

## Legislative Miscellany

Todd Stewart

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## HB 2590 – Water districts

- Defines districts created by special legislation as political subdivisions for certain purposes
- Revises ballot language for certain M&O tax elections
- Residency requirements for directors appointed by TCEQ upon creation of district
- Changes procedure for converting a conservation and reclamation district to a municipal utility district
- Allows a MUD to contract with a retail public utility for water or sewer service
- Decreases minimum acreage for MUD defined areas and designated properties.
- Effective 9/1/19

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## HB 2826 – Contingency fee legal contracts

- Sec. 2254.101 Gov't Code, effective 9/1/19
- Does not apply to delinquent tax collection or property value study appeals
- Otherwise addresses requirements for political subdivisions seeking contingent contracts for legal services
  - Negotiations for selection
    - Cannot use competitive bids
    - May require indemnification
  - Procedures for approval
    - By governing body
    - By attorney general

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## HB 3001 – Special District Database

- Changes procedures related to comptroller’s database of special district tax information.
- Clarifies comptroller’s rulemaking power; allows comptroller to link to local website that displays information.
- Allows some water districts to maintain information in office and on local website instead of submitting to comptroller
- Effective 9/1/19

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## HB 4170 – Nonsubstantive revisions

(the mother of all miscellany)

- Amends Sec. 5.102 to change references to Board of Tax Professional Examiners to TDLR
- Renumbers Sec. 23.524 (Oil and Gas Operations on Land added by HB 3198, 85<sup>th</sup> legislature) as 23.525.
- Amends Sec. 25.025(a) to renumber second paragraph (6) (victims of assault, abuse, stalking, trafficking) as (7) and renumber the remaining paragraphs.
- Effective 9/1/2019

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## SB 1804 -vetoed

- Would have made conforming amendments to Sec. 26.012.
- From the governor’s veto proclamation:  
 Senate Bill 1804 was a laudable effort to address domestic violence, until someone slipped in an ill-considered giveaway to a radioactive waste disposal facility. Unfortunately, the bill author’s good idea about domestic violence has been dragged down by a bad idea about radioactive waste.

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Oh, in addition to protecting domestic violence victims, how about we limit those pesky radioactive disposal surcharges

Text of subsection effective **until September 01, 2019:**

*(g) The commission shall .... The surcharge is **10 percent** ....*

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Text of subsection effective **on September 01, 2019:**

*(g) The commission shall .... The surcharge is **20 percent** ....*

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### HB 793 – Israel boycotts

- Amends the current government code provision requiring company that contracts with a governmental entity to verify in writing that it does not boycott Israel.
- Limits requirement to companies with 10 or more employees and contract of \$100,000 or more. Also excludes a sole proprietor.
- Effective 5/7/19. (note: there are two Chapter 2270s. This bill affects the one enacted in 2017 by HB 89.)

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### HJR 38 – Income Tax

- New Art. VIII, Sec. 24-a would prohibit legislature from taxing the income of natural persons, but not corporations.
- Repeals current prohibition (Sec. 24) allowing such a tax after referendum.

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## Nominees for best bill caption

- Courtesy of Ken Herman, Austin Statesman:
- [HB 234](#), “relating to the local regulation of the sale of lemonade and other beverages by children
- [HB 410](#), “relating to personal use exemption for domestic rabbit meat,”

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- [HB 428](#), “Relating to the solicitation of pen pals by certain inmates of the Texas Department of Criminal Justice.” (“Pen pals” in this case doesn’t mean pals also in the pen.)
- [HB 972](#), “Relating to repealing the authority of a county to regulate hunting with bows and arrows in certain subdivisions.”
- [HB 1268](#), “Relating to dangerous wild animals.” (Defined in the bill as clouded leopard, hyena, macaque, gorilla and others. Really.)
- [HB 1284](#), “Relating to egg grading.”

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- [HB 2596](#), “Relating to the regulation of raising or keeping six or fewer chickens by a political subdivision.”
- [HB 3646](#), : “Relating to operating a motor vehicle while a person is occupying the trunk of the motor vehicle.”

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That's all folks!

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