

# TML LEGISLATIVE UPDATE



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Number 21

## **Texas Primary Runoff Election Results**

This week, Texans finalized their party nominees who will face off in the November general election. The Republican primary runoff included three statewide elected offices: attorney general, land commissioner, and railroad commissioner. On the Democratic side, four statewide offices had a runoff: lieutenant governor, attorney general, land commissioner, and comptroller.

The full election results can be found [here](#).

## **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 voices 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 season-veteran, new to advocating, or new to city government.

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

## **TSLAC Amends Guidance and Best Practice for Inventorying and Scheduling Records**

The Texas State Library and Archives Commission (TSLAC) [is proposing](#) changes to its Bulletin C: Inventorying and Scheduling Records and is seeking feedback from local governments. Bulletin C contains helpful tips on how to conduct an inventory and how to appraise records. The proposed revisions include:

- adding templates to assist with inventorying
- updating legal citations
- removing the requirement for local governments to send records control schedules to TSLAC
- making Bulletin C the first bulletin that is for local governments *and* state agencies

The comment period closes on **July 1, 2022**. Written comments may be submitted to [slrminfo@tsl.texas.gov](mailto:slrminfo@tsl.texas.gov). TSLAC requests that commenters [review the Bulletin C session from TSLAC's RMO meetings](#) or [review Bulletin C](#) on the TSLAC website before sending comments or suggestions.

## **Reminder: Stay Vigilant Against Cyber Threats**

City officials should always remain on high alert against cyber threats. Many cyber criminals frequently pose as a manager or vendor and send a “phishing” email to local government employees. Common tactics include:

- Fraudulent vendor invoices;
- Sending urgent emails that appear to come from management or finance;
- Posing as an employee who requests human resources to redirect their paycheck to a new direct deposit account; and
- Sending fraudulent wire transfers instructions to a payer for an upcoming transaction.

Easy ways to spot fraudulent emails include:

- Bad grammar and misspellings;
- Unfamiliar greeting or salutation;
- Inconsistencies in email addresses, links, and domain names;
- Suspicious attachments;
- Requests for login credentials, payment information, or sensitive data;
- Unbelievable offers; and
- Anything that appears “off”

If you receive an email that includes any of the above or anything else that causes suspicion, do not click on links, supply any personal or work information, open attachments, send money, or reply to the email. Instead, follow the city’s cybersecurity plan, which would typically include contacting the sender directly to confirm legitimacy, reporting to IT, or deleting the email.

The Texas Municipal League Intergovernmental Risk Pool (TML IRP) provides [free state mandated cybersecurity training](#) for most local government employees.

## **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.*

### **Department of Transportation (USDOT)**

The Safe Streets and Roads for All (SS4A) grant program was created by the IIJA and will provide up to \$6 billion in grants over the next five years supporting local programs to prevent roadway deaths and injuries. USDOT [recently announced](#) that the application period is now open for communities of all sizes to apply for \$1 billion in fiscal year 2022 funding. The SS4A Notice of Funding Opportunity can be found [here](#). Applications are due on or before September 15, 2022. More information on the SS4A program, including information on “How to Apply” webinars can be found [here](#). The National League of Cities has also made SS4A program information available on [its website](#).

### **National League of Cities (NLC)**

NLC, in conjunction with the U.S. Conference of Mayors and Results for America, has established the [Local Infrastructure Hub](#), which is described as “a national program to ensure that all cities and towns can access federal infrastructure funding to drive local recovery, improve communities,

and deliver results for residents.” The Hub will launch on July 1<sup>st</sup>. Interested city officials can visit the Hub using the link above and sign up for the mailing list in advance of the launch date.

NLC recently [published an article](#) on a key program funded under the IIJA, the Energy Efficiency and Conservation Block Grant (EECBG) program. The EECBG program is designed to assist state and local governments with numerous types of eligible energy efficiency and conservation initiatives. Under the IIJA, the EECBG program will receive \$550 million in new funding to be split between state agencies and local governments, including 68% of funding for larger cities, 28% for state energy offices, and a competitive program. Funding and program guidance for the EECBG program is expected in fall 2022.

NLC has also [published an article](#) on the Carbon Reduction Program. On April 21, the Federal Highway Administration (FHWA) released [implementation guidance](#) on the [Carbon Reduction Program](#) (CRP) funded by the IIJA, which funds eligible projects designed to reduce transportation emissions. The IIJA provides roughly \$1.3 billion in CRP funding nationwide in each of the next five years. 65 percent of a state’s CRP apportionment must be used in the following areas in proportion to their relative shares of the state’s population: (1) urbanized areas with a population greater than 200,000; (2) urbanized areas with a population of at least 50,000 but no more than 200,000; (3) urban areas with population between 5,000 and 49,999; and (4) areas with population of less than 5,000. Texas will receive over \$123 million in fiscal year 2022 in CRP funding. 2022 allocations to metropolitan planning organizations (MPOs) in Texas over 200,000 can be found [here](#), and 2022 allocations to MPOs between 50,000 and 200,000 can be found [here](#).

## **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.

### **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\* House Committee on State Affairs**

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

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

- [Senate Bill 2](#), relating to the governance of the Public Utility Commission of Texas, the Office of Public Utility Counsel, and the Electric Reliability Council of Texas
- Examine the efforts of power generation facilities to weatherize their facilities
- Review the status of projects intended to reduce transmission congestion within the electrical grid

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

### **\*NEW\* Senate Health and Human Services Committee**

The committee will meet on June 27 at 10:00 a.m. to hear invited and public testimony on the following interim charge:

**Public Health Data:** Review the processes for public health data collection and coordination by local and state entities as well as regional trauma centers. Identify any continuing barriers to the real-time dissemination of data concerning health care facility capacity – including data that can expedite timely care – and morbidity rates, as well as other information that can assist in public policy decisions.

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

### **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](#).

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