

# TML LEGISLATIVE UPDATE



June 17, 2022  
Number 24

## **Comptroller Releases Texas Broadband Plan**

The Broadband Development Office (BDO) released the [Texas Broadband Plan](#) this week. [H.B. 5](#) created the BDO within the comptroller's office for the purpose of closing the digital divide in Texas by establishing an official statewide plan for expanding access. The 87<sup>th</sup> Legislature appropriated \$5 million to the comptroller to administer the program. In addition, the American Rescue Plan Act has allocated \$500.5 million to Texas for broadband expansion while the Infrastructure Investment and Jobs Act will allocate at least \$100 million.

The BDO created the initial plan through the Texas Broadband Listening Tour, survey responses, analysis of results, and staff recommendations. The plan takes an in-depth look at various broadband challenges in each part of Texas. By early 2023, the BDO plans to publish a broadband availability map and establish a broadband-focused, federally-complaint grant program.

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

## **U.S. Treasury Updates SLFRF Program Guidance**

On June 10, 2022, the United States Department of Treasury released an updated [Compliance and Reporting Guidance](#) for the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program. These documents include updates to reflect the final rule that Treasury adopted on January 6, 2022, which took effect on April 1, 2022. Note that the Reporting Guidance does not contain any new deadlines or action, so for most Texas cities (under 250,000 population and under \$10 million SLFRF allotment) the next Project Expenditure Report remains due April 30, 2023 when the updates will take effect.

## **Resolutions for 2022 TML Annual Conference**

Resolutions for consideration at the Annual Conference are due no later than 5:00 p.m. on August 22, 2022. The TML Constitution provides that resolutions must be submitted by any member city, TML region, or TML affiliate to the TML headquarters 45 calendar days prior to the first day of the Annual Conference.

The League's advocacy efforts are based on a legislative program that is developed by member city officials in two ways.

First, a member city, TML region, or TML affiliate may submit a resolution for consideration at the business meeting of each year's Annual Conference. Each city is asked to provide one delegate to serve as its liaison at the meeting. The representatives will be briefed on the content of the resolutions and given a chance to discuss and vote on whether they merit inclusion in the legislative program. The resolutions form the basis of a fixed legislative program, under which – each session – modifications to the program will be made only if needed.

Second, member city officials can participate in the League's Municipal Policy Summit during the summer of 2022. The report of the Summit takes the form of a resolution that is submitted to the Annual Conference in interim years. The summit participants will be appointed by the TML President based on volunteers and others chosen to balance the demographics of the TML membership at large.

Details on the submission process can be found [here](#).

## **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 Transportation (DOT)**

On June 10, DOT's Federal Highway Administration (FHWA) [announced](#) the opening of the application window for the first round of funding from the IIJA's competitive Bridge Investment Program. The program will provide \$12.5 billion over five years, with nearly \$2.4 billion available in Fiscal Year 2022, to help "plan, replace, rehabilitate, protect, and preserve some of the nation's largest bridges." In addition to planning grants under the program, there are also two types of construction grants – grants covering "large" projects over \$100 million and grants covering "bridge projects" at up to \$100 million. The Notice of Funding Availability can be accessed [here](#).

On June 9, FHWA also [announced](#) a [Notice of Proposed Rulemaking](#) on proposed standards for the IIJA's National Electric Vehicle Infrastructure Formula Program.

### **Environmental Protection Agency (EPA)**

Last week, the EPA [announced](#) \$375 million in funding under the IIJA for new recycling, reuse, and waste prevention programs. EPA published three Requests for Information seeking input on the design of the programs. Interested city officials can access the Requests for Information [here](#).

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

On June 14, NLC published an article entitled "[Best Infrastructure Grants for Small Cities](#)," which focuses on six specific programs funded under the IIJA. The article also references three good resources to help small cities navigate the IIJA – the White House's [Rural Playbook](#); the forthcoming [Local Infrastructure Hub](#); and the archived "[Infrastructure School](#)" [webinars](#).

## **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 State Affairs**

The committee will meet on June 22 at 9:00 a.m. to hear invited and public testimony to consider the following:

Update on continued progress of the proposed changes to the ERCOT market design.

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

### **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](#).

### **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](#).

### **\*NEW\* Senate Business and Commerce Committee**

The committee will meet on Wednesday, June 29 at 9:00 a.m. to hear invited and public testimony on the following interim charges:

**Broadband and Telecommunications:** Study broadband and other telecommunications related issues impacted Texans including:

- Monitoring the implementation of [House Bill 5](#) and [House Bill 1505](#), 87<sup>th</sup> Legislature; discuss anticipated federal infrastructure funding dedicated to broadband initiatives;
- Reviewing the Texas Universal Service Fund and reporting what, if any, changes should be made through a review of both the fund's contributions and disbursements, as well as the impact of technology on the long-term stability of the Texas Universal Service Fund; and
- Monitoring the implementation of [House Bill 2911](#), 87<sup>th</sup> Legislature, relating to next generation 9-1-1 service fund and the establishment of a next generation 9-1-1 service fund.

**Electricity:** Study issues impacting the Texas electric grid, including weather preparedness and the natural gas supply chain. Evaluate potential benefits of real-time transparency of the intrastate gas market with respect to the functions of ERCOT and the Texas Energy Reliability Council.

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

**\*NEW\* Senate Finance Committee**

The committee will meet on Monday, July 11 at 10:00 a.m. to hear invited and public testimony on the following interim charges:

**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 federal legislation. Examine local use of federal relief funding, including funding provided to school districts 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](#).

*TML member cities may use the material herein for any purpose. No other person or entity may reproduce, duplicate, or distribute any part of this document without the written authorization of the Texas Municipal League.*