



03-12-2009 - 14:17:35

Otto

Bill History: 02-12-09 H Introduced and referred to committee on House Ways and Means

Orr

Companions: SB 533 Duncan (Identical)
2-17-09 S Introduced and referred to committee on
Senate State Affairs

Urban Counties- Requires a governmental entity to authorize the initiation of condemnation proceeding at an open public meeting by record vote before filing a condemnation petition. A separate record vote must be taken for each unit of property for which condemnation proceedings are to be initiated.

Requires an entity authorized to exercise the power of eminent domain to submit a letter to the comptroller stating they have eminent domain authority by December 31, 2010. If an entity does not submit a letter, their authority expires September 1, 2011.

Requires an entity with eminent domain authority that wants to acquire real property to disclose an offer to the property owner via certified mail.

The entity shall provide the owner at least two written offers proposing a purchase or lease of property. The last offer shall be made in writing and be designated as the final offer.

Authorizes a property owner to request that the entity obtain an appraisal report of the property produce and certified by an independent, certified appraiser the owner chooses by at least 20 days after they receive a final offer. The entity shall pay the

cost of the appraisal and provide the report within 30 days.

Requires an entity to negotiate in good faith to acquire a property through a voluntary purchase or lease agreement before filing a condemnation petition. If a court determines the condemnor did negotiate, the court shall order the condemnor to pay court costs, attorney fees, and other profession fees incurred by the owner.

Allows a person from property was acquired, or their heirs, successor, or assigns to repurchase the property if the public use for which the property was acquired is cancelled; no progress is made toward the public use; or the property become unnecessary for use

Bill History: 02-12-09 H Introduced and referred to committee on House Land and Resource Management

HB 9

Truitt

Relating to local options regarding transportation and mobility improvement projects in certain counties.

Companions: [SB 855](#) Carona (Identical)
3- 9-09 S Introduced and referred to committee on Senate Transportation and Homeland Security

Remarks:

SG-MV - Creates the Texas Local Option Transportation Act for counties in the DFW area. Allows commissioners court to call an election to approve a variable list of funding methods (indexed gas tax; mobility fee; parking fee; emissions fee; license renewal fee; or a new resident fee) for mobility or transportation improvement projects, including passenger rail, transit, roadway, and freight rail projects.

-Requires commissioners court to call the election if it receives resolutions from two cities that are located at least partly in the county and that make up at least 60% of the total county population or upon receipt of a petition with signatures equal to 10% of the voters in the most recent gubernatorial election.

-Projects are chosen by the commissioners court, but they must be agreed to by the Metropolitan Planning Organization for the region.

-Funds raised in a county must be used in the county unless commissioners court makes a finding that a project outside the county would benefit the region. The fees sunset when the bonds or other obligations for the approved projects are paid in full. 2.25.09

Bill History: 03-02-09 H Introduced and referred to committee on House Transportation

[HB 17](#) [Leibowitz](#) Relating to the limitation on increase in the appraised value of a resident homestead for ad valorem tax.

Companions: [HB 700](#) Zerwas (Identical)
2-18-09 H Introduced and referred to committee on House Ways and Means

[HB 711](#) Rose (Identical)
2-19-09 H Introduced and referred to committee on House Ways and Means

[HB 1018](#) Brown, Betty (Identical)
2-23-09 H Introduced and referred to committee on House Ways and Means

Bill History: 02-12-09 H Introduced and referred to committee on House Ways and Means

[HB 27](#) [Leibowitz](#) Relating to allowing a county to hold a nonbinding referendum on a county fiscal matter.

Bill History: 02-12-09 H Introduced and referred to committee on House Elections

[HB 64](#) [Aycock](#) Relating to the exemption of counties from the diesel fuel tax.

Bill History: 02-12-09 H Introduced and referred to committee on House Ways and Means

[HB 78](#) [Flynn](#) Relating to the amount of a county expenditure for which competitive bidding is required.

Companions: [HB 117](#) Heflin (Identical)
2-12-09 H Introduced and referred to committee on House County Affairs

[HB 2573](#) Gonzalez (Identical)
Tourellles
3-11-09 H Introduced and referred to committee on House County Affairs

[SB 253](#) Estes (Identical)
2-11-09 S Introduced and referred to committee on Senate Intergovernmental Relations

Bill History: 03-16-09 H Meeting set for 2:00 P.M. or final Adj., E2...House County Affairs

[HB 112](#) [Pena](#) Relating to the use of direct recording electronic voting machines.

Bill History: 02-12-09 H Introduced and referred to committee on House Elections

[HB 117](#) [Heflin](#) Relating to the amount of a county expenditure for which competitive bidding is required.

Companions: [HB 78](#) Flynn (Identical)
3-16-09 H Meeting set for 2:00 P.M. or final Adj., E2.016, House County Affairs
Gonzalez

HB 2573 Toureilles (Identical)
3-11-09 H Introduced and referred to committee on
House County Affairs

Bill History: 02-12-09 H Introduced and referred to committee on House
County Affairs

HB 132 Chisum Relating to the exemption from ad valorem taxation of property
owned by organizations engaged primarily in performing charitable
functions.

Remarks: CUC - Makes a local option property tax exemption for
organizations engaged primarily in performing charitable functions
into a mandatory exemption by repealing a provision that allowed
the exemption only if adopted by commissioners court on its own
action or via petition and election.

Bill History: 02-12-09 H Introduced and referred to committee on House Ways
and Means

HB 133 Villarreal Relating to mandatory sales price disclosure in real property sales.

Bill History: 02-12-09 H Introduced and referred to committee on House Ways
and Means

HB 222 Menendez Relating to the authorization of poker gaming and the duties of the
Lottery Commission.

Bill History: 02-17-09 H Introduced and referred to committee on Licensing
and Administrative Procedures

HB 261 Berman Relating to the enforcement of state and federal laws by certain
governmental entities.

Bill History: 02-17-09 H Introduced and referred to committee on House State
Affairs

HB 264 Berman Relating to the date that an increase in the salary of a member of a
county commissioners court may take effect.

Bill History: 03-16-09 H Meeting set for 2:00 P.M. or final Adj., E2...House
County Affairs

HB 337 Harless Relating to the costs of holding certain joint elections.

Remarks: SG-Steve Raborn-This bill would result in a significant financial
impact to Tarrant County. School districts that hold a joint election
with the county on a November uniform election date would not be
required to bear a pro-rata cost of the election (i.e. they would get
a free election) Currently, the county shares election expenses
with cities, school districts, and other political subdivisions that
participate in a joint election with the county on the November
uniform date.2.20.09

Bill History: 02-17-09 H Introduced and referred to committee on House Elections

HB 386 **Miller, Sid** Relating to the selection of the board of directors of an appraisal district.

Remarks: SG-Betsy Price-this has been introduced numerous times. The problem is always the same what platform would these directors run on and who would fund their campaigns? It puts the politics back in the appraisal process and removing the politics was the intent of the Peveto Act that passed in 1979. 12.23.08

Bill History: 03-11-09 H Committee action pending House Ways and Means

HB 404 **Harless** Relating to the enforcement of state and federal laws governing immigration by certain governmental entities.

Companions: **SB 358** Patrick, Dan (Identical)
2-17-09 S Introduced and referred to committee on Senate Transportation and Homeland Security

Bill History: 02-18-09 H Introduced and referred to committee on House State Affairs

HB 453 **Gonzalez
Tourelles** Relating to the use of auction proceeds from the sale of abandoned motor vehicles, watercraft, or outboard motors to compensate certain property owners.

Bill History: 03-02-09 H Committee action pending House Public Safety

HB 489 **Pickett** Relating to the authority of a county or municipality to remove graffiti from private property at the owner's expense.

Remarks: Urban Counties- Authorizes a county or municipality to require a property owner within its jurisdiction to remove graffiti from their property. Notice must be given to the owner personally in writing, by mail, or by posting or publication. If the owner does not remove the graffiti by at least the seventh day after notice is given, the county or municipality may remove it or pay for its removal and charge the property owner for the expense.

Bill History: 02-18-09 H Introduced and referred to committee on House County Affairs

HB 490 **Jackson, Jim** Relating to indigent health care.

Remarks: VT - Increases the minimum income eligibility standards to 25% of the federal poverty level. Requires a county to submit adopted eligibility standards, application procedures, and a statement of the total amount of county funds expended for indigent health care in the previous state fiscal year to the Department of State Health Services by at least the 30th day of the fiscal year. Requires hospital districts to submit annual indigent health care reports to the DSHS. Increases the maximum yearly county liability for health care services provided to each eligible county

resident to \$35,000. Makes conforming repeals.

Bill History: 02-18-09 H Introduced and referred to committee on House Public Health

HB 515 Vaught Relating to the expansion of the boundaries of the Dallas County and Tarrant County Hospital Districts.

Remarks: Allows Dallas County or Tarrant County, by a vote of Commissioners Court or by petition of 50 registered voters of a defined territory, to annex territory into their respective Hospital Districts. A public hearing is required, after which the Commissioners Court may pass a resolution supporting the annexation if feasible and benefiting the district. The annexation is final upon a successful referendum held within the district and a separate referendum held in the area to be annexed. An area annexed that is in a hospital district will treat the referendum as an election to dissolve the original district.

Bill History: 02-18-09 H Introduced and referred to committee on House County Affairs

HB 564 McClendon Relating to the allocation to the Texas rail relocation and improvement fund of a portion of the revenue from the motor vehicle sales and use tax.

Companions: SB 383 Carona (Identical)
2-17-09 S Introduced and referred to committee on Senate Finance

Bill History: 02-18-09 H Introduced and referred to committee on House Ways and Means

HB 565 McClendon Relating to the abolition of the Texas Transportation Commission and the creation of the commissioner of transportation as an elected statutory state officer.

Bill History: 02-18-09 H Introduced and referred to committee on House Transportation

HB 572 England Relating to the imposition by a county or municipality of fees related to certain collection services.

Remarks: SG-Joan Hubbard (Dist Clerk)- A county with a population of 50,000 or greater (changed from population of more than 1.9M) may charge a collection fee in the amount of 30% for collection services performed by employees of the commissioners court or governing body for collection of fines and court costs more than 60 days past due. CCP 103.0031. Will not affect Tarrant. 1.21.09

Bill History: 02-18-09 H Introduced and referred to committee on House County Affairs

HB 599 Hughes Relating to the sale of fireworks on and before Texas Independence Day.

Remarks: SG-Randy Renois-Strongly opposed. 1.22.09

Bill History: 02-18-09 H Introduced and referred to committee on House County Affairs

HB 638 Leibowitz Relating to the use of direct recording electronic voting machines.

Remarks: SG-Steve Raborn-I am opposed to this bill. Although the Commissioners Court has a stated desire to add a "paper trail" to the county's eSlate electronic voting machines, there are some problems with this bill in its current form:

1. &nb sp; The bill would prevent provisional ballots from being cast on the eSlate. Currently all of our provisional votes are cast on the eSlate and this has worked very well for us. Requiring provisional voters to use a paper ballot would require us to provide paper ballots during the early voting process and would be a very expensive proposition for Tarrant County as an early voter may utilize any early voting site (i.e. would have to have provisional paper ballots for each precinct at each early voting site).

2. Our existing eSlate devices could be used only if they are outfitted with disability access devices. During early voting, only one or two eSlates at each polling place include disability access devices. This would require expensive updates to our existing early voting eSlates to provide disability access on each voting device. 2.20.09

Bill History: 02-18-09 H Introduced and referred to committee on House Elections

HB 666 Gutierrez Relating to certain court costs used to fund drug court programs.

Remarks: SG-Clete McAlister-Support- increases the fee that supports drug courts by only \$10 but it also expands the convictions that it applies to. This would be very helpful to the county in its funding of our multiple drug courts. 1.16.09

SG-District Clerk- HB 666 proposes an increase in the Drug Court Program court cost from \$50 to \$60. Also, it will be assessed on all criminal offenses above Class B misdemeanor. This fee is currently assessed only on certain intoxication and drug offenses. If this bill passes, impact to this office will be to change the amount of this court cost in our JIMS system and notify clerks of change. 1.22.09

Bill History: 03-09-09 H Committee action pending House Criminal Jurisprudence

HB 700 Zerwas Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.

Companions: HB 17 Leibowitz (Identical)
2-12-09 H Introduced and referred to committee on House Ways and Means
HB 711 Rose (Identical)

2-19-09 H Introduced and referred to committee on House Ways and Means
HB 1018 Brown, Betty (Identical)
2-23-09 H Introduced and referred to committee on House Ways and Means

Remarks:

MV-Reduces the 10% appraisal cap on residence homesteads to 5%. 1.30.09

Bill History: 02-18-09 H Introduced and referred to committee on House Ways and Means

HB 711 **Rose** Relating to the limitation on increases in the appraised value of a residence homestead ad valorem taxation.

Companions: **HB 17** Leibowitz (Identical)
2-12-09 H Introduced and referred to committee on House Ways and Means
HB 700 Zerwas (Identical)
2-18-09 H Introduced and referred to committee on House Ways and Means
HB 1018 Brown, Betty (Identical)
2-23-09 H Introduced and referred to committee on House Ways and Means

Remarks:

MV-Reduces the 10% appraisal cap on residence homesteads to 5%. 1.30.09

Bill History: 02-19-09 H Introduced and referred to committee on House Ways and Means

HB 724 **Veasey** Relating to the penalties prescribed for committing prostitution within a certain distance of certain designated places.

Remarks: Creates a minimum term of county jail or State jail time for the offense of prostitution if committed within 1000 feet of a "protected premises", that being a church, school, child-care facility, public park, bar, or SOB. Class B misdemeanors require 90 days; Class A misdemeanors require 180 days; and State jail felonies require 1 Year minimum confinement.

VT - Increases the penalties for a prostitution offense if it was committed within a 1,000 feet of a protected premises (church, school, daycare, etc.) to a Class B misdemeanor with at least 90 days of confinement for a first offense; Class A misdemeanor with at least 180 days of confinement for a second or third offense; and a state jail felony with at least one year of confinement for three or more previous convictions. 1.30.09

Bill History: 02-19-09 H Introduced and referred to committee on House Criminal Jurisprudence

HB 733 **Fletcher** Relating to the definition of a police vehicle for the purposes of certain traffic laws.

Companions: [HB 805](#) Quintanilla (Identical)
 3- 3-09 H Committee action pending House
 Transportation
[SB 389](#) Patrick, Dan (Identical)
 2-17-09 S Introduced and referred to committee on
 Senate Transportation and Homeland Security

Remarks:

VT - Changes the definition of a "police vehicle" to include a private vehicle owned or leased by the peace officer and that is approved for use for law enforcement purposes by the head of the law enforcement agency. 1.30.09

Bill History: 02-19-09 H Introduced and referred to committee on House
 Transportation

[HB 736](#) [Quintanilla](#) Relating to authorizing county regulation of nuisances and disorderly conduct.

Remarks:

Gives permissive authority to counties to abate and remove nuisances, as defined by the commissioners court, and punish by fine, the responsible party. The commissioners court may also prevent and punish "disorderly conduct" including trespass, assault, fighting, use of obscene language, disorderly assembly on public or private land, annoying practices affecting street or sidewalk traffic. Overlapping municipal ordinances prevail over county authority in municipal jurisdictions.

VT - Authorizes the commissioners court to, in the unincorporated area of the county, define a nuisance and authorize its removal; fine the person responsible for the nuisance; and stop a nuisance that may injure or affect the public health or comfort in any manner it sees fit . A commissioners court may prevent and punish a person for disorderly conduct, including trespassing, fighting, and using abusive language. The court may also prevent riots or other disorderly assemblies in a private or public place in the county and restrain or prohibit distracting or annoying conduct directed to people on a street or sidewalk. If an order adopted by a commissioners court conflicts with an ordinance of a municipality, the municipal ordinance prevails within its jurisdiction. 1.30.09

Bill History: 02-19-09 H Introduced and referred to committee on House
 County Affairs

[HB 737](#) [Quintanilla](#) Relating to the duty to notify local governmental entities about the existence of proposed hazardous liquid pipeline projects.

Remarks: VT - Requires an officer or employee of a local government entity to inform the entity of a proposed pipeline that may transport hazardous liquid in or through its boundaries or jurisdiction as soon as possible. The entity shall then give written notice about the pipeline to any other local government entity that may be affected.

Bill History: 02-19-09 H Introduced and referred to committee on House
 Energy Resources

HB 755 [Gonzalez](#) Relating to the creation of the county and district court technology
[Tourelles](#) fund.

Remarks:

VT - Requires a defendant convicted of a criminal offense in a county court, statutory county court, or district court to pay a \$4 technology fee as a court cost. The fees shall be deposited in the county and district court technology fund and used for education and training for judges and clerks and court technology maintenance and purchases.

Adds juvenile delinquency prevention to the purposes the graffiti eradication fee can be used and increases it from \$5 to \$50 (funds administered by the commissioners court).

Bill History: 02-19-09 H Introduced and referred to committee on House
Judiciary and Civil Jurisprudence

HB 765 [Hartnett](#) Relating to supplemental payments made to certain statutory
probate court judges.

Remarks: SG-Patrick Ferchill-Support. 1.28.09 CUC analysis - Requires a county to pay a judge who has served at least 16 years the same longevity pay as a district judge receives for the same amount of service years. Requires a county to pay a statutory probate court judge, who has served as judge of a statutory probate or statutory county court since August 31, 1995, a supplemental amount equal to the benefit replacement pay to which a district judge is entitled. This bill would be an unfunded mandate for counties that interpret the current language as excluding longevity pay and benefit replacement pay from the salary of a district judge. Total impact would depend on the number and age of the judges affected.

VT - Requires the commissioners court to pay a statutory probate court judge, who has served as judge of a statutory probate or statutory county court since August 31, 1995, a supplemental amount equal to the benefit replacement pay a district judge is entitled to. The court shall pay a judge who has served at least 16 years the same longevity pay as a district judge receives for the same amount of service years.

Bill History: 03-16-09 H Meeting set for 2:00 p.m. or final Adj., E2...House
Judiciary and Civil Jurisprudence

HB 773 [Oliveira](#) Relating to extending the expiration date of the Property
Redevelopment and Tax Abatement Act.

Remarks:

VT - Extends the expiration date of the Property Redevelopment and Tax Abatement Act to September 1, 2021.

Bill History: 03-11-09 H Committee action pending House Ways and Means

HB 805 [Quintanilla](#) Relating to the definition of a police vehicle for the purposes of
certain traffic laws.

Companions: [HB 733](#) Fletcher (Identical)

2-19-09 H Introduced and referred to committee on
House Transportation
SB 389 Patrick, Dan (Identical)
2-17-09 S Introduced and referred to committee on
Senate Transportation and Homeland Security

Remarks:

VT - Changes the definition of a "police vehicle" to include a private vehicle owned or leased by the peace officer and that is approved for use for law enforcement purposes by the head of the law enforcement agency.

Bill History: 03-03-09 H Committee action pending House Transportation

HB 866 **Villarreal** Relating to a study regarding ad valorem tax relief through the use of a circuit breaker program.

Companions: **SB 1928** Watson (Identical)
3-12-09 S Filed

Remarks:

VT - Requires the comptroller to conduct a study to examine circuit break programs, which are programs that limit the amount of ad valorem taxes that may be imposed on a residence homestead based on the owner's annual income. The comptroller may contract with appraisal districts, taxing units, or other appropriate organizations for assistance and to obtain information necessary to conduct the study.

Bill History: 02-23-09 H Introduced and referred to committee on House Ways and Means

HB 933 **Dutton** Relating to liability of a governmental unit for personal injury and death caused by the governmental unit's negligence.

Remarks:

VT - Provides that a governmental unit is liable for personal injury and death caused by negligence of the unit.

Bill History: 02-23-09 H Introduced and referred to committee on House Judiciary and Civil Jurisprudence

HB 1018 **Brown, Betty** Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.

Companions: **HB 17** Leibowitz (Identical)
2-12-09 H Introduced and referred to committee on
House Ways and Means
HB 700 Zerwas (Identical)
2-18-09 H Introduced and referred to committee on
House Ways and Means
HB 711 Rose (Identical)
2-19-09 H Introduced and referred to committee on
House Ways and Means

Remarks:

MV-Reduces the 10% appraisal cap on residence homesteads to 5%.

Bill History: 02-23-09 H Introduced and referred to committee on House Ways and Means

HB 1039 Paxton Relating to the creation of county databases containing information on county expenditures.

Remarks: CUC-Requires the commissioners court of a county with a population of 20,000 or more to establish a detailed, searchable database of county expenditures and post it on the Internet. The county may not charge a fee to the public for access to the database.

Dave Plzak - this project in Tarrant County would be well over \$250,000 in time and material to develop and pull the info from SAP then establish a data base that is restricted from the rest of our data and then allow unrestricted read access to it and prevent a malicious user from changing that data. I would expect an annual maintenance of about \$25,000 to \$50,000 loaded rate and a \$250,000 onetime build it cost.

VT - Requires the commissioners court of a county with a population of 20,000 or more to establish a database of county expenditures and post it on the Internet. The county may not charge a fee to the public for access to the database.

Bill History: 02-23-09 H Introduced and referred to committee on House County Affairs

HB 1092 Parker Relating to the authority of voters of a county to allow the owners of certain real property to require that county and any municipal ad valorem taxes be imposed on the basis of a five-year average of the property's value.

Remarks: VT - Authorizes a commissioners court, on receipt of a petition signed by at least 10% of the county's registered voters, to call an election to permit the voters to determine whether to allow an owner of real property (other than land appraised agricultural or timber land) to require that county and any municipal property taxes be assessed on the basis of a five-year average of the property's taxable value.

Bill History: 03-11-09 H Committee action pending House Ways and Means

HB 1119 Bolton Relating to authorizing certain populous counties to adopt county planning regulations.

Bill History: 02-25-09 H Introduced and referred to committee on House Land and Resource Management

HB 1127 Heflin Relating to the authority of the commissioners court of a county to enter into an ad valorem tax abatement agreement.

Remarks: CUC - Expands the authority of commissioners court to execute a tax abatement agreement with the owner of taxable real property

or tangible personal property to include agreements with a lessee.

Bill History: 02-25-09 H Introduced and referred to committee on House Ways and Means

HB 1711

Turner,
Sylvester

Relating to requiring the Texas Department of Criminal Justice to establish a comprehensive reentry and reintegration plan for offenders released or discharged from a correctional facility.

Companions: [SB 1786](#) Whitmire (Identical)
3-11-09 S Filed

Remarks: MCM - Requires the TDCJ to develop a comprehensive reentry and reintegration plan for offenders. Allows TDCJ to contract and coordinate with private vendors, units of local government and other entities in the implementation of the plan. Requires policies to be developed that encourage family unity and participation in the offender's post-release transition to the community.

Bill History: 03-12-09 H Meeting set for 8:00 A.M., e2.010 House Corrections

HB 1716

Gonzalez
Tourelles

Relating to optional fees on the registration of a vehicle imposed by a county.

Companions: [SB 294](#) Hinojosa (Identical)
2-11-09 S Introduced and referred to committee on Senate Transportation and Homeland Security

Bill History: 03-03-09 H Introduced and referred to committee on House Transportation

HB 1843

Davis, John

Relating to the disposition of cash in possession of a deceased pauper.

Companions: [SB 530](#) Patrick, Dan (Identical)
3- 9-09 S Recommended for Local/Uncontested Calendar

Bill History: 03-04-09 H Introduced and referred to committee on House County Affairs

HB 1998

McCall

Relating to temporary housing and emergency shelters provided by a political subdivision for disaster victims.

Companions: [SB 178](#) Gallegos (Identical)
2-10-09 S Introduced and referred to committee on Senate Subcommittee on Flood and Evacuations
[SB 340](#) Gallegos (Identical)
2-11-09 S Introduced and referred to committee on Senate Subcommittee on Flood and Evacuations

Bill History: 03-05-09 H Introduced and referred to committee on House Defense and Veteran's Affairs

HB 2170

Chavez

Relating to the minimum number of county jailers necessary to staff

Bill History: 03-09-09 H Introduced and referred to committee on House County Affairs

Bill History: 03-09-09 H Introduced and referred to committee on House County Affairs

Bill History: 03-09-09 H Introduced and referred to committee on House Business and Industry

Bill History: 03-09-09 H Introduced and referred to committee on House State Affairs

Bill History: 03-10-09 H Introduced and referred to committee on Licensing and Administrative Procedures

Bill History: 03-10-09 H Introduced and referred to committee on House Environmental Regulation

Companions: **HB 78** Flynn (Identical)
 3-16-09 H Meeting set for 2:00 P.M. or final Adj.,
 E2.016, House County Affairs
 HB 117 Heflin (Identical)
 2-12-09 H Introduced and referred to committee on
 House County Affairs

[SB 253](#) Estes (Identical)
2-11-09 S Introduced and referred to committee on
Senate Intergovernmental Relations

Bill History: 03-11-09 H Introduced and referred to committee on House
County Affairs

[HB 2613](#) [Heflin](#) Relating to the allocation of gasoline tax to county roads.

Bill History: 03-12-09 H Introduced and referred to committee on House Ways
and Means

[HB 2780](#) [Keffer](#) Relating to energy aggregation by political subdivisions.

Companions: [SB 1481](#) Davis, Wendy (Identical)
3- 9-09 S Filed

Remarks: MCM - Allows political subdivisions that aggregate purchasing of
electricity to extend participation to citizens of the political
subdivision. The governing body of the political subdivision may
utilize automatic enrollment in aggregation services for citizens, or
if in the unincorporated area, enrollment by request of citizens
residing within 20 miles of the subdivision. Automatic enrollment is
subject to written notice provisions, giving an opt-out. Existing
contracts between retail electric providers and citizens must run
their course before the citizen may join the aggregation program.
Savings shall be directed to citizen participants, less administrative
costs to the political subdivision.

Bill History: 03-09-09 H Filed

[HB 2824](#) [Naishtat](#) Relating to appointment of counsel in appeals of certain eviction
suits.

Remarks: Requires county courts or county courts at law to appoint counsel
on appeals of eviction suits, upon request and upon approval of a
pauper's affidavit, to represent the evictee. Attorney fees are to be
"taxed" by the court and paid by the county.

Bill History: 03-09-09 H Filed

[HB 2848](#) [Farabee](#) Relating to county authority to regulate solid waste collection,
handling, storage and disposal in areas of the county not in a
municipality.

Remarks: MCM - Expands jurisdiction of county to regulate solid waste
collection, handling, storage, and disposal, to areas within the ETJ
of a municipality.

Bill History: 03-09-09 H Filed

[HB 2948](#) [Miller, Doug](#) Relating to the regulation of off-premises signs in the
unincorporated area of a county.

Companions: [SB 1622](#) Wentworth (Identical)

3-10-09 S Filed

Remarks: MCM - Permissive authority for commissioner court to prohibit off-premises signs along roads in unincorporated areas, after a public hearing. Existing signs are grandfathered.

Bill History: 03-10-09 H Filed

HB 3063

Bohac

Relating to a pilot program authorizing counties to use direct recording electronic voting machines that produce paper records.

Remarks: MCM - Establishes a pilot program which allows counties to utilize electronic voting systems that produce a voter-verified permanent paper record. Participating counties in the pilot program must apply to the Secretary of State 6 months in advance of the election using this system.

Bill History: 03-10-09 H Filed

HB 3481

Veasey

Relating to the right to an expunction of records and files relating to a person's arrest.

Companions: [SB 920](#) Harris (Identical)
3- 9-09 S Introduced and referred to committee on
Senate Criminal Justice

Bill History: 03-11-09 H Filed

HJR 84

Coleman

Allowing a state mandate imposed on a county to have effect only if the state provides for payment to the county of the cost of the mandate.

Remarks: MCM - Constitutional amendment to prohibit unfunded mandates on counties, unless: mandate is passed as part of constitutional change, court order, or federal law; approved by voters at a general election; enacted by 2/3 vote of both houses as an exception to this provision; is a mandate with total statewide impact of less than \$1 million.

Bill History: 03-09-09 H Introduced and referred to committee on House County Affairs

SB 159

Ellis

Relating to application of the minimum wage to certain governmental entities.

Companions: [HB 3486](#) Coleman (Identical)
3-11-09 H Filed

Remarks: CUC- gives cities and counties local option authority to adopt a higher wage than the minimum wage, which would apply in the political subdivision.

Bill History: 02-10-09 S Introduced and referred to committee on Senate Intergovernmental Relations

SB 178	Gallegos	Relating to temporary housing and emergency shelters provided by a political subdivision for disaster victims.
	Companions:	<p>HB 1998 McCall (Identical) 3- 5-09 H Introduced and referred to committee on House Defense and Veteran's Affairs</p> <p>SB 340 Gallegos (Identical) 2-11-09 S Introduced and referred to committee on Senate Subcommittee on Flood and Evacuations</p>
	Bill History:	02-10-09 S Introduced and referred to committee on Senate Subcommittee on Flood and Evacuatio
SB 216	Carona	Relating to permissible uses of state highway funds.
	Companions:	HB 3561 Phillips (Identical) 3-11-09 H Filed
	Bill History:	02-11-09 S Introduced and referred to committee on Senate Transportation and Homeland Securit
SB 217	Carona	Relating to the rate of the state gasoline tax and diesel fuel taxes.
	Bill History:	02-11-09 S Introduced and referred to committee on Senate Transportation and Homeland Securit
SB 245	Shapleigh	Relating to the use of direct recording electronic voting systems.
	Remarks:	<p>SG-Steve Raborn-I am opposed to this bill. Although the Commissioners Court has a stated desire to add a "paper trail" to the county's eSlate electronic voting machines, there are some problems with this bill in its current form:</p> <p>1. The bill would prevent provisional ballots from being cast on the eSlate. Currently all of our provisional votes are cast on the eSlate and this has worked very well for us. Requiring provisional voters to use a paper ballot would require us to provide paper ballots during the early voting process and would be a very expensive proposition for Tarrant County as an early voter may utilize any early voting site (i.e. would have to have provisional paper ballots for each precinct at each early voting site).2.20.09</p>
	Bill History:	02-11-09 S Introduced and referred to committee on Senate State Affairs
SB 253	Estes	Relating to the amount of a county expenditure for which competitive bidding is required.
	Companions:	<p>HB 78 Flynn (Identical) 3-16-09 H Meeting set for 2:00 P.M. or final Adj., E2.016, House County Affairs</p> <p>HB 2573 Gonzalez (Identical) Toureilles 3-11-09 H Introduced and referred to committee on House County Affairs</p>
	Bill History:	02-11-09 S Introduced and referred to committee on Senate

Intergovernmental Relations

SB 280	Nelson	Relating to the exception from required public disclosure of certain personal information of public employees and public officials.
		Bill History: 02-11-09 S Introduced and referred to committee on Senate State Affairs

SB 294	Hinojosa	Relating to optional fees on the registration of a vehicle imposed by a county.
		Companions: HB 1716 Gonzalez (Identical) Tourelles 3- 3-09 H Introduced and referred to committee on House Transportation
		Bill History: 02-11-09 S Introduced and referred to committee on Senate Transportation and Homeland Securit

SB 312	Wentworth	Relating to the regulation and certification of medical examiners and the conduct of autopsy and inquest investigations by justices of the peace and medical examiners.
		Remarks: CUC - Changes a bracket to require the commissioners court of any county with a population of more than one million to establish an office of medical examiner (currently only if the county does not have a medical school). Requires that the Chief medical examiner or a deputy medical examiner to be board certified in anatomic and forensic pathology. Requires a medical examiner's office to be accredited by the National Association of Medical Examiners or an equivalent organization designated by the DPS. Allows a medical examiner to prohibit or limit the extent of organ or tissue removal and release for transplant purposes if they determine the release will hinder the determination of cause of death or compromise evidence. Permits the medical examiner to retain an organ for further examination and testing. Stipulates that the extent of an autopsy is solely at the discretion of the medical examiner. A medical examiner may perform an autopsy without seeking approval from a deceased person's next of kin. A medical examiner may charge reasonable fees for services provided by their office. Allows a medical examiner to subpoena medical records, law enforcement records, or other types of records required to perform their duties. Requires an inquest in cases where a person dies within 24 hours of being placed in law enforcement custody; or dies as a result of medical treatment or therapy; or if the person is unidentified. Requires an inquest in cases of fetal death in which the fetus is at least 20-weeks old, and there is reason to suspect the cause involved exposure to a controlled substance; there is history or evidence of maternal trauma; the delivery was not witnessed by medical personnel; or the deceased fetus was discovered at a suspicious or unusual place. Repeals authorization for medical examiner to request the help of a forensic anthropologist in the examination of a body or body part.
		Bill History: 03-04-09 S Committee action pending Senate Jurisprudence

[SB 314](#) [Wentworth](#) Relating to the treatment of longevity pay that is paid to certain judges and justices.

Remarks: CUC analysis - Stipulates that longevity payments to district judges are not included as part of the judge's combined state and county salary for purposes of calculating the salary limitations of other judges. This would cleanly resolve the issue of at least the longevity payments

Bill History: 02-11-09 S Introduced and referred to committee on Senate Jurisprudence

[SB 340](#) [Gallegos](#) Relating to temporary housing and emergency shelters provided by a political subdivision for disaster victims.

Companions: [HB 1998](#) McCall (Identical)
3- 5-09 H Introduced and referred to committee on House Defense and Veteran's Affairs

[SB 178](#) Gallegos (Identical)
2-10-09 S Introduced and referred to committee on Senate Subcommittee on Flood and Evacuations

Remarks: MCM - Amends Govt Code 418 regarding the reimbursement for local emergency shelters used on the recommendation or order of the Governor, including expenses and personnel costs.

Bill History: 02-11-09 S Introduced and referred to committee on Senate Subcommittee on Flood and Evacuatio

[SB 358](#) [Patrick, Dan](#) Relating to the enforcement of state and federal laws governing immigration by certain governmental entities.

Companions: [HB 404](#) Harless (Identical)
2-18-09 H Introduced and referred to committee on House State Affairs

Bill History: 02-17-09 S Introduced and referred to committee on Senate Transportation and Homeland Securit

[SB 383](#) [Carona](#) Relating to the allocation to the Texas rail relocation and improvement fund of a portion of the revenue from the motor vehicle sales and use tax.

Companions: [HB 564](#) McClendon (Identical)
2-18-09 H Introduced and referred to committee on House Ways and Means

Remarks: MM - Requires the Comptroller to allocate annually \$200 Million to the Rail Relocation and Improvement Fund, from the motor vehicle sales and use tax revenues.

Bill History: 02-17-09 S Introduced and referred to committee on Senate Finance

[SB 389](#) [Patrick, Dan](#) Relating to the definition of a police vehicle for the purposes of certain traffic laws.

Companions: [HB 733](#) Fletcher (Identical)
2-19-09 H Introduced and referred to committee on
House Transportation
[HB 805](#) Quintanilla (Identical)
3- 3-09 H Committee action pending House
Transportation

Bill History: 02-17-09 S Introduced and referred to committee on Senate
Transportation and Homeland Securit

[SB 397](#) [Carona](#) Relating to methods of payment for reimbursement of jury service expenses.

Remarks: VT - Authorizes a county treasurer to reimburse a person for jury service by using an electronic funds transfer system; a cash dispensing machine; issuing a debit card or stored value card; or any other method they determine is secure, accurate, cost-effective and convenient. The reimbursement method may be implemented only if it is approved by the commissioners court. Authorizes a court to provide a person who reports for jury service an opportunity to donate all or part of their reimbursement by completing a self-executing application prescribed by the commissioners court.

SG-Paula Morales-No fiscal impact. 1.28.09

Bill History: 03-09-09 S Recommended for Local/Uncontested Calendar

[SB 530](#) [Patrick, Dan](#) Relating to the disposition of cash in possession of a deceased pauper.

Companions: [HB 1843](#) Davis, John (Identical)
3- 4-09 H Introduced and referred to committee on
House County Affairs

Remarks:

Gerald Smith - Although the idea of "CASH" held by a decedent considered for service by the Tarrant County Indigent Burial Program is not a frequent occurrence, it might present budgetary savings in this ever-growing (cost wise, that is) line item. I spoke with our burial program caseworker and she said that in her some 8 years of doing the program she was only aware of two cases where cash assets were discovered on the body itself. What happens with some frequency, however, is that there may be a checking or savings account with either the nursing home or a bank in control of the assets. When no next of kin with a greater claim to the assets is available, we are sometimes able to identify these as assets and request that they be used to provide for the funeral. These assets are most commonly turned over directly to the Funeral Home by the nursing home rather than going through any county accounts, however. BANKS on the other hand, NEVER turn over these assets to us, or the Funeral Home, because they don't recognize either of us as a vested owner of the account.

Some parallel amendments to the Banking Laws may give counties the greatest leverage. On throw back, however, that I would seek advice of others on IF we were to participate is the raw cost and logistics of setting aside any remainder "in trust". I would only note the possibly reality that the expense and logistics of this requirement might outweigh the initial savings.

VT - Allows a county to use cash found in the possession of a deceased pauper to pay for the disposition of the body. Requires the county to place any remaining cash in trust. A person having a claim to the money has one year after the disposition of the body to collect the money. Money placed in trust that is not claimed may be transferred to a fund created to pay costs incurred in disposing the bodies of deceased paupers.

Bill History: 03-09-09 S Recommended for Local/Uncontested Calendar

SB 533

Duncan

Relating to eminent domain, including certain limitations, procedures, and standards relating to the use of eminent domain.

Companions: HB 4

Orr (Identical)
2-12-09 H Introduced and referred to committee on
House Land and Resource Management

Remarks:

MV - Requires a record vote in a public meeting to initiate a condemnation. Each unit of property not owned by the same person requires a separate vote.

Requires entities authorized to use eminent domain to provide a letter to the comptroller by December 31, 2010 identifying the statute that permits it to use eminent domain. Eminent domain authority expires September 1, 2011 for any entities that fail to submit a letter.

Requires an entity seeking to use eminent domain to acquire property to disclose all appraisal reports on the property to the property owner via certified mail. Entitles a property owner to request copies of appraisal reports, offers, and negotiated prices paid for surrounding properties.

Requires an entity to provide the owner at least two written offers proposing a purchase or lease of the property. The last offer must be designated as the final offer.

Entitles a property owner to request that the entity obtain an appraisal report of the property by an independent certified appraiser chosen by the owner.

If a court determines the condemnor did negotiate in good faith to acquire the property through purchase or lease, the court shall order the condemnor to pay court costs, attorney fees, and other professional fees incurred by the owner.

Allows a person or their heirs, successor, or assigns to repurchase the property if the public use for which the property was acquired is cancelled; no progress is made toward the public use within 10 years; or the property becomes unnecessary for use. Deletes language exempting a right of way under the jurisdiction of a county, city, or TxDOT from repurchase provisions.

Bill History: 02-17-09 S Introduced and referred to committee on Senate State Affairs

SB 855 **Carona** Relating to local options regarding transportation and mobility improvement projects in certain counties.

Companions: **HB 9** Truitt (Identical)
3- 2-09 H Introduced and referred to committee on House Transportation

Remarks:

MV-Creates the Texas Local Option Transportation Act for counties in the DFW area. Allows commissioners court to call an election to approve a variable list of funding methods (indexed gas tax; mobility fee; parking fee; emissions fee; license renewal fee; or a new resident fee) for mobility or transportation improvement projects, including passenger rail, transit, roadway, and freight rail projects.

-Requires commissioners court to call the election if it receives resolutions from two cities that are located at least partly in the county and that make up at least 60% of the total county population or upon receipt of a petition with signatures equal to 10% of the voters in the most recent gubernatorial election.

-Projects are chosen by the commissioners court, but they must be agreed to by the Metropolitan Planning Organization for the region.

-Funds raised in a county must be used in the county unless commissioners court makes a finding that a project outside the county would benefit the region. The fees sunset when the bonds or other obligations for the approved projects are paid in full.

Bill History: 03-09-09 S Introduced and referred to committee on Senate Transportation and Homeland Security

SB 920 **Harris** Relating to the right to an expunction of records and files relating to a person's arrest.

Companions: **HB 3481** Veasey (Identical)
3-11-09 H Filed

Remarks: MCM - Allows for the expunction of records and files relating to the arrest of a person if the indictment was dismissed or quashed, without the statute of limitations expiration requirement.

Bill History: 03-09-09 S Introduced and referred to committee on Senate Criminal Justice

SB 928 **Patrick, Dan** Relating to the limitation on the rate of growth of appropriations.

Remarks:

VT - Limits the rate of growth of appropriations in a biennium from state tax revenues to the lesser of the estimated rate of growth of the state's economy as represented by the rate of

growth in personal income and the sum of the estimated average biennial rate of the state's population growth and rate of monetary inflation. 2.25.09

Bill History: 03-09-09 S Introduced and referred to committee on Senate Finance

SB 1112 **Estes** Relating to the provision of money from a county's general fund to disaster victims.

Bill History: 02-24-09 S Filed

SB 1553 **Wentworth** Relating to the creation of district courts in certain counties.

Remarks: MCM - Omnibus District Court bill. Creates the 432nd Judicial District composed of Tarrant County.

Bill History: 03-09-09 S Filed

SB 1580 **Harris** Relating to the imposition and use of certain court costs for breath alcohol testing programs.

Remarks: MCM - Upon conviction for alcohol related offenses, requires defendant to pay court cost of \$45 for breath alcohol testing program expenses.

Bill History: 03-10-09 S Filed

SB 1604 **Shapleigh** Relating to voting system requirements.

Remarks: MCM - Requires all voting systems to provide for durable paper ballots marked by voters, regardless of the method of vote tabulation, effective Jan 1, 2015.

Bill History: 03-10-09 S Filed

SJR 26 **Wentworth** Relating to permitting counties to impose a local motor fuel tax and an additional vehicle registration fee to be used for transportation purposes.

Remarks: VT - Constitutional Amendment - Authorizes the legislature to permit counties to impose a local motor fuels tax and an additional vehicle registration fee to be used for transportation purposes. 2.25.09

Bill History: 02-18-09 S Filed

- End of Report -