agencies, law enforcement associations, law enforcement training experts, and community organizations engaged in the development of law enforcement policy, shall publish a model policy related to the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, that includes the procedure for a peace officer, upon a person’s presentation of appropriate identification, to verify the person’s identity and issue a citation to the person; (2) each law enforcement agency shall adopt a written policy regarding the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, provided such policy meets the requirements of the model policy described in (1), above; (3) a law enforcement agency may adopt the model policy developed under (1), above; and (4) a peace officer may not arrest, without warrant, a person found only committing one or more misdemeanors related to certain traffic offenses that are punishable by fine only, and in such instances shall issue a written notice to appear to the person.

H.B. 720 (Flores) – Ketamine Treatment Grant Program: would, among other things, provide that: (1) the Health and Human Services Commission (HHSC) shall establish a ketamine treatment grant program to award grants to ketamine clinics providing mental health treatment to active duty military personnel, first responders, and veterans; and (2) a ketamine clinic may use grant money awarded under (1), above, to: (a) cover the cost of uncompensated mental health treatment provided to active duty military personnel, first responders, and veterans; and (b) pay for other activities, services, resources, supplies, or equipment HHSC determines necessary for the clinic to provide the treatment.

H.B. 723 (Gervin-Hawkins) – Passing School Bus: would require a local authority or school district to: (1) install a school bus monitoring system on each school bus owned or operated by the authority or district; (2) immediately report to a local law enforcement agency a passing school bus violation that is captured by a recorded image produced by a school bus monitoring system; and (3) immediately provide recorded images described in (2), above, to the law enforcement agency which may be used as evidence.

H.B. 742 (Thompson) – Human Trafficking Training: would provide, among other things, that: (1) a first responder, within the time prescribed by the Health and Human Services Commission (HHSC) rule, shall successfully complete a training course approved by the executive commissioner on identifying, assisting, and reporting victims of human trafficking; and (2) the HHSC executive commissioner shall approve training courses on human trafficking prevention, including at least one course available without charge and post a list of the approved training courses on HHSC’s Internet website.

H.B. 765 (J. Jones) – Peace Officer Liability Insurance: would provide that: (1) a law enforcement agency may not employ a peace officer who works as a peace officer for a law

enforcement agency and is entitled to benefits normally offered to a full-time peace officer by the employing agency, such as retirement benefits, unless the peace officer obtains and continuously maintains liability insurance to cover damages resulting from any misconduct, including intentional, negligent, or willful acts, committed by the peace officer while acting in the scope of the peace officer's employment for the law enforcement agency; (2) the commissioner of insurance shall adopt rules with respect to the liability insurance required by (1) above, that: (a) set the minimum coverage amount for a policy that allows for a reasonable number of victims to be compensated; and (b) require a policy to state that the policy is provided in accordance with and is subject to this bill; and (3) liability insurance obtained and maintained under this bill must comply with the rules adopted by the commissioner of insurance.

H.B. 874 (Goodwin) – Firearms Sales: would, among other things, provide that: (1) a licensed firearms dealer shall report, in the form and manner prescribed by the Department of Public Safety (DPS), the multiple sales or transfers of two or more semiautomatic rifles made to the same transferee, other than a licensed firearms dealer, on a single occasion or on more than one occasion during a period of five consecutive business days, to DPS; (2) before completing a sale or transfer of a semiautomatic rifle the licensed firearms dealer making the sale or transfer shall: (a) review the items in the current sale or transfer and any recent previous sales and transfers by the dealer to that transferee to determine whether the reporting duties in (1), above, apply to the dealer as a result of that sale or transfer; and (b) submit a report, if required; (3) a report submitted by a licensed firearms dealer to DPS is confidential and not subject to disclosure under the Public Information Act (PIA); (4) not later than 24 hours after receiving a report from a licensed firearms dealer under (1), above, DPS shall transmit the report to: (a) the sheriff of each county in which the applicable sales or transfers occurred and in which the transferee resides; and (b) the police department of each city in which the applicable sales or transfers occurred and in which the transferee resides; (5) information in a report submitted to a county sheriff or police department in (4), above, is confidential and not subject to disclosure under the PIA; and (6) a licensed firearms dealer who with criminal negligence violates (1), above, commits a Class B misdemeanor offense.

H.B. 876 (Lalani) – Department of Information Resources: would authorize the Department of Information Resources to establish an interstate information sharing and analysis organization to provide a forum for states to share information regarding cybersecurity threats, best practices, and remediation strategies.

H.B. 888 (Thompson) – Peace Officer Training: would provide that basic peace officer training must include training on the duty of a peace officer to request and render aid for an injured person.

H.B. 893 (Moody) – Extreme Risk Protective Orders: would, among other things: (1) provide that, in certain circumstances, courts may issue an extreme risk protective order against a person exhibiting dangerous behavior or conduct as a result of a serious mental illness, including any behavior or conduct related to the person's use of firearms, requiring the person to relinquish his or her firearms; (2) require local law enforcement agencies to: (a) take possession of a person's firearms when a court issues an extreme risk protective order against that person and to immediately provide the person a written copy of the receipt for the firearm and written notice of the procedure for return of the firearm; (b) if applicable, notify the court that issued the extreme risk protective order that the person who is the subject of the order has relinquished the firearm

not later than seven days after the law enforcement agency receives the firearm; (c) conduct a check of state and national criminal history record information to verify whether the person may lawfully possess a firearm not later than 30 days after receiving notice from the court that the extreme risk protective order has expired; and (d) if the check described in (2)(c), above, verifies that the person may lawfully possess a firearm, provide written notice to the person by certified mail stating that the firearm may be returned to the person if the person submits a written request before the 121st day after the date of the notice; (3) provide that a local law enforcement agency in possession of a firearm relinquished because of an extreme risk protective order may not destroy the firearm but may sell the firearm to a licensed firearms dealer if the check in (2)(c), above, shows that the person may not lawfully possess a firearm or the person does not submit a written request as required by (2)(d), above; (4) provide that the proceeds from the sale of a firearm in (3), above, shall be paid to the owner of the seized firearm, less the cost of administering the bill with respect to the firearm; and (5) provide that a law enforcement officer or other employee of a law enforcement agency is subject to punishment for contempt of court if the officer or employee violates the bill with the intent to withhold a firearm from a person who, at the time the violation occurred: (a) was the subject of an extreme risk protective order that was rescinded or that expired; and (b) may lawfully possess the firearm.

H.B. 896 (Thompson) – Neck Restraints: would provide that: (1) a peace officer may not use a choke hold, carotid artery hold, or similar neck restraint in searching or arresting a person unless: (a) the restraint is necessary to prevent bodily injury or death of the officer or another person; and (b) the officer discontinues the restraint as soon as the threat of serious bodily injury or death has passed; (2) basic peace officer training must include training on the prohibition against the intentional use of neck restraints unless in accordance with (1), above; and (3) the model training curriculum and policies developed by the Texas Commission on Law Enforcement must include curriculum and policies regarding the prohibition against the intentional use of neck restraints during the search or arrest by a peace officer unless in accordance with (1), above.

H.B. 902 (Thompson) – Peace Officer Duties: would: (1) amend current law to provide that a peace officer may, if authorized: (a) interfere without a warrant to prevent or suppress a crime; or (b) arrest offenders without a warrant so that they may be taken before the proper magistrate or court and be tried; and (2) provide that a peace officer shall: (a) preserve the peace within the officer's jurisdiction using all lawful means; (b) identify as a peace officer before taking any action within the course and scope of the officer's official duties unless the identification would render the action impracticable; (c) execute all lawful process issued to the officer by a magistrate or court; (d) give notice to an appropriate magistrate of all offenses committed in the officer's jurisdiction, if the officer has probable cause to believe there has been a violation of penal law; (e) take possession of a missing child upon determining the location of a child; (f) on a request made by the Texas Civil Commitment Office, execute an emergency detention order; and (g) intervene if the use of force by another peace officer: (i) exceeds which is reasonable under the circumstances; (ii) violates departmental policy, state, or federal law; (iii) puts any person at risk of bodily injury, unless the officer reasonably believes that the other officer's use of force is immediately necessary to avoid imminent harm to a peace officer or other person; or (iv) is not required to apprehend or complete the apprehension of a suspect.

H.B. 908 (Spiller) – Missing Child: would require a law enforcement agency to: (1) immediately, but not later than two hours after the agency receives the report of a missing child enter applicable information into the National Center for Missing and Exploited Children (NCMEC) system, among others; and (2) inform the person who filed the report that the information in (1), above, will be entered into the NCMEC system, among others.

H.B. 909 (Thompson) – Peace Officers: would, among other things, provide that:

1. a public entity, including a city: (a) is legally responsible for a wrongful act or omission of the entity's peace officer if the act or omission occurs under the color of law; and (b) accepts responsibility under respondeat superior for the officer's conduct under the color of law, regardless of whether the officer acted in accordance with a policy or custom of the entity;
2. an individual may bring an action for any appropriate relief in a court in this state against a public entity on the basis that a peace officer employed by the entity, by an act or omission under the color of law, deprived the individual of a right, privilege or immunity under the law or constitution;
3. statutory immunity or limitation on liability, damages, or attorney's fees is waived for an action brought under Number 2, above;
4. a peace officer may not be found financially liable in an action brought under Number 2, above;
5. notwithstanding any other law, contract or agreement, a public entity may terminate a contract or agreement with or the employment of a peace officer if the court finds in an action brought under Number 2, above, the officer deprived the claimant of a right, privilege or immunity under the law or constitution;
6. all petitions, judgements, settlements, or consent decrees related to an action brought under Number 2, above, are public information subject to disclosure under the Texas Public Information Act;
7. a peace officer: (a) may, if authorized, arrest offenders without a warrant; (b) shall identify as a peace officer before taking any action within the course and scope of the officer's official duties unless the identification would render the action impracticable; and (c) shall intervene to prevent an action by another peace officer if: (i) the action includes excessive use of force; (ii) the intervening officer knows or should know the other officer's actions violates department policy or local, state or federal law; or (iii) the action puts a person at risk of bodily injury;
8. a law enforcement agency: (a) shall adopt a written policy regarding the issuance of citations for misdemeanor offenses, including traffic offenses, that are punishable by fine only, and (b) the policy shall meet the requirements of a model policy published by the Texas Southern University;

9. a law enforcement agency shall adopt a written policy regarding the use of force by peace officer that: (a) emphasizes conflict de-escalation and use of proportionate force; (b) mandates that deadly force be only used by peace officers as a last resort; and (c) affirms the sanctity of human life and treating all persons with dignity and respect;
10. a peace officer may not intentionally use a choke hold, carotid artery hold, or similar neck restraint in searching or arresting a person unless: (a) the restraint is necessary to prevent serious bodily injury to or the death of the officer or another person; and (b) the officer discontinues the restraint as soon as the threat of serious bodily injury or death described Number 10(a), above, has passed;
11. a peace officer or any other person may not, without a warrant, arrest an offender for a misdemeanor punishable by fine only other than certain assaultive offenses or offenses related to public intoxication;
12. a peace officer who is charging a person, including a child, with committing an offense that is a misdemeanor punishable by fine only, other than offense related to public intoxication, shall cite and release that person;
13. a peace officer who is charging a person, including a child, with committing an offense that is a misdemeanor for certain assaultive offenses punishable by fine only may cite and release that person;
14. a defendant may not be convicted for offense related to controlled substances on the testimony of an informant unless the testimony is corroborated by other evidence tending to connect the defendant with the offense committed;
15. a civil service commission shall implement a progressive disciplinary matrix for infractions committed by police officers that consist of a range of progressive actions applied in a standardized way based on the nature of the infraction and officer's prior conduct record;
16. a public employer shall implement the progressive disciplinary matrix for police officers described in Number 15, above, if the city has not adopted civil service;
17. a meet and confer agreement: (a) must implement the progressive disciplinary matrix described in Number 15, above; and (b) may not conflict with and supersede a statute, ordinance, order, civil service provision, or rule concerning the disciplinary actions that may be imposed on a police officer under the matrix;
18. a collective bargaining agreement may not conflict with an ordinance, order, statute, or rule concerning the disciplinary actions that may be imposed on police officers under a disciplinary matrix described in Number 15, above;
19. the basic peace officer training course must include: (a) training on prohibition against the intentional use of choke holds, carotid artery holds or similar neck restraints during a search

or arrest by a peace officer; and (b) the duty of a peace officer to request and render aid for an injured person; and

20. A peace officer is only justified in using deadly force in certain instances, and use of force or deadly force against a person is not justified if the force or deadly force is used in a manner that impedes the normal breathing or circulation of the blood of the person by applying pressure to the person's throat or neck or by blocking the person's nose or mouth.

H.B. 914 (Thompson) – Civil Asset Forfeiture Proceedings: would, with certain exceptions, repeal the law related to civil asset forfeiture and establish criminal asset forfeiture in this state, and among other things:

1. authorize a convicting court to order a person convicted of an offense subject to forfeiture to forfeit certain property, but only after the state establishes by clear and convincing evidence that the requirements for forfeiture are met or enters into a court-approved plea agreement for the forfeiture of the property;
2. provide that contraband is not subject to forfeiture, but is subject to seizure and must be disposed in accordance with state law;
3. establish procedures for the seizure of real and personal property and for the defendant to challenge the seizure;
4. provide that a forfeiture proceeding must be held following the trial of the related alleged offense;
5. authorize a defendant, at any time following a forfeiture determination, to petition the court to determine whether the forfeiture is unconstitutionally excessive;
6. prohibit the property of an innocent owner from being forfeited;
7. prohibit a law enforcement agency from: (a) retaining any forfeited or abandoned property for the agency's use; or (b) selling any forfeited or abandoned property directly or indirectly to an employee, a person related to an employee, or another law enforcement agency;
8. require law enforcement agencies to report certain forfeiture information to the Department of Public Safety;
9. require a law enforcement agency to return property under certain circumstances and make the agency responsible for any damage, storage fees, and related costs applicable to the property; and
10. prohibit the transfer of seized property to the federal government, with some exceptions.

H.B. 916 (Harrison) – Asset Forfeiture Reporting: would provide that:

1. when property is seized or forfeited under this bill or under an agreement with the federal government, the law enforcement agency that seized the property shall submit certain information to the attorney general, to the extent the information is available or applicable;
2. the attorney general shall establish and maintain a case tracking system to collect and organize data regarding property seized or forfeited;
3. the attorney general shall assign the responsibility for submitting the information required in Number 1, above, to appropriate state or local law enforcement agencies;
4. if property was seized from a confidential informant, the law enforcement agency may delay submitting the information required under Number 1, above, for any period in which the informant continues to cooperate with the agency;
5. if a law enforcement agency responsible for submitting information to the attorney general under Number 1, above, has not seized any property during the period specified by the attorney general, the agency shall file a report stating that no property was seized;
6. the attorney general shall establish and make available to the public an Internet website with a searchable database that includes: (a) the information submitted to the attorney general for inclusion in the case tracking system under Number 1, above; (b) the total amount of funds expended from the proceeds of property seized or forfeited; (c) an itemized list of any other expenditure of proceeds that was received from a forfeiture, including payments to trade associations, lobbyists, and other agencies; and; (d) the total value of seized and forfeited property held by the law enforcement agency at the end of the state fiscal year;
7. a law enforcement agency that expends funds from the proceeds of property seized or forfeited shall submit a report to the attorney general not later than the 30th day after the end of the state fiscal year, unless the attorney general extends the 30-day period for a period determined by the attorney general if the attorney general finds good cause for the extension;
8. a law enforcement agency in violation of Number 7, above, is subject to a civil penalty for each violation: (a) in an amount equal to \$500, or 25 percent of the forfeiture proceeds received by the law enforcement agency, whichever is greater; or (b) in a reasonable amount determined by the office of the attorney general;
9. sovereign immunity of this state and governmental immunity of a political subdivision to suit and from liability is waived to the extent of liability created by Number 8, above;
10. the attorney general may charge a reasonable fee to a law enforcement agency that submits information under Number 1, above, or Number 6, above, to cover the costs associated with maintaining the case tracking system and Internet website;

11. the attorney general shall compile and submit to the governor, lieutenant governor, and the speaker of the house of representatives a report summarizing activity related to property seized and forfeited; and
12. all information and reports submitted to the attorney general or published by the attorney general are public information subject to disclosure under the Texas Public Information Act.

H.B. 925 (Cain) – Firearms: would repeal the provisions: (1) allowing a person to post a sign stating that a person may not carry a firearm or other weapon on a property; and (2) making unavailable a defense to prosecution if: (a) a sign described by (1), above, was posted prominently at each entrance to the premises or other property, as applicable; or (b) at the time of the offense, the actor knew that carrying a firearm or other weapon on the premises or other property was prohibited.

H.B. 945 (Spiller) – Blood Search Warrants: would provide that a justice of the peace may issue a search warrant to collect a blood specimen from a person who is arrested for certain intoxication criminal offenses.

H.B. 956 (Garcia Hernandez) – Protective Order Reporting: would provide that: (1) for an original or modified protective order issued for victims of sexual assault or abuse, indecent assault, stalking, or trafficking, on receipt of the order from the clerk of the court, a law enforcement agency shall immediately, but not later than the third calendar day after the date the order is received, enter specific information pertaining to the protective order into the statewide law enforcement system maintained by the Department of Public Safety (DPS); (2) a conviction for an offense involving family violence that would prohibit a person from possessing a firearm under state or federal law shall be reported to DPS not later than the fifth calendar day after the date the judgment of conviction is entered; and (3) DPS shall report to the Federal Bureau of Investigation for use with the National Instant Criminal Background Check System each protective order and each conviction for a family violence misdemeanor not later than the third calendar day after the date DPS receives information that the protective order or judgment of conviction was entered.

H.B. 961 (Harrison) – Automatic License Plate Readers: would, among other things, provide that: (1) a law enforcement agency may use an automatic license plate reader only as authorized by a warrant or court order; (2) images and any related data produced from an automatic license plate reader used by a law enforcement agency may be used only for the purpose of investigating a criminal offense that is a violent offense; (3) images and any related data produced from an automatic license plate reader used by a law enforcement agency must be destroyed promptly after collection unless the image or data is from a motor vehicle that: (a) is involved in a criminal offense described in (2), above, or an ongoing criminal investigation of such an offense; or (b) is registered to a person who is involved in a criminal offense described in (2), above, or an ongoing criminal investigation of such an offense; (4) a law enforcement agency may not enter into an agreement with a person to provide images or any related data produced from an automatic license plate reader to the person except for a purpose otherwise authorized by this bill; and (5) a law enforcement agency that uses an automatic license plate reader in accordance with this bill shall: (a) adopt a policy regarding the agency's use of automatic license plate readers; (b) annually compile a report

regarding the agency's use of automatic license plate readers, including: (i) the number of license plates scanned by the agency; and (ii) the number of license plate scans that the agency used in an investigation that led to the arrest or prosecution of a person; and (c) annually publish the policy and the report on the agency's publicly accessible Internet website.

H.B. 1042 (Bhojani) – Homelessness: would: (1) require a state registrar, a local registrar, or a county clerk to issue a homeless individual's birth record to the homeless individual without a fee; (2) require the Department of State Health Services to adopt a process to verify a person's status as a homeless individual and prescribe the documentation necessary for the issuance of a certified copy of a birth record; (3) require the Department of Public Safety (DPS) to adopt a process to verify an individual is a homeless individual; (4) provide that an individual who can verify a homeless individual's status for the purposes of (2) and (3), above, includes the director of a law enforcement agency of a political subdivision that appoints or employs peace officers; and (5) require DPS to exempt a homeless individual from the payment of fees for the issuance of a driver's license or personal identification certificate only if there is a sufficient amount in the identification fee exemption account to waive the fees.

H.B. 1068 (Dorazio) – Arrest Information: would require: (1) not later than January 31 of each year, each municipal police department and sheriff's department to post on the department's Internet website a report on the number of criminal offenses committed in the county and city, as applicable, during the preceding calendar year for which a person arrested by the department is known by the department to not be lawfully present in the United States; and (2) the report in (1), above, to include for each arrested person identified as not lawfully present each offense and the total number of offenses for which the person was arrested.

H.B. 1105 (Cole) – Paramedics Tuition Exemption: would provide, among other things, that an institution of higher education shall exempt from the payment of tuition and laboratory fees any student who is enrolled in one or more courses offered as part of an emergency medical services curriculum and is employed as a paramedic by a city.

H.B. 1108 (VanDeaver) – Motorcycle Profiling: would provide that: (1) a peace officer may not engage in motorcycle profiling; and (2) each law enforcement agency in this state not later than December 1, 2025, shall adopt a detailed written policy on motorcycle profiling and must: (a) clearly define acts constituting motorcycle profiling; (b) strictly prohibit peace officers employed by the agency from engaging in motorcycle profiling; (c) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in motorcycle profiling with respect to the individual; and (d) require the agency employing a peace officer to take appropriate corrective action against the peace officer after an investigation shows that the peace officer has engaged in motorcycle profiling in violation of the agency's policy.

H.B. 1112 (Vo) – Peace Officer Licensing: would, among other things: (1) authorize a political subdivision, including a city, to appoint or employ, as a peace officer, a legal permanent resident of the United States if the person: (a) holds the appropriate license issued by TCOLE; and (b) submits an affidavit to the city in a form prescribed by TCOLE affirming the person's intent to apply for United States citizenship not later than six months after the date the person becomes

eligible to do so; (2) require TCOLE to issue a license to a person who is a legal permanent resident of the United States if the person meets the requirements to be a peace officer; (3) require a law enforcement agency to, among other things, submit to TCOLE confirmation that the agency, to the best of the agency's ability before hiring the person obtained and reviewed as related to the person, proof of legal permanent residence and the affidavit in (1), above; and (4) remove the requirement that the legal permanent resident in (1) and (2), above, be an honorably discharged veteran of the armed forces with at least two years of service before discharge.

H.B. 1136 (Gámez) – Disability Parking Study: would, among other things, provide that: (1) the Texas Department of Motor Vehicles (DMV), with the assistance of the Department of Public Safety, the Governor's Committee on People with Disabilities, and the Texas Demographic Center, shall conduct a study on the current and future parking needs of individuals with disabilities in this state, including disabled veterans and individuals with a mobility impairment; (2) in conducting the study, the DMV shall: (a) compile data regarding the current and projected population of individuals with disabilities in this state who may be eligible for privileged parking, including disabled veterans and individuals with a mobility impairment; (b) identify current laws and rules governing parking spaces or areas designated for individuals with disabilities, including the laws and rules governing the allocation of parking for individuals with disabilities; and (c) to the extent possible, collect information from local law enforcement agencies regarding the number of citations each agency has issued for parking violations involving unauthorized parking in a space designated specifically for persons with disabilities or for failing to display a disabled parking placard; and (3) not later than December 1, 2026, the DMV shall submit the study to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the legislature.

H.B. 1138 (Gámez) – Municipal Firearm Regulation: would, among other things: (1) authorize a city to regulate or prohibit the carrying of a firearm on the premises of a library established and operated by the city; and (2) provide that (1), above, does not authorize a city to regulate or prohibit the carrying of a firearm by a peace officer, special investigator, member of the armed forces or state military forces while in the actual discharge of official duties, or by a person who is otherwise authorized to carry a firearm under a license or commission issued under the Private Security Act.

H.B. 1140 (Oliverson) – Registered Sex Offenders: would provide that a person subject to sex offender registration based on a reportable conviction or adjudication for an offense occurring on or after September 1, 2025, may not reside or move to a residence that is within two miles of a public primary or secondary school, as measured in a direct line from the boundary of the residence to the boundary of the school premises.

H.B. 1144 (Morales Shaw) – Disaster Preparedness: would: (1) expand the model guide for local officials regarding disaster response and recovery required to be developed by the Texas Department of Emergency Management to include planning practices for developing and reviewing local and interjurisdictional emergency management plans to ensure: (a) the needs of the community's vulnerable populations, including persons with disabilities, persons who are homeless, and low-income households, are accurately identified; (b) the emergency management plans address the needs in (a), above; and (c) the community resources that vulnerable populations rely on remain available during a disaster; (2) provide that each local and interjurisdictional agency

shall prepare and keep current an emergency management plan for its area providing, among other things, for: (a) integrated and inclusive operations specific to individuals with disabilities to afford those individuals an equitable opportunity to benefit from all disaster response and recovery measures, programs, services, and activities; (b) the increase in the capabilities of local emergency shelters in the provision of shelter and care for individuals with disabilities during a disaster; (c) wellness checks for individuals with disabilities; (d) the establishment of minimum health-related standards for short-term and long-term shelter operations for shelters operated with state funds or receiving state assistance; (e) an emergency notification system that notifies individuals with disabilities of a disaster or emergency and of any actions the individuals should take to prepare for or respond to the disaster or emergency; (f) personnel surge capacity during a disaster, including plans for providing lodging and meals for disaster relief workers and volunteers; and (g) horizontal integration of emergency preparedness and response plans required for licensed facilities and providers serving individuals with disabilities; (3) expand the Department of State Health Services (DSHS) program designed to educate the citizens of this state on disaster and emergency preparedness, response, and recovery to include the resources, services, and programs that are available to address the needs of persons with disabilities during a disaster or other emergency; (4) require regional planning and advisory councils, among others, to develop as part of a crisis standards of care plan for personnel surge capacity during disasters; (5) provide that the DSHS Preparedness Council shall create a framework and provide guidance for the development of crisis standards of care plans in consultation with health care facilities, county officials, trauma service area regional advisory councils, and each council of government, regional planning commission, or similar regional planning agency; and (6) require the governor's homeland security strategy to include specific plans for building community resilience and reducing long-term vulnerability for persons with disabilities by implementing inclusive disaster and emergency planning practices at all levels of government.

H.B. 1160 (Hull) – Offenses Against Utility Employees: would provide that: (1) an assault against a person the actor knows is an employee or agent of a utility, including a municipally owned utility, while the person is performing a duty within the scope of that employment or agency is a third degree felony offense; (2) a person commits a Class B misdemeanor if the person with criminal negligence interrupts, disrupts, impedes, or otherwise interferes with a person who is an employee or agent of a utility while the person is performing a duty within the scope of that employment or agency.

H.B. 1170 (Raymond) – Transportation Security Threat Analysis: would provide that: (1) the Intelligence and Counterterrorism Division (ICD) of the Department of Public Safety (DPS) shall conduct an analysis of emerging and potential future threats to transportation security in this state and must include threats posed by the following: (a) evolving tactics by terrorist organizations that may pose a catastrophic risk to an aviation or surface transportation entity; (b) explosive devices or attacks involving the use of explosives that may cause catastrophic damage to an aviation or surface transportation system; (c) the release of chemical or biological agents in either aviation or surface transportation systems; (d) cyberthreat actors seeking to undermine confidence in transportation systems or cause service disruptions that jeopardize transportation security; (e) unmanned aerial systems with the capability of inflicting harm on transportation targets; (f) individuals or groups seeking to attack soft targets, public areas, or crowded spaces of transportation systems, including attacks against transportation security personnel; (g) foreign

actors seeking to exploit vulnerabilities posed by inconsistent or inadequate security screening protocols at last point of departure airports with direct flights to this state; (h) information-sharing challenges within state government and between state government and private and governmental entities; and (i) growth in passenger volume in both the aviation and surface transportation sectors in this state; and (2) in conducting the analysis in (1), above, ICD shall engage transportation stakeholders and account for security concerns of transportation operators by: (a) convening at least three industry day events for stakeholders to hear from relevant public and private sector security partners and provide feedback on emerging threats identified by the stakeholders; (b) developing strategies to solicit consistent feedback from stakeholders across all modes of transportation and providing consistent responses to stakeholder concerns; (c) improving quality, timeliness, and relevancy of information-sharing products disseminated by the division to stakeholders, including classified information-sharing products; (d) coordinating security incident response and communications drills, including tabletop exercises, to improve incident preparedness and response capabilities across transportation modes and among transportation systems; (e) encouraging regular communication between governmental entities responsible for transportation security and stakeholders; and (f) establishing regular opportunities for senior department leadership to engage with stakeholders regarding changes in the threat environment and ways the department can offer security support to address those changes.

H.B. 1205 (Hinojosa) – Firearms: would provide that: (1) a licensed firearms dealer who declines to transfer a firearm to a prospective transferee in this state because the National Instant Criminal Background Check System indicates that the prospective transferee is prohibited from possessing a firearm shall notify the Department of Public Safety (DPS); (2) if DPS receives a notification under (1), above, from a licensed firearms dealer, DPS shall initiate an investigation; and (3) if DPS's investigation under (2), above, produces evidence that a person violated (1), above, DPS shall refer the case to the appropriate local authorities for further investigation and possible prosecution.

H.B. 1246 (Schofield) – Law Enforcement Services: would provide, among other things, that a county sheriff or constable may enter into a contract with a property owners' association or an owner of land in a subdivision to provide law enforcement services in the sheriff's county: (1) in and near the area managed or regulated by the association or the area owned by the owner; and (2) to the persons residing in or visiting an area described in (1), above.

H.B. 1384 (Virdell) – Commercial Vehicle Safety Standards: would provide, among other things, that: (1) a weight enforcement officer who has probable cause to believe that the single axle weight, tandem axle weight, or gross weight of a loaded motor vehicle is unlawful may weigh the vehicle using portable or stationary scales furnished or approved by the Department of Public Safety or require the vehicle to be weighed by a public weigher; and (2) a municipal police officer who is certified to enforce commercial motor vehicle standards and regulations may stop, enter, or detain on a highway or at a port of entry within the territory of the municipality a commercial motor vehicle only if the municipal officer has probable cause to believe the vehicle or operator of the vehicle is in violation of commercial motor vehicle safety standards or rules, including a federal safety regulation.

H.J.R. 93 (Hopper) – Firearms: would amend the Texas Constitution to guarantee the right of every person to keep and bear arms by removing the power of the legislature to regulate the wearing of arms, with a view to prevent crime.

S.B. 47 (Zaffirini) – Cell Phone Ban: would provide: (1) that a vehicle operator commits an offense if the operator uses a portable wireless communication device while operating a motor vehicle, unless the vehicle is stopped outside a lane of travel; and (2) for an affirmative defense (except for a person under 18 years of age or by a person operating a school bus with a minor passenger on the bus) for the use of a portable wireless communications device: (a) in conjunction with a hands-free device; (b) to contact emergency services; or (c) that was mounted in or on the vehicle solely to continuously record or broadcast video inside or outside of the vehicle.

S.B. 55 (Zaffirini) – Defendant Credit: would increase a defendant’s confinement, labor, and community service credit from \$100 to \$150 when a defendant is convicted of a misdemeanor and the defendant’s punishment is assessed at a pecuniary fine and is unable to pay the fine and costs adjudged. (Companion bill is **H.B. 307** by **Vasut**.)

S.B. 121 (Hall) – Quarantine Measures: would, among other things, provide that: (1) before ordering an individual or a group of individuals to implement control measures that involve isolation or quarantine, a health authority must: (a) provide notice of the control measures to the individual or group of individuals; and (b) provide to the individual or group of individuals an opportunity to demonstrate that implementing the control measures is unnecessary; (2) a health authority may not order an individual or a group of individuals to implement control measures described by (1), above, for a period that exceeds five days unless the health authority obtains from a district court of the county in which the individual or group of individuals resides, is located, or is receiving court-ordered health services a court order authorizing the health authority to order the individual or group of individuals to implement the control measures; and (3) in ordering an individual or group of individuals to implement control measures described by (1), above, a health authority to the greatest extent possible must: (a) use the least restrictive means available; (b) allow an individual to isolate or quarantine with other individuals subject to the same court order under (2), above; (c) if the individual subject to the control measure is a minor, allow the individual to isolate or quarantine with the individual’s parent, legal guardian, or managing conservator; and (d) allow an individual to isolate or quarantine in the individual’s home or with another family member or a friend.

S.B. 131 (Hall) – Federally Declared Public Health Emergencies: would provide that: (1) a city or its employees may not enforce or provide assistance to a federal agency or official with respect to enforcing a federal statute, order, rule, or regulation that: (a) is enacted or issued in response to a federally declared public health emergency; and (b) imposes a prohibition, restriction, or other regulation that does not exist under state law; (2) a city is ineligible to receive state money from the general revenue fund or a grant program if it through consistent actions or a contract adopts a rule, order, ordinance, or policy under which the city enforces or assists with the enforcement of a federal statute, order, rule or regulation described in (1), above; (3) an individual residing in the city may file a complaint with the attorney general if the individual offers evidence to support an allegation in (1), above; (4) if the attorney general determines that a complaint filed under (3), above, is valid, the attorney general may file a petition for a writ of mandamus or apply for other

equitable relief (including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition costs) in a district court in Travis County or in a county in which the city is located; (5) an appeal of an action brought under (4), above, shall be accelerated and an appellate court shall render its final order or judgment with the least possible delay; and (6) the attorney general shall defend a city in an action by the federal government for an act or omission consistent with this law.

S.B. 132 (Hall) – Public Health Directives: would provide that: (1) during a state of disaster declared by the governor, if the governor issues a public health directive as the governor determines necessary to address the disaster, the directive must not be more stringent than any public health directive for undocumented immigrants issued by United States Immigration and Customs Enforcement; and (2) if the Department of State Health Services or a health authority issues a public health directive as the department or health authority determines necessary to address an outbreak of a communicable disease or public health disaster, the directive may not be more stringent than any public health directive for undocumented immigrants issued by United States Immigration and Customs Enforcement.

S.B. 135 (Hall) – Division of Homeland Security: would, among other things, provide: (1) for the creation of the Texas Division of Homeland Security (TDHS) as a division of the Department of Public Safety (DPS); and (2) that TDHS may conduct border security operations along the Texas-Mexico border, including: (a) law enforcement operations; (b) intelligence gathering, analysis, and dissemination; (c) coordination and command of state agencies in border security operations led by TDHS; (d) surveillance and detection of criminal activity, including illegal entry of individuals from foreign nations and the smuggling of individuals and controlled substances, using cameras, unmanned aircraft, and other technologies; (e) interdiction of individuals committing criminal activity described in (d), above; (f) coordination of local, state, and federal agencies conducting border security operations, including tactical operations such as special response teams, brush teams, and special weapons and tactics teams; and (g) training and education programs for the professional development of employees and agency partners carrying out border security operations.

S.B. 164 (Menéndez) – Immigration Enforcement: would repeal specific provisions in state law that:

1. authorize a peace officer in the course of investigating an alleged criminal offense to inquire as to the nationality or immigration status of a victim of or witness to the offense only if the officer determines that the inquiry is necessary to investigate the offense or provide the victim or witness with information about federal visas designed to protect individuals providing assistance to law enforcement;
2. require a law enforcement agency that has custody of a person subject to an immigration detainer request issued by the United States Immigration and Customs Enforcement to comply with, honor, and fulfill any request made in the detainer request and inform the person that the person is being held pursuant to an immigration detainer request;

3. state that a surety may not be relieved of the surety's undertaking (bail bond) if an accused is in federal custody to determine whether the accused is lawfully present in the United States;
4. relate to the completion of a sentence if a defendant is subject to an immigration detainer request;
5. relate to the defense of a local entities, including cities, by the attorney general in an action arising out of a claim involving the local entity's good-faith compliance with an immigration detainer request;
6. prohibit a local entity, including a city and its law enforcement agency, from adopting, enforcing, or endorsing a policy that prohibits or materially limits the enforcement of immigration laws;
7. prohibit a local entity, including a city, from prohibiting or materially limiting a commissioned peace officer, corrections officer, booking clerk, magistrate, or prosecuting attorney and who is employed by or otherwise under the direction or control of the entity or department from doing any of the following: (a) inquiring into the immigration status of a person under a lawful detention or under arrest; (b) with respect to information relating to the immigration status, lawful or unlawful, of any person under a lawful detention or under arrest, including information regarding the person's place of birth: (i) sending the information to or requesting or receiving the information from United States Citizenship and Immigration Services, United States Immigration and Customs Enforcement, or another relevant federal agency; (ii) maintaining the information; or (iii) exchanging the information with another local entity or campus police department or a federal or state governmental entity; (c) assisting or cooperating with a federal immigration officer as reasonable or necessary, including providing enforcement assistance; or (d) permitting a federal immigration officer to enter and conduct enforcement activities at a jail to enforce federal immigration laws;
8. establish a grant program to provide financial assistance to local entities to offset costs related to enforcing immigration laws or complying with, honoring, or fulfilling immigration detainer requests; and
9. create a Class A misdemeanor offense for failure to comply with an immigration detainer request by a person who is a sheriff, chief of police, constable, or a person who otherwise has primary authority for administering a jail.

S.B. 216 (West) – Opioid Overdose Training: would provide that: (1) the Texas Commission on Law Enforcement (TCOLE) by rule shall establish and maintain a training program on opioid overdoses and must include instruction on: (a) recognizing the signs and symptoms of an opioid overdose; and (b) administering all types of opioid antagonists, including injectable and nasal opioid antagonists; (2) as part of the 40 hour continuing education requirements a peace officer must complete every 24 months, an officer shall complete the training program on opioid

overdoses established in (1), above; and (3) as part of the minimum curriculum requirements, TCOLE shall require an officer to complete the training program in (1), above.

S.B. 228 (West) – Artificial Intelligence: would create a criminal offense for causing to be published, distributed, or broadcast political advertising that includes an image, audio recording, or video recording of an officeholder’s or candidate’s appearance, speech, or conduct that has been intentionally manipulated using generative artificial intelligence technology in a manner that creates a realistic but false or inaccurate image, audio recording, or video recording, resulting in certain false impressions.

S.B. 281 (Miles) – Retention of Complaints Against Police Officers: would provide, among other things, that: (1) a department of a political subdivision employing a police officer against whom is filed a complaint alleging conduct constituting official oppression shall: (a) retain the complaint until at least the fifth anniversary of the date the police officer’s employment with the political subdivision ends; and (b) create an abstract of the complaint to retain indefinitely once the original complaint is destroyed; (2) a complaint or abstract described by (1), above, is public information and is not excepted from required disclosure under the Public Information Act (PIA) law enforcement exception; (3) the provisions described in (1) and (2), above, prevail over any other provision of law and any conflicting provision in a collective bargaining agreement; (4) if a city receives a complaint against a peace officer employed by the city alleging conduct constituting official oppression, the city shall: (a) retain the complaint until at least the fifth anniversary of the date the peace officer’s employment with the city ends; and (b) create an abstract of the complaint to retain indefinitely once the original complaint is destroyed; (5) a discretionary exception to required disclosure provided by the PIA does not apply to a complaint or abstract described in (4), above; and (6) the PIA law enforcement exception does not apply to a record described in (4), above.

S.B. 294 (Perry) – Residential Picketing: would provide that a person commits an offense that is a Class B misdemeanor if the person engages in picketing before or about the dwelling of any individual with the intent to harass or disturb the individual in the individual’s dwelling.

S.B. 295 (Perry) – Arson: would provide that arson is a second degree felony offense, except that the offense is a felony in the first degree if it is shown on the trial of the offense that the property intended to be damaged or destroyed was a government building.

S.B. 315 (Kolkhorst) – DNA: would, among other things, provide that: (1) an individual has an exclusive property right in the individual’s unique DNA, and a person may not, without the informed, written consent of the individual or the individual’s legal guardian or authorized representative: (a) collect a DNA sample from an individual; (b) perform a genetic test on an individual’s DNA sample; (c) retain an individual’s DNA sample; (d) alter or modify an individual’s DNA; (e) sell or otherwise transfer to another person an individual’s DNA sample; or (f) make available or allow to be made available to another person an individual’s DNA sample; (2) the right described in (1), above, does not apply to a DNA sample collected for: (a) the purpose of emergency medical treatment; (b) the purpose of determining paternity; (c) law enforcement purposes, including the identification of a perpetrator, the investigation of a crime, or the identification of a missing, unidentified, or deceased person; or (d) any other similar use under the

laws of this state or another jurisdiction; (3) a person who violates (1) or (2), above, is liable to the state for a civil penalty not to exceed the amount of any profits that are attributable to the unauthorized use minus any expenses that the person who committed the unauthorized use may prove; and (4) a person commits an offense if the person, with criminal negligence, violates (1) or (2), above.

S.B. 334 (Eckhardt) – Defenses to Prosecution for Reporting Overdose: would allow for a defense to prosecution for certain possession-related drug offenses for a person who requests emergency assistance for a possible overdose of another person if the requestor: (1) was previously convicted of or completed deferred adjudication of a possession-related dangerous drug or volatile chemical offense; (2) successfully previously used the defense to prosecution described above; or (3) made a similar request for emergency assistance described above within the past 18 months.

S.B. 352 (Eckhardt) – Asset Forfeiture: would, among other things, provide that: (1) if contraband, other than money, is seized by law enforcement, law enforcement shall notify the owner at the time the owner is taken into or released from custody; (2) if there is no prosecution or conviction following the seizure, the magistrate shall notify the person found in possession of the contraband that the state may initiate a proceeding to destroy or forfeit the property seized; (3) the person may contest the destruction or forfeiture by appearing before the magistrate on the 30th day after the date the notice was posted; (4) at a proceeding in (2), above, the state has the burden of proving it is entitled to destroy or forfeit the property or proceeds by proving by a preponderance of the evidence that the property or proceeds are contraband; (5) if the state fails to prove by a preponderance of the evidence, the property or proceeds, including the interest earned on the proceeds if the proceeds were deposited in an interest-bearing bank account, must be returned to the interested party not later than the 61st day after the date of the magistrate’s ruling; (6) if money is seized in connection with a gambling offense, the state or the political subdivision of the state that employs the law enforcement agency must either deposit the money in an interest-bearing bank account or deposit or store the money in a readily accessible and secure manner until a final judgment is rendered concerning the violation or in a forfeiture proceeding in (2), above; (7) if the state or political subdivision fails to comply with (6), above, a person may bring a civil action against the state or political subdivision for damages incurred by the failure; and (8) sovereign immunity of this state and governmental immunity of a political division to suit and from liability are waived to the extent of liability created by (7), above.

S.B. 355 (Eckhardt) – Firearm Signage: would authorize a person to provide notice that firearms are prohibited on property by posting a sign that: (1) includes, in both English and Spanish, language that is identical to or substantially similar to the following statements, depending on the situation: (a) “No firearms permitted on this property”; (b) “No concealed handguns permitted on this property”; or (c) “No openly carried handguns permitted on this property”; (2) appears on a white background with black block letters at least one inch in height; (3) contains a pictogram that shows, on a white background, a handgun drawn in black ink within a red circle of at least six inches in diameter and a diagonal red line across the handgun; and (4) is displayed in a conspicuous manner clearly visible to the public.

S.B. 357 (Eckhardt) – Lost or Stolen Firearm Reporting: would provide that: (1) a peace officer who receives a report from an owner of a firearm that the firearm was lost or stolen shall report the

loss or theft to the Department of Public Safety (DPS); (2) the report must include: (a) the name of the owner; (b) any available information about the firearm; and (c) the date that the owner became aware the firearm was lost or stolen; (3) DPS shall regularly send all reports received under (1), above, to the National Crime Information Center; and (4) a person whose firearm is lost or stolen is not liable to another person for harm caused by that firearm after it is lost or stolen if the person reports the loss or theft, or causes a report of the loss or theft to be made, to a peace officer or law enforcement agency not later than 24 hours after the time the person became aware the firearm is lost or stolen.

S.B. 362 (Eckhardt) – Possession of Controlled Substance: would provide that the criminal offense of possession of a controlled substance does not apply to a person who uses, possesses with intent to use, delivers, possesses with intent to deliver, or manufactures with intent to deliver testing equipment that identifies the presence of controlled substance. (Companion bill is **H.B. 253** by Talarico.)

S.B. 367 (Eckhardt) – Public Health Orders in Schools: would, among other things, provide that a school district shall implement or otherwise comply with health directives outlined in a public health order issued by a health authority with jurisdiction over territory in which the district is wholly or partly located regarding evidence-based practices to reduce or eliminate the transmission of or infection with a communicable disease among district students and staff, including directives requiring the students and staff to wear face masks or face coverings.

S.B. 376 (Miles) – Criminal Offenses Recordkeeping: would require the Department of Public Safety and all local law enforcement agencies that use an incident-based reporting system to report information and statistics concerning criminal offenses committed in Texas to the Federal Bureau of Investigation, as a part of the Uniform Crime Reporting Program of the Federal Bureau of Investigation, to include the ethnicity of an arrestee in the reported incident.

Property Tax

H.B. 165 (Vasut) – Elimination of Property Tax: would, among other things: (1) eliminate property taxes by 2035; and (2) create a joint interim committee to conduct a comprehensive study of alternative methods of taxation to replace local tax revenue that will be lost when property taxes are eliminated.

H.B. 192 (C. Bell) – Chief Appraiser: would: (1) require a chief appraiser to be elected at the general election for state and county officers by the voters of the county in which the appraisal district is established; (2) provide that the chief appraiser serves a two-year term beginning January 1 of every other odd-numbered year; (3) provide that to be eligible to serve as chief appraiser, an individual must be a resident of the county in which the appraisal district is established and must have resided in the county for at least four years preceding the date the individual takes office; and (4) provide that a nominee for chief appraiser must be nominated by primary election.

H.B. 202 (Metcalf) – Appraisal Cap: would make permanent the temporary 20 percent appraisal cap on real property other than a residence homestead. (See **H.J.R. 26**, below.)

H.B. 203 (Goodwin) – Appraisal Cap: would establish a ten percent appraisal cap on property that: (1) is a single-family residential property leased to a lessee and used by the lessee as a primary residence; and (2) is leased to the lessee for a rent that does not exceed the fair market rent. (See **H.J.R. 30**, below.)

H.B. 217 (Harrison) – Voter Approval of Tax Rates: would require a 60 percent majority of voters to approve a property tax rate for which an automatic election is required.

H.B. 244 (Guillen) – Disabled Veteran Grants: would provide that, for purposes of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of property tax relief to disabled veterans, the term “local government” includes a city located in a county that is adjacent to a county in which a United States military installation is wholly or partly located. (Companion bill is **S.B. 247** by **Flores**.)

H.B. 247 (Guillen) – Property Tax Exemption: would provide an exemption from taxation of the value of: (1) real property owned by a person that arises from the installation or construction on the property of border security infrastructure; (2) border security infrastructure installed or constructed on real property owned by a person; and (3) land that a person owns that has been dedicated by recorded easement for the installation or construction of border security infrastructure. (See **H.J.R. 34**, below.)

H.B. 250 (Harrison) – Tax Rate Calculation: would, among other things: (1) remove the revenue multiplier from the voter-approval tax rate calculation to require an election for any revenue increase; and (2) eliminate the concepts of special taxing units, the de minimis property tax rate, the unused increment rate, and the special tax rate calculation in tax years following a disaster declaration.

H.B. 254 (R. Lopez) – Property Tax Installment Payments: would authorize an individual to pay the property taxes imposed on the individual’s residence homestead in four equal installments.

H.B. 255 (Guillen) – Property Tax Exemption: would modify the definition of “farm products” for purposes of the farm production property tax exemption to be: (1) crops grown, growing, or to be grown, including crops produced on trees, vines, and bushes, and aquatic goods produced in aquacultural operations; (2) livestock, born or unborn, including aquatic goods produced in aquacultural operations; (3) supplies used or produced in a farming operation, or products of crops or livestock in their unmanufactured state; (4) poultry; and (5) timber, including standing timber. (See **H.J.R. 31**, below.)

H.B. 264 (K. Bell) – Property Tax Relief: would: (1) require the comptroller to deposit in an account an amount equal to one-half of the amount by which the total general revenue for a biennium exceeds the comptroller’s estimated general revenue for that biennium; and (2) require the legislature to appropriate money in the account described in (1), above, only to provide property tax relief.

H.B. 273 (Metcalf) – Appraisal Cap: would establish a ten percent appraisal cap on commercial real property with a market value of \$10 million or less. (See **H.J.R. 32**, below.)

H.B. 291 (C. Bell) – Real Estate Sales Price Reporting: would, among other things, provide that: (1) for certain purchases of real property, not later than the 10th day after the date the deed is recorded in the county real property records, the purchaser or grantee of real property under a recorded deed conveying an interest in the real property, or certain other parties, shall file a sales price disclosure report with the chief appraiser of the appraisal district established for the county in which the property is located; (2) the sales price disclosure report filed under (1), above, must be made in a certain form prepared by each appraisal district; and (3) the chief appraiser may bring an action for an injunction to compel a person to comply with these requirements.

H.B. 329 (C. Bell) – Appraisal Protests: would require an appraisal review board to determine an appraisal protest in favor of the property owner if the property owner delivers to the chief appraiser a copy of an appraisal of the property performed not later than the 180th day before the first day of the hearing that supports the appraised or market value asserted by the property owner.

H.B. 338 (K. Bell) – Appraisal Cap: would reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See **H.J.R. 36**, below.) (Companion bills are **S.B. 320** by **Creighton** and **S.B. 321** by **Kolkhorst**.)

H.B. 356 (Metcalf) – Appraisal Cap: would reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See **H.J.R. 39**, below.) (Companion bills are **S.B. 320** by **Creighton** and **S.B. 321** by **Kolkhorst**.)

H.B. 360 (Vasut) – Appraisal Review Board: would authorize the appraisal review board, on motion of the chief appraiser or of a property owner, to order the appraised value of an owner's property in the current tax year and either of the two preceding tax years to be changed to the sales price of the property in the current tax year if, for each tax year for which the change is to be made: (1) the property qualifies as the owner's residence homestead; (2) the sales price of the property is at least ten percent less than the appraised value of the property; and (3) the board makes a finding that the sales price reflects the market value of the property.

H.B. 361 (Bernal) – Appraisals: would require the chief appraiser to consider only the value of other properties in the same neighborhood that receive a residence homestead exemption when appraising the value of a residence homestead.

H.B. 375 (Vasut) – Appraisal Cap: would reduce the property tax appraisal cap on homesteads from 10 to 3.5 percent and apply the new appraisal cap to all real property. (See **H.J.R. 45**, below.)

H.B. 382 (C. Bell) – Homestead Exemptions: would, among other things, provide that: (1) an individual is entitled to an exemption from taxation of the total appraised value of the individual's residence homestead if the individual is 72 years of age or older; and (2) the surviving spouse of an individual who qualified for an exemption under (1), above, is entitled to an exemption from taxation of the total appraised value of the same property to which the deceased spouse's exemption applied if: (a) the deceased spouse died in a year in which they qualified for the exemption; (b) the surviving spouse was 55 years of age or older when their spouse died; and (c)

the property was the residence homestead of the surviving spouse when their spouse died and remains their residence homestead. (See **H.J.R. 43**, below.)

H.B. 398 (Tepper) – Appraisal Cap: would: (1) reduce the property tax appraisal cap on homesteads from 10 to 2.5 percent; (2) reduce the temporary appraisal cap on real property other than a residence homestead from 20 to 8 percent; and (3) make permanent the temporary appraisal cap on real property other than a residence homestead. (See **H.J.R. 56**, below.)

H.B. 399 (Bernal) – Property Tax Exemption: would exempt from the property tax the income-producing tangible personal property owned by a small business for three years following the incorporation of the small business. (See **H.J.R. 66**, below.)

H.B. 416 (Tepper) – Property Tax Deadlines: would:

1. extend the deadline for the chief appraiser to prepare and certify the appraisal roll to the taxing units from July 25 to August 25;
2. extend the date past which the chief appraiser is authorized to provide an estimate of the taxable value of property in the taxing unit if the appraisal district has not yet approved the appraisal records from July 20 to August 20;
3. extend the deadline for the assessor to submit the appraisal roll to the governing body of the taxing units from August 1 to September 1;
4. extend the deadline by which the collector should certify the anticipated collection rate to the governing body from August 1 to September 1;
5. extend the deadline by which the designated officer or employee should submit tax rates to the governing body from August 7 to September 7;
6. change the date on which the chief appraiser must publish notice about the appraisal district's property tax database from August 7 to September 7;
7. reduce the time period after the date the certified appraisal roll is received by the governing body during which the governing body may adopt a tax rate from 60 days to 30 days;
8. extend the deadline for the county assessor-collector to post on the website the tax rate calculation forms from August 7 to September 7;
9. extend the date by which the appraisal review board must finalize all challenges from July 20 to August 20;
10. change the date a board of directors of an appraisal district established for a county with a population of at least one million may postpone the deadline in (9), above, from August 30 to September 15;

11. extend the deadline for a property owner to initiate a protest after the owner received notice of the appraised value from 30 days after to 60 days after; and
12. change the deadline for an appraisal review board to schedule a protest hearing from 90 days after the protest is initiated to 60 days after.

H.B. 442 (C. Bell) – Appraisal Cap: would reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See **H.J.R. 50**, below.) (Companion bills are **S.B. 320** by **Creighton** and **S.B. 321** by **Kolkhorst**.)

H.B. 452 (Bernal) – Sales Tax Refund: would provide that: (1) a small business is entitled to a refund of state sales tax the person paid in the preceding tax year; and (2) the amount of the refund in (1), above, would be equal to the amount of property tax the person paid on the person's income-producing personal property.

H.B. 455 (Schofield) – Property Tax Freeze: would establish a mandatory tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses applicable to all taxing units other than school districts. (See **H.J.R. 42**, below.)

H.B. 490 (C. Bell) – Appraisal Cap: would reduce the property tax appraisal cap on homesteads from ten to five percent and apply the new appraisal cap to all real property. (See **H.J.R. 53**, below.)

H.B. 511 (Bernal) – Property Tax Exemption: would provide that an unpaid caregiver of an individual who is eligible to receive certain long-term services is entitled to a property tax exemption of the total appraised value of the caregiver's residence homestead for the period during which the individual for whom the caregiver provides care is on an interest list for long-term services and supports under the Medicaid program. (See **H.J.R. 67**, below.)

H.B. 546 (C. Bell) – Open-Space Land: would provide that land owned by an entity other than the state or a political subdivision that acquired the land by condemnation is not eligible for appraisal as open-space land.

H.B. 670 (Bucy) – Property Tax Freeze: would expand the existing law authorizing cities to adopt a property tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses to all taxing units other than school districts. (See **H.J.R. 59**, below.)

H.B. 698 (Harrison) – Abolition of Property Tax: would, among other things: (1) repeal the Property Tax Code; (2) prohibit a political subdivision from imposing a property tax beginning in the year 2031; and (3) convene a committee to determine how property tax revenue could be replaced by local sales and use tax revenue. (See **H.J.R. 64**, below.)

H.B. 739 (Schofield) – Property Tax Collection: would provide that the interest rate associated with a tax lien during a period of deferred collection of taxes on the residence homestead of an elderly or disabled individual or a disabled veteran is the lower of the five-year Constant Maturity

Treasury Rate reported by the Federal Reserve Board as of January 1 of that year or five percent. (Note: Current law provides for a five percent interest rate.)

H.B. 763 (Cain) – Tax Rate Elections: would repeal the provision authorizing cities to adopt an ad valorem tax rate the exceeds the voter-approval tax rate without holding an election in the year following the year in which a disaster occurs.

H.B. 774 (Harrison) – Tax Rate Limitation: would: (1) define “surplus revenue” as the total amount of money received by a city in excess of the amount determined by multiplying the amount of the city’s adopted budget for the preceding fiscal year by the inflation rate and population growth rate; (2) require a city to use its total amount of surplus revenue to provide property tax relief in a manner that reduces the amount of property tax a property owner would otherwise be required to pay; (3) limit a city’s tax rate to a rate calculated by multiplying total revenue from all sources for the preceding year by the inflation rate, subtracting the amount of estimated revenue from all sources other than property tax for the current year, and dividing that amount by the total taxable value of property in the city; and (4) provide that a city may exceed the tax rate described in (3), above, if before the adoption of the tax rate the city pledged the tax revenue for payment of a debt and adopting a lower rate would impair the obligation of the contract creating the debt.

H.B. 963 (Toth) – Appraisal Cap: would, among other things: (1) provide that the appraised value of residence homestead for the first year the owner qualifies for a homestead exemption is equal to the market value of the property; (2) provide, if the owner acquired the property as a purchaser, that the purchase price of the property is considered to be the market value of the property; (3) provide that the appraised value of residence homestead for a subsequent tax year is equal to the appraised value of the property for the preceding tax year as adjusted by the chief appraiser for the current tax year to reflect any positive change from the preceding tax year in the purchasing power of the dollar for consumers in this state as determined by the comptroller; and (4) require an owner of property to apply for the appraisal increase limitation under (3), above, using an application form prescribed by the comptroller that includes, among other information, the purchase price of the property paid by the applicant. (See **H.J.R. 74**, below.)

H.B. 972 (Noble) – Property Tax Exemption: would exempt from the property tax a portion equal to the amount of the residence homestead exemption from school district tax of the appraised value of a property if the property: (1) is the primary residence of an adult individual with an intellectual or developmental disability who is related to the owner of the property within the third degree by consanguinity; and (2) does not qualify for the residence homestead exemption from school district tax for an individual. (See **H.J.R. 72**, below.)

H.B. 998 (Toth) – Disabled Veteran Property Tax Exemption: would require: (1) the chief appraiser on request of a disabled veteran, before the veteran purchases a property, to issue a preliminary determination of whether the property would qualify for the 100 percent disabled veteran’s property tax exemption; and (2) require a mortgage company or title insurance company that receives the preliminary determination described in (1), above, to consider the effect of the preliminary determination in determining whether to extend credit to the purchaser and the amount due from the purchaser at closing.

H.B. 1035 (Talarico) – Child-Care Facility Property Tax Exemption: would extend the eligibility for the local option property tax exemption for a child-care facility to leased property when the property is subject to a net lease under which the lessee is directly responsible for the payment of property taxes imposed on the property.

H.B. 1131 (Oliverson) – Tax Rate Elections: would repeal the provision authorizing cities to adopt an ad valorem tax rate that exceeds the voter-approval tax rate without holding an election in the year following the year in which a disaster occurs.

H.B. 1243 (Guillen) – Residence Homestead Exemption: would permit individuals married to each other who reside in different homes to each claim a residence homestead exemption for the property that is the principal residence of each spouse.

H.B. 1244 (Guillen) – Agricultural Appraisal: would: (1) provide that land that was eligible for agricultural appraisal remains eligible after a change in ownership if the new owner uses the land in materially the same way it was used in the preceding year and the use is conducted by the same individuals who conducted the use in the preceding year; and (2) require the chief appraiser to accept an application for agricultural appraisal after the deadline if the land was appraised as agricultural land in the preceding year, the new owner uses the land in materially the same way as the former owner, and the application is received not later than the first anniversary of the date ownership of the land was transferred.

H.B. 1256 (Zwiener) – Property Tax Exemption: would: (1) authorize the county commissioners court to adopt an exemption from taxation of the portion of the appraised value of a person's property that is attributable to the installation in or on the property of a rainwater harvesting or graywater system; and (2) provide that the exemption in (1), above, would be applicable to the taxation by each taxing unit that taxes the property. (See **H.J.R. 88**, below.)

H.B. 1286 (Geren) – Property Tax Protests: would provide that: (1) a property owner who prevails in an a judicial appeal of property taxes may be awarded reasonable attorney's fees; (2) except as provided by (3), below, the amount of the award may not exceed the greater of \$25,000 or 50 percent of the total amount by which the property owner's tax liability is reduced as a result of the appeal; and (3) the amount of an award of attorney's fees to the prevailing property owner is not subject to the limitation in (2), above, if: (a) the property owner prevails in an appeal for excessive appraisal or unequal appraisal; and (b) the property owner qualifies the property as the owner's residence homestead.

H.B. 1309 (Hickland) – Disabled Veteran Grants: would: (1) provide that, for purposes of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of property tax relief to disabled veterans, the term "local government" includes a city located in a county in which a United States military installation is wholly or partly located; and (2) prohibit a city that received a state aid payment described in (1), above, in the preceding year from adopting a maintenance and operations tax rate that is greater than the rate adopted in the preceding year.

H.B. 1370 (Raymond) – Property Tax Exemption: would provide that a person is entitled to an exemption from taxation of the amount of the appraised value of real property owned by the person that arises from the use of xeriscape on the property. (See **H.J.R. 97**, below.)

H.B. 1383 (Buckley) – Disabled Veteran Grants: would provide that, for purposes of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of property tax relief to disabled veterans, the term “local government” includes a city located in a county that is adjacent to a county in which a United States military installation is wholly or partly located. (Companion bill is **S.B. 247** by **Flores**.)

H.J.R. 26 (Metcalf) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to make permanent the temporary 20 percent appraisal cap on real property other than a residence homestead. (See **H.B. 202**, above.)

H.J.R. 30 (Goodwin) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to establish a ten percent appraisal cap on property that: (1) is a single-family residential property leased to a lessee and used by the lessee as a primary residence; and (2) is leased to the lessee for a rent that does not exceed the fair market rent. (See **H.B. 203**, above.)

H.J.R. 31 (Guillen) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to define “farm products” and “in the hands of the producer” for purposes of the farm production property tax exemption and may include in the definition of “farm products” livestock, poultry, timber, and supplies used or produced in a farming operation. (See **H.B. 255**, above.)

H.J.R. 32 (Metcalf) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to establish a ten percent appraisal cap on real property with a market value that is not greater than a certain amount. (See **H.B. 273**, above.)

H.J.R. 34 (Guillen) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property tax the portion of the value of a person’s property that is attributable to the installation or construction in or on the property of border security infrastructure. (See **H.B. 247**, above.)

H.J.R. 36 (K. Bell) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See **H.B. 338**, above.) (Companion bills are **S.J.R. 21** by **Creighton** and **S.J.R. 22** by **Kolkhorst**.)

H.J.R. 39 (Metcalf) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See **H.B. 356**, above.) (Companion bills are **S.J.R. 21** by **Creighton** and **S.J.R. 22** by **Kolkhorst**.)

H.J.R. 42 (Schofield) – Property Tax Freeze: would amend the Texas Constitution to establish a mandatory tax freeze on the residence homestead of individuals who are elderly or disabled and

their surviving spouses applicable to all taxing units other than school districts. (See **H.B. 455**, above.)

H.J.R. 43 (C. Bell) – **Property Tax Exemption**: would amend the Texas Constitution to: (1) exempt from property tax the total market value of the residence homestead of an individual who is 72 years of age or older and has received a residence homestead exemption on the property for at least the preceding 10 years; and (2) provide that the surviving spouse of an individual who qualified for an exemption under (1), above, is entitled to an exemption from taxation of the total appraised value of the same property to which the deceased spouse's exemption applied if: (a) the deceased spouse died in a year in which they qualified for the exemption; (b) the surviving spouse was 55 years of age or older when their spouse died; and (c) the property was the residence homestead of the surviving spouse when their spouse died and remains their residence homestead. (See **H.B. 382**, above.)

H.J.R. 45 (Vasut) – **Appraisal Cap**: would amend the Texas Constitution to authorize the legislature to expand the application of the ten percent appraisal cap on a residence homestead to all real property. (See **H.B. 375**, above.)

H.J.R. 50 (C. Bell) – **Appraisal Cap**: would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See **H.B. 442**, above.) (Companion bills are **S.J.R. 21** by **Creighton** and **S.J.R. 22** by **Kolkhorst**.)

H.J.R. 53 (C. Bell) – **Appraisal Cap**: would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent and apply the new appraisal cap to all real property. (See **H.B. 490**, above.)

H.J.R. 56 (Tepper) – **Appraisal Cap**: would amend the Texas Constitution to authorize the legislature to: (1) reduce the property tax appraisal cap on residence homesteads from 10 to 2.5 percent; (2) reduce the temporary appraisal cap on real property other than a residence homestead from 20 to 8 percent; and (3) make permanent the temporary appraisal cap on real property other than a residence homestead. (See **H.B. 398**, above.)

H.J.R. 59 (Bucy) – **Property Tax Freeze**: would amend the Texas Constitution to authorize a political subdivision other than a school district to adopt a property tax freeze on the residence homestead of individuals who are elderly or disabled and their surviving spouses. (Note: Cities already have this authority. **H.J.R. 59** would expand the authority to additional political subdivisions that levy property taxes.) (See **H.B. 670**, above.)

H.J.R. 64 (Harrison) – **Abolition of Property Tax**: would amend the Texas Constitution to: (1) prohibit a political subdivision from imposing a property tax on or after January 1, 2031; and (2) provide that the state takes full responsibility for the guarantee of all bonds: (a) issued by a school district before November 4, 2025; and (b) secured by the revenue from the ad valorem taxes imposed by those entities before January 1, 2031. (See **H.B. 698**, above.)

H.J.R. 66 (Bernal) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from the property tax income-producing tangible personal property for a certain period of time. (See **H.B. 399**, above.)

H.J.R. 67 (Bernal) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from property taxes the total assessed value of the residence homestead of an unpaid caregiver of an individual who is eligible to receive certain long-term services for the period during which the individual for whom the caregiver provides care is on an interest list for long-term services and supports under the Medicaid program. (See **H.B. 511**, above.)

H.J.R. 71 (Schofield) – Delinquent Tax Collections: would amend the Texas Constitution to provide that a residence homestead is not subject to seizure or sale for delinquent ad valorem taxes.

H.J.R. 72 (Noble) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from the property tax a portion equal to the amount of the residence homestead exemption from school district tax of the appraised value of a property if the property is the primary residence of an adult individual with an intellectual or developmental disability who is related to the owner of the property within the third degree by consanguinity. (See **H.B. 972**, above.)

H.J.R. 74 (Toth) – Appraisal Cap: would amend the Texas Constitution to provide that the appraised value of a residence homestead: (1) is equal to the market value of the property for the first year the owner qualifies for a homestead exemption; and (2) is equal to the appraised value of the property for the preceding tax year as adjusted by the chief appraiser for the current tax year to reflect any positive change from the preceding tax year in the purchasing power of the dollar for consumers in this state for a subsequent tax year. (See **H.B. 963**, above.)

H.J.R. 82 (Raymond) – Property Tax Exemption: would amend the Texas Constitution to provide a local option property tax exemption of \$3,000 of the value of the residence homestead of an individual if the individual is the parent or guardian of a person who is: (1) disabled; and (2) resides with the parent or guardian.

H.J.R. 83 (Raymond) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exclude from the market value of real property any improvement, or feature incorporated into an improvement, made to a property if the primary purpose of the improvement or feature is compliance with the requirements of the 2010 Americans with Disabilities Act Standards for Accessible Design or any successor standards.

H.J.R. 88 (Zwiener) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to authorize the commissioners court of a county to exempt from ad valorem taxation by each political subdivision that taxes the property the portion of the assessed value of a person's property that is attributable to the installation in or on the property of a rainwater harvesting or graywater system. (See **H.B. 1256**, above.)

S.B. 244 (Flores) – Appraisal Cap: would, among other things: (1) provide that the appraised value of residence homestead for the first year the owner qualifies for a homestead exemption is

equal to the market value of the property; (2) provide that, if the owner acquired the property as a purchaser, the purchase price of the property is considered to be the market value of the property; (3) provide that the appraised value of residence homestead for a subsequent tax year is equal to the appraised value of the property for the preceding tax year plus the value of new improvements; and (4) require an owner of property to apply for the appraisal increase limitation under (3), above, using an application form prescribed by the comptroller that includes, among other information, the purchase price of the property paid by the applicant. (See **S.J.R. 15**, below.)

S.B. 247 (Flores) – Disabled Veteran Grants: would provide that, for purposes of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of property tax relief to disabled veterans, the term “local government” includes a city located in a county that is adjacent to a county in which a United States military installation is wholly or partly located. (Companion bill is **H.B. 244** by **Guillen**.)

S.B. 320 (Creighton) – Appraisal Cap: would reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See **S.J.R. 21**, below.) (Companion bills are **H.B. 338** by **K. Bell**, **H.B. 356** by **Metcalf**, and **H.B. 442** by **C. Bell**.)

S.B. 321 (Kolkhorst) – Appraisal Cap: would reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See **S.J.R. 22**, below.) (Companion bills are **H.B. 338** by **K. Bell**, **H.B. 356** by **Metcalf**, and **H.B. 442** by **C. Bell**.)

S.B. 322 (Kolkhorst) – Appraisal Cap: would: (1) exempt a mineral interest from the temporary property tax appraisal cap applicable to real property other than a residence homestead; (2) reduce the temporary property tax appraisal cap applicable to real property other than a residence homestead from 20 percent to ten percent; and (3) extend the expiration date of the temporary property tax appraisal cap to 2031. (See **S.J.R. 23**, below.)

S.J.R. 15 (Flores) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to provide that: (1) the appraised value of residence homestead for the first year the owner qualifies for a homestead exemption is equal to the market value of the property; (2) if the owner acquired the property as a purchaser, the purchase price of the property is considered to be the market value of the property; (3) the appraised value of the residence homestead for a subsequent tax year is equal to the appraised value of the property for the preceding tax year plus the value of new improvements. (See **S.B. 244**, above.)

S.J.R. 21 (Creighton) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See **S.B. 320** above.) (Companion bills are **H.J.R. 36** by **K. Bell**, **H.J.R. 39** by **Metcalf**, and **H.J.R. 50** by **C. Bell**.)

S.J.R. 22 (Kolkhorst) – Appraisal Cap: would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on residence homesteads from ten to five percent. (See **S.B. 321** above.) (Companion bills are **H.J.R. 36** by **K. Bell**, **H.J.R. 39** by **Metcalf**, and **H.J.R. 50** by **C. Bell**.)

Sales Tax

H.B. 884 (C. Hernandez) – Street Maintenance Sales Tax: would, among other things, provide that: (1) for a city in which a majority of the voters voting in each of the last two consecutive elections concerning the adoption or reauthorization of the street maintenance sales tax favored adoption or reauthorization and in which the tax has not expired since the first of those two consecutive elections, the city may call an election to reauthorize the tax for a period of eight or ten years, instead of four years; and (2) revenue from the street maintenance sales tax may be used to maintain and repair: (a) a city street or sidewalk; and (b) a city water, wastewater, or stormwater system located in the width of a way of a city street.

H.B. 920 (Bumgarner) – Sales Tax Exemption: would exempt from the sales tax a firearm, firearm accessory, and ammunition.

H.B. 924 (Schofield) – Sales Tax Sourcing: would, among other things, generally provide that for purposes of city sales and use taxes, sales of taxable items are consummated at the location in the state where the item was stored immediately before shipment, delivery, or transfer of possession to the customer.

H.B. 960 (Toth) – Value Added Tax: would, among other things, repeal local sales and use taxes and authorize a political subdivision that was authorized to impose a sales and use tax to impose a value added tax not to exceed two percent.

H.B. 1251 (Martinez-Fischer) – Sales Tax Exemption: would: (1) expand the sales tax exemption for school supplies and backpacks so that it is effective year-round; and (2) exempt from the sales tax education materials necessary for in-class learning, including textbooks and school computers.

H.B. 1252 (Martinez-Fischer) – Sales Tax Exemption: would provide that for any purchase of \$100 or more, the first \$100 is exempt from the state sales tax.

H.J.R. 78 (Raymond) – State Sales Tax: would amend the Texas Constitution to prohibit the legislature from imposing a state sales tax on food, drinks, medicine, or a child-care service that was not subject to taxation on January 1, 2025.

H.J.R. 79 (Raymond) – State Sales Tax: would amend the Texas Constitution to prohibit the legislature from imposing: (1) a state sales tax rate that exceeds 6.25 percent; and (2) the state sales tax on an item or service on which a state sales or use tax was not imposed on January 1, 2025.

H.J.R. 97 (Raymond) – Property Tax Exemption: would amend the Texas Constitution to authorize the legislature to exempt from the property tax the market value of real property that arises from the use of xeriscape on the property. (See **H.B. 1370**, above.)

S.B. 178 (Menendez) – Street Maintenance Sales Tax: would provide that revenue derived from the street maintenance sales tax may be used to reconstruct city streets and sidewalks in addition to being used for maintenance and repair.

S.B. 214 (West) – Sales Tax Exemption: would provide a sales tax exemption for the sale and installation of heating, ventilation, and air conditioning systems for sales that take place on or after March 1, 2026, and before September 1, 2027, if the system: (1) is used for the purchaser’s primary single-family residence; (2) has a minimum Seasonal Energy Efficiency Rating of 14 SEER; (3) is designated as an Energy Star qualified product under the Energy Star program; and (4) is installed by a person licensed to engage in air conditioning and refrigeration contracting.

S.B. 265 (Perry) – Taxable Services: would exclude services provided by a marketplace provider in relation to the processing of a sale or payment for a marketplace seller from the definition of “taxable services” for the purpose of the sales tax.

Open Government

H.B. 675 (Vasut) – Public Information Costs: would provide that: (1) a governmental body, including a city, may not impose a charge for providing a copy of public information if the information is a campaign report required to be filed with the governmental body unless those reports filed with the governmental body during the preceding three years are available to the public on the governmental body’s internet website; and (2) the attorney general may cancel or reduce any charge or portion of a charge imposed by a governmental body if the attorney general determines that the governmental body: (a) has not maintained the requested information in accordance with standard recordkeeping practices; or (b) failed to comply with the Public Information Act with regard to the request for public information for which the charge is imposed.

H.B. 981 (C. Hernandez) – Exceptions to Disclosure: would provide that: (1) for purposes of the exception to disclosure for pending or reasonably anticipated litigation, litigation is considered reasonably anticipated only if a person with an alleged claim, or that person’s attorney, has: (a) threatened in writing to take legal action against the governmental body; or (b) made a written demand for compensation as a result of an alleged claim against the governmental body; (2) a law enforcement record related to the detection, investigation or prosecution of crime that did not result in conviction or deferred adjudication is not excepted from public disclosure under the law enforcement exception if a written request for the record is made by: (a) a person who is the subject of the record or the person’s attorney; or (b) if the person described in (2)(a), above, is deceased, the person’s spouse, child or parent, an administrator of the person’s estate, or any of their attorneys.

S.B. 50 (Zaffirini) – Electronic Public Information: would, among other things, provide that: (1) public information for purposes of the Public Information Act (PIA) includes data dictionary or other indicia of the type or category of information held in the applicable field of a database, other than metadata that directly implicates database security; (2) if a request for public information applies to electronic public information (public information produced and maintained in an electronic spreadsheet or database that is searchable or sortable) and the requestor requests the electronic public information in a searchable or sortable format, a governmental body shall:

(a) provide an electronic copy of the requested electronic public information in the searchable or sortable format requested using computer software the governmental body uses to access, support, program, manipulate, or otherwise manage the governmental body's information; (b) if the requestor prefers, provide a copy of electronic public information in the form of a paper printout; (3) a governmental body may not refuse to provide a copy of electronic public information on the grounds that exporting the information or redacting excepted information will require inputting range, search, filter, report parameters, or similar commands or instructions into the governmental body's computer system if the commands or instructions can be executed with computer software the governmental body uses in the ordinary course of business to access, support, or otherwise manage the information; (4) if a requestor requests that a copy of electronic information be provided in the format in which the governmental body maintains information or in a standard export format such as a flat file electronic American Standard Code for Information Interchange (ASCII), the governmental body shall provide the copy if the computer programs the governmental body uses support exporting the information in that format; (5) the copy of electronic information provided to the requestor under (4), above, shall: (a) be in the requested format or in another format acceptable to the requestor; and (b) on suitable electronic media; (6) if electronic public information is maintained by a governmental body in a format that is: (a) searchable but not sortable, the governmental body shall provide an electronic copy of the information in a searchable format; or (b) sortable, the governmental body shall provide an electronic copy of the information in a sortable format; (7) governmental body shall use reasonable efforts to ensure that a contract the governmental body enters into for the creation and maintenance of electronic public information does not impair the public's ability to inspect or copy the information or make the information more difficult for the public to inspect or copy than records the governmental body maintains; and (8) the provision related to responding to requests for information that require programming or manipulation shall be repealed.

S.B. 370 (Perry) – Public Information: would, among other things: (1) expand the definition of “family member” for purposes of the personal information of employees or officials of certain governmental entities that may be withheld under the Public Information Act (PIA) to include a minor child, adult child, spouse or surviving spouse of the employee or official; (2) provide that information is excepted from public disclosure under the PIA if it is information that relates to the home address, home telephone number, emergency contact information, or social security number of a family member of a current or former employee of the office of the attorney general or that reveals whether the person has family members; and (3) provide that a form notifying a governmental body of a public employee's or officer's choice to restrict public access to their personal information is confidential and not subject to disclosure under the PIA.

Transportation

H.B. 265 (Craddick) – Texas Grow Fund Grant Program: would, among other things, establish the Texas Grow Fund Grant Program to award grants to eligible applicants to construct or maintain roads, schools, health care facilities, and other infrastructure in areas the Texas Grow Fund Commission determines to be significantly affected by oil and gas production. (See **H.J.R. 35**, below.)

H.B. 283 (Guillen) – Commercial Vehicles: would provide that a vehicle or combination of vehicles that is transporting certain aggregates over a highway or road of this state may operate at an axle weight that is not heavier than the weight equal to the maximum allowable axle weight provided by those subsections plus a tolerance allowance of 15 percent of that allowable weight if the gross weight of the vehicle or combination of vehicles is not heavier than the maximum gross weight authorized for the roadway on which the vehicle or combination of vehicles is being operated. (Companion **S.B. 70** by **Zaffirini**.)

H.B. 684 (Cortez) – Red Light Cameras: would provide that photographic traffic signal enforcement contracts, including those executed before May 17, 2019, are void.

H.B. 1241 (Guillen) – Telecommunications Conduit: would, among other things, provide that for each road construction or reconstruction project in a part of the state highway system in which telecommunications conduit has not been installed under the improved portion of the highway, the Texas Department of Transportation shall: (1) provide for the installation of telecommunications conduit as part of the project at intervals not to exceed: (a) one mile in an unincorporated area; and (b) 500 feet in an incorporated area; and (2) ensure that access points to the conduit are provided at each interval described by (1), above, to facilitate use by a telecommunications provider.

H.B. 1288 (Landgraf) – Texas Department of Transportation Discretionary Spending: would repeal a statute limiting the Department of Transportation’s discretionary funding decision to no more than ten percent of its then-current biennial budget.

H.B. 1333 (Harrison) – Toll Collection and Enforcement: would, among other things, allow for toll project entities to invoice and collect tolls from certain owners and operators of vehicles who use toll collection facilities. (Companion bill is **S.B. 137** by **Hall**.)

H.J.R. 35 (Craddick) – Texas Grow Fund Grant Program: would, among other things: (1) amend the Texas Constitution to establish the Texas Grow Fund Grant Program to award grants to eligible applicants to construct or maintain roads, schools, health care facilities, and other infrastructure in areas the legislature determines to be significantly affected by oil and gas production; and (2) provide for the transfer of certain general revenues to the fund described in (1), above. (See **H.B. 265**, above.)

H.J.R. 58 (Bucy) – Use of State Highway Funds: would amend the Texas Constitution to allow for a temporary use of state highway funds for transit-oriented projects.

H.J.R. 63 (Walle)– Transportation Funding: would amend the Texas Constitution to provide that dedicated revenue transferred to the state highway fund may be used for constructing, maintaining, and acquiring rights-of-way for: (1) public transportation; (2) public bicycle paths; and (3) public sidewalks.

S.B. 70 (Zaffirini) – Commercial Vehicles: would provide that a vehicle or combination of vehicles that is transporting certain aggregates over a highway or road of this state may operate at an axle weight that is not heavier than the weight equal to the maximum allowable axle weight provided by those subsections plus a tolerance allowance of 15 percent of that allowable weight if

the gross weight of the vehicle or combination of vehicles is not heavier than the maximum gross weight authorized for the roadway on which the vehicle or combination of vehicles is being operated. (Companion bill is **H.B. 283** by **Guillen**.)

S.B. 137 (Hall) – Toll Collection and Enforcement: would, among other things, allow for toll project entities to invoice and collect tolls from certain owners and operators of vehicles who use toll collection facilities. (Companion bill is **H.B. 1333** by **Harrison**.)

S.B. 215 (West) – Digital Identification: would, among other things, require the Texas Department of Transportation in consultation with the Texas Parks and Wildlife Department to establish a program for the creation and issuance of digital identification which could be used as evidence of a person's identity in the same manner as a driver's license for all purposes other than voting.

Utilities and Environment

H.B. 157 (Raymond) – Drinking Water Report: would require the Texas Commission on Environmental Quality to produce an annual report on public drinking water supply systems in Texas and deliver the report to the legislature not later than September 1 of each year.

H.B. 159 (Raymond) – Water Facilities: would: (1) require the Texas Commission on Environmental Quality (TCEQ) to conduct a study of potential methods for protecting public drinking water supply systems and wastewater treatment facilities regulated by TCEQ from: (a) electrical outages; (b) catastrophic weather events; (c) conduct that constitutes an offense related to protection of critical infrastructure; (d) the projected effects of climate change; and (e) other potential disruptions to providing water service; and (2) provide a report of the study to the governor and legislature by September 1, 2026.

H.B. 310 (Guillen) – Texas Water Fund: would require that the Texas Water Development Board to ensure that a portion of the money transferred from the Texas Water Fund is used for water infrastructure projects, prioritized by risk or need, for: (1) rural political subdivisions; (2) cities with a population of less than 20,000; and (3) cities with a population of 20,000 or more but less than 150,000.

H.B. 365 (M. Gonzalez) – Economically Distressed Areas Account: would provide that the total amount of financial assistance provided by the Texas Water Development Board to political subdivisions for assistance to economically distressed areas for water supply and sewer services from state-issued bonds for which repayment is not required may not exceed at any time 90 percent of the total principal amount of issued and unissued bonds plus outstanding interest on those bonds.

H.B. 422 (M. González) – Texas Water Development Board Bonds: would provide that the Texas Water Development Board may not issue more than \$100 million in bonds during a fiscal year for economically distressed areas for water supply and sewer service projects.

H.B. 457 (C. Morales) – Toxic Chemical Alert System: would establish an alert system for notification of the release of toxic chemicals by a manufacturing facility.

H.B. 464 (M. González) – Scrap Tire Remediation Program: would, among other things, provide that the Texas Commission on Environmental Quality may develop a scrap tire remediation grant program to award grants from the scrap tire remediation grant account to counties for the purpose of reducing the number of scrap tires disposed of in inland or coastal water and onto public rights-of-way and other public land.

H.B. 516 (Swanson) – Certain Public Water Systems: would, among other things, for a public water system located in the unincorporated area of a county that contains a city in which the governing body of the city or another regulatory authority has adopted standards to require the installation and maintenance of a hydrant in accordance with state law; (1) require the regulatory authority of a public water system to which the bill applies to adopt rules requiring the public water system to provide to each fire department providing fire suppression services in the area where the hydrant is located notice of a water service interruption that renders the hydrant temporarily unavailable for use in a fire emergency; (2) require a public water system to which the bill applies to provide to each fire department notified of a water service interruption under (1), above, notice of the water service's resumption not later than two hours after the time the water service is resumed; and (3) provide that the regulatory authority of a public water system may delegate the system's duty to provide notice under (2) or (3), above, to a public safety answering point that relays information to fire departments providing fire suppression services in the area where the affected hydrant is located.

H.B. 553 (Patterson) – Renewable Energy: would, among other things, provide that a municipally owned utility may not operate a renewable energy generation facility in Texas unless the utility holds a permit issued by the Public Utility Commission and pays a permit fee.

H.B. 613 (Rosenthal) – Electric Reliability Council of Texas Grid: would, among other things, provide that a transmission and distribution utility, municipally owned utility, or electric cooperative that transmits or distributes power purchased at wholesale in the Electric Reliability Council of Texas (ERCOT) power region may, in certain circumstances, construct, own, and operate facilities as necessary to: (1) access transmission service from outside of the ERCOT power region; and (2) purchase power at wholesale from outside of the ERCOT power region.

H.B. 685 (C. Bell) – Municipal Rate Discrimination: would prohibit a city from establishing a higher rate for water or sewer utilities that applies only to entities that qualify for a sales tax or property tax exemption.

H.B. 704 (C. Bell) – Utility Disconnection: would provide that private utility providers may not disconnect service to a residential customer on a weekend day, on a holiday officially observed by the State of Texas, on a day preceding a weekend day or during an extreme weather emergency.

H.B. 736 (Flores) – Civil Suits Brought by Local Governments: would provide that a local government, a person affected, or an authorized agent may institute a claim for certain violations under the Texas Commission on Environmental Quality's (TCEQ) jurisdiction after the attorney general and TCEQ executive director receive the required notice unless TCEQ has commenced a

proceeding or the attorney general has commenced a civil suit concerning at least one of the alleged violations set forth in the notice.

H.B. 838 (Reynolds) – Electric Reliability Council of Texas Grid: would, among other things, provide that a transmission and distribution utility, municipally owned utility, or electric cooperative that transmits or distributes power purchased at wholesale in the ERCOT power region may, in certain circumstances, construct, own, and operate facilities as necessary to: (1) access transmission service from outside of the ERCOT power region; and (2) purchase power at wholesale from outside of the ERCOT power region.

H.B. 844 (Thompson) – Concrete Plants: would provide that only a city or county in which a proposed concrete plant will be located and persons actually residing in a permanent residence within 440 yards of the proposed concrete plant may request a public hearing from the Texas Commission on Environmental Quality regarding the construction of the concrete plant. (Companion bill is **S.B. 373** by **Miles**.)

H.B. 853 (Reynolds) – Air Quality Permits: would, for the construction or major modification of a facility that is a major stationary source and is located or proposed to be located in an area designated as a nonattainment area, provide that the Texas Commission on Environmental Quality (TCEQ), in making its finding as to whether emissions from the facility will contravene the intent of the Clean Air Act, the TCEQ shall: (1) conduct an analysis of alternative locations, sizes, production processes, and environmental control techniques for the facility that demonstrates that the benefits of the facility significantly outweigh the environmental and social costs imposed as a result of the facility's location, construction, or modification; and (2) in conducting the analysis, consider the cumulative impacts that would result from the issuance of the permit without changes to the site location, size, production processes, and environmental control techniques.

H.B. 873 (Wilson) – Concrete Plants: would, among other things: (1) provide that the Texas Commission on Environmental Quality (TCEQ) shall accept written questions about a facility requesting a standard permit for the production of aggregates or the operation of a concrete plant that performs wet batching, dry batching, or central mixing from the public until the 15th day before the date of the hearing or meeting; (2) require TCEQ to, not later than the 14th day before the date of the hearing or meeting in (1), above, notify each city and county in which the facility is located or proposed to be located, among others, of the date, time, and place of the hearing or meeting; (3) provide that a person authorized to use a standard permit for the production of aggregates or the operation of a concrete plant that performs wet batching, dry batching, or central mixing must: (a) install equipment to monitor noise levels from the facility: (i) at the point on the perimeter of the property on which the facility is located that is closest to the nearest building in use as a single-family or multifamily residence, school, place of worship, or commercial enterprise; and (ii) at two other points on the perimeter of the property on which the facility is located equidistant from the point described by (3)(a)(i), above; (b) ensure that outdoor lighting installed at the facility complies with standards adopted by the Illuminating Engineering Society; (c) obtain computer-controlled blasting technology to minimize the effect of seismic forces on adjacent property caused by blasting at the facility; (d) either: (i) use water for the facility only from a metered source or under a permit from a groundwater conservation district; or (ii) implement TCEQ-approved methods of water recirculation to ensure efficient use of groundwater

for the facility; (e) provide to TCEQ a plan to ensure that the area on which the facility operates will be safe and useful after operations cease, including a description of how the person will: (i) resolve potential safety and environmental problems; (ii) minimize fugitive dust from areas the person does not plan to revegetate; and (iii) control erosion by revegetating barren areas; and (f) provide to TCEQ a performance bond or other form of financial assurance to ensure payment of the costs of executing the plan required (3)(d), above; and (4) provide that a person authorized to use a standard permit for the production of aggregates or the operation of a concrete that performs wet batching, dry batching, or central mixing plant shall ensure that noise created by the permitted facility does not exceed: (a) 70 decibels at the points at which monitors are installed under (3), above; or (b) 65 decibels at the perimeter of a property that is: (i) used as a residence; and (ii) located within 880 yards of the permitted facility.

H.B. 941 (Cain) – Texas Grid Security Commission: would, among other things: (1) create the Texas Grid Security Commission to evaluate, among other things, using available information on past power outages in the Electric Reliability Council of Texas (ERCOT), all hazards to the ERCOT electric grid, including threats that can cause future outages; (2) require the security commission to evaluate the resilience of cities in Texas in the following essential areas: (a) emergency services; (b) communications systems; (c) water and sewer services; (d) health care systems; (e) financial services; (f) energy systems, including whether energy, electric power, and fuel supplies are protected and available for recovery in the event of a catastrophic power outage; and (g) transportation systems; (3) require the security commission to investigate the steps that local communities and other states have taken to address grid resilience; (4) provide that based on the findings of the evaluations and investigations conducted the bill, the security commission shall consider and recommend resilience standards for cities and critical components of the ERCOT electric grid; (5) provide that standards considered and recommended for energy systems of cities should include provisions to ensure that energy, electric power, and fuel supplies are protected and available for recovery in the event of a catastrophic power outage; (6) provide that not later than October 1, 2026, the security commission shall prepare and deliver a report to the legislature on the recommended resilience standards required under the bill and an anticipated timeline for implementation of the standards; (7) provide that not later than October 1, 2026, the security commission shall prepare and deliver to the legislature a plan for protecting the ERCOT electric grid from all hazards, including a catastrophic loss of power in the state; and (8) provide that not later than January 1 of each year, the security commission shall prepare and deliver a nonclassified report to the legislature, the governor, and the commission assessing natural and man-made threats to the electric grid and efforts to mitigate the threats. (Companion bill is **S.B. 75** by **Hall**.)

H.B. 969 (C. Hernandez) – Electric Reliability Council of Texas: would subject the Electric Reliability Council of Texas to the Open Meetings Act.

H.B. 1018 (Wilson) – Concrete Plants: would: (1) direct the Texas Commission on Environmental Quality (TCEQ) to establish a certification program for operators of facilities that have been issued a permit or an authorization to use a permit for: (a) the production of aggregates; or (b) the operation of a concrete plant that performs wet batching, dry batching, or central mixing; (2) require TCEQ to adopt best management practices for operators of facilities described by (1), above, including practices for air quality monitoring, water use, and blasting at facilities; (3) provide that if TCEQ inspects a facility when determining whether to grant or renew a permit or

authorization to use a permit for the facility, TCEQ shall inspect practices at the facility at that time for compliance with such best management practices and shall: (a) certify the operator of the facility as a best practices operator if TCEQ determines that the operator has complied with the best management practices in the operation of the facility; or (b) notify the operator of the facility that the facility cannot be certified at that time if TCEQ determines that the operator has not complied with the best management practices in the operation of the facility; (4) provide that TCEQ may not impose a penalty for a violation of a best management practice adopted under (2), above; and (5) provide that a person who submits a bid or proposal for a public work contract shall include in the bid or proposal a statement that any operator of a facility described (1)(a) or (b), above, supplying goods or services under the contract will hold a certification under (1)-(3), above.

H.B. 1318 (Guillen) – Water and Sewer Service in Annexed Area: would, among other things, provide that, when a city annexes property and the municipally owned utility (MOU) seeks a certificate of convenience and necessity for water or sewer for the annexed area, the Public Utility Commission shall determine in its order granting the certificate to the MOU the adequate and just compensation to be paid for the transferred property and damages to or adverse effects on property remaining in the ownership of the retail public utility after single certification.

H.B. 1343 (Troxclair) – Electric Energy Storage Equipment: would, among other things: (1) provide that a person, including a municipally owned utility, may not install electric energy storage equipment or facilities intended for use in selling energy or ancillary services at wholesale in the Electric Reliability Council of Texas power region unless the person holds a permit issued under the bill; (2) require the Public Utility Commission (PUC) to adopt rules to require each permitted electric energy storage equipment or facility to be installed only in a location that: (a) is a sufficient distance from any other electric energy storage equipment or facility to reasonably mitigate the risk of a fire at the permitted electric energy storage equipment or facility spreading to other electric energy storage equipment or facilities; and (b) in the event of a fire at the site of the permitted electric energy storage equipment or facility, is reasonably unlikely to block the only access point to a residential area; (3) provide that when an application for a permit or an amendment to a permit issued under the bill is filed, the PUC shall give notice of the application to the county judge of the county in which all or a majority of the electric energy storage equipment or facilities are proposed to be located; (4) provide that the PUC may hold one or more public meetings on a permit application in the county in which the electric energy storage equipment or facilities are proposed to be located and that the PUC must hold a public meeting: (a) on the request of a member of the legislature who represents the area in which the electric energy storage equipment or facilities are proposed to be located; or (b) if the PUC determines there is substantial public interest in the proposed permit; and (5) require the PUC to adopt a fee to be imposed on each permit applicant to cover costs associated with implementing the bill.

H.B. 1344 (Troxclair) – Financial Assistance for Water Pollution Control: would provide that, in providing financial assistance from any revolving fund for financial assistance for water pollution control, the Texas Water Development Board shall, to the extent permissible under federal law, give priority to a request for financial assistance from a city located not more than 50 miles from an area of high growth.

H.B. 1378 (Virdell) – Electric Energy Storage: would: (1) provide that a city by ordinance or a county by order shall prohibit the installation of electric energy storage within 500 yards of real property owned by a person other than the owner or operator of the proposed storage unless the owner or operator of the proposed storage obtains written consent from each owner of the real property; (2) provide that a county may not regulate under (1), above, the installation of electric energy storage within the corporate boundaries of a city; and (3) require a city to adopt an ordinance providing for the prohibition on the installation of electric energy storage as required by (1), above, by October 1, 2025.

H.J.R. 27 (Goodwin) – Right to Clean and Healthy Environment: would amend the Texas Constitution to provide that: (1) the public, individually and collectively, has the right to a clean and healthy environment, including clean water, clean air, healthy soil, and diverse and abundant native flora and fauna, and to the preservation of the natural, cultural, scenic, recreational, and healthful qualities of the environment; (2) the right to a clean and healthy environment is inherent, inalienable, indefeasible, and equal with other protected inalienable rights of liberty reserved to the public and the state shall equitably protect this right for the public and may not take any action to infringe on this right; (3) the public natural resources of Texas are the common property of all persons, including future generations; and (4) the state, including the legislative, judicial, and executive branches and each state agency and political subdivision, shall conserve, protect, and maintain the state’s public natural resources for the benefit of the public, including future generations.

S.B. 75 (Hall) – Texas Grid Security Commission: would, among other things: (1) create the Texas Grid Security Commission to evaluate, among other things, using available information on past power outages in Electric Reliability Council of Texas (ERCOT), all hazards to the ERCOT electric grid, including threats that can cause future outages; (2) require the security commission to evaluate the resilience of cities in Texas in the following essential areas: (a) emergency services; (b) communications systems; (c) water and sewer services; (d) health care systems; (e) financial services; (f) energy systems, including whether energy, electric power, and fuel supplies are protected and available for recovery in the event of a catastrophic power outage; and (g) transportation systems; (3) require the security commission to investigate the steps that local communities and other states have taken to address grid resilience; (4) provide that based on the findings of the evaluations and investigations conducted the bill, the security commission shall consider and recommend resilience standards for cities and critical components of the ERCOT electric grid; (5) provide that standards considered and recommended for energy systems of cities should include provisions to ensure that energy, electric power, and fuel supplies are protected and available for recovery in the event of a catastrophic power outage; (6) provide that not later than October 1, 2026, the security commission shall prepare and deliver a report to the legislature on the recommended resilience standards required under the bill and an anticipated timeline for implementation of the standards; (7) provide that not later than October 1, 2026, the security commission shall prepare and deliver to the legislature a plan for protecting the ERCOT electric grid from all hazards, including a catastrophic loss of power in the state; and (8) provide that not later than January 1 of each year, the security commission shall prepare and deliver a nonclassified report to the legislature, the governor, and the commission assessing natural and man-made threats to the electric grid and efforts to mitigate the threats. (Companion bill is **H.B. 941 by Cain.**)

S.B. 212 (West) – **Texas Commission on Environmental Quality Hearings:** would provide that: (1) if the Texas Commission on Environmental Quality (TCEQ), the executive director, or the applicant for certain permits, permit amendments, or permit renewals, under authority authorizing or requiring a public meeting or public hearing to be held in the county in which the facility or proposed facility that is the subject of the meeting or hearing is located or proposed to be located, holds a public meeting or public hearing concerning the issuance, amendment, or renewal of a permit for a facility or proposed facility, the meeting or hearing must be held: (a) in person; and (b) at a public location: (i) not more than one mile from the location or proposed location of the facility or proposed facility; or (ii) if a public location at which the meeting or hearing may be held does not exist within one mile of the location or proposed location, at a public location as near as practicable to and not more than five miles from the location or proposed location of the facility or proposed facility; and (2) the applicant for the permit, permit amendment, or permit renewal shall pay the cost of a public meeting or public hearing concerning a permit in (1), above.

S.B. 270 (Cook) – **Power Lines:** would require the Public Utility Commission to: (1) evaluate in certain metropolitan areas for each of the following for electric cooperatives, investor-owned utilities, and municipally owned utilities: (a) potential costs of burying existing overhead distribution power lines, including costs that could be passed on to ratepayers; (b) potential costs of maintaining and repairing underground distribution power lines; (c) potential cost savings associated with reduced power outages after burying distribution power lines; and (d) anticipated effects of burying distribution power lines on the environment, such as land use and water quality, on public safety, and on emergency response; and (2) submit a report of the results of the study and any recommendations to the governor, lieutenant governor, and speaker of the house of representatives not later than December 31, 2026.

S.B. 271 (Cook) – **Critical Care Residential Customer:** would define “critical care residential customer” as a residential customer of a retail electric utility who has a person permanently residing in the customer’s home who has been diagnosed by a physician as being dependent upon an electric-powered medical device to sustain life or an elevator to access to exit the customer’s home.

S.B. 277 (Miles) – **Concrete Plants:** would provide that, for the renewal of an authorization to use a standard permit issued for the operation of a permanent concrete plant that performs wet batching, dry batching, or central mixing, in determining whether and under which conditions to renew an authorization, the Texas Commission on Environmental Quality shall, while classifying the applicant’s compliance history, consider any civil suit instituted and any other enforcement actions taken by a local government against the applicant.

S.B. 373 (Miles) – **Concrete Plants:** would provide that only a city or county in which a proposed concrete plant will be located and persons actually residing in a permanent residence within 440 yards of the proposed concrete plant may request a public hearing from the Texas Commission on Environmental Quality regarding the construction of the concrete plant. (Companion bill is **H.B. 844** by **Thompson**.)

Community and Economic Development

H.B. 158 (Raymond) – Surplus Property: would require the Texas Department of Housing and Community Affairs to conduct a study on the feasibility of using surplus government property to provide housing to veterans and low-income families and deliver the report to the legislature not later than November 1, 2026.

H.B. 211 (Bernal) – Financial Assistance by the Department of Housing and Community Affairs: would provide that: (1) in evaluating an application for an issuance of private activity bonds, the Texas Department of Housing and Community Affairs (TDHCA) shall score and rank the application using a point system based on criteria that are adopted by the TDHCA, including criteria regarding, among other things, whether, at the time the complete application is submitted, all units that are: (a) owned by the applicant are equipped with air conditioning; and (b) owned or operated by a housing authority or other governmental entity, from which the applicant receives financial assistance or with which the applicant participates in projects for the development of affordable housing, are equipped with air conditioning; and (2) in evaluating an application for low income housing tax credits, if an application satisfies the threshold criteria, the TDHCA shall score and rank the application using a point system that, among other things, whether, at the time the complete application is submitted, all units that are: (a) owned by the applicant are equipped with air conditioning; and (b) owned or operated by a housing authority or other governmental entity, from which the applicant receives financial assistance or with which the applicant participates in projects for the development of affordable housing, are equipped with air conditioning.

H.B. 287 (Harris Davila) – Institutional Home Buyer Study: would provide that the Texas A&M University Real Estate Research Center: (1) shall annually compile certain information related to certain institutional buyers' purchases and sales of single-family homes in this state for the calendar year including: (a) the number of single-family homes purchased by each institutional buyer in the calendar year; (b) of the single-family homes described by (a), above, the number: (i) acquired through foreclosure; (ii) sold by each institutional buyer during the same year; and (iii) used as rental properties during the same year; (c) the city and county where each single-family home described by (a), above, is located and the number of homes purchased in each city or county; and (d) the appraised value of each single-family home described by (a), above; (2) may compile additional information: (a) at the recommendation of the legislature; or (b) that the Center deems relevant based on market condition; and (3) by June 1 of each year, the shall submit a report to certain state officials containing: (a) a summary of the information compiled under (1), above, for the preceding calendar year; (b) an assessment of any trends or patterns relating to the relative number of purchases by institutional buyers, including whether the institutional buyers fall into any readily observable groups based on number of purchases or other appropriate criteria; and (c) an analysis of the impact of institutional buyers on the cost of housing and the advantages, if any, that institutional buyers have over individual buyers in the real estate market.

H.B. 339 (Vasut) – Structured Sober Living Homes: would, among other things, provide that a city may adopt standards for structured sober living homes which may require the structured sober living homes to: (1) provide written notice to residents and potential residents that includes certain contact information; (2) supervise residents during all hours of operation; and (3) establish and maintain an operation plan.

H.B. 406 (Ordaz) – Local Workforce Development Board Agreements: would: (1) require a city to provide written notice of a local economic development agreement to the local workforce development for the workforce development area in which the city is located not later than the 14th day after the date of entering into, amending, or renewing the agreement; and (2) provide specific information that must be included in the notice in (1), above.

H.B. 784 (Gervin-Hawkins) – Pedestrian Infrastructure Grants: would: (1) establish a grant fund and program to provide grants to cities to construct pedestrian infrastructure related to sidewalks, curbs, or pedestrian lighting, subject to certain contract conditions; and (2) direct the Texas Department of Housing and Community Affairs to adopt rules necessary to administer (1), above.

H.B. 863 (Lalani) – Senior Independent Living Communities: would, among other things: (1) require the Texas Division on Emergency Management to: (a) establish, maintain, and annually update a statewide database of senior independent living communities that includes the health and safety plan filed by each senior independent living community; and (b) make the database accessible to state and local emergency response and emergency management agencies for the purpose of coordinating emergency response activities and emergency management; (2) require a senior independent living community to prepare, maintain, and annually update a health and safety policy and plan and file the plan with each local government agency responsible for providing emergency response services to the community; and (3) provide that a senior independent living community may not prevent a law enforcement officer, court officer, social worker, family member, or other interested person from entering a common area of the senior independent living community to conduct a voluntary interview with a resident as part of an investigation into the health and safety of residents of the community or regarding an incident at the community.

H.B. 1177 (Cunningham) – Water Diversion: would: (1) create a criminal offense for diverting or impounding the natural flow of surface waters or permitting a diversion or impoundment by them to continue, in a manner that damages the property of another by the overflow of the water diverted or impounded; and (2) provide a defense to prosecution if an actor filled the mouth of a gully or slough up to the height of the adjoining banks of a river or creek as allowed under state law.

Elections

H.B. 209 (Schofield) – Federal Elections: would, among other things, provide that: (1) a primary or general election for a federal office, other than the office of the president or vice president of the United States, or a resulting runoff election (a “federal election”) is a separate election from any other election in the state; (2) a federal election may not list on the federal ballot any proposition or election for state or county office; (3) to the extent feasible, a federal election and an election that is not a federal election shall be held separately and concurrently using the same precincts and polling locations; and (4) the secretary of state shall adopt rules to enact the provisions of (1)-(3), above, and the rules adopted must reduce voter disruption and confusion to the greatest extent possible, including rules requiring use of the same area in which voters are being accepted for voting and the same voting stations for state and federal elections. (Companion bill is **S.B. 106** by **Hall**.)

H.B. 304 (Guillen) – Voter Identification: would, among other things, provide that a voter who presents, as photo identification, a personal identification certificate or a driver's license with a designator reading "Valid for Voting Only with Verification of Eligibility" may only be accepted for voting if the voter also presents proof the voter's United States citizenship.

H.B. 332 (Bucy) – Voter Identification: would, among other things, provide that the following documents are an acceptable form of photo identification for purposes of voting at an election: (1) an official Native American identification card or tribal document that: (a) contains the voter's photograph and address; and (b) is issued by a tribal organization or by a tribe that is federally recognized and located in the state; (2) an identification card issued by a Texas public or private institution of higher education that contains the voter's photograph; or (3) an identification card issued by a Texas state agency that contains the voter's photograph.

H.B. 376 (Hayes) – Central Counting Stations: would, among other things, provide that: (1) a written plan for the orderly operation of a central counting station must include: (a) the information on the process for comparing the number of voters who signed the combination form or electronic poll list with the number of votes cast for the entire election; (b) who will provide information to the presiding judge of the central counting station to complete the reconciliation of votes and voters; (c) the date, time, and location of the second and third logic and accuracy tests to be conducted at the central counting station or regional tabulating center serving the central counting station and the procedures regarding an unsuccessful logic and accuracy test; (d) the date, time, and place the central counting station will operate before, on, and after election day, as applicable; (e) the names of the tabulation supervisor, central counting station manager, presiding judge, and alternate presiding judge and the party affiliations of the presiding judge and alternate presiding judge in the central counting stations and regional tabulating center serving the central counting station, as applicable; (f) the procedure regarding ballot security, including ballot storage and chain of custody procedures from the time the central counting station or regional tabulating center receives a sealed ballot box through the period for preserving the precinct election records; and (g) information regarding the livestream of all areas containing voted ballots available to the public in certain counties; and (2) the contact information of a person described by (1)(e), above, is not subject to disclosure under the Public Information Act.

H.B. 417 (Bucy) – Voting By Mail: would, among other things: (1) provide that any qualified voter shall be eligible for early voting by mail; (2) repeal the provision that makes it a state jail felony for a public official or election official, while acting in an official capacity, to unlawfully solicit and distribute an application to vote by mail; and (3) repeal the provision that makes it a Class A misdemeanor if an early voting clerk or other election official unlawfully distributes early voting ballots and balloting materials. (Companion bill is **S.B. 145** by **Menéndez**.)

H.B. 429 (Guillen) – Voting: would, among other things, provide that: (1) a child under 16 years of age who accompanies the child's parent to a voting station may read or mark the ballot at the direction of the parent; and (2) reading or marking a ballot as described under (1), above, does not constitute assisting a voter.

H.B. 509 (Bucy) – Voter Registration Prevention: would, among other things, provide that: (1) a city may not adopt or enforce a regulation that prevents an individual from knocking on the front door of a residential unit, ringing the doorbell of the unit, or leaving a written communication at the unit for the purpose of: (a) assisting an occupant of the unit with registering to vote; or (b) communicating to an occupant of the unit support or opposition for: (i) a political candidate; (ii) a political party; or (iii) a ballot measure; (2) a city may adopt and enforce reasonable restrictions on the time, place, and manner of an activity described in (1), above; and (3) a peace officer or private party may not prevent an individual from engaging in an activity described in (1), above, unless the officer or party reasonably believes that that activity poses a threat to a person or property or is in violation of a statute, ordinance, order, rule, or policy.

H.B. 524 (Tepper) – Initiative and Referendum: would provide that: (1) a home-rule city that allows for the initiative and referendum process in its charter shall, before ordering an election for an initiative or referendum measure, submit the measure to the attorney general no later than the fifth day after the day the city receives the petition on the measure; (2) the attorney general shall, not later than the 30th day after the day the city submits the measure to the attorney general: (a) determine whether any portion of the measure would violate state law; and (b) advise the city in writing of its determination; (3) a city may not hold an election on a measure if the attorney general determines that any portion of the measure would violate state law unless the attorney general fails to comply with the requirements of (2), above, in the prescribed time and manner; (4) a qualified voter of a city that submits a measure to the attorney general may bring an action to challenge the determination of the attorney general described under (2), above; (5) a city must hold an election on a measure described by (1), above, on a uniform election date; and (6) the statutory authority for home-rule cities to hold nonbinding referendums as a result of a petition by voters of the city is repealed.

H.B. 540 (Goodwin) – Preferential Voting: would, among other things, provide that: (1) the governing body of a city or school district may authorize, by majority vote, the use of a preferential voting system for the election of an officer of the city or school district; (2) the system must allow a voter to rank each candidate for an office through a numerical designation from the candidate the voter favors most to the candidate the voter favors least; and (3) a runoff election shall not be held for an office to which preferential voting applies. (Companion bill is **S.B. 342** by **Eckhardt**.)

H.B. 569 (Bucy) – Defective Mail In Ballots: would, among other things, provide that: (1) if an early voting clerk receives a timely carrier envelope for a mail in ballot that is not in full compliance with applicable requirements, the clerk, not later than the second day after the clerk discovers the defect and before the time of delivering the jacket envelopes to the early voting ballot board, shall send the voter a notice of the defect and a corrective form by mail or by common or contract carrier; (2) the early voting clerk shall include with the notice delivered to the voter: (a) a brief explanation of each defect in the noncomplying ballot; and (b) a notice that the voter may cancel the voter's application to vote by mail or correct the defect; (3) if the early voting clerk determines that it would not be possible for the voter to receive the notice of defect within a reasonable time to correct the defect, the clerk may notify the voter of the defect by telephone or e-mail and inform the voter that the voter may: (a) request to have the voter's application to vote by mail canceled; (b) submit a corrective action form by mail or by common or contract carrier; or (c) come to the early voting clerk's office in person not later than the sixth day after election day

to correct the defect; and (4) the early voting clerk shall: (a) in addition to sending the voter notice of the defect or notifying the voter of the defect by telephone or e-mail, notify the voter of a defect using an online tool that shall be developed by the Secretary of State; and (b) if possible, permit the voter to correct a defect using the online tool.

H.B. 614 (Bucy) – Provisional Voting: would, among other things, provide that: (1) an election officer serving a polling place is a deputy voter registrar and has the same authority as a regular deputy registrar; (2) a voter registration certificate may contain an explanation of the voter's rights or duties under the law, including the procedure for voting after changing residence to another county; (3) the registrar shall cancel a voter's registration immediately on receipt of notice that a voter has voted a provisional ballot in another county; (4) after changing residence to another county, a person shall be accepted for provisional voting if: (a) the person would have been eligible to vote in the county of former residence on election day if still residing in that county; (b) the person is registered to vote in the county of former residence at the time the person: (i) offers to vote in the county of new residence; or (ii) submitted a voter registration application in the county of new residence; (c) voter registration for the person in the county of new residence is not effective on or before election day; and (d) the person offers to vote in the person's new county of residence: (i) at any polling place during the early voting period; (ii) at any polling place on election day if the county participates in the countywide polling place program; or (iii) at the polling place of the precinct in which the person resides on election day if the county does not participate in the countywide polling place program; (5) not later than the 30th day after the election, the voter registrar shall notify the voter registrar for the voter's former county of residence that the voter was accepted for voting; (6) a person may cast a provisional ballot if the person would be eligible to vote in the election, but for the requirement to be a registered voter, and executes a specific affidavit; and (7) a provisional ballot cast shall be accepted if its determined from the information in the affidavit or contained in public records that the person: (a) is registered to vote in the county of the person's former residence; (b) has not previously voted in the election; and (c) is eligible to vote in the election, but for the requirement to be a registered voter.

H.B. 628 (Meza) – Voting By Mail: would, among other things: (1) provide that any qualified voter shall be eligible for early voting by mail; (2) repeal the provision that makes it a state jail felony for a public official or election official, while acting in an official capacity, to unlawfully solicit and distribute an application to vote by mail; and (3) repeal the provision that makes it a Class A misdemeanor if an early voting clerk or other election official unlawfully distributes early voting ballots and balloting materials. (Companion bill is **S.B. 145** by **Menéndez**.)

H.B. 631 (Swanson) – Voter-Initiated Petitions: would, among other things, provide that:

1. a proposition proposing an amendment to a city charter or a voter-initiated initiative or referendum, as requested by a petition, must use wording identical to the caption of any corresponding petition and identify the measure by its chief features, describing its character and purpose with such definiteness and certainty that voters are not misled;
2. a qualified voter of a home-rule city may seek a writ of mandamus from a court to compel the city council to comply with the requirements of Number 1, above, and the court must

give absolute priority for such writ and make its determination without delay and prior to the deadline for printing ballots;

3. governmental immunity to suit and liability is waived and abolished to the extent of liability created by Number 2, above;
4. a petition authorized or required to be filed with a city, regardless of whether a petition is authorized by state law or a city charter, must contain or have attached a caption for the proposed measure and identify the proposed measure by its chief features, describing its character and purpose with such definiteness and certainty that voters are not misled;
5. the city council of a home-rule city or a qualified voter of the city may file a complaint with the secretary of state alleging that a caption is invalid under Number 4, above, and if the secretary determines that the complaint is invalid, the secretary shall modify the caption and provide the modified caption to the home-rule city for use as a ballot proposition;
6. the illegibility of a signature on a petition submitted to a home-rule city is not a valid basis for invalidating the signature if the information provided with the signature provides enough information to demonstrate that the signer: (a) is eligible to have signed the petition; and (b) signed the petition on or after the 180th day before the date the petition was filed;
7. a city secretary: (a) shall determine the validity of a petition submitted to the city by verifying the petition signatures, not later than the 30th day after the date the city receives the petition; (b) may not invalidate a petition on grounds of an inadequate caption but may file a complaint with the secretary of state as described under Number 5, above; and (c) shall modify the caption as directed by the secretary of state as described under Number 5, above;
8. a city may repeal a charter amendment adopted by a petition-initiated election only by a petition-initiated election held for the specific purpose of repealing the amendment, and a repeal petition may not include any other measure, including the repeal of multiple charter amendments;
9. a city may not repeal a charter amendment adopted by a petition-initiated election by adopting a new or revised city charter, and a new or revised charter must include each charter amended adopted by a petition-initiated election unless the charter amendment was repealed in accordance with Number 8, above;
10. a city council shall submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters of the city equal to at least five percent of the number of qualified voters of the city on the date of the most recent election held throughout the city or 20,000, whichever number is the smaller;
11. repeal the provision that allows a city to verify petition signatures by statistical sample if a petition contains more than 1,000 signatures; and

12. repeal the provision that kept in effect a charter or ordinance provision that addresses the validity or verification of petition signatures that was in place on September 1, 1985.

H.B. 633 (Bucy) – Early Voting: would, among other things, provide that: (1) the authority ordering an election may order early voting by personal appearance at the main early voting polling place to be conducted during an early voting period that extends from the fourth day before election day for any number of consecutive days up to and including the day before election day; (2) an authority that orders voting during the extended early voting period described in (1), above, shall order personal appearance voting at the main early voting polling place to be conducted for at least 12 hours on any weekday or Saturday and for at least five hours on any Sunday of the extended early voting period; (3) an election order and the election notice must state the date and hours that extended voting is ordered to be conducted; and (4) the ballot voting board may not county early voting ballots voted by personal appearance after the fourth day before election day until the end of the extended early voting period.

H.B. 640 (Bumgarner) – Office Hours: would provide that, during an election period, the city secretary shall keep his or her office open for election duties for at least three hours each day, during regular office hours, on the days on which the main business office of the city is regularly open for business.

H.B. 649 (Bucy) – Mail In Ballot: would provide that: (1) a voter voting by mail on the ground of absence from the voter's county of residence may elect, on the voter's application for a ballot to vote by mail, to receive the balloting materials by electronic transmission; (2) an e-mail address used to request balloting materials is confidential and does not constitute public information, and an early voting clerk shall ensure that the voter's email address is excluded from public disclosure; and (3) a marked ballot that was received through electronic submission shall be returned to the early voting clerk by mail or common or contract carrier.

H.B. 665 (Bucy) – Election Information: would, among other things, provide that: (1) the secretary of state shall post on the secretary of state's public internet website a database containing information on each election for a partisan office, the office of mayor, or a position on the governing body of a city or board of trustees of an independent school district; (2) the secretary of state shall post on the secretary of state's internet website a database containing information about each holder of and candidate for any partisan elected office, office of mayor, or position on the governing body of the city or board of trustees of an independent school district; (3) the authority responsible for giving notice of the election shall deliver, in January of each year, information on an election for a partisan office, the officer of mayor, or a position on the governing body of the city for the secretary of state's database of election information in an electronic format to the county in which the authority is located; and (4) a political subdivision, including a city, shall provide information about a candidate or officeholder to the county in which the political subdivision is located and the county shall forward the information to the secretary of state.

H.B. 695 (Leo Wilson) – Electioneering: would provide that the secretary of state shall adopt rules requiring an entity that owns or controls a building being used as a polling place or an early voting polling place to permit a person electioneering on the building's premises to use the

facilities of the building otherwise available to voters or election officials, including bathrooms provided that the person: (1) may not bring political signs or literature inside the facilities; (2) must cover or remove any political logos or messaging before entering the facilities; and (3) must meet any other requirements determined by the secretary of state to be necessary to ensure compliance.

H.B. 703 (Swanson) – Election Investigations: would, among other things, provide that: (1) the secretary of state may take appropriate action to protect against violations of the Election Code; (2) the secretary of state shall appoint a state election marshal who shall report to the secretary of state; (3) the state election marshal shall appoint election marshals for each Department of Public Safety (DPS) region such that there is one election marshal for each 1,000,000 people who reside in the region; (4) appointments of election marshals must be made not later than the 60th day before the date early voting is scheduled to begin in an election held on a uniform election date in November or a primary election; (5) an appointment of an election marshal is in effect for 90 days and may be extended by the state election marshal if the election marshal is conducting an investigation; (6) the state election marshal shall designate an election marshal in each DPS region as the chief election marshal for the region; (7) the chief election marshal for a region shall assign election marshals to each alleged violation of the Election Code occurring in the region; (8) a state inspector or election marshal shall promptly investigate an alleged violation of the Election Code that is: (a) supported by an affidavit or unsworn declaration; and (b) submitted to the state inspector or chief election marshal, and if submitted to the chief election marshal, assigned to the election marshal; and (9) if an election marshal investigates an alleged violation of the Election Code and finds probable cause exists that a violation is occurring or is likely to occur, the election marshal: (a) shall exercise all lawful means to prevent the violation from continuing or occurring; (b) may seek such orders, processes, or warrants from a court that the election marshal finds necessary to prevent the violation from continuing or occurring; and (c) may also file appropriate criminal charges.

H.B. 817 (Cain) – Preferential Voting System: would provide that: (1) in an election requiring a majority vote to be elected to a public office, a candidate must receive more than half of the votes as originally cast; and (2) a majority may not be determined by using a preferential voting system (voting system which permits a voter to rank each candidate through a numerical designation from the candidate the voter favors most to the candidate the voter favors least) to reassign votes.

H.B. 919 (Harrison) – Political Advertising: would provide that it is a Class A misdemeanor for an officer or employee of a political subdivision, including a city, to knowingly spend or authorize the spending of public funds for a communication relating to a measure submitted at an election as a result of an official action adopted or approved by the political subdivision, other than a notice of election.

H.B. 989 (Toth) – Election Irregularities: would provide that: (1) a person who participated in the relevant election as a candidate, a county chair or state chair of a political party, a presiding judge, an alternate presiding judge or the head of a specific-purpose political committee that supports or opposes a ballot may issue a written request to the county clerk or other authority conducting an election for an explanation and supporting documentation for: (a) an action taken

by the election officer that appears to violate the Election Code; (b) irregularities in results in a precinct or at a polling place or early voting polling place; (c) inadequacy or irregularity of documentation required to be maintained under the Election Code; or (d) irregularity or reconciliation results identified in reconciliation reports regarding voters and votes cast; (2) not later than the 20th day after the date a request is received under (1), above, the county clerk or other authority shall provide the requested explanation and any supporting documentation; (3) a requestor who is not satisfied with the explanation and supporting documentation provided under (2), above, may issue a request for further explanation and supporting documentation to the county clerk or other authority; (4) not later than the 10th day after the date a request is received under (3), above, the county clerk or other authority shall provide the requested explanation and any supporting documentation; (5) a requestor who is not satisfied with the explanation and supporting documentation provided by the clerk or other authority may issue a request for an audit to the secretary of state that includes the request submitted to the clerk or other authority and explanations and supporting documentation; (6) not later than the 30th day after the date the secretary of state receives a request for an audit, the secretary must determine whether the information submitted sufficiently explains the irregularity defined in (1), above; (7) if the information submitted by the requestor is insufficient, the secretary of state shall immediately begin an audit of the identified irregularity at the expense of the county or other authority conducting the election; (8) the county clerk or other authority conducting the election shall cooperate with the office of the secretary of state and may not interfere with or obstruct the audit; (9) on conclusion of the audit the secretary of state shall provide notice of the findings of the audit to the person who submitted the request for an audit and the county clerk or other authority conducting the election; (10) the secretary of state, may, in the secretary's discretion, make a determination that a violation of the Election Code has occurred solely on the basis of the evidence submitted under (5), above, without conducting an audit, and shall send notice of the determination to the person who submitted the request for an audit and to the county clerk or other authority conducting the election; (11) if, following an audit, the secretary of state determines that a violation of the Election Code has occurred, the secretary shall appoint a conservator to oversee elections in the county election precinct where the violation occurred and the conservator shall serve for two federal election cycles; (12) in addition to the notice required under (9), above, the secretary of state shall provide special notice to the county clerk or other authority conducting the election detailing any violation of the Election Code found by the secretary; (13) if the county clerk or other authority conducting the election does not remedy a violation detailed in a notice under (12), above, by the 30th day after the date the clerk or other authority receives the notice, the secretary of state shall assess a civil penalty of \$500 for each violation not remedied and, if possible, remedy the violation on behalf of the county clerk or other authority; (14) if the secretary of state is unable to remedy the violation on behalf of the county clerk or other authority, the secretary shall assess an additional penalty under (13), above, for each day the county clerk or other authority does not remedy the violation until the violation is remedied; (15) the secretary of state shall maintain a record of county clerks or other authorities that conduct elections who have been assessed a civil penalty, and shall publish the record on the secretary of state's website; and (16) the attorney general may bring an action to recover a civil penalty that has not been paid, and such penalty collected shall be deposited in the state treasury to the credit of the general revenue fund.

H.B. 999 (Toth) – Election Records: would, among other things, provide that: (1) an election record that is public information shall be made available to the public during the regular business

hours of the record's custodian and not later than ten days after the date the custodian receives a request for public inspection; (2) not later than the 60th day after election day, the general custodian of election records shall make available for public inspection election records that are: (a) original voted ballots; or (b) images of voted ballots, if a county maintains images of voted ballots; (3) the custodian of election records shall adopt procedures to ensure the redaction of any personally identifiable information of the voter contained on a ballot before making the voted ballot available for public inspection; and (4) repeal the provision that allows the custodian of elections to adopt reasonable rules limiting public access to election records for the purpose of safeguarding election records or economizing the custodian's time.

H.B. 1001 (Toth) – Electronic Devices: would, among other things, provide that: (1) a signature roster in the form of an electronic device that is used for purposes of capturing a voter's signature next to the voter's name at a polling place may not be used in an election; (2) a poll list in the form of an electronic device for purposes entering each accepted voter's name on the list after the voter signs the signature roster may not be used in an election; (3) a combination form in the form of an electronic device for purposes of combining the poll list, the signature roster, or a list of registered voters may not be used in an election; (4) an election officer at a polling place where an electronic voting system is used must provide a paper ballot to each voter who requests one, and the paper ballot must be printed at the time the request is made; (5) after the paper ballot described in (3), above, is voted by the voter, the ballot must be scanned at the polling place with an optical scanner; and (6) a voting system that consists of a ballot marking device may not be used in an election.

H.B. 1002 (Toth) – Election Records: would, among other things, provide that: (1) precinct election records shall be preserved by the authority to whom they are distributed for at least 36 months after election day; (2) for a period of at least 60 days after the date of the election, the voted ballots shall be preserved securely in a locked room in the locked ballot box in which they are delivered to the general custodian of election records; (3) on the 61st day after election day, the general custodian of election records shall: (a) require a person who has possession of a key that operates the lock on a ballot box containing voted ballots to return the key to the custodian; (b) unlock the ballot box and transfer the voted ballots to another secure container, segregated and marked by precinct, for the remainder of the preservation period; and (c) create and maintain an index of voted ballots and ballot numbers assigned to each precinct, categorized by precinct location and polling place location, and make the index available to the public on the county election internet website, if the county maintains a website; (4) a ballot box or other secure container containing voted ballots may not be opened during the first 60 days of the preservation period; (5) the secure container that ballots or other precinct election records are transferred to must be sealed with a uniquely numbered seal, and the number shall be logged to ensure chain of custody during the preservation period; and (6) if ballots are imaged during the election process, the general custodian of election records shall post the ballot images, including the serial number assigned to the ballot and indexed by precinct, on the county's Internet website or the secretary of state's Internet website not later than five days after the election. (Companion bill is **S.B. 107** by **Hall**.)

H.B. 1003 (Zwiener) – Voter Identification: would provide that an identification card issued by a Texas public institution of higher education that contains the person's photograph, date of birth,

and full legal name and that has not expired or that expired no earlier than four years before the date of presentation is a valid form of identification for voting.

H.B. 1004 (Toth) – Special Prosecution: would, among other things, provide that: (1) a law enforcement agency that submits to a local prosecuting attorney a report stating that there is probable cause to believe an identified person has committed a criminal offense related to elections, abortion, trafficking, bribery or abuse of office shall simultaneously provide a copy of that report to the attorney general; and (2) the attorney general has jurisdiction to prosecute a criminal offense described in (1), above, if: (a) the law enforcement submits the report described in (1), above, to the attorney general; and (b) six months have elapsed from the date the report was submitted and the local prosecuting attorney has not initiated proceedings to prosecute the offense.

H.B. 1005 (Toth) – Canvassing Elections: would provide that the city council, as the canvassing authority of an election of the city, shall compare the precinct returns with the corresponding tally list.

H.B. 1007 (Toth) – Voting Systems Security: would, among other things, provide that: (1) an election system that is capable of being connected to the Internet or any other computer network may not be used, except for the use of a visible wired connection to an isolated local area network within the building; and (2) equipment used in the operation of a voting system must have a documented chain of custody and be stored in a locked facility with video surveillance monitoring the storage facility at all times.

H.B. 1008 (Toth) – Central Counting Station: would provide that an authority operating a central counting station may not purchase or use a ballot scanner unless the ballot scanner can only use a data storage device on which information, once written, is incapable of being modified without rendering the device readable.

H.B. 1013 (Toth) – Elections: would, among other things, provide that:

1. each election precinct established for an election shall be served by a single polling place located within the boundary of the precinct or adjoining precinct;
2. more than one precinct may vote at the same location provided the location is large enough to accommodate all required election activities while keeping those activities separate and distinct for each precinct;
3. the room where the election is conducted shall be used solely for that purpose during the election and shall be capable of being locked and secured from unauthorized access at any time an election judge is not present;
4. a polling place may not be located: (a) at the business location of certain persons; or (b) in a movable structure;
5. in addition to any other penalty set forth in the Election Code, failure to comply with the procurement and distribution of supplies and ballots by an election administrator or

election officer whether or not intentionally impacting more than one precinct shall result in the removal of the administrator or office and the election shall be reconducted;

6. the authority responsible for procuring the election supplies for an election shall provide for each election precinct a number of ballots equal to at least the number of registered voters in that precinct plus 1 percent of that number;
7. a person commits a state jail felony if the person intentionally obstructs the distribution of elections supplies for an election;
8. in the event of a misprint or other error in printing one or more ballots, such ballots: (a) must be marked "VOID" in large letters across the front of the ballots; and (b) must be accounted for by ballot number, placed in locked containers, with numbered seals marked "VOID MISPRINTED BALLOTS" and placed in a secure, locked location and retained as election records;
9. a ballot: (a) shall be designed for hand marking and shall be printed in black ink, on secure, auditable, counterfeit resistant, non-encrypted paper, on white or light-colored paper; (b) may not contain any QR or bar code or any other code not readable by the human eye; (c) may not contain any open or encrypted means of tracking, tracing or identifying a voter's ballot; and (d) shall include the voting precinct number and polling location pre-printed on all pages of the ballot;
10. the failure of an election administrator to comply with Number 9, above, shall be a Class A misdemeanor;
11. ballots shall be numbered sequentially, with no gap in numbering, on the front and back of each ballot, consecutively beginning with number "1" and no ballot in the state shall have a duplicative number;
12. immediately after closing the polls for voting on the final day of voting, the ballots shall be hand-counted by bipartisan teams;
13. all elections and hand counting of ballots shall be video recorded without interruption;
14. before the election may be certified, the public shall be provided 30 days to examine the video recording for errors;
15. members of the canvassing authority who fail to correct errors that are identified by the public viewing the video recording shall: (a) be subject to recall and removal from their elected office upon petition of ten registered voters and the recall shall be decided in a special election to be held within 45 days after the filing of the petition; (b) during the interim, shall be suspended from their duties until the results of the recall election;
16. an election shall keep a printed, physical list containing the list of names of the voters duly registered, including their residence address and whether they applied for a mail-in ballot;

17. the countywide polling program is repealed; and

18. early voting by personal appearance is repealed.

H.B. 1032 (Zwiener) – Limited Ballot: would, among other things, provide that: (1) a person who changes the person’s residence to another county shall be eligible to vote a limited ballot on election day; (2) a person may vote a limited ballot by personal appearance: (a) at an early voting polling place; or (b) on election day, at a countywide polling place or the polling place located in the precinct of the new residence of the voter; and (3) duties relating to voting a limited ballot that are assigned to the early voting clerk shall be transferred to an election officer or county clerk.

H.B. 1053 (Dorazio) – Debt Elections: would provide that a ballot proposition to approve bonds issued by a city that would add or increase taxes must include the statement “THIS IS A TAX INCREASE.”

H.B. 1091 (Paul) – Mail In Ballots: would, among other things, provide that: (1) the deadline to submit an application for ballot by mail or an application for an annual ballot by mail is no later than the 15th day before election day; (2) a carrier envelope contained a marked ballot voted by mail that is delivered by mail or common or contract carrier must: (a) arrive at the address on the carrier envelope not later than 5 p.m. on the day before election day; and (b) be placed for delivery by mail or common or contract carrier or a courier on or before the fourth day before election day; (3) a marked ballot voted by mail that arrives after the time prescribed by (2), above, shall be counted if: (a) the ballot was cast from an address outside the United States; (b) the carrier envelope was placed for delivery before the time the polls are required to close on election day; and (c) the ballot arrives at the address on the carrier envelope not later than the fifth day after the date of the election; (4) the early voting clerk shall also post notice of each delivery of balloting materials for ballots voted by personal appearance that is to be made before the time for opening the polls on election date on the internet website of the entity conducting the election continuously for at least 24 hours immediately preceding the election; (5) the early voting clerk shall post notice of each delivery of early voting by mail balloting materials on the internet website of the entity conducting the election continuously for at least 24 hours immediately preceding the delivery; (6) an early voting ballot board or officer of a central counting station may not produce a printout or other tangible record of the early voting ballot count or accumulation of results until the closing of polls on election day; (7) the central counting station may operate at any time ballots may be processed or counted; (8) not later than 72 hours before the date that the central counting station manager plans to begin processing or counting early voting ballots, the central counting station manager shall notify the presiding judge of the early voting ballot board of the time and place that the judge may deliver early voting ballots; and (9) not later than 72 hours before the initial date and time that the central counting station begins operations in an election, the central counting station manager shall post notice of the dates and times that the central counting station will operate in the election in the place used for posting notice of meetings of the governing body of and on the Internet website of the entity conducting the election.

H.B. 1128 (Isaac) – Concealed Carry in a Polling Place: would provide that a person may carry a concealed handgun on the premises of a polling place on election day or while early voting is in progress if the person: (1) is licensed to carry a handgun; and (2) is engaged in the performance of the person's duties as: (a) an election judge; or (b) an early voting clerk or a deputy early voting clerk who is serving as an election judge at an early voting polling place.

H.B. 1152 (Morales Shaw) – Mail In Ballot: would, among other things, provide that an electronic signature or photocopied signature is permitted to the extent necessary to reasonably accommodate an individual who is unable to sign by hand the certificate on the carrier envelope of a ballot voted by mail.

H.B. 1180 (Hinojosa) – Limited Ballot: would provide that: (1) after changing residence to another county, a person is eligible to vote a limited ballot by personal appearance on election day if certain conditions are met; (2) the required executed statement of a person who is eligible to vote a limited ballot by personal appearance shall be submitted to a person designated by the early voting clerk at the location used for the main early voting polling place, if the person is voting on election day; (3) a person may vote a limited ballot on election day only at the location of the main early voting polling place; and (4) the early voting clerk may conduct voting of limited ballots on election day at the location of the main early voting polling place by using official ballots for early voting by mail.

H.B. 1182 (Hinojosa) – Limited Ballot: would provide that the required executed statement of a person who is eligible to vote a limited ballot by personal appearance during the early voting period or by mail shall be submitted to an election officer at any early voting polling place designated by the county as a polling place where voters may submit a limited ballot, if the person is voting by personal appearance.

H.B. 1197 (Curry) – Joint Elections: would, among other things: (1) repeal the option for an election for trustees of an independent school district to be held on the same date as the election for city councilmembers of a city located in the school district; (2) require that an election for trustees of an independent school district be held on the same date as the general election for state and county officers; and (3) require that an election for a member of a board of trustees of an independent school district is partisan.

H.B. 1218 (Hinojosa) – Mail In Ballot: would, among other things, provide that: (1) the officially prescribed carrier envelope for submitting a mail in ballot shall be prepared so that it can be mailed free of United States postage; and (2) the name and official title of the early voting clerk as addressee, the clerk's official mailing address, and an indication that return postage for the envelope and balloting materials is prepaid must be printed on the face of each official carrier envelope for a ballot to be voted by mail.

H.B. 1235 (Zwiener) – Mail In Ballots: would, among other things, provide that: (1) a voter registrar shall maintain a supply of official application forms for a ballot to be voted by mail and furnish the forms to voters in person; (2) a voter may submit an application for a ballot to be voted by mail by delivering the application to a voter registrar; (3) a volunteer deputy registrar may distribute application forms for a ballot to be voted by mail throughout the county and receive

applications for a ballot to be voted by mail submitted to the deputy in person; (4) a volunteer deputy registrar shall submit to the voter registrar an application for a ballot to be voted by mail received under (3), above; and (4) if a voter registrar is not also the early voting clerk, the voter registrar shall deliver in person, to the early voting clerk, each completed application for a ballot to be voted by mail submitted to the voter registrar.

H.B. 1298 (Vo) – Extended Voting: would, among other things, provide that: (1) an authority ordering an election may order early voting by personal appearance at the main early voting polling place to be conducted during an extended early voting period beginning the 19th day before election day and continuing for any number of consecutive days up to and including the third day before election day; and (2) an authority that orders early voting during an extended early voting period shall order personal appearance voting at the main early voting polling place to be conducted for at least 12 hours on any weekday or Saturday and for at least five hours on any Sunday of the extended early voting period.

S.B. 62 (Zaffirini) – Voting: would, among other things, provide that: (1) a child under 18 years of age may accompany the child's parent to a voting station, and if the child is under 14 years of age, may read or mark the ballot at the direction of the parent; and (2) reading or marking a ballot under (1), above, does not constitute assisting a voter to vote.

S.B. 76 (Hall) – Countywide Polling: would, among other things, repeal the provisions that allow for use of countywide polling places in elections.

S.B. 77 (Hall) – Voting Ballots: would, among other things, provide that: (1) a signature roster in the form of an electronic device may not be used in an election; (2) an election officer at a polling place where an electronic voting system is used must provide a paper ballot to each voter who requests one; (3) a paper ballot provided under (2), above, must be printed at the time the request is made and, after being voted by the voter, must be scanned at the polling place with an optical scanner; and (4) a voting system that consists of a ballot marking device may not be used in an election.

S.B. 78 (Hall) – Security of Election Systems: would, among other things, provide that: (1) an election system that is capable of being connected to the Internet or any other computer network may not be used in an election held in this state, except for the use of a visible wired connection to an isolated local area network within the building; and (2) equipment used in the operation of a voting system must have a documented chain of custody and be stored in a locked facility with video surveillance monitoring the storage facility at all times.

S.B. 104 (Hall) – Paper Ballots: would provide that: (1) the authority responsible for procuring election supplies shall provide, unless the number of ballots provided to an election precinct is equal to the total number of registered voters in the precinct, the means to print additional paper ballots at each precinct polling place and early voting polling place; (2) an election officer shall provide a paper ballot to a voter who requests a paper ballot; and (3) the secretary of state may prescribe procedures to implement the provisions of (2), above.

S.B. 105 (Hall) – Closing Polls: would, among other things, provide that: (1) when closing the polls on the last day of early voting, the presiding election judge and alternate presiding judge shall place the printed tape that shows the counter was set to zero for each candidate or measure on the ballot in envelope no. 2; and (2) when closing the polls for voting on election day, any watcher present, but not more than three, may sign the printed tape described in (1), above.

S.B. 106 (Hall) – Federal Elections: would, among other things, provide that: (1) a primary or general election for a federal office, other than the office of the president or vice president of the United States, or a resulting runoff election (a “federal election”) is a separate election from any other election in the state; (2) a federal election may not list on the federal ballot any proposition or election for state or county office; (3) to the extent feasible, a federal election and an election that is not a federal election shall be held separately and concurrently using the same precincts and polling locations; and (4) the secretary of state shall adopt rules to enact the provisions of (1)-(3), above, and the rules adopted must reduce voter disruption and confusion to the greatest extent possible, including rules requiring use of the same area in which voters are being accepted for voting and the same voting stations for state and federal elections. (Companion bill is **H.B. 209** by **Schofield**.)

S.B. 107 (Hall) – Election Records: would, among other things, provide that: (1) precinct election records shall be preserved by the authority to whom they are distributed for at least 36 months after election day; (2) for a period of at least 60 days after the date of the election, the voted ballots shall be preserved securely in a locked room in the locked ballot box in which they are delivered to the general custodian of election records; (3) on the 61st day after election day, the general custodian of election records shall: (a) require a person who has possession of a key that operates the lock on a ballot box containing voted ballots to return the key to the custodian; (b) unlock the ballot box and transfer the voted ballots to another secure container, segregated and marked by precinct, for the remainder of the preservation period; and (c) create and maintain an index of voted ballots and ballot numbers assigned to each precinct, categorized by precinct location and polling place location, and make the index available to the public on the county election internet website, if the county maintains a website; (4) a ballot box or other secure container containing voted ballots may not be opened during the first 60 days of the preservation period; (5) the secure container that ballots or other precinct election records are transferred to must be sealed with a uniquely numbered seal, and the number shall be logged to ensure chain of custody during the preservation period; and (6) if ballots are imaged during the election process, the general custodian of election records shall post the ballot images, including the serial number assigned to the ballot and indexed by precinct, on the county’s Internet website or the secretary of state’s Internet website not later than five days after the election. (Companion bill is **H.B. 1002** by **Toth**.)

S.B. 108 (Hall) – Election Clerks: would provide that: (1) the alternate presiding judge shall serve as the presiding judge for an election if the regularly appointed presiding judge is not present at a polling location; (2) a person may not prevent an alternate presiding judge from freely observing or occupying the area in which voters are being accepted for voting; (3) the alternate presiding judge for an election precinct shall appoint an election clerk to assist the judge in the conduct of an election at the polling place served by the judge; (4) the authority that appoints election judges shall prescribe the maximum number of election clerks that the alternate presiding judge may appoint for each election; (5) the alternate presiding judge shall appoint at least one clerk for each

precinct in each election; and (6) the provision that requires the presiding judge to appoint, in an election conducted by the regularly appointed presiding judge, an alternate presiding judge as one of the clerks is repealed.

S.B. 109 (Hall) – Closing Polls: would provide that any watcher present at the opening and closing of a polling place, but not more than three, may sign a tape printed to show the number of votes cast for each candidate or ballot measure for each voting machine.

S.B. 110 (Hall) – Curbside Voting: would provide that: (1) for a voter who is physically unable to enter the polling place without personal assistance or likelihood of injuring the voter's health, on the voter's request for assistance in marking the ballot, two election officers shall provide assistance in marking the ballot; and (2) any person accompanying the voter described in (1), above, shall exit the vehicle and remain outside of the vehicle unless the person is selected by the voter to provide the voter assistance.

S.B. 144 (Menéndez) – Voter Identification: would, among other things, expand the list of acceptable forms of identification for the purposes of voting and allow a voter to present two forms of certain types of identification from the expanded list as proof of identification, so long as one form of identification contains the name and address of the voter.

S.B. 145 (Menéndez) – Voting: would, among other things: (1) provide that any qualified voter is eligible for early voting by mail; (2) repeal the provision that makes it a state jail felony for a public official or election official, while acting in an official capacity to unlawfully solicit and distribute an application to vote by mail; and (3) repeal the provision that makes it a Class A misdemeanor if an early voting clerk or other election official unlawfully distributes early voting ballots and balloting materials. (Companion bills are **H.B. 417** by **Bucy** and **H.B. 628** by **Meza**.)

S.B. 148 (Menéndez) – Countywide Polling Place: would provide that all counties regardless of population size are eligible to participate in the countywide polling place program.

S.B. 318 (Creighton) – Election Integrity: would, among other things, provide that: (1) the office of the attorney general shall establish an election integrity division, and, in support of the appropriate county or district attorney, shall investigate reports of election fraud or election offenses; and (2) the division may issue an administrative subpoena to a political subdivision, including a city, compelling: (a) the production of information or documents; or (b) the attendance and testimony of a witness.

S.B. 341 (Eckhardt) – Preferential Voting: would, among other things, provide that: (1) a special election held to fill a vacancy in an office requiring a majority vote must use preferential voting, which allows a voter to rank each candidate for office through a numerical designation from the candidate the voter favors most to the candidate the voter favors least; (2) if no candidate receives a majority of the votes cast designating the highest favorable ranking for an office, the votes of the candidate receiving the fewest number of votes are reassigned to the candidate ranking next highest in the preference of a voter; (3) if after reassigning votes under (2), above, no candidate receives a majority of the votes cast designating the modified highest favorable ranking, the reassignment of a vote to a voter's next most preferred candidate as described in (2), above, continues until one

candidate receives a majority; and (4) a runoff election is not held when preferential voting under (1), above, applies.

S.B. 342 (Eckhardt) – Preferential Voting: would, among other things, provide that: (1) the governing body of a city or school district may authorize, by majority vote, the use of a preferential voting system for the election of an officer of the city or school district; (2) the system must allow a voter to rank each candidate for an office through a numerical designation from the candidate the voter favors most to the candidate the voter favors least; and (3) a runoff election shall not be held for an office to which preferential voting applies. (Companion bill is **H.B. 540** by **Goodwin**.)

Personnel

H.B. 182 (Meza) – Rest Breaks: would provide that: (1) a governmental entity, including a city, contracting with a general construction contractor shall require the contractor and any subcontractor to provide to each employee performing work under the contract at least a ten minute paid rest break during every four-hour work period; (2) each general construction contract with a governmental entity must include terms that: (a) authorizes an employee of a contractor or subcontractor required to work without a rest break in violation of (1), above, to make a verbal or written complaint to the governmental entity contracting with the contractor; (b) requires, on confirmation of a violation of (1), above, that is the subject of a complaint, the governmental entity shall provide to the contractor written notice of the violation by hand delivery or certified mail; (c) inform a contractor the governmental entity is authorized to impose an administrative penalty if the contractor fails to comply with (1), above, after the date on which the contractor receives notice; and (d) state that an imposed penalty amount may be withheld from a payment otherwise owed to a contractor under the contract; (3) the governmental entity may impose an administrative penalty against a contractor in an amount of not less than \$100 and not more than \$500 per day if the contractor or subcontractor requires an employee to work without a rest break in violation of (1), above; and (4) a local ordinance, rule or other measure of a political subdivision, including a city, that requires rest breaks in accordance with a construction contract and that is compatible with and equal to or more stringent is not preempted.

H.B. 193 (Walle) – Minimum Wage: would increase the minimum wage to not less than the greater of \$15 an hour or the federal minimum wage.

H.B. 198 (Bumgarner) – Cancer Screenings: would provide that: (1) a political subdivision, including a city, that employs firefighters shall offer an occupational cancer screening to each firefighter at no cost to the firefighter in the fifth year of the firefighter's employment, and once every three years following the initial screening; and (2) the occupational cancer screening must be confidential and test for each type of cancer, including prostate cancer, if applicable, lung cancer, colorectal cancer, and brain cancer.

H.B. 302 (Rosenthal) – Reproductive Discrimination: would, among other things: (1) provide that an employer, including a city, commits an unlawful employment practice if the employer discriminates against an individual because of or on the basis of the individual's reproductive decision, including: (a) the individual's marital status at the time of pregnancy; (b) the use of assisted reproduction to become pregnant; (c) the use of contraception or a specific form of

contraception; or (d) the obtainment or use of any other health care drug, device, or service relating to reproductive health; (2) require an employer that provides an employee handbook to include in the handbook information regarding the prohibition of discrimination because of or on the basis of a reproductive decision; and (3) provide that a mandatory arbitration agreement between an employer and an employee is void and unenforceable to the extent the agreement limits the reproductive decisions of an employee or an employee's immediate family member. (Companion bill is **S.B. 361** by **Eckhardt**.)

H.B. 317 (M. González) – Reproductive Loss Leave: would, among other things, provide that: (1) an employee shall be entitled to five days of unpaid time off during the three-month period following the date the employee experiences a reproductive loss resulting from a miscarriage or stillbirth, an unsuccessful assisted reproduction procedure, the dissolution or breach of an adoption agreement, or the dissolution or breach of a surrogacy agreement pregnancy if: (a) the employee was employed for at least 30 days; and (b) the employee would have been a parent of a child as a result of a pregnancy of the employee, the employee's spouse, or under a surrogacy agreement or an adoption; (2) an employee who qualifies for leave under (1), above, may take time off consecutively or intermittently; (3) an employee who experiences more than one reproductive loss in a 12-month period is entitled to not more than 20 work days of time off during that period; and (4) the employer may not require an employee to substitute accrued paid leave for time off provided under (1), above.

H.B. 323 (Spiller) – E-Verify: would: (1) require a political subdivision, including a city, to register and participate in the E-verify program to verify information of all new employees; and (2) provide that an employee of a political subdivision who is responsible for verifying information of new employees of the political subdivision as required by (1), above, is subject to immediate termination of employment if the employee fails to comply with (1), above.

H.B. 331 (Patterson) – Disease Presumption: would: (1) remove the requirement that a firefighter, peace officer, or emergency medical technician who suffers an acute myocardial infarction or stroke must have been engaging in a situation or participating in a training exercise that involved "nonroutine" stressful or strenuous physical activity involving fire suppression, rescue, hazardous material response, emergency medical services, or other emergency response activity for the disease presumption to apply; (2) add law enforcement to the list of emergency response activities listed in (1), above; and (3) expand the duration from which the acute myocardial infarction or stroke must have occurred to not later than eight hours after the end of a shift in which the firefighter, peace officer, or emergency medical technician was engaging in the activity described in (1), above.

H.B. 446 (Flores) – Workplace Heat Safety: would, among other things: (1) create a heat illness prevention advisory board to assist the Texas Workforce Commission (Commission) in adopting heat illness standards; (2) require each employer, including a city, to provide training to its employees about the Commission's heat illness prevention standards as the standards relate to employees, supervisors, and employers; (3) provide that an employer commits an unlawful employment practice if the employer discriminates or retaliates against an employee who: (a) experiences heat illness in the workplace; (b) reports to the employer an instance of heat illness or violation; (c) files a complaint with the Commission of a related violation; or (d) testifies, assists

or participates in an investigation, proceeding or hearing; (4) require each employee to post in a conspicuous place accessible to employees a notice prescribed by the Commission related to heat illness; (5) create an administrative penalty in an amount not less than \$1000 for heat illness related violations; and (6) provide that in addition to the administrative policy, an employer is liable in a civil action for person injury, death or other damages caused by the employer's failure to comply with the heat illness prevention standards adopted by the Commission.

H.B. 680 (Flores) – Peace Officer Drug Testing: would provide that each law enforcement agency in this state shall adopt a detailed written policy requiring a peace officer who causes an officer-involved injury or death to submit to the agency, not later than two hours after the officer-involved injury or death, a specimen of the officer's blood, urine, or other bodily substance that assesses the officer's blood alcohol content and whether there is a controlled substance in the officer's body.

H.B. 691 (Goodwin) – Minimum Wage: would, among other things, provide that, with limited exceptions, an employer, including a city, shall pay to each employee not less than the greater of \$19 an hour or the federal minimum wage.

H.B. 715 (Bernal) – Discrimination: would, among other things, provide that an employer, including a city, commits an unlawful employment practice if the employer discriminates against an individual on the basis of sexual orientation or gender identity.

H.B. 777 (Walle) – Expressing Breast Milk: would require a public employer to provide a place, other than a bathroom, where an employee can express breast milk.

H.B. 812 (Reynolds) – Minimum Wage: would increase the minimum wage to not less than the greater of \$15 an hour or the federal minimum wage.

H.B. 822 (Reynolds) – Paid Sick Leave: would: (1) require certain employers to provide annual paid sick leave to each employee, accruing on the date the employee is hired at a rate of one hour paid sick leave for each 30 hours worked by the employee; and (2) provide that an employee may use such leave for specific reasons, including to attend: (a) to the employee's or the employee's family member's health condition; (b) to family violence related matters; and (c) a meeting at a child family member's school.

H.B. 881 (Thompson) – Progressive Disciplinary Matrix: would provide, among other things, that: (1) a public employer, including a city, that has not adopted civil service for its public safety employees, shall implement, for its city police officers, a progressive disciplinary matrix and adopt implementing rules that consist of a range of progressive disciplinary actions applied in a standardized way based on the nature of the infraction and the officer's prior conduct record; (2) the matrix described in (1), above, must include: (a) standards for disciplinary actions relating to the use of force against another person, including the failure to de-escalate force incidents in accordance with departmental policy; (b) standards for evaluating the level of discipline appropriate for uncommon infractions; and (c) presumptive actions to be taken for each type of infraction and any adjustment to be made based on a police officer's previous disciplinary record; (3) a meet and confer agreement must: (a) implement the progressive disciplinary described in (1),

above; and may not conflict with and does not supersede a statute, ordinance, order, civil service provision, or rule concerning the disciplinary actions that may be imposed on a police officer under the progressive disciplinary matrix; (4) for cities that have adopted civil service, the civil service commission shall adopt rules that prescribe the disciplinary actions that may be taken against a police officer under a progressive disciplinary matrix described in (1), above; (5) in an appeal of a disciplinary action by a police officer to a hearing examiner, the hearing examiner must presume the disciplinary action applied under a progressive disciplinary matrix is reasonable unless the facts indicate that the police department inappropriately applied a category of offense to the particular violation; (6) a collective bargaining agreement may not conflict with an ordinance, order, statute, or rule concerning the disciplinary actions that may be imposed on police officers under a progressive disciplinary matrix implemented by the city; and (7) a collective bargaining contract affecting police officers may not conflict with a state or local civil service provision implementing a progressive disciplinary matrix.

H.B. 901 (Harrison) – Salary Cap: would, among other things, provide that the taxpayer funded salary of an officer or employee of a political subdivision, including a city, may not exceed the amount of the salary set by the state law for the governor.

H.B. 949 (Toth) – Personal Health Information: would provide, among other things, that: (1) an employee has the right to keep the employee’s personal health information private and is not required to disclose that information to the employee’s employer, including a city, unless the disclosure is required by state or federal law; (2) an employer may not take an adverse employment action or discriminate against an employee who exercises the right described by (1), above; and (3) an employer who violates an employee’s rights prescribed in (1), above, is liable for a civil penalty in the amount of \$50,000 for each violation, and the attorney general may bring action to collect the civil penalty.

H.B. 1019 (Shaheen) – E-Verify: would: (1) require a political subdivision, including a city, to register and participate in the E-Verify program to verify information of all new employees; and (2) provide that an employee of a political subdivision who is responsible for verifying information of new employees of the political subdivision as required by (1), above, is subject to immediate termination of employment if the employee fails to comply with (1), above.

H.B. 1077 (Simmons) – Collective Bargaining: would, among other things, provide that: (1) an official of the state or a political subdivision may enter into a collective bargaining agreement with a labor organization regarding wages, hours or conditions of employment of public employees; and (2) public employees may strike or engage in an organized work stoppage against the state or a political subdivision of the state.

H.B. 1111 (Reynolds) – Discrimination: would, among other things, provide that an employer, including a city, may not discriminate against a person on the basis of sexual orientation or gender identity or expression.

H.B. 1164 (J. González) – Discrimination: would prohibit discrimination in public accommodations and employment on the basis of an individual’s sexual orientation, gender identity, or status as a military veteran. (Companion bill is **S.B. 150 by Menéndez.**)

H.B. 1191 (Manuel) – Criminal History: would provide that: (1) an employer, including a city, may not include a question regarding an applicant’s criminal history record information on an initial employment application form; (2) an employer may inquire into or consider an applicant’s criminal history record information after the employer has: (a) determined that the applicant is otherwise qualified; and (b) conditionally offered the applicant employment or invited the applicant to an interview; and (3) the provisions in (1) and (2), above, do not apply to an applicant for a position for which consideration of criminal history record information is required by law.

H.B. 1232 (Turner) – Whistleblower Expansion: would provide that a city may not suspend or terminate the employment of, or take other adverse personnel action against, a public employee who in good faith reports a violation of law by the city, another public employee, or an elected officer of the city to an appropriate law enforcement authority.

H.B. 1280 (Schoolcraft) – Discrimination: would, among other things: (1) define “prohibited discriminatory practice,” among other things: (a) as engaging in or maintaining a policy, procedure, practice, program, office, initiative, or required training that, based on an individual’s personal identity characteristics promotes the differential treatment of an individual; or (b) engaging in or maintaining a policy, procedure, practice, program, office, initiative, or required training that, among other things, asserts that an individual, by virtue of the individual’s personal identity characteristics, is inherently privileged, oppressed, racist, sexist, oppressive, or a victim, whether consciously or unconsciously; or asserts that an individual, by virtue of the individual’s personal identity characteristics, bears responsibility for actions committed in the past by other individuals with the same personal identity characteristics; (2) define “prohibited submission” as a submission, statement, or document that relates to a policy, program, or initiative regarding: (a) anti-racism; (b) bias; (c) critical race theory; (d) implicit bias; (e) intersectionality; (f) prohibited discriminatory practice, as that term is defined in the bill; or (g) racial privilege; (3) define “prohibited training” as a mandatory instructional program and related materials that require employees, prospective employees, to attend that promote prohibited discriminatory practices as that term is defined in the bill; (3) provide that a governmental employer, including a city, may not: (a) engage in prohibited discriminatory practices; (b) establish or maintain an office, division, employment position, or other unit of an institution established to implement, develop, plan, or promote campus policies, procedures, practices, programs, or initiatives, regarding prohibited discriminatory practices; or (c) employ or assign an employee or a third-party whose duties for an institution include coordinating, creating, developing, designing, implementing, organizing, planning, or promoting policies, programming, training, practices, activities, and procedures relating to prohibited discriminatory practices; (4) provide that a governmental employer may not require, request, solicit, or compel a prohibited submission as a certification or condition before taking action with respect to, among other things, employment; (5) prohibit a governmental employer, including a city, from requiring prohibited training; (6) create a cause of action to enforce the bill and provide for attorney’s fees; and (7) create a criminal misdemeanor offense if a person, on behalf of a governmental employer, (a) knowingly engages in, promotes or facilitates a discriminatory practice; or (b) knowingly requests or requires a person to produce or provide a prohibited submission; or (c) knowingly conducts, promotes or facilitates a prohibited training.

H.B. 1232 (Turner) – Whistleblower Protection: would prohibit a state or local government entity from suspending or terminating the employment of, or taking other adverse personnel action against, a public employee who in good faith reports a violation of law by an elected official of the employing governmental entity.

H.B. 1308 (Tepper) – E-Verify Program: would provide that: (1) a governmental entity, including a city: (a) shall register and participate in the E-Verify program to verify information of all new employees; and (b) may not knowingly hire, employ, recruit or refer for a fee a person not lawfully present in the United States; (2) a person who has reasonable belief that a governmental entity violated (1), above, may report the allegation to the attorney general; (3) a governmental entity is ineligible to receive state grant funding if: (a) the entity fails to submit to the attorney general required information in response to the attorney general's investigation; or (b) the attorney general determines that required corrective action taken in response to the attorney general's investigation did not cure the entity's violation; (4) the comptroller shall maintain a list of governmental entities identified by the attorney general for purposes of ensuring that an entity included in the list does not receive grant funding from the state; and (5) any verification form or electronic process used by an employer to report wages paid by the employer for purposes of unemployment compensation shall require the employer to certify the employer's compliance with (1), above.

H.B. 1351 (Meza) – Family and Medical Leave: would create a state family and medical leave law that, among other things: (1) requires an employer, including a city, to provide an employee who has been employed for at least one year not less than 30 days of leave for specific family and medical reasons; (2) creates a wage replacement fund administered by the Texas Workforce Commission that is funded by an assessment on each employee's wages in an amount equal to one quarter of one percent of the employee's average monthly pay; (3) provides that if an employer provides paid sick leave to its employees, an employee is entitled to use such paid leave for the specific family and medical reasons described in (1), above, in an amount not to exceed the lesser of the paid leave or 30 days; (4) provides that if an employer does not provide paid leave to its employees, or provides paid leave that may not be used for the specific family and medical reasons described in (1), above, the employee is entitled to wage replacement benefits for leave taken for such reasons; and (5) provides that an employer may not interfere with an employee's attempt to take leave, discharge an employee or otherwise discriminate against an individual for opposing an practice made unlawful by the bill, or discriminate or discharge an employee for exercising the employee's rights to leave.

H.B. 1352 (Meza) – Discharge of Weapon: would: (1) require a law enforcement agency that is authorized to employ peace officers to adopt a policy regarding a peace officer discharging a firearm at or in the direction of a moving vehicle; and (2) provide that such policy must prohibit a police officer from discharging a firearm at or in the direction of a moving vehicle unless the peace officer discharges the firearm only when and to the degree the officer reasonably believes is immediately necessary to protect the officer or another person from the use of unlawful deadly force by an occupant of the vehicle by means other than by using the moving vehicle to strike any person.

H.B. 1362 (A. Hernandez) – Unemployment Benefits: would allow an individual to qualify for unemployment benefits if the individual involuntarily leaves the workplace because of sexual harassment and: (1) reports the sexual harassment to the individual's employer or a law enforcement agency; or (2) files a sexual harassment complaint with the Texas Workforce Commission or the Equal Employment Opportunity Commission.

S.B. 67 (Zaffirini) – Workers' Compensation Contested Case Hearings: would provide that: (1) the Texas Department of Insurance Division of Workers' Compensation (TDI-DWC) shall conduct a contested case hearing by videoconference on request of: (a) the claimant, if: (i) the claim relates to an injury incurred by the claimant in the course and scope of the claimant's employment or volunteer service as a custodial officer, detention officer, emergency medical technician, firefighter, or peace officer; or (ii) the claimant resides more than 75 miles from the hearing site at the time of the hearing; or (b) the insurance carrier, if the insurance carrier is the State Office of Risk Management, the Texas A&M University System, the Texas Department of Transportation, or the University of Texas System; and (2) a contested case hearing may not be conducted at a site more than 75 miles from the claimant's residence at the time of the injury unless the TDI-DWC determines that good cause exists for the selection of a different location or the contested case hearing is conducted by videoconference as provided by (1), above.

S.B. 150 (Menéndez) – Discrimination: would prohibit discrimination in public accommodations and employment on the basis of an individual's sexual orientation, gender identity, or status as a military veteran. (Companion bill is **H.B. 1164** by **J. González**.)

S.B. 220 (West) – Liability: would provide that an employee who is a victim of sexual assault or abuse may bring a cause of action, outside the workers' compensation program, against the employee's employer if: (1) the employee is an individual with an intellectual or developmental disability; and (2) the employee's injuries arose from the employer's negligence.

S.B. 280 (Miles) – Police Civilian Complaint Boards: would, among other things:

1. create a municipal civilian complaint review board in each city with a population of 200,000 to investigate complaints alleging peace officer misconduct;
2. provide that the board shall consist of five public members appointed for a two-year term as follows: (a) two members appointed by the presiding officer of the governing body of the city, one of whom must be appointed from a list of city residents submitted to the presiding officer by the governing body of the city; (b) one member appointed by the county judge of the county in which the city is wholly or primarily located; (c) one member appointed by the city's police chief; and (d) one member appointed by the commissioners court of the county in which the municipality is wholly or primarily located;
3. provide that a person is ineligible to serve as a board member if the person is: (a) a city employee; (b) holds a public office; or (c) has experience as a law enforcement professional, including as a peace officer, a criminal investigator, a special agent or a managerial or supervisory employee with substantial policy discretion on law enforcement

matters in a federal, state, or local law enforcement agency, other than as an attorney in a prosecutorial agency;

4. provide that a board member is entitled to a per diem of \$150 for each day the member engages in board business, and the total per diem a board member may receive during a fiscal year may not exceed \$5,000;
5. provide that a board member is entitled to reimbursement for actual and necessary expenses incurred in performing the duties of the board;
6. provide that a board may investigate a complaint that alleges peace officer misconduct involving: (a) excessive use of force; (b) improper use of power to threaten, intimidate, or otherwise mistreat a member of the public; (c) threat of force; (d) an unlawful act, search, or seizure; or (e) other abuses of authority;
7. provide that a filed complaint must: (a) be in writing; (b) allege the peace officer engaged in misconduct described in Number 6, above; and (c) describe the alleged misconduct;
8. provide that a board may issue a subpoena to compel the attendance of a witness or the production of any book, record, or other document reasonably necessary to conduct an investigation, and the subpoena must relate to a matter under investigation by the board;
9. provide that a board shall forward each complaint filed with the board to the city attorney, and the city attorney shall investigate the complaint by: (a) interviewing and obtaining a statement from the complainant, each peace officer who is the subject of the complaint, and each witness to the alleged misconduct; and (b) obtaining any documentary or other evidence relevant to the investigation;
10. provide that the city attorney shall complete the investigation of a complaint not later than the 120th day after the date the city attorney receives the complaint from the board;
11. provide that after an investigation of a complaint is complete, the city attorney shall forward the results of the investigation to the board or a panel of at least three board members;
12. provide that the board or panel shall review the case and make a determination on each allegation in the complaint that has not been dismissed by the board, and such determination must be made not later than the 180th day after the date the board receives the complaint;
13. provide that a board shall notify: (a) the parties to the complaint of the board's determination; and (b) the employer of the peace officer who is the subject of the complaint of the board's determination; and
14. provide that if the board finds that a complaint is substantiated, the board may recommend an appropriate disciplinary action to the employer, and if the employer fails to take

disciplinary action against the peace officer before the 30th day after the date the board notifies the employer of the board's determination, the board shall forward the case to the attorney representing the state or to the appropriate United States attorney.

S.B. 324 (Kolkhorst) – E-Verify Program: would, among other things, provide that: (1) a political subdivision, including a city, shall register and participate in the E-Verify program to verify the information of all new employees; and (2) an employee of a political subdivision who is responsible for verifying information of new employees as required by (1), above, and who fails to verify such information is subject to immediate termination of employment.

S.B. 339 (Eckhardt) – Local Minimum Wage: would, among other things, allow: (1) a city to adopt a minimum wage that exceeds the federal minimum wage to be paid by an employer to each of its employees for services performed in the city; and (2) a county to adopt a minimum wage that exceeds the federal minimum wage to be paid by an employer to each of its employees for services performed in the unincorporated areas of the county, including areas located within the extraterritorial jurisdiction of a city.

S.B. 361 (Eckhardt) – Reproductive Discrimination: would, among other things: (1) provide that an employer, including a city, commits an unlawful employment practice if the employer discriminates against an individual because of or on the basis of the individual's reproductive decision, including: (a) the individual's marital status at the time of pregnancy; (b) the use of assisted reproduction to become pregnant; (c) the use of contraception or a specific form of contraception; or (d) the obtainment or use of any other health care drug, device, or service relating to reproductive health; (2) require an employer that provides an employee handbook to include in the handbook information regarding the prohibition of discrimination because of or on the basis of a reproductive decision; and (3) provide that a mandatory arbitration agreement between an employer and an employee is void and unenforceable to the extent the agreement limits the reproductive decisions of an employee or an employee's immediate family member. (Companion bill is **H.B. 302** by **Rosenthal**.)

Purchasing

H.B. 223 (Capriglione) – Lobbying Procurement: would provide that an expenditure by a city to procure lobbying, government relations, or similar services intended to influence state or federal lawmakers on behalf of a city may not be classified as a personal, professional, or planning service for competitive procurement purposes.

H.B. 386 (Gervin-Hawkins) – Construction Contracts: would provide that: (1) a construction contract with an original contract price of \$5 million or more may not be increased by more than 25 percent; (2) if a change order for a contract with an original contract price of less than \$5 million increases the contract amount to \$5 million or more, subsequent change orders may not increase the revised contract amount by more than 25 percent; (3) a contract with an original contract price of less than \$5 million may not be increased in the aggregate by more than the greater of: (a) 50 percent; or (b) \$1 million; and (4) a city may grant authority to an official or employee responsible for purchasing or for administering a contract to approve a change order that involves an increase or decrease of \$250,000 or less.

H.B. 664 (Bernal) – City Contracts: would provide that, for a city with a population of 700,000 or more: (1) when purchasing personal property that is not affixed to real property, or services other than professional services, a city that solicits requests for proposals and receives one or more proposals from an offeror whose principal place of business is in the city, the city may consider, as a percentage of the evaluation factors, an offeror's principal place of business unless the contract is for construction services in an amount of \$100,000 or more; (2) if a city elects to consider an offeror's principal place of business under (1), above, and scores an offeror's proposal on a 100-point scale, the city shall assign: (a) ten points to an offeror with a principal place of business in the city; or (b) five points to an offeror who employs: (i) at least 20 percent of the offeror's employees in the city; or (ii) at least 100 employees in the city; and (3) a city is not prohibited from rejecting any proposal.

H.B. 790 (Spiller) – Competitive Bidding Thresholds: would, among other things: (1) increase the threshold at which competitive bidding is required for city purchases from \$50,000 to \$200,000; and (2) increase the threshold at which competitive bidding in relation to historically underutilized businesses is required from \$50,000 to \$200,000.

H.B. 1198 (Manuel) – Contracts: would provide that in purchasing any real property, personal property that is not affixed to real property, or services, if a city receives one or more competitive sealed bids from a bidder whose principal place of business is in the city and whose bid is within five percent of the lowest bid price received by the city from a bidder who is not a resident of the city, the city may enter into a contract for construction services or other purchases in an amount of less than \$500,000 with: (1) the lowest bidder; or (2) the bidder whose principal place of business is in the city if the governing body of the city determines, in writing, that the local bidder offers the city the best combination of contract price and additional economic development opportunities for the city created by the contract award, including the employment of residents of the city and increased tax revenues to the city.

Municipal Court

H.B. 491 (Thompson) – Massage Therapy Regulations: would, among other things, provide that a civil penalty recovered in an action brought by a city attorney for violations of state massage therapy laws shall be deposited to the credit of the city's general fund.

H.B. 525 (Vasut) – Subpoenas: would, in a misdemeanor case punishable by fine only, entitle the state or a defendant to a subpoena to compel the attendance of a peace officer as a witness, if the peace officer resides out of the county in which the prosecution is pending.

H.B. 580 (Flores) – Juror Challenges: would: (1) prohibit a person from being disqualified to serve as a juror based on the person's actual or perceived race, ethnicity, sex, gender identity, sexual orientation, disability status, national origin, or economic status; and (2) allow a party in a court proceeding to request that the court to dismiss the array or jurors and call a new array of jurors if the opposing party's attorney exercised peremptory challenges for the purpose of excluding prospective jurors from the jury based on their actual or perceived race, ethnicity, sex, gender identity, sexual orientation, disability status, national origin, or economic status.

H.B. 743 (Bernal) – Municipal Court Fines: would, among other things: (1) prohibit a municipal court judge from ordering the confinement of a person, including a child, for failing to pay all or part of a fine or cost imposed or for contempt of a judgment entered for the conviction of an offense punishable by fine only; (2) require the release of a defendant confined in jail in violation of (1), above; (3) allow a municipal court judge to order that a defendant appear at a hearing and show cause as to why the defendant defaulted in discharging a judgment entered against the defendant; and (4) provide that court credit the defendant for applicable time served in jail at a rate of not less than \$150 for each period served that is not less than eight hours or more than 24 hours, as specified by the judge.

H.B. 857 (Moody) – Firearm Possession: would, among other things: (1) for a person who is convicted of an offense involving family violence, the subject of a magistrate’s order for emergency protection, or subject to a condition of bond or community supervision prohibiting the person from acquiring, possessing, or controlling a firearm, require a court to: (a) provide written notice to the person that is prohibited from acquiring, possessing, or controlling a firearm; and (b) order the person to dispose of all firearms the person owns, possesses, or controls not later than the 10th day after the date the person receives such notice, or if taken into custody immediately after conviction, the date the person is released from confinement; (2) require that a person subject to an order under (1), above, submit a signed affidavit affirming that they have disposed of all firearms they own, possess, or control, or that they do not own, possess, or control a firearm; and (3) provide required language for applicable protective orders and emergency protection orders regarding (1), above.

H.B. 867 (Jones) – Criminal Case Dismissals: would provide that: (1) an attorney representing the state, with permission of the court, may dismiss a criminal action at any time upon filing a written statement with the papers in the case which must set out the specific reasons for the dismissal, including lack of evidence or actual innocence; and (2) if the specific reason for a dismissal set out under (1), above, is the misconduct of a law enforcement officer, the attorney representing the state shall: (a) include in the papers in the case any information relating to the misconduct; (b) refer the matter to the law enforcement agency employing the officer for internal review; and (c) consider whether the filing of a criminal charge against the officer is appropriate or refer the matter to the appropriate attorney representing the state for that consideration.

H.B. 870 (Thompson) – Covert Law Enforcement Activity: would provide that a defendant may not be convicted for certain drug offenses on the testimony of a person who is acting covertly on behalf of a law enforcement agency, regardless of whether that person is a licensed peace officer or special investigator, unless the testimony is corroborated by other evidence.

H.B. 1167 (Cunningham) – Judicial Liability for Bail Conditions: would, among other things: (1) set minimum bail amounts for certain offenses involving violence punishable as a second-degree felony or higher; (2) create a criminal offense and establish penalties for a judge or magistrate who: (a) releases on bail a defendant who is charged with committing a felony while released on bail for a prior felony in violation of the Texas Constitution; or (b) or sets a bail amount less than the minimum amount required under (1), above; (3) establish a cause of action against a judge or magistrate who released a person on bail by a victim of an offense committed by a person

released on bail, or the victim's estate if the victim is deceased, for damages incurred as a result of the released person's offense, if: (a) the person was released on bail for an offense described in (1), above; and (b) the judge or magistrate set a bail amount less than the minimum amount required under (1), above; and (4) for an action brought under (3), above, waive the public servant liability limit, impose a maximum \$10 million damages cap, and prohibit a judge or magistrate from asserting judicial immunity or other forms of immunity as a defense.

H.B. 1194 (Manuel) – Emergency Protection Order: would extend the duration of an emergency protection orders for certain offenses from 31 to 61 days and 91 days to 121 days.

H.B. 1282 (Raymond) – Passing a School Bus: would authorize: (1) a school district or open-enrollment charter school to install and operate a school bus infraction detection system; and (2) a city, county, school district, or open-enrollment charter school to issue a civil or criminal charge or citation for passing a school bus based on the use of recorded image-based evidence collected from a school bus infraction detection system installed and operated by a school district or open-enrollment charter school.

H.B. 1363 (A. Hernandez) – Judicial Training: would, among other things, require municipal court judges and any judicial officer and court personnel who interact with the public on matters before a court to complete an implicit bias training course every two years.

S.B. 66 (Zaffirini) – Supported Decision-Making Agreements: would, among other things, allow an adult with a disability to voluntarily, without undue influence or coercion, enter into a supported decision-making agreement with a supporter authorizing the supporter to assist the adult in accessing, collecting, and obtaining legal information that is relevant to a given life decision.

S.B. 293 (Huffman) – Judicial Complaints: would, among other things: (1) provide that failing to meet deadlines set by statute or binding court order and persistently or willfully violating state law bail requirements constitutes willful or persistent conduct inconsistent with the proper performance of a judge's duties; (2) create a criminal offense for filing a false judicial complaint and assessing a penalty for violations; and (3) provide commission staff procedures to investigate judicial complaints, including applicable timelines, reporting and recommendation requirements, notice requirements, and available disciplinary actions and penalties.

S.B. 296 (Perry) – Motorcycle Safety Course Dismissals: would: (1) allow a defendant to request to complete an approved driver's safety course or motorcycle operator training and safety program course to dismiss an applicable traffic citation through a court-authorized email address or internet portal, on or before the answer date on notice to appear; and (2) provide that a defendant is eligible for dismissal of all offenses arising out the same criminal transaction following completion of such course, if each offense is eligible for dismissal following completion of such course, and the defendant satisfies all other applicable requirements.

S.B. 303 (Perry) – Court Interpreters: would, among other things, allow a municipal court or municipal court of record to appoint a spoken language interpreter under certain circumstances.

S.B. 304 (Perry) – Code Enforcement: would allow a city, by ordinance, to provide its municipal court with: (1) civil jurisdiction for the purpose of enforcing certain code enforcement-related

ordinances; (2) concurrent jurisdiction with a district court or county court of law within the city's territorial limits and property owned by the city in the city's extraterritorial jurisdiction, for the purposes of enforcing health and safety nuisance abatement ordinances; (3) the authority to issue search warrants to investigate a health and safety or nuisance abatement ordinance violation, and (4) the authority to issue a seizure warrant to secure, remove, or demolish the offending property and removing debris from the premises.

S.B. 305 (Perry) – Unlawful Vehicle Passing: would create a criminal offense for unlawfully passing a vehicle operated by: (1) an animal control officer or other individual for the purpose of removing an animal or animal carcass from a roadway and using certain prescribed visual signals; or (2) an employee of a local authority for the purpose of issuing a parking citation and using certain prescribed visual signals.

Other Finance and Administration

H.B. 167 (Tepper) – Diversity, Equity and Inclusion: would, among other things: (1) provide that a governmental entity, including a city shall not, except as required by federal law: (a) establish or maintain a diversity, equity, and inclusion (DEI) office; (b) hire or assign an employee or contract with a third party to perform the duties of a DEI office; (c) compel, require, induce or solicit any person to provide a DEI statement or give preferential consideration to any person based on the provision of a DEI statement; (d) give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the entity; or (e) require as a condition of employment any person to participate in DEI training; (2) provide that a governmental entity, including a city, shall adopt policies and procedures for appropriately disciplining an employee or contractor of the entity who engages in conduct in violation of (1), above; (3) waive governmental immunity to suit and liability to the extent liability is created under (1) and (2), above; (4) prohibit a governmental entity, including a city, from awarding a public works contract or providing preferential treatment to a person submitting a bid for such contract on the basis of race, color, ethnicity, sex, gender identity or sexual orientation; and (5) provide that minority business and women's business enterprises shall not qualify for certification as historically underutilized businesses.

H.B. 188 (Landgraf) – Texas STRONG Fund: would, among other things, provide for the creation of the Texas severance tax revenue and oil and natural gas (Texas STRONG) defense fund which can be used to fund grants to local governments, including cities, to address the effects of and needs associated with significant oil and gas production. (See **H.J.R. 47**, below.)

H.B. 229 (Troxclair) – Gender Identification: would, among other things, provide that a governmental entity, including a city, that collects vital statistics information that identifies the sex of an individual for the purpose of complying with antidiscrimination laws or for the purpose of gathering public health, crime, economic, or other data shall identify each individual as either male or female.

H.B. 239 (Swanson) – Privacy Spaces: would, among other things, provide that: (1) a political subdivision, including a city, or state agency: (a) shall require each private space, including a restroom, locker room, changing room, shower room, family violence shelter, correctional facility

and sleeping quarter, located within a facility owned, operated or controlled by the political subdivision or state agency be designated for and used only by persons based on the person's biological sex; and (b) shall not be prohibited from: (i) adopting policies necessary to accommodate persons protected under the Americans with Disabilities Act, young children in need of assistance or elderly persons requiring aid; (ii) establishing single-occupancy private spaces or family restrooms, changing rooms, or sleeping quarters; or (iii) redesignating a private space designated for exclusive use by one sex to a designation for exclusive use by the opposite sex; and (c) that violates (1)(a), above, shall be liable for a civil penalty of \$5,000 for the first violation and \$25,000 for the second or subsequent violation; (2) a political subdivision, its officers and employees shall have governmental immunity and official immunity in any action that challenges the validity (1), above; and (3) no Texas court may award declaratory or injunctive relief, or any type of stay or writ, including a writ of prohibition, that would pronounce any provision or application of (1), above, invalid or unconstitutional, or that would restrain the state or its political subdivisions, or any officer, employee, or agent of this state or a political subdivision, or any person from enforcing any provision or application of this chapter, or from hearing, adjudicating, docketing, or filing a suit or petition, and no Texas court of this state shall have jurisdiction to consider any action, claim, or counterclaim that seeks such relief. (Companion bill is **S.B. 240** by **Middleton**.)

H.B. 303 (Vasut) – **Type C General Law Cities**: would allow a Type A general city with 4,999 or fewer inhabitants or a Type B general law city with 999 or fewer inhabitants to change to a Type C general law city.

H.B. 309 (Leo Wilson) – **Community Advocacy**: would: (1) prohibit a political subdivision from spending public funds to: (a) hire an individual required to register as a lobbyist for the purpose of lobbying a member of the Texas legislature; or (b) pay a nonprofit state association or organization that: (i) primarily represents political subdivisions; and (ii) hires or contracts with an individual required to register as a lobbyist; (2) provide that if a political subdivision engages in activity prohibited by (1), above, a taxpayer or resident of the political subdivision is entitled to injunctive relief to prevent any further prohibited activity and any further payments of public funds; and (3) provide that a taxpayer or resident who prevails in an action under (2), above, is entitled to recover reasonable attorney's fees and costs from the political subdivision. (Companion bill is **S.B. 239** by **Middleton**.)

H.B. 312 (Tepper) – **Citizenship Requirement for Public Office**: would: (1) require that a person be a U.S. citizen to be appointed or serve in a public office, including on the governing body of a commission, board, or other agency, or on an advisory board or task force within the executive, legislative, or judicial branch of state government or a political subdivision for appointments that occur on or after September 1, 2025; (2) exempt offices for which the federal or state constitution prescribes exclusive qualification requirements from (1), above; and (3) provide that the term of office of any person who is not a U.S. citizen who was appointed before September 1, 2025 ends on September 1, 2025.

H.B. 325 (Cain) – **Expenditure Limit**: would provide that: (1) a city or county's total expenditures from all available sources of revenue in a fiscal year may not exceed the greater of statewide changes in population and inflation, according to a formula provided in the bill, or the

previous year's expenditures; (2) a city or county may exceed the limit in (1), above, if the voters approve the additional expenditure at an election held on a uniform election date or the city or county is located in an area in which the governor declares or renews a disaster declaration; and (3) revenue received from the issuance of bonds approved by the voters or from a grant, donation, or gift is not considered an available source of revenue for the purposes of the bill.

H.B. 346 (Harris Davila) – Elimination of First Year Business Entity Fees: would direct the Texas Secretary of State to coordinate with city officials to work to eliminate all fees related to licensing and registration required to be paid by a business entity in the entity's first year of business.

H.B. 383 (Harrison) – COVID-19 Vaccine Mandate: would, among other things: (1) prohibit a private employer from requiring any person to be vaccinated against COVID-19 for any reason, including as a condition of employment, a contract position, or admission; and (2) provide that a private employer may not take an adverse action against a person for a refusal to be vaccinated against COVID-19.

H.B. 436 (Leo Wilson) – Diversity, Equity and Inclusion: would, among other things, provide that: (1) a governmental entity, including a city, shall ensure that each unit of the entity: (a) does not, except as required by federal law: (i) compel, require, induce or solicit any employee or applicant for employment to provide a diversity, equity, and inclusion (DEI) statement or give preferential consideration to any employee or applicant for employment based on the provision of a DEI statement; or (ii) require as a condition of hiring or continued employment any employee or applicant participate in DEI training; (b) adopts policies and procedures for appropriately disciplining an employee of the entity who engages in conduct in violation of (1)(a), above; and (2) a governmental entity, including a city, may not require as a condition for bidding on a public works contract, consider in awarding a contract, or include as a requirement in a contract, that person provide a DEI statement or participate in DEI training.

H.B. 468 (Harrison) – Immunizations: would provide that, except for immunizations against diphtheria, rubeola, rubella, mumps, tetanus, and poliomyelitis, a governmental entity may not compel an individual to receive an immunization, including an immunization listed on the immunization schedules developed by the federal Centers for Disease Control and Prevention.

H.B. 471 (Rosenthal) – Animal Shelter Records: would require each city-operated animal shelter to prepare and maintain monthly records on the intake and disposition of animals and provide for how such records shall be made available to the public.

H.B. 480 (Walle) – Workers' Compensation Insurance: would require a city that enters into a building or construction contract to require the contractor on the public project to provide a written certificate that any subcontractor on the project provides workers' compensation insurance for each employee of the subcontractor on the public project. (Companion bill is **S.B. 338** by Eckhardt.)

H.B. 519 (M. González) – Honey Production Deregulation: would, among other things, provide that: (1) honey production operations are not food service establishments; (2) a local government authority, including a city, may not regulate the production or honey or honeycomb; and (3) honey and honeycomb are raw agricultural commodities.

H.B. 520 (Goodwin) – Cottage Food Production Deregulation: would, among other things, provide that a local government authority, including a city, may not: (1) require a cottage food production operation to obtain any type of license or permit or pay any fee to sell certain foods directly to a consumer or vendor; or (2) employ or continue to employ a person who knowingly requires or attempts to require a cottage food production operation to obtain a license or permit in violation of (1), above.

H.B. 530 (Troxclair) – Guaranteed Income Preemption: would provide that a city may not adopt or enforce a regulation that establishes a guaranteed income program under which an individual is issued an unconditional cash payment on a regular basis to be used by the individual for any purpose.

H.B. 563 (Gervin-Hawkins) – Small City Revenue Recovery Program: would provide, among other things, that: (1) the comptroller shall establish and administer the small municipal revenue recovery grant program; (2) cities with population of 10,000 or less that experienced a decrease in total revenue of at least 15 percent during the preceding fiscal year as the result of a reduction or termination of contracts with private sector entities may apply for a grant from the program; (3) the comptroller may award a grant to a qualified city in the amount of: (a) not more than \$7 million for economic development programs; and (b) not less than \$100,000 or more than \$7 million to fund one or more specific projects to create or promote the creation of jobs in the city, including the purchase of real and personal property and the construction or improvement of new buildings, facilities, infrastructure, or other improvements.

H.B. 571 (Cain) – Community Advocacy: would: (1) except as provided by (2), below, prohibit a political subdivision from spending public funds to: (a) hire an individual required to register as a lobbyist for the purpose of lobbying a member of the Texas legislature; or (b) pay a nonprofit state association or organization that: (i) primarily represents political subdivisions; and (ii) hires or contracts with an individual required to register as a lobbyist; (2) provide that the prohibition in (1), above, does not prevent: (a) a city or county from spending public funds to compensate or contract with an individual required to register as a lobbyist for the purpose of influencing or attempting to influence the outcome of legislation related to the military, military service members, or military veterans; or (b) a full-time employee of a nonprofit state association or organization that primarily represents political subdivisions from: (i) providing legislative services, including services related to bill tracking, bill analysis, and legislative alerts; (ii) communicating directly with a member of the legislature to provide information; or (iii) testifying for or against legislation before a legislative committee; (3) provide that if a political subdivision engages in activity prohibited by (1), above, a taxpayer or resident of the political subdivision is entitled to injunctive relief to prevent any further prohibited activity and any further payments of public funds; and (3) provide that a taxpayer or resident who prevails in an action under (3), above, is entitled to recover reasonable attorney's fees and costs from the political subdivision.

H.B. 606 (Harrison) – State Law Challenges: would: (1) require a court and administrative law judge when reviewing a provision of state law, to interpret the meaning and effect of the provision de novo, without deference to a state agency’s interpretation of the provision; (2) require a court in an action brought by or against a state agency concerning an ambiguous provision of state law, after applying all other rules and canons of interpretation, to resolve the ambiguity in favor of limiting state agency authority; and (3) require an administrative law judge when conducting a hearing concerning an ambiguous provision of state law, after applying all other rules and canons of interpretation, to resolve the ambiguity in favor of limiting state agency authority.

H.B. 617 (R. Lopez) – Housing Discrimination: would, among other things: (1) prohibit housing discrimination on the basis of veteran status; and (2) provide that the Texas Workforce Commission may not defer proceedings and refer a complaint of housing discrimination to a city in which the alleged discrimination occurred and that has been certified by the federal Department of Housing and Urban Development as a substantially equivalent fair housing agency if: (a) the complaint alleges discrimination based on veteran status; and (b) the city does not have laws prohibiting the alleged discrimination.

H.B. 636 (Walle) – Homelessness Data: would require the Department of Housing and Community Affairs, in collaboration with the Texas Homeless Network, to implement a homeless data sharing network through which homeless response systems and data warehouse vendors are able to share and assess real-time data on homelessness throughout Texas.

H.B. 653 (Howard) – Contraceptives: would prohibit the state or a local governmental entity, including a city, from prohibiting or restricting in any manner the right of an individual: (1) to purchase or use a contraceptive, including an emergency contraceptive; or (2) to access information on contraceptives, including emergency contraceptives.

H.B. 671 (Shaheen) – Community Advocacy: would: (1) except as provided by (2), below, prohibit a political subdivision from spending public funds to: (a) hire an individual required to register as a lobbyist for the purpose of lobbying a member of the Texas legislature; or (b) pay a nonprofit state association or organization that: (i) primarily represents political subdivisions; and (ii) hires or contracts with an individual required to register as a lobbyist; (2) provide that the prohibition in (1), above, does not prevent: (a) a city or county from spending public funds to compensate or contract with an individual required to register as a lobbyist for the purpose of influencing or attempting to influence the outcome of legislation related to the military, military service members, or military veterans; or (b) a full-time employee of a nonprofit state association or organization that primarily represents political subdivisions from: (i) providing legislative services, including services related to bill tracking, bill analysis, and legislative alerts; (ii) communicating directly with a member of the legislature to provide information; or (iii) testifying for or against legislation before a legislative committee; (3) provide that if a political subdivision engages in activity prohibited by (1), above, a taxpayer or resident of the political subdivision is entitled to injunctive relief to prevent any further prohibited activity and any further payments of public funds; and (3) provide that a taxpayer or resident who prevails in an action under (3), above, is entitled to recover reasonable attorney’s fees and costs from the political subdivision.

H.B. 679 (Bucy) – Sunday Sale of Liquor: would, among other things: (1) authorize a city where there sale of liquor for off-premise consumption has been legalized to hold a local option election to prohibit or legalize the sale of liquor on Sunday; and (2) provide that in an area where the sale on Sunday of liquor for off-premise consumption has been approved by local option election authorized by section (1), above, liquor may be sold on Sunday between 10 a.m. and 9 p.m.

H.B. 696 (Cortez) – Fee Waivers for First Responders: would require the Parks and Wildlife Department to waive the fee for state park entrance and require the Parks and Wildlife Commission to waive the fee for hunting and fishing licenses for first responders who have: (1) completed at least 20 years of service as a first responder; and (2) have a disability connected to service as a first responder consisting of: (a) the loss of the use of a lower extremity; or (b) a disability rating of 50 percent or more.

H.B. 697 (Walle) – Housing Discrimination: would authorize local ordinances or regulations that prohibit a property owner from refusing to rent or lease a housing accommodation to certain groups based on their lawful source of income, specifically military veterans, people 62 years old or older, or people with disabilities.

H.B. 706 (Leo Wilson) – International Organizations: would provide that: (1) the United Nations, World Health Organization, and the World Economic Forum have no jurisdiction in Texas; and (2) a city may not implement or enforce a rule, fee, tax, policy or mandate of the United Nations, World Health Organization, and the World Economic Forum. (Companion bills are **S.B. 129** by **Hall** and **S.B. 386** by **Schwertner**.)

H.B. 710 (Harrison) – Governmental Certifications: would, among other things: (1) require a state agency or political subdivision, including a city, to issue an occupational license or government certification to an individual who applies in a manner prescribed by the political subdivision if the individual: (a) holds a current and valid occupational license or government certification in another state in a lawful occupation with a similar scope of practice; (b) has held the occupational license or government certification in another state for at least one year; (c) was required by a board in another state to pass an examination or to meet education, training, or experience standards; (d) is in good standing with the board in the other state; (e) does not have a disqualifying criminal record; (f) has not had an occupational license or government certification revoked by the board of another state or surrendered due to negligence or intentional misconduct; (g) does not have a complaint, allegation, or investigation pending before a board in another state that relates to unprofessional conduct or an alleged crime; and (h) pays all applicable fees to the political subdivision; (2) require a state agency or political subdivision, including a city, to issue an occupational license or government certification to an individual who applies for an occupational license or government certification based on work experience in another state if the individual: (a) worked in a state that does not require an occupational license or government certification to engage in a lawful occupation but such license or certification is required in this state; (b) worked for at least three years in the lawful occupation; and (c) satisfies the requirements in (1)(e)-(h), above; (3) provide that a state agency or political subdivision, including a city, may require an individual to pass a jurisprudential examination specific to relevant state laws that regulate the occupation if an occupational license or government certification requires an individual to pass a jurisprudential examination as a prerequisite to receiving an occupational

license or government certification; and (4) preempt the law of a city or other political subdivision that regulates occupational licenses and government certification.

H.B. 714 (Walle) – Texas Tenant Readiness and Landlord Incentive Pilot Program: would, among other things: (1) require the Texas Department of Housing and Community Affairs (TDHCA) to establish and implement the Texas Tenant Readiness and Landlord Incentive Pilot Program to enable the department to contract with and provide funding to local governmental entities, including county and municipal housing authorities, and nonprofit organizations for the purpose of assisting, and providing incentives to landlords with respect to, certain individuals and families; and (2) provide that in selecting local governmental entities to administer the program, the TDHCA shall consider an applicant's: (a) ability to serve: (i) rural areas; and (ii) a variety of populations as differentiated by age, gender, race, or ethnicity; and (b) existing partnerships with other relevant local entities, including landlords, direct service providers, and housing authorities. (Companion bill is **S.B. 337** by **Eckhardt**.)

H.B. 729 (Bernal) – Housing Discrimination: would prohibit: (1) housing discrimination under the Texas Fair Housing Act on the basis of sexual orientation or gender identity; and (2) the Texas Workforce Commission from deferring proceedings and referring a complaint about discrimination described in (1), above, to a city if the city does not have laws prohibiting the alleged discrimination.

H.B. 752 (Gervin-Hawkins) – Preservation of African American History: would require the Texas Historical Commission to establish a grant program to preserve, renovate, and restore buildings and landmarks that highlight the history, struggles, and triumphs of the African American community in Texas.

H.B. 755 (Spiller) – Community Advocacy: would: (1) prohibit the governing body of a public entity, including a city, from spending public money or providing other compensation to a lobbyist to communicate directly with one or more members of the legislative branch to influence legislation pending before the legislature unless the expenditure is: (a) authorized by a majority vote of the governing body of the entity in an open meeting of the governing body; and (b) voted on by the governing body as a stand-alone item on the agenda at the meeting; (2) require a public entity that contracts with a lobbyist to publish on the entity's Internet website: (a) the amount of money authorized for the purpose of contracting with the person; (b) the name of the person, (c) a copy of the contract; (d) the amount of money, if any, spent by the entity for membership fees or dues to a nonprofit state association or organization of similarly situated entities that contracts with a lobbyist; and (e) a copy of any current legislative agenda or resolution adopted by the entity; (3) prohibit a lobbyist that contracts with a public entity from communicating directly with a member of the legislative branch on behalf of the entity regarding legislation pending before the legislature that specifically proposes to amend state statutes dealing with the calculation of property tax rates; (4) prohibit a public entity from providing reimbursement to a lobbyist for an expenditure made by the person for food, beverages, or entertainment; (5) provide that if a public entity does not comply with (1) - (4), above, a resident of or person receiving services from the entity may file a sworn complaint with the Texas Ethics Commission against the entity; (6) provide that an officer or employee of a public entity is not prevented from: (a) providing information for a member of the legislative branch; (b) appearing before a legislative committee; or (c)

communicating directly with one or more members of the legislative branch to influence legislation pending before the legislature; and (7) repeal the requirement that a political subdivision prominently display on its website a disclosure and itemization of certain expenditures relating to lobbying activities after entering into a consulting services contract.

H.B. 762 (Leach) – Severance Pay: would, among other things, provide that: (1) a political subdivision, including a city, that enters into a contract or employment agreement, or renewal or renegotiation of an existing contract or employment agreement, that contains a provision for severance pay with an employee or independent contractor must include: (a) a requirement that severance pay that is paid from tax revenue may not exceed the amount of compensation, at the rate at the termination of employment or the contract, the employee or independent contractor would have been paid for 20 weeks, excluding paid time off or accrued vacation leave; and (b) a prohibition of the provision of severance pay when the employee or independent contractor is terminated for misconduct; (2) a political subdivision shall post each severance agreement in a prominent place on the political subdivision’s internet website; and (3) for an action brought against a political subdivision by an employee or independent contractor of the political subdivision arising from the termination of the person’s employment or contract, a court may not issue a writ of execution or mandamus in connection with a judgment in the action if the judgment does not comply with (1), above.

H.B. 768 (Bernal) – Credit Service Organizations: would, among other things, provide that: (1) the bill does not preempt a city ordinance regulating: (a) a credit access business; or (b) any form of an extension of consumer credit that a credit access business is authorized to obtain for a consumer or assist a consumer in obtaining as provided by the bill; (2) if a city ordinance described by (1), above, conflicts with a provision of the bill, the more stringent regulation controls to the extent of the conflict; and (3) a credit services organization may not obtain for a consumer or assist a consumer in obtaining an extension of consumer credit in any form other than in the form of: (a) a single-payment deferred presentment transaction; (b) a multiple-payment deferred presentment transaction; (c) a single-payment motor vehicle title loan; or (c) a multiple-payment motor vehicle title loan.

H.B. 794 (Harrison) – Occupational Licensing: would, among other things: (1) direct each licensing authority, including a city, by September 1, 2026, to conduct a comprehensive review of each occupational regulation applicable to a license issued by the authority, and: (a) specify the public health, safety, or welfare objective served by the regulation and reason the regulation is necessary to serve each objective; (b) analyze the effects of the regulation on: (i) worker opportunity; (ii) consumer choice and costs; (iii) general unemployment; (iv) market competition; (v) governmental costs; and (vi) other related measures; and (c) compare how other states regulate the applicable business or profession; (2) mandate that the licensing authority: (a) repeal or modify any regulation that it determines is not necessary and carefully tailored to fulfill the public health, safety, or welfare objectives identified under (1)(a), above; (3) recommend that the legislature repeal or modify the regulation or take any other action to modify the regulation to fulfill the public health, safety, or welfare objectives identified under (1)(a), above; (4) provide for enforcement of (1) and (2), above, including allowing a person to petition or file suit against a licensing authority seeking to repeal or modify a regulation that is not carefully tailored to fulfill the public health,

safety, or welfare objectives under (1)(a), above; and (5) provide burdens of proof, applicable legal standards, and recovery available in a suit under (4), above.

H.B. 796 (C. Bell) – Texas Sovereignty Act: would, among other things: (1) establish the Joint Legislative Committee on Constitutional Enforcement (JLCCE); (2) provide for the JCCLE’s membership and powers, including declaring a federal action unconstitutional; (3) provide that a federal action declared unconstitutional by the JCCLE has no legal effect in this state and may not be recognized by this state or a political subdivision of this state as having legal effect; (4) prohibit the state and a political subdivision of the state from spending public money on a federal action declared to be unconstitutional by the JCCLE; and (5) provide that a person authorized to enforce state law may enforce such laws against a person who attempts to implement or enforce a federal action declared unconstitutional by the JCCLE.

H.B. 811 (Spiller) – Lobby Registration: would provide that a person who has established an attorney-client relationship with a political subdivision to provide legal services and who is entitled to receive compensation, reimbursement, or expenses under an agreement under which the person is retained or employed by the political subdivision is not required to register as a lobbyist.

H.B. 821 (Bernal) – Grocery Access Investment Fund: would, among other things: (1) establish the Texas grocery access investment fund program to provide financing to construct, rehabilitate, or expand grocery stores in underserved low-income and moderate-income areas in Texas; and (2) provide that an applicant for financing may be a for-profit or nonprofit entity, including a sole proprietorship, partnership, limited liability company, corporation, cooperative, nonprofit organization, nonprofit community development entity, university, or government entity.

H.B. 840 (Spiller) – Monuments and Memorials: would, among other things: (1) provide that a monument or memorial located on city property: (a) for at least 25 years may be removed, relocated, or altered only by supermajority vote of the city council; and (b) for less than 25 years may be removed, relocated, or altered only by the city council; (2) provide that an additional monument may be added to the surrounding city property on which a monument or memorial is located to complement or contrast with the monument or memorial; (3) authorize a resident of the city to file a complaint with the attorney general asserting the city violated (1), above, and authorize the attorney general to file a petition for a writ of mandamus or other equitable relief to compel a city to comply with (1), above; and (4) define “monument or memorial” as used in (1), above, to mean a permanent monument, memorial, or other designation, including a statute, portrait, plaque, seal, symbol, cenotaph, building name, bridge name, park name, area name, or street name, that honors an event or person of historic significance.

H.B. 875 (Spiller) – Small Municipal Construction Projects: would provide that: (1) for a construction project for an amount that is less than one percent of the total amount of a municipality’s most recently adopted budget, the municipality is not required to: (a) ensure that the contractor is covered by workers’ compensation insurance coverage; or (b) require the contractor to obtain a performance bond; (2) for the purpose of determining the contracted amount of a construction project under (1), above, a municipality may not aggregate work from more than one project; and (3) a project in (1), above, includes all work to be completed on a construction project for a municipality at one location within 12 months of the date the work begins.

H.B. 898 (Spiller) – Texas Sovereignty Act: would, among other things: (1) establish the Joint Legislative Committee on Constitutional Enforcement (JLCCE); (2) provide for the JCCLE’s membership and powers, including declaring a federal action unconstitutional; (3) provide that a federal action declared unconstitutional by the JCCLE has no legal effect in this state and may not be recognized by this state or a political subdivision of this state as having legal effect; (4) prohibit the state and a political subdivision of the state from spending public money on a federal action declared to be unconstitutional by the JCCLE; and (5) provide that a person authorized to enforce state law may enforce such laws against a person who attempts to implement or enforce a federal action declared unconstitutional by the JCCLE.

H.B. 927 (Cain) – Free Exercise of Religion: would clarify that a city may not substantially burden a person’s free exercise of religion.

H.B. 940 (Harrison) – Administrative Law Judge Decisions: would provide that: (1) in a contested case before the administrative law judge in the State Office of Administrative Hearings, a state agency is not authorized to change a finding of fact or conclusion of law made by the administrative law judge; and (2) the administrative law judge makes the final decision in a contested case.

H.B. 947 (Toth) – Obscene Materials: would: (1) provide that it is an affirmative defense to prosecution for the sale, distribution, or display of harmful materials to minors that the sale, distribution, or display was by a person having a bona fide judicial, law enforcement, or legislative justification; and (2) repeal the affirmative defense to prosecution for the sale, distribution, or display of harmful materials to minors that the sale, distribution, or display was by a person having a scientific, educational, governmental, or other similar justification.

H.B. 1028 (Shaheen) – Alternative to Newspaper Notice: would, among other things, provide that for cities with a population of 75,000 or less and in which there is no newspaper of general circulation: (1) the city may satisfy a requirement to provide notice by publication in a newspaper by publishing the notice: (a) using the following forms of alternative media: (i) social media; (ii) free newspapers; (iii) a homeowners’ association newsletter or magazine; (iv) utility bills; (v) direct mailings; or (vi) a print or digital newsletter; and (b) for a continuous period of not less than two weeks in a prominent location on an internet website maintained by the city that meets certain search requirements and does not require user registration or payment for access; (2) before providing notice by an alternative method, the city must hold a public meeting about the notice method; and (3) a city providing notice using alternative media must submit notice to the attorney general describing the alternative notice method that includes: (a) a list of the other laws requiring notice by newspaper publication for which notice published under this section is an alternative; (b) a description of the alternative media used for the notice; and (c) a link to the Internet website maintained by the city where the public notice will be posted.

H.B. 1063 (Bhojani) – Tenant Legal Services: would: (1) provide that a local government, including a city, may create a tenant legal services office to provide legal representation and services to tenants; (2) provide that a tenant legal services office may provide: (a) full legal representation to a tenant: (i) in a residential eviction case if the tenant is indigent; or (ii) in a case

involving a violation of Texas law preventing disability discrimination if the tenant is a low-income individual with a disability; or (b) brief legal assistance to a tenant in a residential eviction case if the tenant is a low-income individual; (3) provide that a local government may establish a department of the local government or by contract may designate a nonprofit corporation to serve as the tenant legal services office for the local government; (4) provide that a local government by ordinance, order, or interlocal contract may adopt rules and procedures necessary to implement the bill; (5) require the local government to post the notice of an annual public hearing to receive recommendations about the tenant legal services office: (a) in each department or office of the local government responsible for providing social services for the residents of the local government; and (b) if the local government maintains an Internet website, on: (i) the website of the local government; and (ii) if applicable, each webpage of the website dedicated to a department or office described by (5)(b)(i), above; and (6) require the director of a tenant legal services office to submit a report to the governing body of the local government and post the report on the local government's Internet website.

H.B. 1066 (Bhojani) – Telehealth: would, among other things, provide that: (1) the Texas Workforce Commission may order a designated doctor examination for purposes of workers' compensation to be conducted by telehealth or telemedicine if the conducting the examination in that manner is necessary to ensure access to a timely examination by a qualified doctor; (2) an employee's treating doctor or another doctor authorized to certify maximum medical improvement or assign an impairment rating may do so during a medical examination performed by the doctor using telehealth or telemedicine services for certain injuries.

H.B. 1069 (Turner) – Independent Contractors: would, among other things: (1) require a contractor to properly classify each individual providing construction services as either an employee or an independent contractor in accordance with Texas Workforce Commission (TWC) rules; (2) provide an exception for services performed by an individual in the employ of, among others, a political subdivision or an instrumentality of a political subdivision that is wholly owned by one or more states, political subdivisions, or Indian tribes, provided that the services are excluded from employment in certain circumstances under the Federal Unemployment Tax Act; and (3) provide that if the TWC determines that a contractor has violated (1), above, the TWC shall provide notice of the violation to each governmental entity that the TWC reasonably believes has received construction services provided by the contractor.

H.B. 1080 (Curry) – Alternative to Newspaper Notice: would: (1) allow a political subdivision to satisfy any law that requires notice to be published in a newspaper by publishing the notice in the following locations: (a) social media, free newspapers, school newspapers, a homeowners' association newsletter or magazine, utility bills, direct mailings, or any other form of media authorized by the comptroller; and (b) the internet websites maintained by the political subdivision and the comptroller; (2) provide that before providing notice under (1), above, a political subdivision must hold a public meeting about the alternative notice under (1)(a), above, and demonstrate that the circulation will be greater than the circulation of the newspaper with the greatest circulation in the political subdivision; (3) authorize the comptroller to grant a city's request for a waiver from publishing notice in accordance with (1)(b), above, if the city provides sufficient proof that Internet access is limited in the city, and if the comptroller grants the waiver, the city must provide additional notice on a public agenda board within the city; (4) require a city

using alternative media described in (1)(a), above, to submit notice to the comptroller describing the alternative notice method in (1)(a), above, and certain other information; (5) authorize the comptroller to require a political subdivision to provide notice in a newspaper if the comptroller determines that the means under (1)(a), above, do not have greater circulation than a newspaper with the greatest circulation in the political subdivision; and (6) require the comptroller to prepare a report identifying and comparing the effectiveness of different methods of notice publication used by political subdivisions and provide the report to the governor, lieutenant governor, and the speaker of the house.

H.B. 1189 (Troxclair) – Community Advocacy: would: (1) prohibit a political subdivision from spending public funds to: (a) hire an individual required to register as a lobbyist for the purpose of lobbying a member of the Texas legislature; or (b) pay a nonprofit state association or organization that: (i) primarily represents political subdivisions; and (ii) hires or contracts with an individual required to register as a lobbyist; (2) provide that if a political subdivision engages in activity prohibited by (1), above, a taxpayer or resident of the political subdivision is entitled to injunctive relief to prevent any further prohibited activity and any further payments of public funds; and (3) provide that a taxpayer or resident who prevails in an action under (2), above, is entitled to recover reasonable attorney’s fees and costs from the political subdivision. (Companion bill is **S.B. 239** by **Middleton**.)

H.B. 1125 (Gámez) – Settlement Agreements: would provide that: (1) a settlement agreement between a governmental agency and the agency’s employee related to a claim filed in a civil action or a complaint filed in an administrative action involving a sexual assault or an unlawful employment practice based on sex may not contain a provision that prevents the disclosure of factual information related to the claim or complaint unless the provision is requested by the employee; (2) a provision in a settlement agreement prohibited by (1), above, is void and unenforceable as against public policy; and (3) the provision under (1), above, does not prohibit the entry or enforcement of a provision in a settlement agreement that prevents the disclosure of the amount paid to settle the claim or complaint.

H.B. 1127 (Gámez) – Breastfeeding: would, among other things, provide that: (1) a mother is entitled to breastfeed her baby or express breast milk in any location in which the mother’s and child’s presence on the premises is otherwise authorized and a person may not interfere with or restrict the right of a mother to do so; (2) a mother may bring a civil action against a person who violates (1), above, and if she prevails, is entitled to: (a) injunctive relief; (b) damages in an amount not to exceed \$500 for each day the violation occurs; and (c) reasonable attorney’s fees and court costs; and (3) the governmental immunity of a political subdivision, including a city, to suit and from liability is waived to the extent of liability created.

H.B. 1173 (Raymond) – Expansion of Homelessness Prevention Programs: would provide that the Texas Department of Housing and Community Affairs may administer a homeless housing and services program in Texas cities with a population of 250,000 or more to: (1) expand housing options for homeless persons; and (2) provide local programs to prevent and eliminate homelessness.

H.B. 1183 (Cunningham) – E-Cigarette Retailers: would provide that: (1) a governing body of a city may adopt an ordinance applicable within the city prohibiting an e-cigarette retailer from operating within: (a) 300 feet of a public or private primary or secondary school campus; (b) 1,000 feet of a public primary or secondary school campus on request of the school district board of trustees for the campus; or (c) 1,000 feet of a private primary or secondary school campus on request of the governing body of the school; (2) the board of trustees of a school district or governing body of a private school may request the governing body of a city to adopt a prohibition described in (1)(b) or (1)(c), above, for a district or school campus within the described area in (1), above; and (3) a city ordinance adopted in (1), above, does not apply to an e-cigarette retailer whose gross receipts from the sale of e-cigarettes is less than 50 percent of the retailer’s total gross receipts at the retailer’s premises within an area described in (1), above.

H.B. 1203 (J. Gonzalez) – Food System Security and Resiliency: would: (1) establish the office of food system security and resiliency; (2) provide that the office is responsible for food system security and resiliency in this state, including developing regional food system security and resiliency planning by working with other state agencies, counties, cities, school districts, and local governments; and (3) require the office to, not later than December 1 of each even-numbered year, make recommendations to the legislature for legislation that may improve food system security and resiliency in Texas.

H.B. 1208 (J. González) – Marijuana: would, among other things: (1) authorize the personal use, possession, and transfer of cannabis, except for: (a) operating a motor vehicle while intoxicated; (b) smoking or otherwise consuming cannabis in an unauthorized public place, including in a motor vehicle, aircraft, or watercraft; or (c) possessing or consuming cannabis or cannabis products, or cannabis-related drug paraphernalia on the premises of a public or private child-care facility prekindergarten, primary or secondary school, school bus serving any of these facilities, or a correctional or civil commitment facility; (2) pursuant to a local ordinance or order, authorize the retail use, possession, cultivation, testing, processing, and transfer of cannabis, cannabis products, or cannabis-related drug paraphernalia; (3) provide that a person may prohibit or restrict the possession, consumption, cultivation, distribution, processing, sale, or display of cannabis or cannabis products on property the person owns, occupies, or manages, except under certain circumstances; (4) create a criminal offense for selling, giving, or causing cannabis or cannabis products to be sold or given to anyone younger than 21 years old, or anyone who intends to deliver the same to anyone younger than 21 years old; (5) establish licensing requirements and procedures, including criminal history background check and conflicts of interest provisions; (6) establish a ten percent cannabis sales tax, and provide for the distribution of such tax revenue to specific cannabis-related accounts, local governments for enforcement purposes, and the foundation school fund; (7) allow a political subdivision to adopt regulations governing the hours, location, manner of conducting business, and number of cannabis growers, establishments, or testing facilities; (8) allow a health authority to inspect a cannabis establishment and all equipment, finished and unfinished materials, containers, and labeling on presenting appropriate credentials; and (9) require a political subdivision or health authority to investigate or refer complaints regarding the operations of a cannabis establishment, and maintain a record of any such complaints.

H.B. 1223 (Harrison) – Line-Item Budget: would, among other things, require a city to prepare its proposed budget and final budget in line-item form.

H.B. 1226 (Gates) – Municipal Management District Dissolution: would, among other things, provide that a municipal management district shall be dissolved on the written petition of the owners of a majority of the assessed value of the property subject to assessment or taxation by the district.

H.B. 1261 (Cunningham) – Disposition of Abandoned or Unclaimed Personal Property: would, among other things, provide that: (1) for purposes of any unclaimed or abandoned personal property, a person designated by the city to dispose of the property may, instead of sending a notice to the last known address of the owner of the property by certified mail, place a one-time notice on the internet website and social networking website of the law enforcement agency that seized the property; and (2) the notice described in (1), above, shall state that if the owner does not claim the property before the 90th day after the date of the notice, the property shall be disposed of, and the proceeds placed in the city treasury.

H.B. 1292 (Meza) – Workers’ Compensation Death Benefits: would provide that: (1) workers’ compensation death benefits shall be adjusted each calendar year to reflect inflation; (2) not later than November 1 of each year, the Texas Workforce Commission shall set the rate of adjustment for the next calendar year to equal the percentage increase, if any, in the consumer price index; and (3) not later than January 1 of each year, an insurance carrier shall recompute the amount of a death benefit to be paid by applying the adjustment to the amount otherwise required to be paid under (2), above.

H.B. 1294 (Patterson) – Community Advocacy: would: (1) prohibit a political subdivision from spending public funds to: (a) hire an individual required to register as a lobbyist for the purpose of lobbying a member of the Texas legislature; or (b) pay a nonprofit state association or organization that: (i) primarily represents political subdivisions; and (ii) hires or contracts with an individual required to register as a lobbyist; (2) provide that if a political subdivision engages in activity prohibited by (1), above, a taxpayer or resident of the political subdivision is entitled to injunctive relief to prevent any further prohibited activity and any further payments of public funds; and (3) provide that a taxpayer or resident who prevails in an action under (2), above, is entitled to recover reasonable attorney’s fees and costs from the political subdivision. (Companion bill is **S.B. 239** by Middleton.)

H.B. 1306 (Landgraf) – Benefits: would, among other things, provide that: (1) a coroner, medical examiner, or death investigator (death investigation professional) employed by a political subdivision, including a city, who is exposed to a contagious disease is entitled to reimbursement from the employing governmental entity for reasonable medical expenses incurred in treatment for the prevention of the disease if: (a) the disease is not an “ordinary disease of life” as that term is used in the context of a workers’ compensation claim; (b) the exposure to the disease occurs during the course of the employment; and (c) the professional requires preventative medical treatment because of exposure to the disease; (2) a death investigation professional is entitled to preventative immunization for any disease to which the death investigation professional may be

exposed in performing the professional's duties and for which immunization is possible; (3) state survivor benefits shall be extended to eligible survivors of death investigation professionals; and (4) expedited medical benefits for injuries sustained in the course and scope of employment shall be extended to death investigation professional.

H.B. 1310 (Hickland) – Health Care Services to Foreign Patients: would provide that: (1) the Texas Health and Human Services Commission (HHSC) shall quarterly collect information on the costs incurred by Texas and political subdivisions for providing at public hospitals inpatient health care services and emergency care to uninsured patients who are not citizens or lawful permanent residents of the United States; and (2) not later than January 1 of each year, HHSC shall submit to the governor and the legislature a written report outlining the costs incurred by Texas and political subdivisions for providing inpatient health care services and emergency care to patients described by (1), above, including any recommendations regarding options available for Texas to seek reimbursement for those costs from the federal government.

H.B. 1333 (Harrison) – Toll Roads: would, among other things, exempt an emergency vehicle that is driven or towed through a toll collection facility from paying a toll regardless of whether the vehicle is: (1) responding to an emergency; (2) displaying a flashing light; or (3) marked as an emergency vehicle.

H.B. 1377 (Virdell) – International Organizations: would provide that: (1) the United Nations, World Health Organization, and the World Economic Forum have no jurisdiction in Texas; and (2) a city may not implement or enforce a rule, fee, tax, policy or mandate of the United Nations, World Health Organization, and the World Economic Forum. (Companion bills are **S.B. 129** by **Hall** and **S.B. 386** by **Schwertner**.)

H.J.R. 47 (Landgraf) – Texas STRONG Fund: would amend the Texas Constitution to provide for a reduction in the amount of revenue apportioned to the state economic stabilization fund, with the reapportioned funds going to the Texas severance tax revenue and oil and natural gas (Texas STRONG) defense fund, for the purpose of or the purpose of funding grants to certain entities, including cities, to address public health and safety concerns and supplement educational opportunities and workforce preparedness needs. (See **H.B. 188**, above.)

H.J.R. 52 (Vasut) – Private School Curriculum: would amend the Texas Constitution to prohibit regulation of the educational program of a private school or home school by: (1) a state agency; (2) the legislature; or (3) other political subdivisions of the state.

H.J.R. 70 (Reynolds) – Medical Marijuana: would amend the Texas Constitution to direct the legislature to authorize and regulate the possession, cultivation, and sale of cannabis for medical use.

H.J.R. 87 (Zwiener) – Statewide Initiative and Referendum: would amend the Texas Constitution to establish the power of initiative and referendum at the state level. (Companion resolution is **S.J.R. 14** by **Johnson**.)

S.B. 73 (Zaffirini) – Unfunded Mandates: would establish an unfunded mandate interagency workgroup and require the group to, among other things, publish an advisory list of mandates for which the legislature has not provided reimbursement following each regular or special session of the legislature.

S.B. 80 (Hall) – Texas Sovereignty Act: would, among other things: (1) establish the Joint Legislative Committee on Constitutional Enforcement (JLCCE); (2) provide for the JCCLE's membership and powers, including declaring a federal action unconstitutional; (3) provide that a federal action declared unconstitutional by the JCCLE has no legal effect in this state and may not be recognized by this state or a political subdivision of this state as having legal effect; (4) prohibit the state and a political subdivision of the state from spending public money on a federal action declared to be unconstitutional by the JCCLE; and (5) provide that a person authorized to enforce state law may enforce such laws against a person who attempts to implement or enforce a federal action declared unconstitutional by the JCCLE.

S.B. 84 (Hall) – Government Documents: would require that all government documents, policies, surveys, questionnaires, reports, publications, notices, or other written or electronic material reference only male or female when requesting or providing information regarding a person's sex.

S.B. 91 (Hall) – Vaccine Liability: would provide that: (1) an employee or the legal representative of an employee who is deceased or incapacitated may bring an action against the employee's employer for damages arising from adverse health events that are a result of the employer's vaccine requirement for employees; (2) the provisions of (1), above, do not apply to an employer that accepts the following exemptions from the employer's vaccine requirement for employees: (a) the employee has reasons of conscience, including a religious belief, that conflict with the requirement; and (b) the vaccination is medically contraindicated based on the medical opinion of a physician who has examined the employee; and (3) a court may award a claimant who prevails in an action brought under (1), above, reasonable attorney's fees and court costs.

S.B. 96 (Hall) – Vaccines: would, among other things, provide that: (1) a person administering a vaccine to a patient shall: (a) before administering the vaccine, provide to the patient written information on the vaccine's benefits and risks, including any vaccine information statement required federal law; (b) for each vaccine the person administers, maintain a permanent record of the vaccine manufacturer and lot number; (c) record each serious health problem, including hospitalization, injury, or death, a patient sustains following the administration of the vaccine and place that information in the patient's record; (d) report to the federal Vaccine Adverse Event Reporting System any serious health problem, including hospitalization, injury, or death, a patient sustains following the administration of the vaccine; and (e) for each vaccine administered, provide to the patient the Vaccine Excipient Summary published by the Centers for Disease Control and Prevention; (2) a person who violates (1), above, and holds a license or other certification issued by this state that authorizes the person to administer a vaccine is subject to disciplinary action by the appropriate licensing or certifying authority as if the person violated the applicable licensing or certification law; (3) a person may bring a civil action to enjoin a violation of this section against a person who violates this section and who is not subject to disciplinary action under (2), above; and (4) a governmental official, including an official for a licensing or certification authority, may

not question or sanction a health care practitioner for granting a health exemption to the practitioner's patient.

S.B. 115 (Hall) – Gender Modification Treatment: would, among other things, prohibit a governmental entity from using or providing public money for the provision or administration of a gender modification procedure or treatment.

S.B. 129 (Hall) – International Organizations: would provide that: (1) the United Nations, World Health Organization, and the World Economic Forum have no jurisdiction in Texas; and (2) a city may not implement or enforce a rule, fee, tax, policy or mandate of the United Nations, World Health Organization, and the World Economic Forum. (Companion bills are **H.B. 706** by **Leo Wilson** and **H.B. 1377** by **Virdell**.)

S.B. 134 (Hall) – Immigration and Customs Enforcement Agreements: would: (1) require the governing body of each city and the commissioners court of each county to request, and as offered, enter into a written agreement with the United States Immigration and Customs Enforcement to authorize officers and employees of the city or county to enforce federal immigration law; (2) require that an agreement under (1), above, include the scope, duration, and limitations of the authority; (3) authorize the Office of Attorney General to bring an action for injunctive relief against a city or county that fails to comply with (1), above, plus recovery of reasonable expenses; (3) prohibit a city or county from receiving state grant funds for the state fiscal year following the year in which a final judicial determination in an action brought pursuant to (3), above; is made that the city or county failed to comply with (1), above; and (4) direct the comptroller to adopt rules to implement (3), above uniformly among the state agencies from which state grant funds are distributed to a city or county.

S.B. 170 (Menéndez) – Medical Marijuana: would, among other things: (1) authorize the possession, use, cultivation, distribution, delivery, sale, and research of medical cannabis for medical use by patients with certain medical conditions; (2) provide for the issuance of a medical cannabis research license; (3) provide for the issuance of a medical cannabis dispensing organization license; (4) authorize fees for licenses under (2) and (3), above; (5) provide regulations regarding physicians recommending the use of medical cannabis; (6) provide certain legal protections for patients using cannabis for medical use pursuant to (1), above; and (7) preempt a municipality, county, or other political subdivision from enacting, adopting, or enforcing a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, researching, testing, or possession of medical cannabis.

S.B. 193 (Menendez) – Suicide Prevention: would require the Health and Human Services Commission to develop and publish on the commission's Internet website a model suicide prevention policy to be implemented at state agencies, community coalitions, and other public or private institutions or facilities that serve populations at higher risk for suicide, including veterans, individuals with disabilities, and individuals who live in rural areas of Texas.

S.B. 239 (Middleton) – Community Advocacy: would: (1) prohibit a political subdivision from spending public funds to: (a) hire an individual required to register as a lobbyist for the purpose of lobbying a member of the Texas legislature; or (b) pay a nonprofit state association or organization

that: (i) primarily represents political subdivisions; and (ii) hires or contracts with an individual required to register as a lobbyist; (2) provide that if a political subdivision engages in activity prohibited by (1), above, a taxpayer or resident of the political subdivision is entitled to injunctive relief to prevent any further prohibited activity and any further payments of public funds; and (3) provide that a taxpayer or resident who prevails in an action under (2), above, is entitled to recover reasonable attorney's fees and costs from the political subdivision. (Companion bills are **H.B. 309** by **Leo Wilson**, **H.B. 1189** by **Troxclair**, and **H.B. 1294** by **Patterson**.)

S.B. 240 (Middleton) – Privacy Spaces: would, among other things, provide that: (1) a political subdivision, including a city, or state agency: (a) shall require each private space, including a restroom, locker room, changing room, shower room, family violence shelter, correctional facility and sleeping quarter, located within a facility owned, operated or controlled by the political subdivision or state agency be designated for and used only by persons based on the person's biological sex; and (b) shall not be prohibited from: (i) adopting policies necessary to accommodate persons protected under the Americans with Disabilities Act, young children in need of assistance or elderly persons requiring aid; (ii) establishing single-occupancy private spaces or family restrooms, changing rooms, or sleeping quarters; or (iii) redesignating a private space designated for exclusive use by one sex to a designation for exclusive use by the opposite sex; and (c) that violates (1)(a), above, shall be liable for a civil penalty of \$5,000 for the first violation and \$25,000 for the second or subsequent violation; (2) a political subdivision, its officers and employees shall have governmental immunity and official immunity in any action that challenges the validity (1), above; and (3) no Texas court may award declaratory or injunctive relief, or any type of stay or writ, including a writ of prohibition, that would pronounce any provision or application of (1), above, invalid or unconstitutional, or that would restrain the state or its political subdivisions, or any officer, employee, or agent of this state or a political subdivision, or any person from enforcing any provision or application of this chapter, or from hearing, adjudicating, docketing, or filing a suit or petition, and no Texas court of this state shall have jurisdiction to consider any action, claim, or counterclaim that seeks such relief. (Companion bill is **H.B. 239** by **Swanson**.)

S.B. 241 (Flores) – Public Camping Ban: would: (1) prohibit a local entity, including a city, from adopting or enforcing a policy under which the entity prohibits or discourages the enforcement of any public camping ban, including prohibiting or discouraging the investigation or enforcement of a violation of a public camping ban; (2) provide that a local entity may not permit camping by homeless individuals on a property designated for that purpose until the Texas Department of Housing and Community Affairs has approved a plan for the property; (3) require each local entity to develop and implement a process that allows a person to file a complaint with the local entity regarding a violation of a public camping ban; (4) require a local entity to report to the attorney general each year, in the form and manner prescribed by the attorney general certain information related to complaints received; (5) provide that for each complaint received by a local entity, the local entity shall take an action to resolve the complaint not later than the 90th day after the date the complaint is received; (6) provide that if the local entity does not take the required action before the end of the period prescribed by (5), above, the attorney general shall issue a written declaration that the local entity is a "violating local entity" for the state fiscal year in which the end of the period prescribed by (5), above, occurs; (7) provide that for each enforcement action by the attorney general or the Department of Public Safety that occurs within the boundaries of a

local entity that is a “violating local entity,” the attorney general or Department of Public Safety may recover any costs associated with the enforcement action from the local entity; and (8) provide that the comptroller may not, after the date the comptroller receives notice that a city is a violating local entity for a state fiscal year, send to the city its share of sales and use taxes collected by the comptroller during the state fiscal year until the comptroller makes any deduction for the amount of money the attorney general or department spent in that state fiscal year taking enforcement actions in (7), above.

S.B. 259 (Alvarado) – Medical Marijuana: would, among other things: (1) authorize the possession, use, cultivation, distribution, transportation, and delivery of medical cannabis for medical use by patients for whom a physician determines medical use is the best available treatment for the patient’s medical condition or symptoms; (2) authorize the licensing of dispensing organizations; (3) authorize an application fee for licenses to operate a dispensing organization; and (4) prevent political subdivisions from enacting, adopting, or enforcing a rule, ordinance, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of medical cannabis.

S.B. 283 (Miles) – Texas African American Heritage Commission: would, among other things: (1) create the Texas African American Heritage Commission to identify, preserve, interpret, and promote sites reflecting Texas’s African American heritage; and (2) provide that the commission may, among other things: (a) make recommendations to state agencies and local governmental entities regarding policies and programs to promote the preservation of sites reflecting this state’s African American heritage; and (b) provide technical assistance to local governments and nonprofit organizations to further the study and preservation of African American heritage.

S.B. 284 (Miles) – Unauthorized Signs: would provide for a civil penalty of up to \$5,000 to be collected from a person: (1) who places or commissions the placement of an unauthorized sign on the right-of-way of a public road; or (2) whose commercial advertisement is placed on a sign described in (1), above.

S.B. 312 (Hughes) – Public Retirement Systems: would, among other things, provide that: (1) the governing body of a public retirement system or an investment manager: (a) shall take into account only financial factors when discharging its duties with respect to a plan administered by the system; and (b) may not use the system’s assets to take any action with the purpose of furthering social, political, or ideological interests; (2) the governing body of a public retirement system may not enter into a contract with an investment manager or a proxy advisor relating to investing the system’s assets or voting, or advising on voting, shares held by the system unless the contract contains a requirement that the manager or advisor, as applicable: (a) take into account only financial factors when discharging the manager’s or advisor’s duties under the contract, with respect to investing the system’s assets and voting, or advising on voting, shares held by the system; and (b) not take any action under the contract with the purpose of furthering social, political, or ideological interests, including an action with respect to investing the system’s assets or voting, or advising on voting, shares held by the system; and (3) a public retirement system with more than \$100 million in assets shall, annually, submit a report to State Pension Review that details investment relationships maintained by the system.

S.B. 317 (Creighton) – Monument Removal and Construction: would, among other things, provide that: (1) a monument which has been located on city property for at least 25 years may be removed, relocated, or altered only following approval of a majority of city voters at an election held for that purpose; (2) a monument which has been located on city property for less than 25 years may be removed, relocated, or altered by the city’s governing body; (3) additional monuments may be added to the property on which a monument is located to complement or contrast with the existing monument; and (4) a city resident may file a complaint with the attorney general asserting violations of (1) or (2), above, and the attorney general may seek injunctive relief, equitable relief, mandamus and civil penalties against the city.

S.B. 335 (Eckhardt) – Marijuana: would, among other things: (1) authorize the cultivation, manufacture, processing, distribution, sale, testing, transportation, delivery, transfer, possession, use, and taxation of cannabis and cannabis products; (2) provide that a person may prohibit or restrict the possession, consumption, cultivation, distribution, processing, sale, or display of cannabis or cannabis products on property the person owns, occupies, or manages, except under certain circumstances; (3) provide that a commissioners court of a county may order an election to approve the operation of cannabis growers, cannabis establishments, or cannabis testing facilities in the county; (4) provide that a county that authorizes the operation of cannabis growers, cannabis establishments or cannabis testing facilities in the county may adopt regulations consistent with the bill governing the hours of operation, location, manner of conducting business, and number of cannabis growers, cannabis establishments, or cannabis testing facilities; (5) require a license to operate as a cannabis grower, cannabis establishment, cannabis secure transporter, or cannabis testing facility; (6) establish the cannabis regulation account and limit appropriation of money in the account for implementing and administering this bill; and (7) creating the offense of selling, giving, or causing marijuana to be sold to a person under twenty-one years of age, or another person who intends to provide the marijuana to a person under twenty-one years of age.

S.B. 337 (Eckhardt) – Texas Tenant Readiness and Landlord Incentive Pilot Program: would, among other things: (1) require the Texas Department of Housing and Community Affairs (TDHCA) to establish and implement the Texas Tenant Readiness and Landlord Incentive Pilot Program to enable the department to contract with and provide funding to local governmental entities, including county and municipal housing authorities, and nonprofit organizations for the purpose of assisting, and providing incentives to landlords with respect to, certain individuals and families; and (2) provide that in selecting local governmental entities to administer the program, the TDHCA shall consider an applicant’s: (a) ability to serve: (i) rural areas; and (ii) a variety of populations as differentiated by age, gender, race, or ethnicity; and (b) existing partnerships with other relevant local entities, including landlords, direct service providers, and housing authorities. (Companion bill is **H.B. 714 by Walle.**)

S.B. 338 (Eckhardt) – Workers’ Compensation Insurance: would require a city that enters into a building or construction contract to require the contractor on the public project to provide a written certificate that any subcontractor on the project provides workers’ compensation insurance for each employee of the subcontractor on the public project. (Companion bill is **H.B. 480 by Walle.**)

S.B. 345 (Eckhardt) – Lobbying: would provide that: (1) a person who is required to register as a lobbyist under state law may not be eligible to be a candidate for, or elected or appointed to, a public elective office in Texas; (2) the provision in (1), above, does not apply to: (a) an office of a political subdivision with a population of 150,000 or less, other than the office of presiding officer of the governing body of the political subdivision, provided that the officer does receive a salary or wage for that office; or (b) the office of the presiding officer of the governing body of a political subdivision with a population of 50,000 or less, provided that the presiding officer does not receive a salary or wage for that office; (3) for purposes of (2), above, a presiding officer or other officeholder is not considered to have received a salary or wage if the officeholder refuses to accept a salary or wage offered or budgeted for that office; (4) an individual may not register to be a lobbyist under state law if the individual is: (a) a member of Congress; (b) a member of the legislature; or (c) statewide officeholder; and (5) the lobby registration of an individual described in (4), above, expires on the date the individual takes office.

S.B. 386 (Schwertner) – International Organizations: would provide that: (1) the United Nations, World Health Organization, and the World Economic Forum have no jurisdiction in Texas; and (2) a city may not implement or enforce a rule, fee, tax, policy or mandate of the United Nations, World Health Organization, and the World Economic Forum. (Companion bills are **H.B. 706** by **Leo Wilson** and **H.B. 1377** by **Virdell**.)

S.J.R. 14 (Johnson) – Statewide Initiative and Referendum: would amend the Texas Constitution to establish the power of initiative and referendum at the state level. (Companion resolution is **H.J.R. 87** by **Zwiener**.)

S.J.R. 16 (Alvarado) – Casino Gaming and Sports Wagering: would amend the Texas Constitution to, among other things:

1. authorize casino gaming pursuant to casino licensing at destination resorts in the following metropolitan statistical areas in which pari-mutuel wagering has been approved: (a) two destination resorts in the Dallas-Fort Worth-Arlington metropolitan statistical area; (b) two destination resorts in the Houston-The Woodlands-Sugar Land metropolitan statistical area; (c) one destination resort in the San Antonio-New Braunfels metropolitan statistical area; (d) one destination resort in the Corpus Christi metropolitan statistical area; and (e) one destination resort in the McAllen-Edinburgh-Mission metropolitan statistical area;
2. authorize and regulate the conduct of sports wagering;
3. establish the Texas Gaming Commission as a state agency with broad authority to promulgate, adopt, and enforce necessary rules to strictly regulate casino gaming and sports wagering and provide for the Texas Gaming Commission's qualifications, appointment procedures, and member terms;
4. establish general casino license qualifications, including demonstrating that: (a) the issuance of a casino license will not be detrimental to the public interest; (b) the financial ability to complete the development and operate the destination resort at which the applicant will conduct casino gaming; (c) the applicant has adequate experience in resort

development, resort management, and casino gaming operations; and (d) the applicant has provided a detailed estimate of the applicant's total new development investment in the destination resort;

5. provide that the legislature or the Texas Gaming Commission may establish additional rules and requirements governing: (a) the issuance and continued qualifications for holding a casino license; (b) transfer of casino licenses, (c) qualifications for the issuance of new casino licenses to persons that are not initial qualified applicants; and (d) penalties for the unlawful conduct of casino gaming and sports wagering;
6. require the legislature to: (a) impose a 15 percent tax on the gross casino gaming revenue of each casino license holder; and (b) impose a tax in the amount provided by general law on sports wagering revenue;
7. provide that a destination resort at which casino gaming is conducted under a casino license may be located anywhere within the metropolitan statistical area for which the license was issued;
8. prohibit the use of state or local public money or facilities developed or built with state or local public assistance or tax incentives of any kind to develop or operate a destination resort;
9. prohibit the state, a state agency, or political subdivision from imposing a tax on the casino gaming revenue of a casino license holder or a tax or fee on the non-casino gaming revenue of a casino license holder's operations at a destination resort other than the tax in Number 6, above, or a tax or fee generally applicable to a business operating in the state;
10. establish casino license application fees to fund and support the administration and management of the Texas Gaming Commission; and
11. provide that that state shall annually allocate a portion of the revenue received from taxes imposed on gross casino revenue of casino license holders to be used as horse purse money.

S.J.R. 24 (Eckhardt) – Right to be Free from Governmental Intrusion: would amend the Texas Constitution to provide that each individual residing in Texas has the right to be free from governmental intrusion or interference into the individual's private life and that the amendment would not nullify or limit the rights provided by general law to attend or access public meetings or obtain public records.

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