

TML LEGISLATIVE UPDATE



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TML Legislative Advocacy Toolkit

The League has prepared an [advocacy toolkit](#) to provide the resources, tools, and training to help city officials successfully advocate at the Capitol. The toolkit contains information on:

- The Texas legislative process;
- Tips for grassroots involvement;
- A guide to writing an effective advocacy letter or email;
- Tips for testifying at the Capitol; and
- Various legislative resources.

The League is nothing without the efforts of city officials. The most effective legislative communication comes directly from mayors, councilmembers, and other city officials to their legislators. The toolkit will empower city officials whether they are a seasoned veteran, new to advocating, or new to city government.

The toolkit can be found [here](#).

DIR Proposes New Rules on Minimum Standards for Meetings Held by Videoconference

The Texas Department of Information Resources (DIR) is proposing rules that will establish minimum technical standards for open meetings held by computer-based videoconferencing applications. These rules apply to the older, stricter videoconferencing law. The Governor's disaster order permitting easy open meeting videoconferencing allowed during the pandemic ended in September 2021. The proposed rules can be found [here](#).

The rules would:

- Require all computer-based videoconferencing applications to employ a minimum bandwidth transmission speed and/or adequate data compression algorithm to produce a sufficient quality for audio and video sufficient to make it possible for all attendees to hear and view all speaking participants on the videoconference clearly;
- Allow computer-based videoconferencing applications to specify unique minimum technical requirements to run the computer-based videoconferencing application, and require a city to comply with those requirements;
- Provide that if the videoconference call hosts a public audience at a location(s) specified in the meeting notice, then the city must establish a minimum of one host computer at the location(s) that will run the computer-based videoconferencing application, and require that the host computer be connected to a separate video monitor or monitors and external speakers that make it possible for all attendees to clearly view and hear the meeting;
- Provide that any personal computer used by a member of the governing body of the city for the purpose of videoconferencing must contain a camera and speakers of sufficient quality to permit all meeting attendees to see the individual who is using the personal computer and for the individual to hear all speaking attendees.
- Create specific technical standards for videoconferencing equipment used in a dedicated video room environment;
- Require a city to review and comply with any additional internal security requirements of the city that may apply to a meeting held by videoconference; and
- Require a city to ensure compliance with any information security standards promulgated regarding the transmission of data through a public or data/IP network.

Written comments on the proposed rules may be submitted to Christi Koenig Brisky, Assistant General Counsel, 300 West 15th Street, Suite 1300, Austin, Texas 78701, or to rules.review@dir.texas.gov. Comments will be accepted until June 12, 2022.

Federal Infrastructure Bill Update

In November 2021, the federal Infrastructure Investment and Jobs Act (IIJA) was signed into law. The IIJA is altogether a \$1.2 trillion bill that will invest in the nation's core infrastructure

priorities including roads, bridges, rail, transit, airports, ports, energy transmission, water systems, and broadband.

The League will monitor state and federal agencies and work with the National League of Cities (NLC) to access the latest information relating to the IIJA. We will be providing periodic updates in the Legislative Update on resources for Texas cities on how to access IIJA funding for local infrastructure projects.

U.S. Department of Commerce (Commerce)

On May 13, Commerce [announced the launch](#) of a \$45 billion “Internet for All” initiative to bring affordable and reliable high-speed internet for everyone in the country by the end of this decade. The initiative will be administered by Commerce’s National Telecommunications and Information Administration and includes three separate programs funded under the IIJA (links below to Notice of Funding Opportunity):

- [Broadband Equity, Access, and Deployment Program](#) (\$42.5 billion - states can apply for these funds, cities cannot)
- [Enabling Middle Mile Broadband Infrastructure Program](#) (\$1 billion – cities can apply)
- [State Digital Equity Act Programs](#) (\$1.5 billion – states can apply for these funds, cities cannot)

Although cities cannot apply directly to Commerce for funding under the Broadband Equity, Access, and Deployment Program and the State Digital Equity Act Programs, it might be possible to apply for pass-through funds from the state if Texas devises a program to award funding to cities from any allocation it receives under these programs.

More on the “Internet for All” initiative can be found [here](#).

National League of Cities (NLC)

NLC recently [published an article](#) on grant opportunities under the IIJA for transit-oriented development.

Interested city officials can access the NLC “Ready to Rebuild” webinar series on the IIJA [here](#).

The White House

On May 16, the White House [released two maps](#) showing announced funding and project locations in every state to commemorate the six-month anniversary of the IIJA. As of May 3, \$8.1 billion has been allocated to Texas, with 82% of that amount going towards transportation infrastructure and 18% going towards climate, energy, and the environment.

House and Senate Committee Interim Hearings

The Texas House and Senate Committees are underway studying interim charges outlined by Speaker Phelan and Lt. Governor Dan Patrick.

Below is a full list of committee hearings set to hear certain city-related charges. All hearings will be held at the Texas Capitol unless otherwise indicated. If a committee has newly posted notice and was not included in last week's edition of the *Legislative Update*, it is indicated as such.

Senate Finance Committee

The committee will meet on May 23 at 10:00 a.m. to hear invited and public testimony on the following interim charges:

Property Tax Relief: Examine and recommend ways to reduce Texans' property tax burden. Review and report on proposals to use or dedicate state revenues in excess of the state spending limit to eliminate the school district maintenance and operations property tax.

Tax Exemptions: Examine Texans' current tax exemptions and report on whether adjustments are merited because of inflation or any other factors.

Information on the hearing, including how to register and testify at the committee hearing, can be found [here](#).

***NEW* House Committee on Business and Industry**

The committee will meet on May 25 at 10:00 a.m. to hear invited and public testimony on the following charge:

Monitor the agencies and programs under the committee's jurisdiction and oversee the implementation of relevant legislation passed by the 87th Legislature. Conduct oversight of all associated rulemaking and other governmental actions taken to ensure the intended legislative outcome of all legislation, including the following:

- [S.B. 22](#), relating to certain claims for benefits, compensation, or assistance by certain public safety employees and survivors of certain public safety employees

Study workers' compensation claims involving public safety employees described by S.B. 22. This study should include an analysis of medical costs, return-to-work outcomes, utilization of care, satisfaction with care, and health-related functional outcomes.

Information on the hearing, including how to testify or submit electronic comments, can be found [here](#).

Senate Criminal Justice Committee

The committee will meet on May 26 at 10:00 a.m. at the Texas Department of Transportation (TxDOT) Houston District Headquarters to hear invited and public testimony on the following charge:

Automobile Parts Theft (Including Catalytic Converters): Review the effect of House Bill 4110 (87th Legislature), relating to the registration of metal recycling, and related catalytic converter theft legislation passed by the 87th Legislature. Determine what actions are needed to aid law enforcement and stop catalytic converter theft and its related violence.

Information on the hearing, including how to register and testify at the committee hearing, can be found [here](#).

***NEW* House Committee on Licensing and Administrative Procedures**

The committee will meet on June 7 at 10:00 a.m. to hear invited testimony only over the following interim charge:

Explore opportunities to strengthen and enforce laws to reduce illegal gaming and the proliferation of unlawful game rooms. Identify how cash-paying game rooms utilizing machines commonly known as “8-liners” have been allowed to proliferate and how the comptroller or other state agencies can assist law enforcement with ongoing investigations.

Information on the hearing and how to submit electronic comments can be found [here](#).

***NEW* Senate Finance Committee**

The committee will meet on June 28 at 10:00 a.m. to hear invited and public testimony on the following charge:

Federal Funds: Report on the state use of federal COVID-19 relief funds provided under the Coronavirus Aid, Relief, and Economic Security Act, Coronavirus Response and Relief Supplemental Appropriations Act, the American Rescue Plan Act, Infrastructure Investment and Jobs Acts, and similar legislation. Examine local use of federal relief funding, including funding provided through the Elementary and Secondary School Emergency Relief (ESSER) Fund. Evaluate the overall fiscal impact of the COVID-19 pandemic on state agencies, including costs incurred due to federal mandates. Identify barriers to the effective utilization of funds and make recommendations on the expenditure of unappropriated funds. In addition, evaluate and report on the spending by state agencies that have been utilizing “one-time” federal funding (temporary enhancements, e.g. FMAP and ESSER) sources, where federal funding will likely be significantly reduced in future biennia.

Information on the hearing, including how to register and testify at the committee hearing, can be found [here](#).

Texas Hazard Communication Act Compliance Guide Released

The Texas Department of State Health Services (DSHS) published a new Texas Hazard Communication Act [compliance guide](#) to assist public employers in complying with regulations. The Texas Hazard Communication Act requires public employers to provide information, training, and appropriate personal protective equipment to their employees who may be exposed to hazardous chemical in their workplaces. DSHS may perform random [compliance inspections](#) to enforce the Act.

More information on the Texas Hazard Communication Act can be found [here](#). For any questions, contact DSHS Hazard Communication Program at 1-800-293-0753 or at hazcomhelp@dshs.texas.gov.

Reminder: Drought Contingency Plans

As Texas enters summer and drought season, it is important to note that drought contingency plans are required for wholesale and retail public water suppliers and irrigation districts. Pursuant to Texas Commission on Environmental Quality (TCEQ) rules, wholesale retail public water suppliers are required to develop, implement, and submit drought contingency plans to TCEQ every five years. If a plan was revised and adopted in between the five-year submittal deadline, the updated plan must be submitted to TCEQ within 90 days of adoption. For more information, please visit the [TCEQ website](#).

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