



88th Session of Texas Legislature ... *Bill Watch Lists*

Date report generated: Monday, April 24, 2023 [Companion/Duplicate](#) [Support](#) [Oppose](#) [Monitor](#)

Bill & Author	Caption Text	Analysis	Comments	Last Action
HB 170 (Spiller)	Relating to certain requirements applicable to certain public entities that engage in lobbying.	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 Tax Code Sections 26.04 or 26.041 (dealing with 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.	TRAPS opposes this bill based on 23-24 Public Policy Platform	2/23/23 Referred to H State Affairs Committee
SB 175 (Middleton)	Relating to the use of a political subdivision of public funds for lobbying activities.	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),	TRAPS opposes this bill based on 23-24 Public Policy Platform	- Passed through Senate 4/13/23 Referred to H State Affairs
SB 1648 and SJR 74 (Parker)	Relating to the centennial parks conservation fund	would establish the centennial parks conservation fund to, among other things: (1) improve, develop, beautify, equip, and maintain park sites; and (2) provide grants to political subdivisions for local parks. (Companion bill is H.B. 3801 by King	Grants to political subdivisions for local parks removed in the committee substitute. TRAPS testified on the concern in removing this provision but supports this historic park funding opportunity.	- Passed through Senate - House received on 4/21/23
HB 3165 and HJR 138 (Holland)	Relating to the establishment, administration, and use of the land and water conservation fund.	would: (1) create the land and water conservation fund to award grants for farm, ranch, wildlife, or water resources conservation projects and water, wildlife, or park restoration projects; (2) provide for the transfer	TRAPS joined coalition of 50+ land, water, and park conservation	House committee report sent to

		of certain oil and gas production tax revenue to the fund; and (3) adjust the allocations to the economic stabilization fund and the state highway fund. (See H.J.R. 138,	organizations in supporting this legislation.	Calendars on 4/24/23
HB 149 (Murr)	Relating to the sale of park land owned by certain municipalities.	would allow any home rule city to sell park land owned by the city without an election if: (1) the park is of two acres or less; (2) the park is no longer usable and functional as a park; (3) the proceeds of the sale will be used to acquire land for park purposes; (4) a public hearing on the proposed conveyance is held by the city council and it is found that the property is no longer usable and functional as a park; and (5) the park is conveyed pursuant to an ordinance adopted by the city council, unless within 60 days from the date of the public hearing the city council is presented with a petition opposing the conveyance, in which case the city council shall either deny the conveyance or shall approve the conveyance subject to holding an election.	TRAPS will monitor this bill closely as it pertains to the ability of ANY home rule city to sell park land within the specifications applicable to cities over 1,000,000 currently.	- Passed through House 4/19/23 Referred to H Local Government
HB 550 (Vasut)	Relating to the use of municipal hotel occupancy tax revenue for certain infrastructure projects and public parks.	would: (1) authorize a city to use revenue from the city hotel occupancy tax to promote tourism and the convention and hotel industry by: (a) acquiring, constructing, repairing, remodeling, or expanding certain qualified infrastructure that is owned by the city and that is located not more than one mile from a hotel; and (b) making improvements to a public park that is owned by the city and that is located not more than one mile from a hotel; (2) provide that the amount of city hotel occupancy tax revenue a city may use in a fiscal year as provided by (1), above, may not exceed 20 percent of the amount of revenue the city collected from that tax during the preceding fiscal year; and (3) provide that a city that uses city hotel occupancy tax revenue in accordance with (1), above: (a) may reserve not more than 20 percent of the revenue from that tax collected in a fiscal year for use for the same purposes during the succeeding three fiscal years; and (b) may not reduce the percentage of revenue from the tax allocated for the purposes of advertising and promotional programs to attract tourists and convention delegates or registrants to the city or its vicinity to a percentage that is less than the average percentage of the revenue from that tax allocated by the city for the same purposes during the 36-month per		Referred to H Ways & Means on 2/23/23
HB 162 (Murr)	Relating to minimum standards for prescribed burns.	Would require that a certified and insured prescribed burn manager act as the burn boss and must be present on site during the conduct of the prescribed burn if listed by the prescription plan.		- Passed through House - Senate received on 4/6/23
HB 293 (Cortez)	Relating to waivers for state park entrance fees and hunting and fishing license fees for certain resident first responders.			House: - Filed on 11/14/22 - Referred to Culture, Recreation, and Tourism on 2/23/23
HB 715 (Patterson)	Relating to the operation of electric bicycles in a state park.			House: H Committee report sent to Calendars
HB 542 (Raymond)	Relating to a study on state land use to facilitate health and wellness for veterans.			- Passed through House - Referred to S Vet Affairs Committee
HB 59 (Goodwin)	Relating to child water safety requirements for certain organizations;	would: (1) provide that an organization, including a school, preschool, kindergarten, nursery school, day camp, or youth camp that takes a child in its care or under its supervision to a body of water (including a pool) or otherwise allows a child access to a body of water shall: (a) determine whether the child is able to		House:

SB 591 (Zaffirini)	authorizing disciplinary action, including an administrative penalty.	swim or is at risk when swimming; and (b) if the organization does not own or operate the body of water, provide the owner or operator of the body of water a written or electronic disclosure that clearly identifies each child who is unable to swim or is at risk when swimming; and (2) require the organization, during the time each child who is unable to swim or is at risk when swimming has access to a body of water, to: (a) provide the child an approved personal flotation device; and (b) ensure the child is wearing the appropriate personal flotation device and the device is properly fitted for the child.		▪ H Committee Report sent to Local & Consent Calendar Senate: ▪ Filed on 11/14/22 ▪ Referred to Health & Human Services on 2/17/23
HB 1526 (Harris) SB 558 (Hughes)	Relating to parkland dedication for property development by certain municipalities; authorizing a fee.	would provide, among other things, that for a city with a population of more than 800,000: (1) the city must designate every area within the city as either suburban, urban or central business district; (2) the appraisal district must calculate average land values for each district in the city; (3) a city that requires a landowner to dedicate a portion of the landowner's property for parkland use under a development application shall require the landowner to: (a) pay a fee in lieu of land dedication in accordance with a formula based on the average land values calculated in (2), above; (b) dedicate up to ten percent of the land subject to the development application for park use; or (c) require both a fee and a dedication of land in amounts calculated according to a formula, which can result, under certain circumstances, in the city paying money to the landowner; (4) a landowner may make a written request to the city requesting a determination of the dedication amount required by (3), above; and (5) if the city fails to respond to the request from (4), above, within 30 days, the city may not require a parkland dedication or charge a fee-in-lieu of dedication.		▪ Passed through House Senate ▪ Referred to S Natural Resources & Economic Development on 4/19/23
HB 630 (Vasut)	Relating to the provision of lifeguards by certain municipalities and counties on public beaches.	Would exempt Brazoria County from legislation passed in last session.		House ▪ Left pending in committee on 4/20/23
HB 1174 (Howard) Sb 551 (Johnson)	Relating to the authority of municipalities to prohibit the sale of single-use plastic water bottles at municipal golf courses.	would allow cities to prohibit the sale of single-use water bottles at city-owned or operated golf courses, including attached clubhouses and shops.		House ▪ Filed on 1/4/23 ▪ Referred to Urban Affairs on 3/2/23 Senate ▪ Filed on 1/23/23 ▪ Referred to Natural Resources & Economic Development on 2/17/23
HB 1489 (Tepper)	Relating to the issuance of certificates of obligation by local governments.	would, among other things: 1. limit the purposes for which a certificate of obligation may be authorized to only a public work, which would include: (a) streets, roads, highways, bridges, sidewalks, parks, landfills, parking structures, or airports; (b) telecommunications, wireless communications, information technology systems, applications, hardware, or software; (c) cybersecurity; or (d) as part of any utility system, water supply project, water plant, wastewater plant, water and wastewater distribution or conveyance facility, wharf, dock, or flood control and drainage project; 2. provide that the governing body of an issuer of a certificate of obligation may authorize only the necessary certificates to pay a contractual obligation to be incurred for the construction, renovation, repair, or improvement of a public work: (a) to comply with a state or federal law, rule, or regulation if the political subdivision has been officially notified of		House ▪ Filed on 1/19/23 ▪ Referred to Pensions, Investments, & Financial Services on 3/3/23

		noncompliance with the law, rule, or regulation; (b) if the governing body believes the construction, renovation, repair, or improvement of a public work is necessary to mitigate the impact of a public health emergency that poses an imminent danger to a resident's physical health or safety or a natural disaster, and: (i) the governor declares or renews a disaster declaration in that fiscal year, and the governor's designation of the area threatened includes all or part of the geographic territory of the local government; or (ii) the presiding officer of the governing body of a political subdivision declares or renews a declaration of a local state of disaster in that fiscal year, and the presiding officer's designation of the area threatened includes all or part of the geographic territory of the local government; or (c) if a court renders a decision that requires the local government to construct, renovate, repair, or improve a public work; 3. provide that, if necessary, because of change orders, the governing body of an issuer may authorize certificates of obligation in an amount not to exceed 15 percent of a contractual obligation incurred for the construction of public works, but certificates may be delivered only in the amount necessary to discharge contractual obligations; 4. require the governing body of an issuer of a certificate of obligation to enter into a contract or written agreement for the construction, renovation, repair, or improvement of a public work not later than 90 days after the governing body authorizes the certificates; 5. provide that the governing body of an issuer must comply with the requirement to advertise for competitive bids for contractual obligations to be incurred for a purpose for which certificates are to be issued under Number 2, above; 6. provide that a certificate may not mature over a period greater than 30 years from the date of the certificate; 7. prohibit the governing body of an issuer from authorizing a certificate to pay a contractual obligation to be incurred if a bond proposition to authorize the issuance of bonds for the same purpose was submitted to the voters during the preceding five years and failed to be approved; and 8. prohibit a city council from authorizing the issuance of certificates of obligation if the city secretary receives a petition signed by at least two percent of the qualified voters of the issuer protesting the issuance of certificates unless the issuance is approved at an election.		
HB 1512 (Spiller)	Relating to the removal, relocation, alteration, or construction of certain monuments, memorials, or designations located on public property; authorizing a civil penalty.	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.		House ▪ Filed on 1/23/23 ▪ Referred to Culture, Recreation, & Tourism on 3/3/23
HB 2255 (Turner)	Relating to the regulation and operation of an interactive water feature or fountain.	would, among other things: (1) provide that a county with an interactive water feature or fountain wholly or partly located in the county's unincorporated area or a municipality with an interactive water feature or fountain wholly located in the municipality shall: (a) require the person operating the interactive water feature or fountain to manually test and record the feature's or fountain's chemical levels every three to four hours during operating hours; (b) inspect the interactive water feature or fountain at least twice annually; and (c) prepare a report containing the manual chemical level test results recorded under (1)(b), above, and make the report available to the public; and (2) provide that an interactive water feature or fountain constructed after December 31, 2023, must include a chemical controller system and automatic shut-off valves for low chemical levels.		House ▪ Filed on 2/13/23 ▪ Referred to Public Health on 3/9/23