



# EVERMAN CITY COUNCIL REGULAR MEETING

Tuesday, June 24, 2025 at 6:00 PM

213 North Race Street Everman, TX 76140

## AGENDA

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### 1. MEETING CALLED TO ORDER

### 2. INVOCATION

### 3. PLEDGE OF ALLEGIANCE

### 4. CONSENT AGENDA

#### A. Minutes

May 13, 2025 Everman City Council Regular Meeting

May 27, 2025 Everman City Council Regular Meeting

#### **B.** Financials

April 2025

May 2025

### 5. PRESENTATIONS

#### A. Proclamation - Independence Day

### 6. CITIZEN'S COMMENTS

### 7. DISCUSSION ITEMS

#### **A.** Presentation of the FY2024 Annual Audit Report - Patillo, Brown & Hill, LLP

#### B. Staff Reports & Updates -

(a) Police Department

(b) Code Compliance & Animal Services

(c) Fire Department

(d) Public Works

(e) Celebrate America Festival

(f) Town Hall Meet & Greet - *"Let's Talk Budget"*

(g) Fiscal Year 2026 Budget Calendar

(h) Tarrant County Emergency Services District #1 Strategic Study Summary Report



**C.** Discussion of potential changes to certain city policies following legislative changes made during the 89th Legislative Session.

**D.** Everman Community Development Corporation - Strategic Planning Survey

## **8. CONSIDERATION AND POSSIBLE ACTION**

**A.** Discussion and Consideration of Appointments to the Tax Increment Financing Reinvestment Zone #1

**B.** ORDINANCE NO. 834 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EVERMAN, TEXAS, CHAPTER 11 "LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS" BY REPEALING AND REPLACING IN ITS ENTIRETY ARTICLE V "PEDDLERS OR SOLICITORS"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE .

**C.** RESOLUTION NO. 2025-06-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, ACCEPTING THE FISCAL YEAR 2024 ANNUAL AUDIT REPORT AS PRESENTED AND ATTACHED HERETO AS EXHIBIT A; PROVIDING AN EFFECTIVE DATE.

## **9. EXECUTIVE SESSION**

## **10. CITY MANAGERS REPORT**

## **11. MAYOR'S REPORT**

## **12. ADJOURN**

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 5:00 p.m. on Friday June 20, 2025.

/s/ Mindi Parks  
City Secretary

*Citizens may watch city council meetings live on YouTube. A link to the City of Everman YouTube channel is provided on the city website at: [www.evermantx.us/government/citycouncil/](http://www.evermantx.us/government/citycouncil/)*

*Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members, including the presiding officer, will be physically present at the location noted above on this Agenda.*

*Pursuant to Section 551.071, Chapter 551 of the Texas Government Code, Council reserves the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting, to receive*

*advice from its attorney on any posted agenda item, as permitted by Law. Additionally, Council may convene into Executive Session to discuss the following:*

- A. Section 551.071 - Pending or Contemplated Litigation or to Seek Advice of the City Attorney.
- B. Section 551.072 - Purchase, Sale, Exchange, Lease, or Value of Real Property.
- C. Section 551.073 - Deliberation Regarding Prospective Gift.
- D. Section 551.074 - Personnel Matters.
- E. Section 551.087- Deliberation Regarding Economic Development Negotiations.
- F. Section 551.089 - Deliberations Regarding Security Devices or Security Audits.

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*City Hall is wheelchair accessible. Parking spaces for disabled citizens are available. Requests for sign interpretative services must be made 48 hours prior to the meeting. To make arrangements, call 817.293.0525 or TDD 1.800.RELAY TX, 1.800.735.2989.*



# EVERMAN CITY COUNCIL REGULAR MEETING

Tuesday, May 27, 2025 at 6:00 PM

213 North Race Street Everman, TX 76140

## MINUTES

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### 1. MEETING CALLED TO ORDER

Mayor Richardson called meeting to order at 6:05pm.

### 2. INVOCATION

### 3. PLEDGE OF ALLEGIANCE

### 4. CONSENT AGENDA

#### A. Minutes

April 8, 2025 Regular Council Meeting

April 22, 2025 Regular Council Meeting

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 5 Sellers.

Voting Yea: Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, Mayor Richardson

Motion Carried.

#### B. Financials

April 2025

This item has been tabled.

### 5. PRESENTATIONS

#### A. Swearing In Ceremony - Code Enforcement Officer Ryan Torrez

The City Secretary, Mindi Parks swore in Ryan Torrez for City of Everman Code Enforcement Officer.

### 6. CITIZEN'S COMMENTS

Johnnie Allen wanted to talk about the trash, and she stated that on two separate occasion's that the trash and recycling was picked up at the same time. She stated that she understands one time happening but this was twice within the same week. Also, the second thing is that they did not pick-up all of her neighbors trash. They did pick it up the following week, but she stated that this is unacceptable, and there is no reason it should not have been picked up. Johnnie Allen also wanted to talk about Memorial Day. She stated that we should show the Military that we appreciate them for their bravery and also the men and women that have died and sacrificed their lives for this

Country. Also, she stated that going forward we need to like a walk, even if it is only walking to Forest Hill. We need to schedule something. She also brought up reimbursement for council. She stated that the procedures needed to be reviewed because they are not being followed, no responses to emails and just a break down in communication.

## 7. DISCUSSION ITEMS

### A. Monthly Staff Reports

Police Department

Fire Department

Animal Control/Code Compliance

Public Works

Police Monthly update presented by Al Brooks included the activity Summary for April 23- May 27, 2025. Officers were dispatched to 1820 calls for service that included 17 crashes, 11 alarms, 10 assault, 10 assist other agency, 3 Burglary in-progress, 60 disturbance calls, one deceased person, and a number of other calls as well that is on the report the council gets. The traffic enforcement activities resulted in 80 citations and 53 warnings. Last, Al Brooks welcomed Ryan Torrez under the Police Department umbrella as he assumes his new position of Code Enforcement Officer. Ryan is very eager to assume his new position. He did state that Scott Dabbs will be reassigned as a School Resource Officer as school resumes later this year.

Fire Department monthly update for calls of service April 23 to present presented by Landon Whatley included Emergency Incident calls for service 127. Average response times for calls including county jurisdiction: 7:56- this is high due to a number of calls, both fire and EMS, being mutual aid to areas outside our immediate response area. Incident by Response Type was reported into Fire Type Incident, Medical Emergency, Motor Vehicle Accidents, Hazardous Conditions and Other. Staffing consist of losing one (1) Firefighter/Paramedic and completing the hiring process with one (1) Firefighter/Paramedic, start date is June 7th. Landon also updated council on the Celebrate America Festival. At this time forty-two (42) vendors have been approved as of today. There will be a special treat from Chief Whatley and he is planning to dazzle the audience with an instrumental rendition on guitar for the National Anthem before introducing the band. Also he wanted to remind council that the event is from Noon (12pm) till 10pm, with fireworks beginning at 10:01.

Animal Control stats for April 2025 are as follows, Calls for service were 126, bites investigated were 3, dog intake was 66, cat intake was 17, live release rate was 93%, adoptions, transfers and return to owners were 81, for a total of 1459 calls. They had a few off site events that Mindy participated in and had 15 adoptions result in those events.

Code- no update with the change in employees.

Public Works monthly update presented by Gilbert Ramirez included two (2) sewer line repairs, 80 plus work orders, they had the Public Works Roadeo, two (2) curb stops, three (3) main breaks, a new fence at Columbine Well Site, and the activities with the Mayor's Youth Advisory Committee. Gilbert included pictures of the Public Works Department and Water Department with some of the work they performed and pictures from the Mayor's Youth Advisory Committee.

### B. Staff Report - MYAC "Day at the City"

City Manager Craig Spencer had a slide show to show some pictures of the Youth Council at the city for the Day at the City. They did a number of things and visited each department. They had a Crime scene that they worked. They visited the water department and were shown and taught on how to repair a water leak on a water pipe. They had a blast doing that and even had their own contest going on with how long they could fix it. They also visited the Street Department and had a spot in the city hall parking lot that they got to patch and learn how to fill potholes for the city and see how it is done. The loved visiting with Ray with Animal Services and he brought a snake friend with him and they enjoyed that. They visited the City Hall and most of all departments there and learned what each person does at the city hall. They visited the dispatch department and seen what it is to dispatch and see how that works as well. The last place they visited was the Fire Department. They got to put on all the bunker gear and bust through a door and spray the water from the fire truck like they were working a fire. The kids had a blast and learned so much about how the city works. Craig stated that we are so excited for next year and doing this again with the next Youth Council. The council loves this and this is contagious and hopes this goes over well and filters back to the High School.

## 8. CONSIDERATION AND POSSIBLE ACTION

- A. RESOLUTION NO. 2025-05-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, STRONGLY OPPOSING THE PROPOSED REDISTRICTING OF TARRANT COUNTY COMMISSIONER PRECINCTS, CITING LEGAL, OPERATIONAL, AND REPRESENTATIONAL CONCERNS, AND DEMANDING TRANSPARENCY, IMPACT ANALYSIS, AND EQUITABLE REPRESENTATION FOR MUNICIPALITIES.

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 5 Sellers.

Voting Yea: Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, Mayor Richardson

Motion Carried.

- B. Presentation from the Mayor's Youth Advisory Council – Proposed Recreation Center Concept for Capital Improvement Plan Consideration

Motion made by Place 4; Mayor Pro-Tem Mackey, Seconded by Place 5 Sellers.

Voting Yea: Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, Mayor Richardson

Motion Carried.

## 9. EXECUTIVE SESSION

- A. Texas Government Code section 551.074 - Personnel Matters - to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Manager

Mayor convened into Executive Session at 7:23pm.

Mayor reconvened the meeting and closed executive session at 7:29pm.

Motion made by Place 4; Mayor Pro-Tem Mackey to authorize the Mayor to execute a 1st Amendment to the City Manager's Employment Agreement to provide a motor vehicle for the City Manager's professional/official and personal use, Seconded by Place 5 Sellers.

Voting Yea: Place 2 Renfro, Place 3 Allen, Place 4; Mayor Pro-Tem Mackey, Place 5 Sellers, Place 6 Davila, Mayor Richardson

Motion Carried.

## 10. CONSIDERATION AND ACTION RESULTING FROM EXECUTIVE SESSION

## 11. CITY MANAGERS REPORT

Craig stated to council to keep an eye out on their email since the new website is very close to being launched and going live. Other than that, we are working on the preparation of Budget since it is just around the corner.

## 12. MAYOR'S REPORT

Mayor participated in the Graduation for Everman on Saturday. There were a lot of kids that graduated, and it was a very nice graduation, and he was honored to be a part of it. This week Mayor will be at the Emergency Management Conference held at the Fort Worth Convention Center and he will be in that Conference until Friday.

## 13. ADJOURN

Mayor adjourned the meeting at 7:32pm.

I hereby certify that this agenda was posted on the City of Everman bulletin board at or before 5:00 p.m. on Thursday May 22, 2025.

/s/ Mindi Parks  
City Secretary

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# Proclamation

## IN RECOGNITION OF INDEPENDENCE DAY JULY 4, 2025

**WHEREAS**, on July 4, 1776, the Continental Congress adopted the Declaration of Independence, marking the birth of the United States of America and the beginning of a bold experiment in democracy and self-governance; and

**WHEREAS**, for 249 years, Americans have honored this day as a time to reflect on our shared history, to celebrate our freedoms, and to pay tribute to the vision, courage, and sacrifice of our nation's Founders and all those who have defended our liberty since; and

**WHEREAS**, the City of Everman recognizes the Fourth of July as an opportunity for our community to come together in a spirit of unity, pride, and gratitude — celebrating not only our nation's independence, but the enduring values of freedom, justice, and equality for all; and

**WHEREAS**, Everman proudly honors the service of our military members, veterans, first responders, and public servants who protect and preserve these freedoms every day; and

**WHEREAS**, it is fitting and proper that all citizens of Everman, Texas, join in the celebration of this great American holiday with parades, ceremonies, gatherings, and fireworks, in a safe and respectful manner;

**NOW THEREFORE, BE IT PROCLAIMED, BY THE CITY COUNCIL, OF THE CITY OF EVERMAN**, that we proclaim July 4<sup>th</sup>, 2025 as **INDEPENDENCE DAY** in the City of Everman. We urge all citizens to participate in patriotic activities, reflect on the blessings of freedom, and recommit ourselves to the democratic ideals that define us as Americans.

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Ray Richardson, Mayor

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Date of Enactment



**MAY 2025**

**TARRANT COUNTY ESD 1, TX**

# **SUMMARY REPORT**



# Tarrant County ESD 1



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May 2025

## Executive Summary

Tarrant County Emergency Services District 1 (District) has experienced significant population growth and a corresponding increase in calls for service. However, with funding limited to property taxes and a public policy focusing on low tax rates, the District has been challenged to maintain service levels.

Further, as more citizens move into the service area, often into sizable single-family homes, public infrastructure for community water and fire hydrants has not kept pace with neighboring urban and suburban communities. The District inherited public policy land-use choices that permitted large structures without adequate community water infrastructure and Fire Code decisions that did not require residential fire sprinklers. Insurance companies have recognized this situation, noting they cannot insure some homes and charge high policy rates commensurate with their calculated loss risk on the ones they can insure.

The District Board of Commissioners, its contracted staff, and fire and EMS agencies holding service contracts should be commended for their dedication to the community and its citizens. They have worked diligently to meet growing needs with limited resources. Fire and EMS staff should especially be acknowledged for demonstrating impactful mutual aid and cooperation.

The Board understands the challenges of a growing population, calls for service, and external threats to the District. In 2023, they authorized Tarrant County Emergency Services District No. 1 Proposition A, a sales and use tax, to be placed on the ballot for voter approval. The proposition authorized the District to collect up to two percent (2%) in all areas not yet at the state maximum of 8.25%. The voter-approved measure passed, and the District has begun to collect this new revenue.

The District retained *FITCH* to evaluate and recommend strategic options for this new revenue and to examine the current fire and EMS performance in the District.

Evaluations and recommendations in this study include a strategic planning and recommendation framework to provide the District with a path forward, particularly regarding the best use of new revenue and whether it should hire its own fire and EMS staff or continue to contract for services.

Finally, a comprehensive assessment of District fire and EMS service delivery using an objective, data-driven process was completed.

### Key Priorities

1. Adopt a reserve fund policy for 25% of revenue.
2. Address challenges with ISO and insurance coverage for citizens.
  1. Build three new stations in the following priority order: Eagle Mountain, Whiskey Flats, Lakeside.
  2. Staff a 3-person engine at Eagle Mountain and Whiskey Flats 24/7.
  3. Staff select tankers with a FF/EMT 24/7.
3. Fund 100% of the EMS program with a total of nine ambulances.
  1. Assume billing responsibility with an estimated cost recovery of \$1m plus ASPP.
4. Improve Turnout Time and Total Response Time
5. Utilize performance-based contracts for greater operational and fiscal accountability and transparency.

# Tarrant County ESD 1



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## Background and Legal Authority

**T**arrant County Emergency Services District 1 (District) was established on August 20, 1996, after an election to convert the Tarrant County Rural Fire District into an emergency services District. The District provides fire, rescue, emergency medical, and ambulance transportation services (EMS) in Tarrant County's unincorporated areas. The District serves a growing population of approximately 55,000 citizens and 25,000 structures across 183 square miles of unincorporated Tarrant County.



The District must ensure reliable emergency response in rural or underserved areas that might otherwise lack resources. Although it does not employ its own fire and EMS staff, it has agreements with 26 municipal and volunteer fire departments to fulfill its emergency response responsibilities. The District contracts with Tarrant County Government to provide administrative services and an office facility. It also utilizes professional services agreements for administrative support, budgeting, and fiscal needs.

The Texas Health and Safety Code, Chapter 775, was created by the State of Texas Legislature in 1989 and has been amended many times. Chapter 775 governs emergency services districts (ESDs). An ESD is a voter-approved special taxing District that provides fire protection, emergency medical services (EMS), or both to residents in areas where local governments (such as cities or counties) may not provide adequate emergency services. ESDs are specialized local government political subdivisions like school districts or municipal utility districts.

The Tarrant County Commissioners Court, by consensus, appoints the District's Board of Commissioners (Board). The County Judge has appointment authority to countywide boards and commissions and, under Texas law, Emergency Management Authority over the entire county.

The District has a five-member board that oversees the District's operations and business. By law, the Board must meet monthly in an open public meeting to conduct the business of the District. The Board is responsible for:

1. **General Governance and Oversight:** Ensure effective emergency services, adopt policies, comply with the law, and conduct meetings in accordance with the Texas Open Meetings Act.
2. **Financial Management and Budgeting:** The Board develops and approves the annual budget, sets the tax rate, and provides financial oversight, including annual audits. The Board must file annual audits with the County by June 1 of each year.
3. **Contracts and Service Agreements:** Establish and monitor fire and EMS services contracts and negotiate agreements with cities, counties, or other ESDs to coordinate service areas and funding.
4. **Personnel and Administration:** Appoint and supervise key personnel, including the Fire Chief or District Executive, set compensation and benefits, establish training requirements, and ensure emergency staff receive proper training and certification.
5. **Public Transparency and Compliance:** Hold public hearings to ensure transparency on budget adoption, set the tax rate, annual audits, contract compliance, submit legally required reports, and implement significant operational changes.
6. **Emergency Planning and Response Coordination:** Develop emergency response plans for natural disasters, mass casualty events, or other crises, and coordinate with regional and state agencies.



# Tarrant County ESD 1



## Stakeholder Input

Stakeholders were provided the opportunity to meet with the *FITCH* team between August 27, 2024 and November 7, 2024. In total, 15 interviews were conducted with fire chiefs, deputy and assistant fire chiefs, and the interim ESD1 Executive Director. *FITCH* contacted all fire, EMS, and mutual-aid providers after obtaining the agency contact list from ESD1 staff. Each interview lasted 45-60 minutes. Interviews were conducted with the following agencies:

Azle Fire Department	Benbrook Fire Department	Blue Mound Fire Department	Briar-Reno Volunteer Fire Department
Cresson Volunteer Fire Department	Crowley Fire Department	Eagle Mountain Volunteer Fire Department	Everman Fire Department
Haslet Fire Department	Lake Worth Fire Department	Newark Volunteer Fire Department	Rendon Volunteer Fire Department
Saginaw Fire Department	White Settlement Fire Department	Tarrant County ESD1	

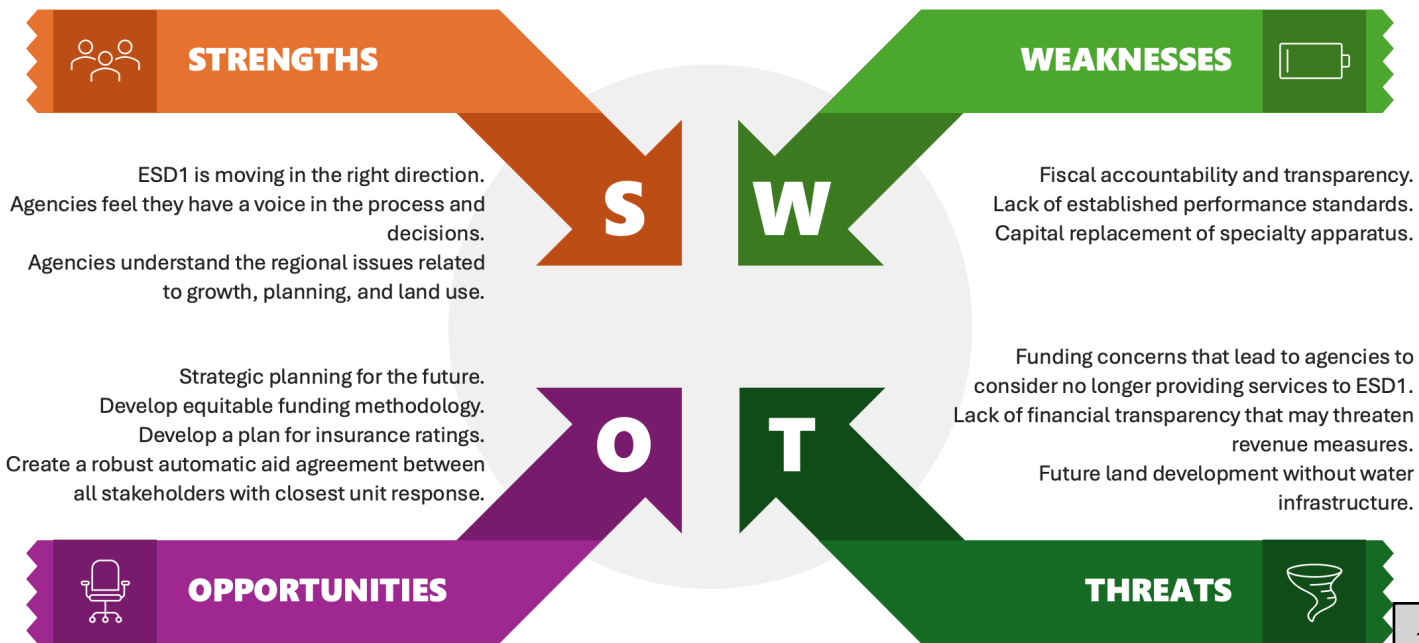
### Observations

In total 14 agencies and ESD1 provided stakeholder input for this process.

The SWOT analysis below is an anonymous summary of key themes.

Fitch used various techniques to gather feedback, including one-on-one, small group, virtual interviews, document review, and financial analysis. The interviews aimed to gather information and

perspectives from fire agency staff and others who supported the fire and EMS agencies. Questions were used to solicit background, subjective and objective observations, ideas for efficiencies, and methodologies for distributing current and new revenue to improve fire and EMS services across ESD1.



# Tarrant County ESD 1



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## Reserve Fund Analyses

If ESD1 follows the reserve funding recommendations, particularly for the facilities reserve, the reserve fund will increase to over \$25 million in FY2025/26. The reserve fund will be spent down to approximately \$11 million by FY 2028/29, which covers the start-up capital costs of three fire stations and new fire and ambulance apparatus. After the one-time reserve balance adjustments for the fire stations and fleet combined with the multi-year start-up expenditures, the recommended annual facility replacement contribution is \$414,254, and the fire and ambulance fleet replacement is \$782,158 for a yearly total of \$1,196,412.

In FY 2025/26, the budget projects that the Fire Equipment Capital Fund will purchase one Type 1 Engine, one 3000-gallon Water Tanker, one Type 4 Brush Engine, and one utility pickup. The Ambulance Capital Fund will purchase three ambulances. The Facilities Capital Fund is expected to begin paying for land acquisition, architectural design, and engineering for fire station construction. \$1,529,087, or ten percent (10%) of the total facilities fund of \$15.9 million, is estimated to be spent.

### Observations

The reserve fund is well managed and the District has a long-standing policy of not incurring debt.

The reserve fund is to fund at 25% of revenue.



In FY 2026/27, the projected fire equipment and ambulance capital costs are the same as those for FY 2025/26. As the first fire station is completed, the Facilities Capital Fund is expected to begin paying one-third (1/3) of its estimated total construction costs, or approximately \$4,587,260.

FY 2027/28 is similar to FY 2026/27, as the new fleet has been completed, and the payment for the second fire station has been made.

In FY 2028/29, the annual fleet and facility replacement funds return to the yearly amount of \$1,196,412, once the last fire station construction expenditure is made and the start-up fleet and facility capital programs are completed.

# Tarrant County ESD 1



## Reserve Fund Projections

### RECOMMENDED RESERVE FUND FOR 2025/26

General Fund Operating	\$ 2,048,761	10% of Current Revenue
Texpool General Fund Reserve	3,073,141	15% of Current Revenue
Texpool Fire Equipment Capital Fund	3,313,943	Cost of 1 of each apparatus type + 6 yrs replacement
Texpool Ambulance Capital Fund	1,330,808	Cost of 3 Amb + 10 years of replacement
Texpool Facilities Capital Fund	15,290,868	Land & Construction Costs for 3 Stations
<b>TOTAL</b>	<b>\$ 25,057,522</b>	

### RECOMMENDED RESERVE FUND FOR 2026/27

General Fund Operating	\$ 2,043,915	10% of Current Revenue
Texpool General Fund Reserve	3,065,872	15% of Current Revenue
Texpool Fire Equipment Capital Fund	3,295,802	Cost of 1 of each apparatus type + 6 yrs replacement
Texpool Ambulance Capital Fund	1,505,051	Cost of 3 Amb + 10 years of replacement
Texpool Facilities Capital Fund	9,588,775	Land purchase, architecture, design, engineering
<b>TOTAL</b>	<b>\$ 19,499,414</b>	

### RECOMMENDED RESERVE FUND FOR 2027/28

General Fund Operating	\$ 2,049,372	10% of Current Revenue
Texpool General Fund Reserve	3,074,057	15% of Current Revenue
Texpool Fire Equipment Capital Fund	3,377,660	Cost of 1 of each apparatus type + 6 yrs replacement
Texpool Ambulance Capital Fund	1,679,293	Cost of 3 Amb + 10 years of replacement
Texpool Facilities Capital Fund	5,415,769	Construction on 2 of 3 stations
<b>TOTAL</b>	<b>\$ 15,596,151</b>	

### RECOMMENDED RESERVE FUND FOR 2028/29

General Fund Operating	\$ 2,040,138	10% of Current Revenue
Texpool General Fund Reserve	3,060,207	15% of Current Revenue
Texpool Fire Equipment Capital Fund	3,100,575	Cost of 1 of each apparatus type + 6 yrs replacement
Texpool Ambulance Capital Fund	1,603,536	Cost of 3 Amb + 10 years of replacement
Texpool Facilities Capital Fund	1,242,763	Construction Complete
<b>TOTAL</b>	<b>\$ 11,047,218</b>	



# Tarrant County ESD 1

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May 2025

## Budget Projections 2025-2029

**A**nalysis of the budget projections through Fiscal Year 2028/29 shows stable revenue of approximately \$20.5 million annually. Property tax revenue is estimated to increase by two percent (2%) annually. A conservative approach to estimating future Sales & Use Tax revenue assumes no increase (0%) from Fiscal year 2025/26 to 2028/29. The Sales & Use Tax remains at the current annual projection of \$10.75 million annually. The Texpool interest revenue will increase for two years as the District's reserve funds increase, then decrease as the fire station facilities are completed and the newly added fleet is delivered. A conservative four percent (4%) interest rate projects interest revenue. The rates have been significantly higher, but there will likely be continued financial market uncertainty in the foreseeable future.

### Observations

Sufficient annual revenue is available for several staffing alternatives as well as hiring some District employees for executive and administrative positions.

Expenditures for each line item are assumed to increase at five percent (5%) or higher. For this analysis, it is assumed that there has been no strategic change to fire and ambulance services and the aid to department staffing funds. Tarrant County personnel costs decrease as the ESD1 executive director and administrative staff begin. Insurance costs increase as the new fleet and facilities are acquired.

After the reserve fund reallocations and significant capital expenditures, the total annual budget is projected to end under budget in a range between \$4.6 million in FY 2025/26 to \$8.3 million in FY 2028/29 through reserve reallocation and significant capital expenditures. The commissioners should consider this revenue range when determining staffing options and costs.



Sufficient annual revenue is available for several staffing options where ESD1 could employ some operational and administrative staff. If the Aid to Departments-Staffing Fund is strategically reallocated, up to an additional \$3.25 million will be available for ESD1 staffing options.





# Tarrant County ESD 1

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May 2025

## Budget Projections 2025-2029

	Estimated 2025/26	Estimated 2026/27	Estimated 2027/28	Estimated 2028/29
<b>REVENUE</b>				
Property Tax	\$ 7,576,917	\$ 7,728,455	\$ 7,883,024	\$ 8,040,685
Sales & Use Tax	10,750,000	10,750,000	10,750,000	10,750,000
Interest Income	800,000	600,000	500,000	250,000
Operating Fund Balance	1,360,692	1,360,692	1,360,692	1,360,692
<b>Total Current Revenue</b>	<b>\$ 20,487,609</b>	<b>\$ 20,439,147</b>	<b>\$ 20,493,716</b>	<b>\$ 20,401,377</b>
ARPA - Reimbursements				
ARPA - Indirect Cost				
Sale of Fire Equipment	40,000	40,000	40,000	40,000
Use of Fire Equipment				
Use of Fire Equipment Reserve	1,970,000	1,970,000	1,920,000	885,000
Use of Ambulance Grants Reserve	750,000	750,000	750,000	250,000
Use of Facilities Reserve	1,529,087	4,587,260	4,587,260	4,587,260
<b>Total Revenue/Grants</b>	<b>\$ 24,776,696</b>	<b>\$ 27,786,408</b>	<b>\$ 27,790,977</b>	<b>\$ 26,163,637</b>
<b>EXPENDITURES</b>				
Service Contracts				
Fire Service	\$ 2,518,551	\$ 2,644,479	\$ 2,776,702	\$ 2,915,538
Ambulance Service	2,887,500	3,031,875	3,183,469	3,342,642
Aid to Departments-Staffing	3,250,000	3,250,000	3,250,000	3,250,000
TC Regional Communications	476,280	500,094	525,099	551,354
Tarrant Appraisal District	43,000	43,500	44,000	44,000
Tarrant County - Personnel	25,000	25,000	25,000	25,000
Director & Admin Staff	270,250	339,000	407,750	407,750
Insurance and Bonds	45,000	55,000	85,000	85,000
Equipment Maintenance	150,000	150,000	150,000	150,000
Professional Services	100,000	100,000	100,000	100,000
Misc. Operating Expenses	100,000	100,000	100,000	100,000
Capital	3,749,087	7,316,956	7,316,956	5,416,258
Grants to Departments	375,000	400,000	450,000	475,000
<b>Total Expenditures</b>	<b>\$ 13,989,668</b>	<b>\$ 17,955,903</b>	<b>\$ 18,413,976</b>	<b>\$ 16,862,542</b>
Allocation to Fire Reserve				
APRA - Disbursements				
Sale of Fire Equipment				
Allocation to Operating Reserve	(1,100,501)	-	-	-
Allocation to Facilities Reserve	7,290,868	414,254	414,254	414,254
Allocation to Fire Equipment Reserve	1,951,858	1,951,858	2,001,858	607,915
Allocation to Ambulance Grants Reserve	(2,022,881)	924,243	924,243	174,243
<b>Total Expenditures/Transfers/Grants</b>	<b>\$ 20,109,013</b>	<b>\$ 21,246,259</b>	<b>\$ 21,754,331</b>	<b>\$ 18,058,954</b>
<b>(Over)/Under Budget</b>	<b>\$ 4,667,683</b>	<b>\$ 6,540,149</b>	<b>\$ 6,036,646</b>	<b>\$ 8,104,684</b>

Funds not fully assigned to programs available for strategic staffing decisions are highlighted.

Funds from existing programs available for strategic staffing decisions are highlighted.





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## Assessment of Mobile Apparatus Needs

A blended approach to funding equipment within ESD1 has been employed. For example, until recently all ambulances were purchased and owned by the individual municipalities or fire departments. Similarly, the fire engines and aerial apparatus are owned by the local agencies. However, ESD1 has provided Tankers to nine agencies and brush trucks to seven agencies. These units are owned by ESD1, but staffed and operated by the local agency.

Records would indicate that four brush trucks should have been replaced in 2023, one tanker in 2024, and one additional tanker in 2026. The remaining equipment owned by ESD1 are due for replacement between 2028 and 2032. Therefore, due to industry delays in receiving apparatus, the District is encouraged to monitor the build time from the manufacturers and adjust the schedules accordingly.

### Observations

The capital replacement fund is well funded and the District is ensuring that the capital replacement plan is sustainable.



It was noted in the stakeholder feedback, that some specialty vehicles, most notably the air & light truck, has passed its useful life and was not on the replacement schedule.

ESD1 has access to specialty equipment within the metro-area, so the purchase would remain a policy choice within the competing purchase demands.

As noted within the table below, the replacement values are for the unit type and not the total per-year replacement value.

In other words, if there were nine water tankers the total reserve for replacement should accommodate the relative replacement value for nine vehicles.

According to the budget documents, the District's replacement schedule is as follows:

Apparatus Type	Replacement Schedule	Per Unit Reserve for Replacement Value
Type 1 Engine	12 Years	\$95,512
Water Tanker	15 Years	\$92,478
Brush Truck	12 Years	\$28,057
Utility Pick-Up	8 Years	\$7,943
Ambulance	5 years	\$58,081



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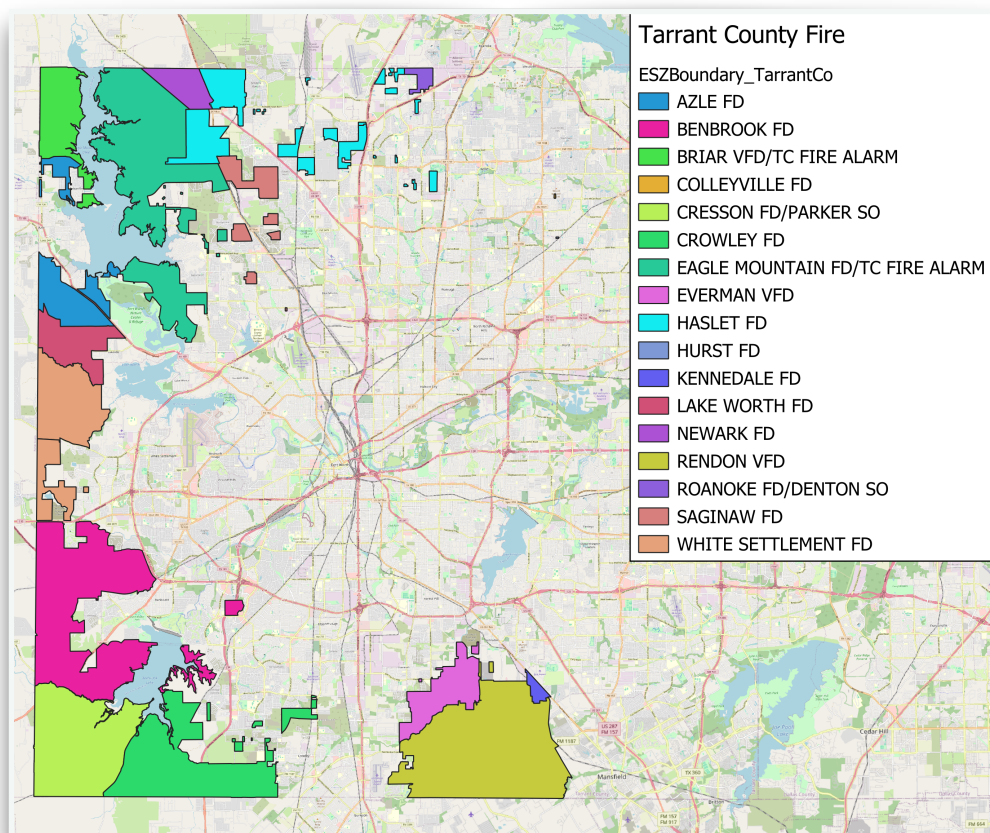
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## Community Risk Assessment

To study the unique features of ESD1, the District utilized a comprehensive two-part documented and adopted methodology that organizes response areas into geographical planning zones. The first is by the department's entire response area. The second utilized a more gradual assessment of station demand zones (SDZ). These SDZs have specific resource allocation strategies based on calculated risks. From an emergency response standpoint, the department is divided into 17 SDZs. The SDZs are not divided equally in terms of demographics and population density.

### Recommendation

ESD1 should continue to refine and utilize meaningful variables to quantify risk.



### Variables of Risk

All variables measured at the SDZ level

- Population density
- Square mileage of each SDZ
- Median age of residents
- Median household income
- Unemployment rate
- Percentage of homes greater than 55 years old
- Community demand
- Call concurrency

## Socioeconomic and Demographic Risks

SDZs were utilized to assess each planning zone for risks that inform response time performance objectives. The risk assessment process utilized socioeconomic variables, such as median household income and unemployment, as well as demographic variables such as population density and median age. Other variables considered included square mileage and the percentage of homes greater than 55 years old.





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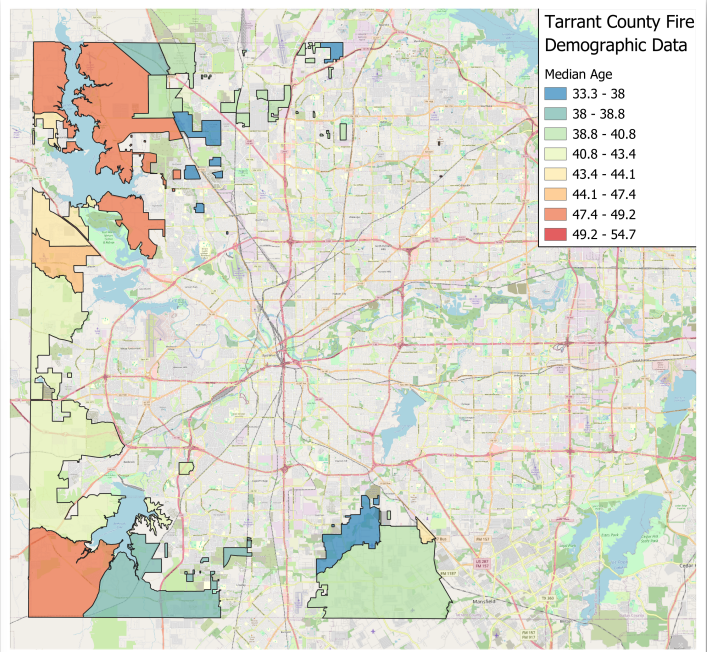
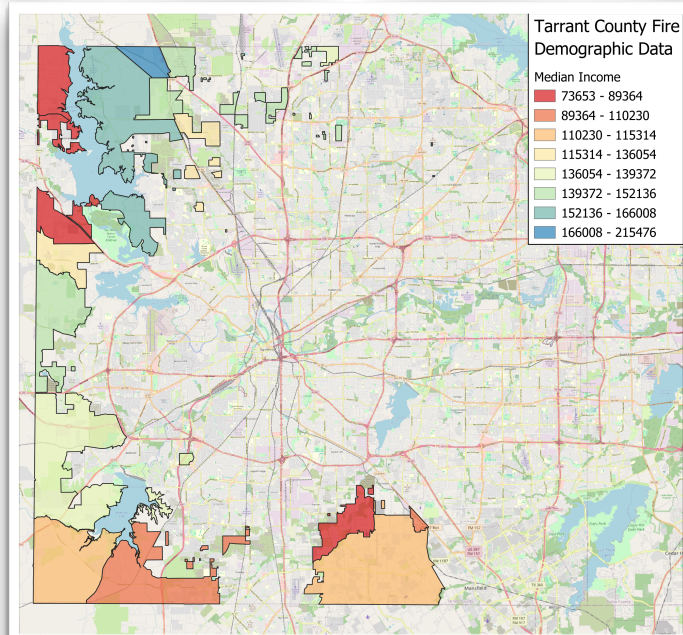
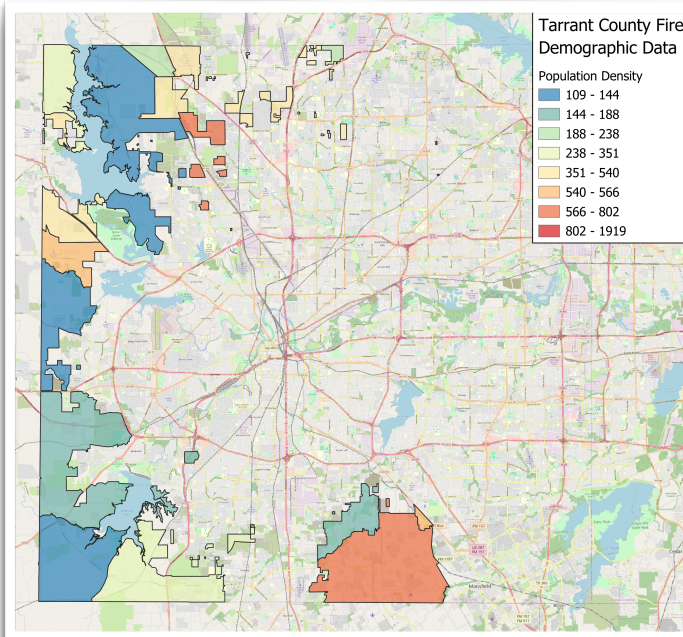
## Economic and Demographic Assessment by SDZ

The population for each first due station was calculated using total population for 2019-2023 from U.S. Census Bureau data, and the area of each SDZ in square miles available through GIS mapping from TC911 shape files. As such, population density was calculated as the number of people per square mile in each first due station area (below).

### Recommendation

ESD1 should continue to monitor socioeconomic and demographic variables correlated with changes in risk.

Research has demonstrated a relationship between age and use of EMS and fire services or the events leading to the need for EMS and fire services, wherein use and need tend to be highest among older adults, as compared to those in younger age groups (below).



Based on U.S. Census Bureau data for 2019-2023, adjusted for 2023 dollars, median household income for Tarrant County was \$81,905. Within ESD1, the median household income ranges from a low of \$73,653 to a high of \$215,476 (left).

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## SDZ Level Risk

Each geographic area was assigned a risk level based on a score composed of economic- and demographic-related data and historic service data. Data are presented for each individual SDZ to reflect their historic data.

SDZs were assigned an overall risk level classification of low, moderate, high, or maximum based on the resulting value of the risk matrices.

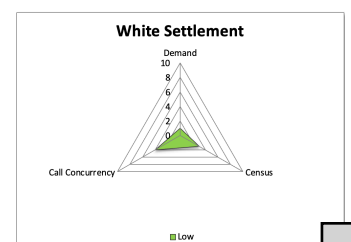
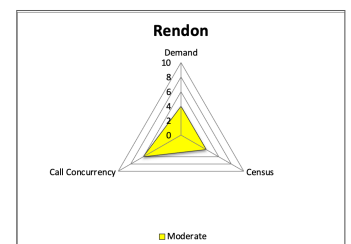
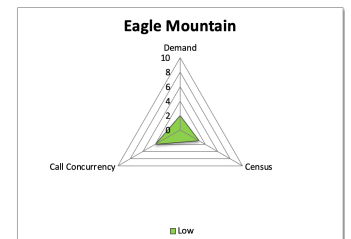
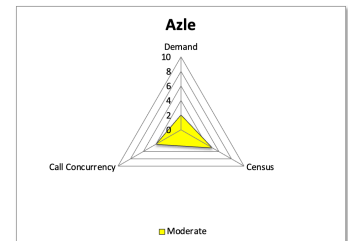
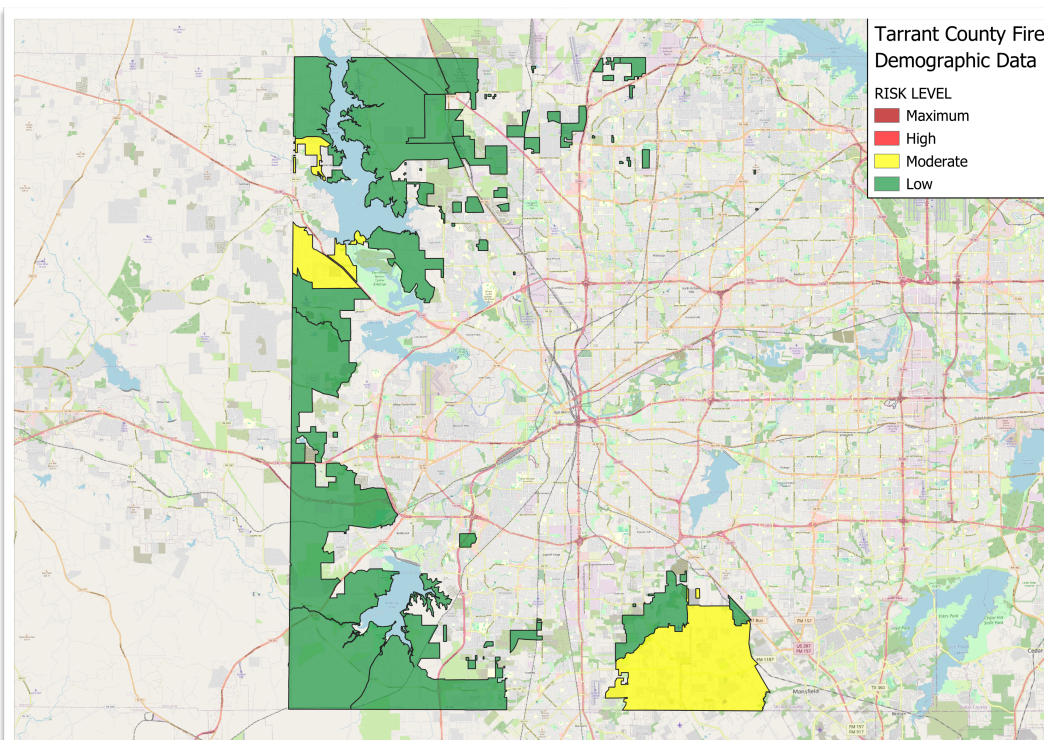
Assessment Category	Variable
Economic and Demographic	Population Density
	Square Miles
	Median Age of Residents
	Median Household Income
	Unemployment Rate
Historic Service	Percentage of Homes ≥ 55 Years Old
	Community Demand
	Call Concurrence

Ultimately, there were no high-risk or maximum-risk SDZs identified. Azle and Rendon were classified as moderate risk (yellow). All remaining areas were classified as low risk.

### Recommendation

ESD1 should develop a process to capture occupancy-level risks (building level) and incorporate specific occupancy ratings into the overall risk assessment process and risk matrices.

Finally, 3-dimensional models were created to evaluate each SDZs unique risk.







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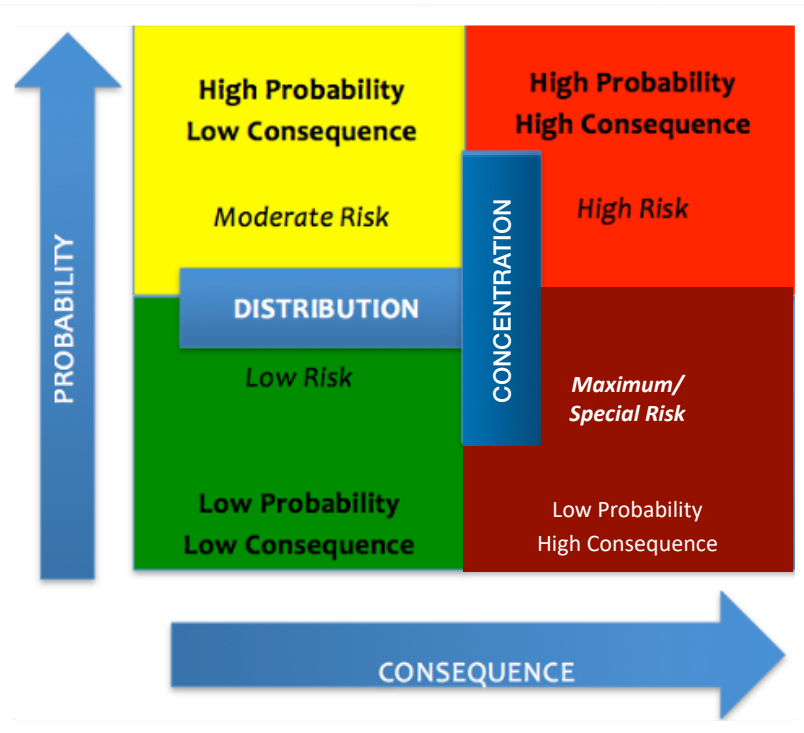
## Correlated Risks

Risks may be divided into correlated and uncorrelated risks. All previous risk analyses have been primarily based on uncorrelated risks such as single unique events for EMS or a single property structure fire. Risks were calculated based on socioeconomic and demographic factors that may contribute to unique events. All previous analyses utilized a robust quantitative approach to leasing risk using a 3-axis, 3-dimensional Heron formula.

### Recommendation

The department is encouraged to continue to annually review risk severities that are more appropriately defined by the two-dimensional risk assessment process.

However, correlated risks occur with much less frequency and were assessed using a 2-dimensional probability and consequence model. Example of correlated risks would include more regional or system wide events such as natural hazards and pandemics.



Results of the correlated risk assessment process are provided below. The data provided is the average reported risk by ESD1 agencies and Tarrant County (rounded to the next full integer) within the 2020 Tarrant County Hazard Mitigation Action Plan.

Low Risk (0-3)	Moderate Risk (4-7)	High Risk (8-10)
Thunderstorms	Wildfires	Earthquake
Tornadoes	Flooding Events	Pandemic
	Winter Storms	
	Expansive Soils	
	Drought	

# Tarrant County ESD 1

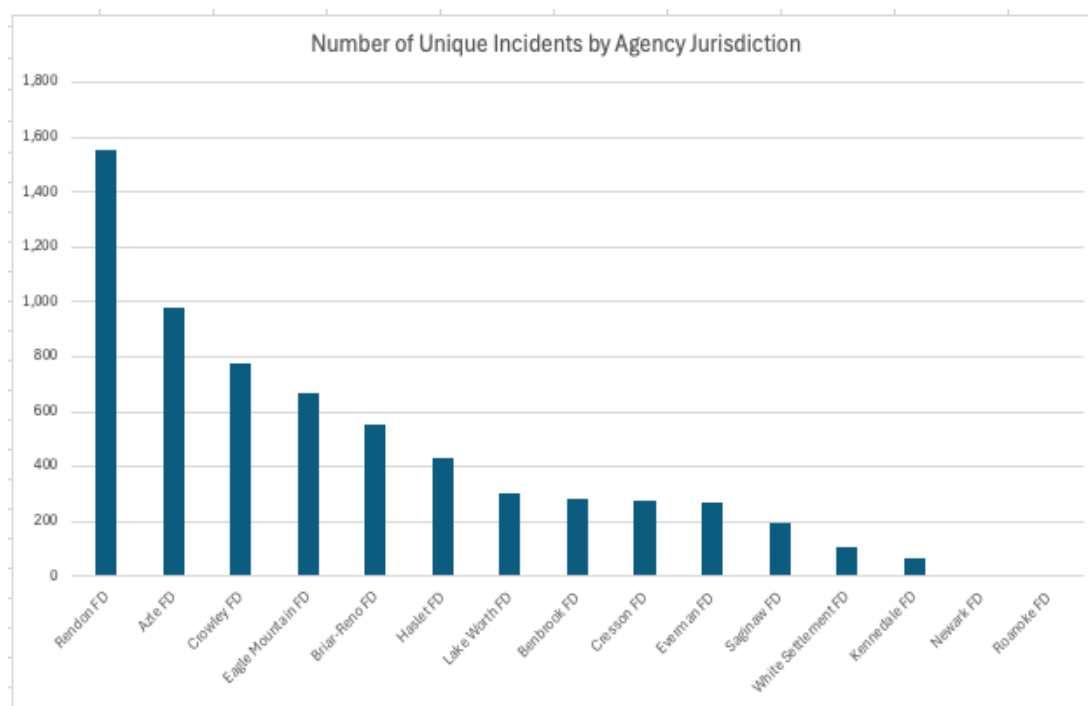


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## Historical Service Demands

Workload was also assessed at the demand zone level based on the specific areas within the ESD1 jurisdiction. Within the ESD1 jurisdiction, Rendon's demand zone had the highest volume of unique calls at 1,552 followed by Azle at 977, Crowley with 776, and Eagle Mountain at 671.



Within the data provided, the unique call values found that Rendon and Azle had the most unique incidents. However, when unit activity was evaluated, Eagle Mountain had the third highest activity.

For example, while the 911 data captures the unique value of a single incident, the number of responses provided is largely a local policy choice of each agency.

Overall, the ESD1 system has approximately 31 responses per day with an average time on task of 53.5 minutes. This includes ambulance transports.

Rendon provides coverage for 30.4% of the total system hours.

ESD 1 Responding Agency	Number of Calls <sup>1</sup>	Number of Responses <sup>2</sup>	Average Responses per Call	Total Busy Hours	Responses with Time Data <sup>3</sup>	Average Busy Minutes per Response	Average Calls per Day	Average Responses per Day	Percentage of Total Busy Hours
Azle FD	977	1,887	1.9	1,817.6	1,881	58.0	2.7	5.2	18.3
Benbrook FD	284	540	1.9	486.0	540	54.0	0.8	1.5	4.9
Briar-Reno FD	551	876	1.6	798.4	875	54.7	1.5	2.4	8.0
Cresson FD	275	289	1.1	231.6	286	48.6	0.8	0.8	2.3
Crowley FD	776	788	1.0	683.8	787	52.1	2.1	2.2	6.9
Eagle Mountain FD	671	1,359	2.0	1,424.6	1,359	62.9	1.8	3.7	14.3
Everman FD	268	513	1.9	548.3	513	64.1	0.7	1.4	5.5
Haslet FD	432	551	1.3	246.6	551	26.9	1.2	1.5	2.5
Kennedale FD	69	81	1.2	122.8	81	90.9	0.2	0.2	1.2
Lake Worth FD	306	448	1.5	217.7	447	29.2	0.8	1.2	2.2
Newark FD	2	2	1.0	2.2	2	66.2	< 0.1	< 0.1	< 0.1
Rendon FD	1,552	3,368	2.2	3,029.2	3,359	54.1	4.3	9.2	30.4
Roanoke FD	0	--	--	--	--	--	--	--	--
Saginaw FD	198	336	1.7	159.6	336	28.5	0.5	0.9	1.6
White Settlement FD	109	154	1.4	183.7	154	71.6	0.3	0.4	1.8
<b>Total</b>	--	<b>11,192</b>	--	<b>9,952.2</b>	<b>11,171</b>	<b>53.5</b>	--	<b>30.7</b>	<b>100.0</b>

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## Efficacy of Response Time Objectives

A sensitivity to response time has long been a primary driver of EMS system design and resourcing. The prevailing result is an institutional belief that faster is better, where patient outcomes positively correlate with response times. A 1979 study out of King County, Washington, became a foundational piece for developing NFPA 1710 and the CFAI Accreditation Standards. The study concluded that BLS delivered in 4 minutes and ALS delivered within 8 minutes, which positively correlated with patient outcomes. Thus, this set the bar for the standards still influencing system design today. However, the King County study only focused on non-traumatic sudden cardiac arrest (SCA), yet its standards were extrapolated to all call types. A follow-up study by Weaver et al. (1984) became the foundation for the 90th percentile standard of 8 minutes 59 seconds adopted by the American Ambulance Association (AAA). Again, this study focused on witnessed SCA presenting with V-Fib, yet the standard was extrapolated to all call types.

### Observations

Evidenced-based clinical research coalesces around a response time of 5 minutes or less to have a statistically significant impact on the risk of mortality for the small proportion of high-acuity incidents.

Response time changes above 6 minutes have limited clinical return on investment and are largely a policy decision.

Much has changed in EMS since these studies, including an expanded body of research regarding the influence of response time on patient outcomes. Empirical research has expanded the scope to include a much wider representation of call types and responses while still considering response times compared to patient outcomes. The culmination of the research indicates that the threshold for response time to influence patient outcome resides around the 5-minute mark. In other words, if a system cannot respond in less than 5 minutes, they are unlikely to positively influence patient outcomes by purchasing any level of performance that cannot meet 5 minutes. However, it is important to recognize that the 5-minute threshold is associated with high-acuity incidents that account for a small proportion of the total calls. A summary of the relevant research is provided below.

Author	Density	Sample Size	Response Time Threshold	Does Response Time Impact Patient Outcome
Blackwell (2002)	ALS Urban	5,424	5 minutes	Yes < 5 minutes; No > 5 minutes
Pons (2005)	ALS Urban	9,559	4 minutes & 8 minutes	No < 8 minutes; Yes < 4 minutes in intermediate/high risk of mortality
Blackwell (2009)	ALS Urban; BLS MFR	746	10:59	No > or < 10:59
Blanchard (2012)	ALS Urban	7,760	8 minutes	No > or < 8 minutes
Weiss (2013)	Metro/Urban and Rural	559	N/A Continuous Variable	No relationship between time and clinical outcomes
Pons (2002)	ALS Urban	3,490	8 minutes	No > or < 8 minutes after controlling for severity of injury
Newgard (2010)	ALS Urban	3,656	4 minutes & 8 minutes and Golden Hour	No time intervals were statistically related to mortality including response time, on-scene time, transport time, or total EMS time
Band (2014)	ALS Urban; BLS MFR	4,122	N/A Continuous Variable	Adjusted for severity of injury, no significant difference between PD and EMS. In patients with severe injuries, gunshot, or stabbing more likely to survive if transported by POLICE.

Additional research has examined the efficacy of emergency, or lights and sirens, responses. While emergency responses do produce statistically quicker responses and transports, very few have clinical implications for patient outcomes. Studies also found that emergency responses were warranted in less than 10% of ambulance transports, and hospitals didn't utilize the time savings created upon arrival to the emergency department. At the same time, community risk increases with emergency responses as units navigate against the established traffic practices. Research has shown that most accidents involving emergency vehicles occur while they are responding lights and sirens.

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## Historical Performance

The department understands the relative opportunity to improve the citizens' experience by maximizing the efficiency of the dispatch interval and turnout time. Dispatch Time is defined as the time from when the 911 center receives a request for service unit the fire department is notified to respond. Turnout Time is defined as the time between the fire department being notified of a call (dispatched) and when they are actually driving to the incident.

The National Fire Protection Association (NFPA) 1710 and 1225, recommend a 64- and 60- second dispatch time, respectively. The current performance is 2.4 minutes for all types of calls at the 90th percentile.

Similarly, the NFPA and the Commission on Fire Accreditation International (CFAI), recommend a turnout time of 60-seconds for EMS incidents and between 80 and 90 seconds for non-EMS incidents, respectively. The current performance is at 2.9 minutes for EMS and 4.1 minutes for fire related incidents, both exceeding the recommended best practice performance.

Travel Time is measured from when the apparatus and crews make notification that they are driving to the incident until they notify that they are on-scene. The CFAI had historically provided for a 13-minute travel time at the 90th percentile for rural areas. The current 90th percentile performance of 11.5 minutes is outperforming the accreditation recommendation by 1.5 minutes.

NFPA 1720, the standard for combination and volunteer departments, provides direction for a response time of 9 minutes at 90% (urban); 10 minutes at 80% (suburban); and 14 minutes at 80% (rural). However, unlike 1710, NFPA 1720 defines response time as the sum of both turnout and travel time.

### Recommendations

ESD1 should ensure that staffed turnout time well-aligned with best practices of 1.5 minutes at the 90th percentile.

Improving Turnout Time has an excellent return on investment for improving the citizen's total response experience.

ESD 1 Demand Zone	Dispatch Time (Minutes)	Turnout Time (Minutes)	Travel Time (Minutes)	Response Time (Minutes)	Sample Size <sup>1</sup>
Azle	2.4	2.8	9.0	13.0	364
Benbrook	2.5	4.4	13.9	18.6	197
Briar-Reno	2.6	2.5	10.2	14.0	336
Cresson	--	--	11.0	15.8	146
Crowley	2.2	2.4	14.2	17.2	588
Eagle Mountain	2.5	3.7	10.1	15.2	306
Everman	2.3	3.0	9.3	13.2	104
Haslet	3.3	1.4	12.5	15.1	104
Kennedale	--	--	--	--	0
Lake Worth	2.2	0.9	10.5	12.3	59
Newark	--	--	--	--	5
Rendon	2.5	3.4	10.4	14.9	1,011
Roanoke	--	--	--	--	0
Saginaw	3.3	1.4	11.5	13.8	48
White Settlement	2.4	2.5	13.2	17.8	55
<b>Total</b>	<b>2.4</b>	<b>3.2</b>	<b>11.5</b>	<b>15.3</b>	<b>3,323</b>

Response Time is the total time from 911 receipt to arrival.





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## Distribution Study

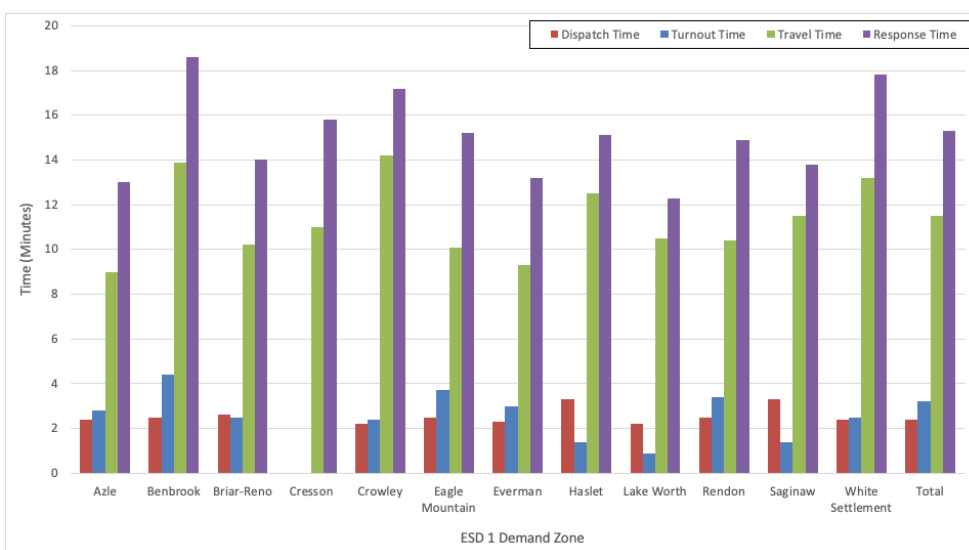
Response time elements are evaluated by SDZ. Consistent with other comparable departments, the SDZs provide a travel time between 9.0 to 14.2 minutes at the 90th percentile. The shortest travel time was at Azle and Crowley had the longest travel time.

### Observation

There is a reasonable amount of variability in response times across the providers' response areas.

The maximum difference is calculated at ~5 minutes between the shortest (Azle) travel time and the longest (Crowley).

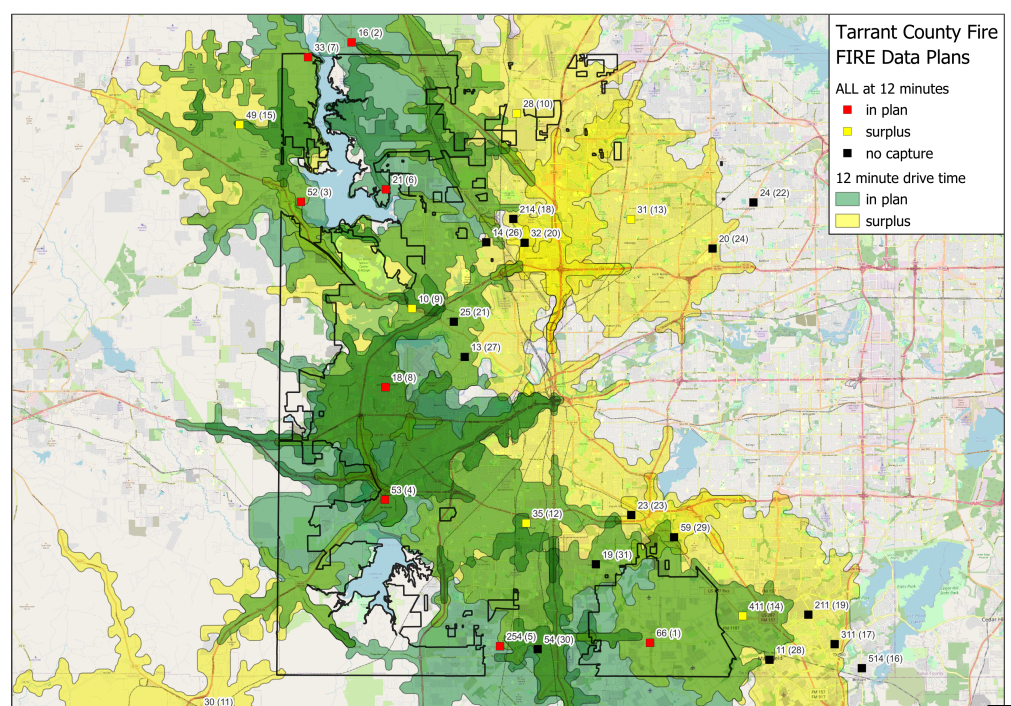
However, when considering the total response time, Lake Worth had the best performance at 12.3 minutes and Benbrook was the longest at 18.6 minutes at the 90th percentiles.



GIS analyses validated that 96.65% of the incidents could be responded to within a 12-minute travel time from the current station configuration.

The green shaded areas indicate the 90.19% response capability within 12 minutes. Any successively darker shades of green indicate that more than one station can service the area within 12 minutes.

The yellow shaded areas show the additional coverage within 5 minutes between 90% and 96%.





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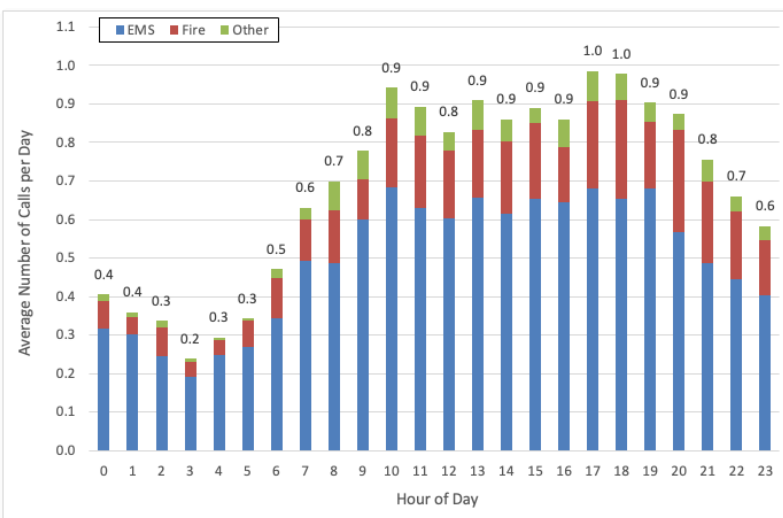
## Concentration Study

The concentration of resources sufficient to respond to the frequency and duration of the community demand is utilized to evaluate the efficacy of the deployment strategy for the identified risk. Analyses reveal that the department has an average hourly demand of approximately 1.0 calls per hour during peak periods.

### Observation

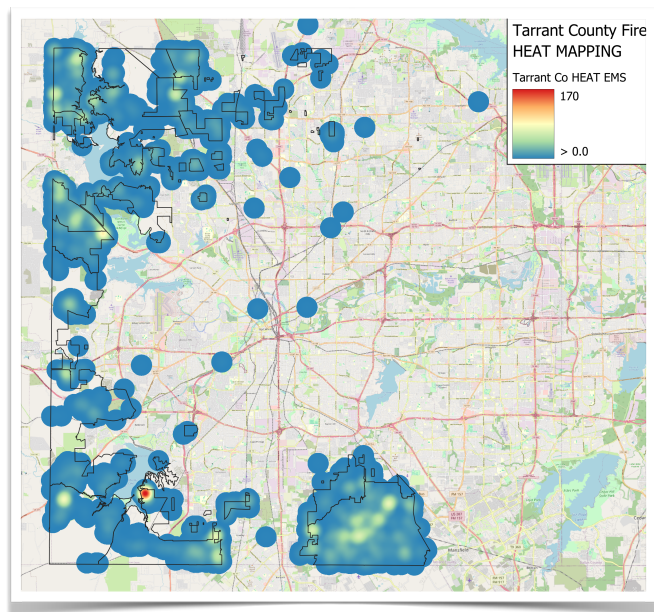
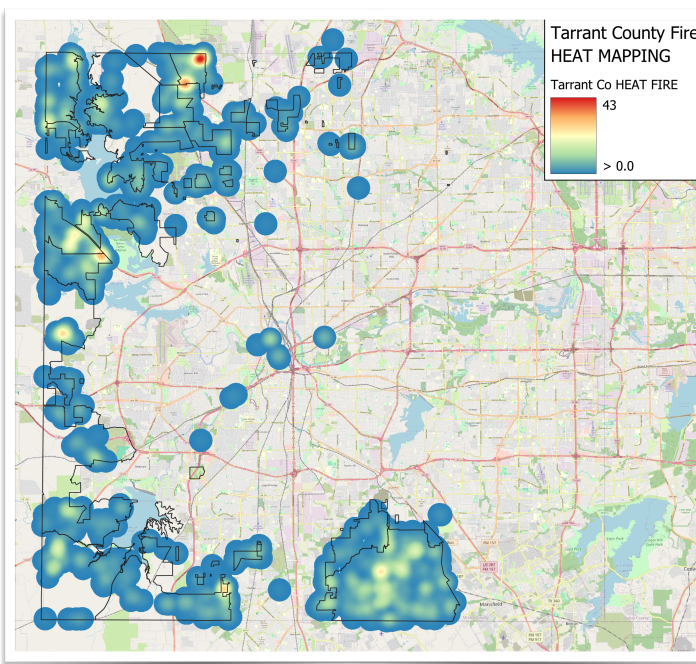
ESD1 has a challenging geographic area to cover.

However, on average, the District has one call per hour during the busiest part of the day.



Heat maps were created and utilized to measure the concentration of incidents across ESD1.

EMS incidents are provided (below). The highest single point of concentration of EMS incidents are in Crowley.



Fire related incidents had the highest single point of concentration of fire incidents in Haslet's area of responsibility followed by the borders of Azle and Lake Worth and then Crowley (left).



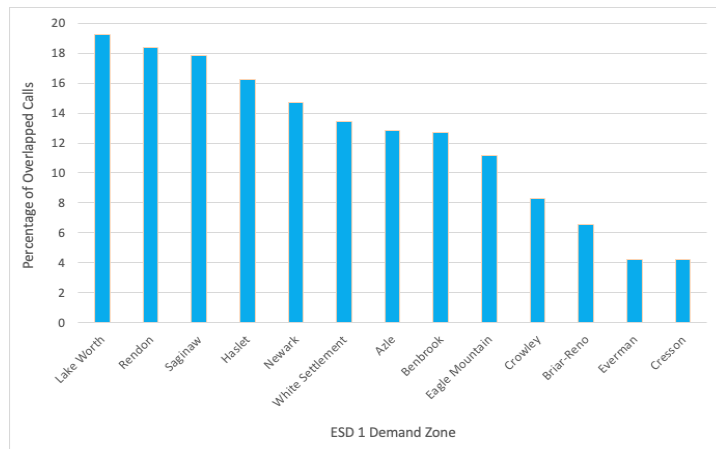
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## Assessing System Resiliency

**L**ake Worth experienced the highest percentage of overlapped calls during 2023 at 19.2%, followed by Rendon at 18.4%. All agencies had a call concurrency rate of less than 20%.



### Observations

The system resiliency is generally robust.

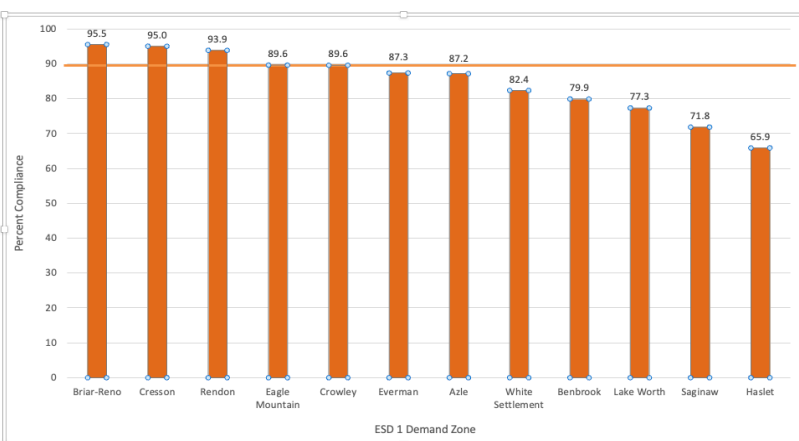
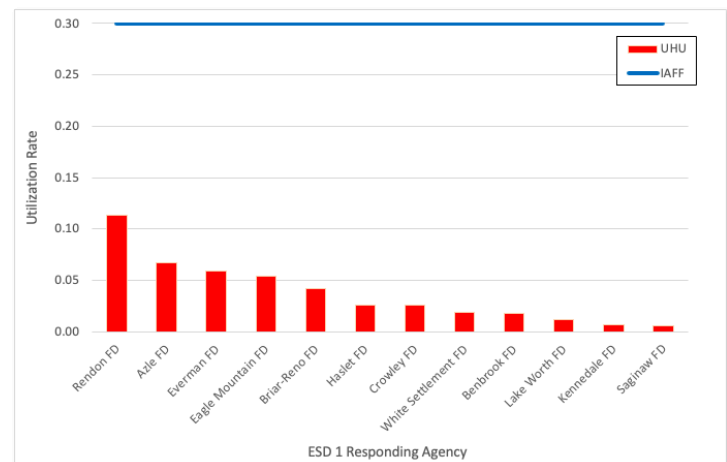
Overall, all agencies had a call concurrency rate of less than 20%.

All agencies had a UHU of 7% or less other than Rendon at 11%.

Overall, the station reliability was good. Challenges with the data may introduce some artifact in this specific measure.

**U**nit Hour Utilization (UHU) is an objective measure of time on task for deployed resources. ESD1 is as busy as other similarly sized jurisdictions that provide EMS, fire suppression, and rescue services.

All units had UHU values < 0.15. Rendon had the highest UHU at 11% followed by Azle, Everman, and Eagle Mountain. All other agencies had a UHU less than 5%.



**S**tation reliability is a measure of the ability of the units assigned to a specific station to respond to the calls within their first due SDZ.

Briar-Reno and Cresson had the highest reliability at 95.5%, closely followed by Rendon at ~94%. Haslet had the lowest reliability at 66%. Overall, four agencies had a reliability of less than 80%.





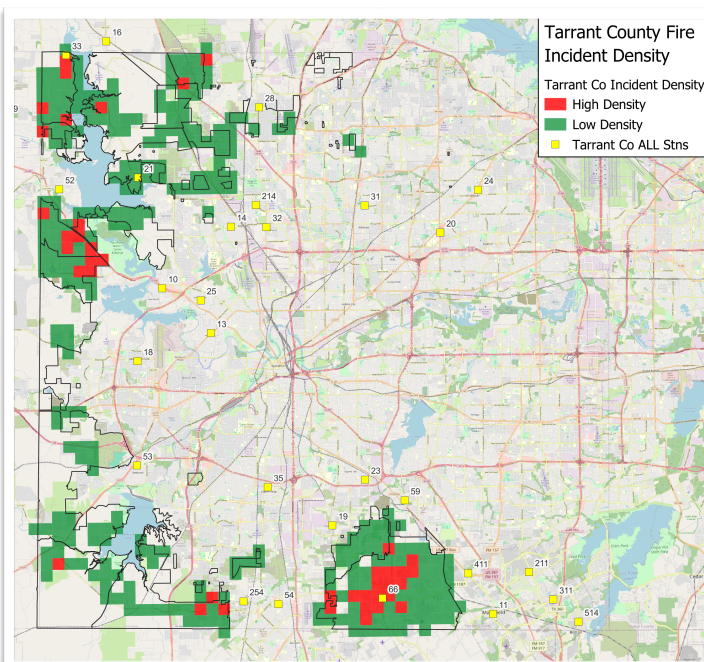
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## Commensurate Risk Model and Projected Growth

The call density analysis calculates the relative concentration of incidents based on approximately 0.5 geographic areas and at least half of the adjacent 0.5 grids. The assessment is based on call density and not population. The red areas are designed as urban level service areas and green areas are designed as rural (below).



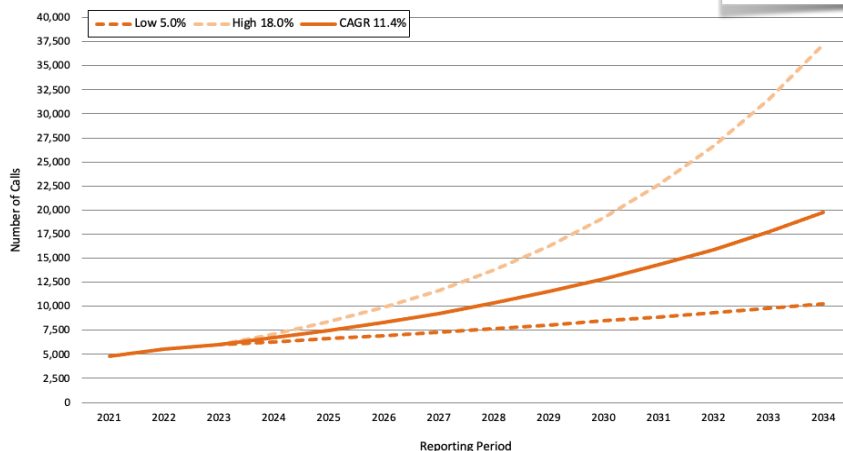
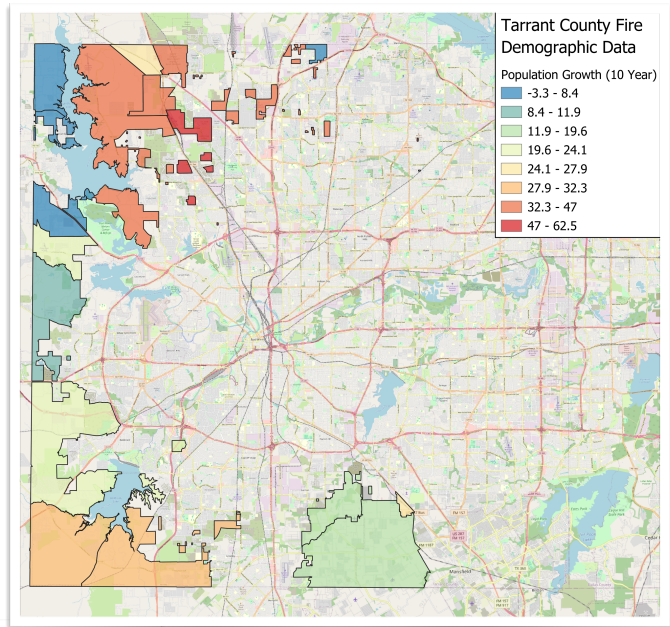
The northern and southern regions have the highest project growth (right).

Population growth projections through 2033 were evaluated by SDZ.

### Observations

The commensurate risk assessment validates that the stations are placed well and targets the areas with higher call densities.

Calls are increasing by 11.4% per year.



The available data set included five reporting periods of data, representing FY 2021-2023. Calls for ESD1 services increased with an average annualized growth rate of 11.4% per year. The figure to the left depicts observed call volume during the last two-year reporting periods and various hypothetical growth scenarios through 2033.



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## ISO Considerations for Station Coverage

The most recent Public Protection Classification (PPC) provided by the Insurance Services Office (ISO) assigned the agencies within ESD1 is summarized below. One challenge for the community is the lack of hydranted water supply (or other credible water supply) in some areas. Following ISO's evaluation process, any properties that are within 5 road miles but greater than 1,000 feet from a hydrant (or alternative water supply) are designated as a "Y" rating. Properties within 5 miles from a fire station and within 1,000 feet from a hydrant (or alternative water supply) are designated as a "1-8" rating. The "X" classification in a split rating replaces the Class 9 that has no creditable water supply. A Class 10 remains as an unrated territory.

Agency	Year	Rating
Azle	5/1/17	3/3Y
Benbrook	12/1/18	2/2Y
Blue Mound	1/1/12	6
Briar	4/1/99	9 & 10
Colleyville	1/1/20	2
Cresson	7/1/15	3/3Y
Crowley	7/1/14	2
Eagle Mountain	7/1/15	5/5X
Everman	6/1/17	4/4X
Haslet	1/1/22	3
Haslet FDS	1/1/22	6 & 10
Kennedale	4/1/17	3/3X
Lake Worth	12/1/16	2/2X
Newark	6/1/18	4/4Y
Rendon	12/1/16	3/3Y
Roanoke	4/1/16	2/2X
Saginaw	7/1/15	2/2Y
White Settlement	2/1/13	4

Therefore, in reviewing the most recent PPC/ISO ratings provided by ESD1 reveals that Briar, Eagle Mountain, Everman, Haslet, Kennedale, Lake Worth, and Roanoke all have some portions of the territory that are without a creditable water supply.

These analyses did not have sufficient detail within the shape files to determine the extent of the areas of responsibility that is built upon but beyond 1,000 feet from a hydrant. These areas designated as "Y" may be improved by demonstrating a sufficient and continuous water supply as an alternative water supply. This is typically accomplished through a robust tanker shuttle process.

Similarly, these analyses did not have sufficient detail within the shape files to determine the extent of the areas of responsibility that are without a creditable water supply. The primary mitigation strategy is nearly universally associated with providing creditable water supply. In other words, this is an infrastructure policy

### Observations

At the time of the last PPC ratings, the only areas that are rated at greater than 5-miles from a fire station is part of Briar's and Haslet's areas of responsibility.

The primary mitigation strategy is nearly universally associated with providing creditable water supply.

In other words, this is an infrastructure policy for Tarrant County and outside of the ability for ESD1 to mitigate autonomously.

for Tarrant County and outside of the ability for ESD1 to mitigate autonomously.

Finally, at the time of the last PPC ratings, the only areas that are rated at greater than 5 miles from a fire station are part of Briar's and Haslet's areas of responsibility. The remaining areas had built upon areas within 5 miles of a fire station, but did not have a creditable water supply.





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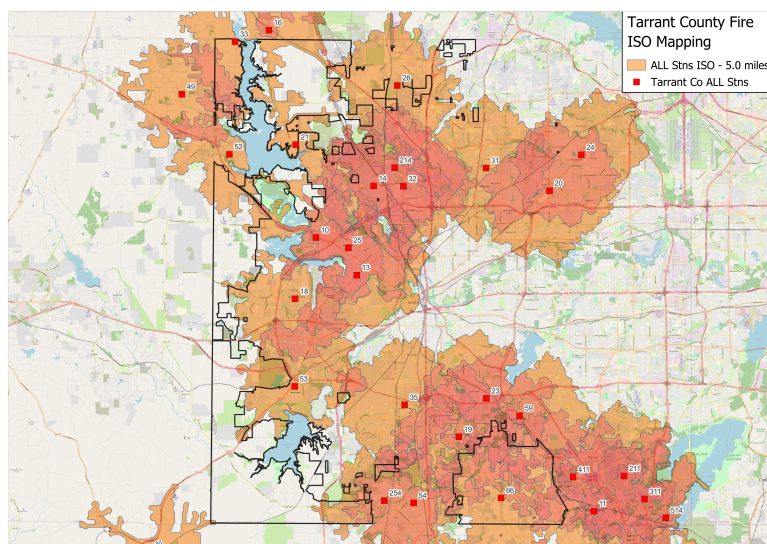
## ISO - Current Station Coverage

An evaluation was completed to assess the capability to have a fire station within 5 miles of all built upon areas within ESD1. The 5-mile threshold is intended for only built-upon areas. This analysis is not

restrictive to only built-upon areas, therefore, this analysis may understate the existing coverage.

First, an assessment of all stations within the current ESD1 environment was completed (above). The mapping demonstrates that much of Eagle Mountain, Azle, Lake Worth, White Settlement, Benbrook, Cresson, and Crowley are outside of 5 road miles.

Second, an assessment of all stations and selected Fort Worth fire stations were utilized to assess if the Fort Worth stations had a positive benefit on the coverage within 5 miles. Overall, there is some better coverage in portions of White Settlement and Eagle Mountain, but limited impact to the remaining areas.

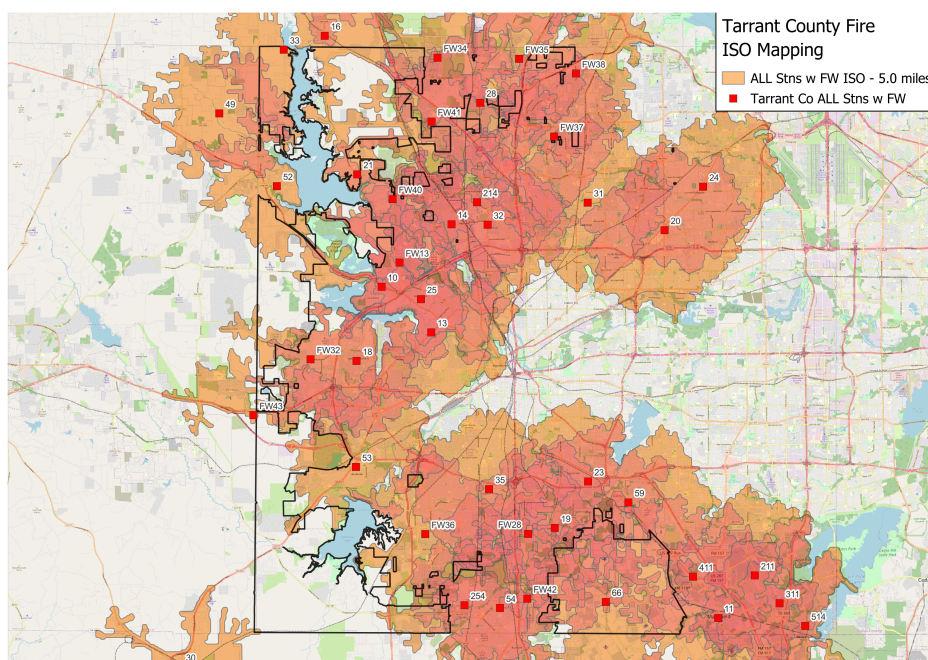


### Observations

The mapping demonstrates that much of Eagle Mountain, Azle, Lake Worth, White Settlement, Benbrook, Cresson, and Crowley are outside of 5 road miles.

Overall, there is some better coverage in portions of White Settlement and Eagle Mountain, but limited impact to the remaining areas.

Additional stations may be required.







# Tarrant County ESD 1

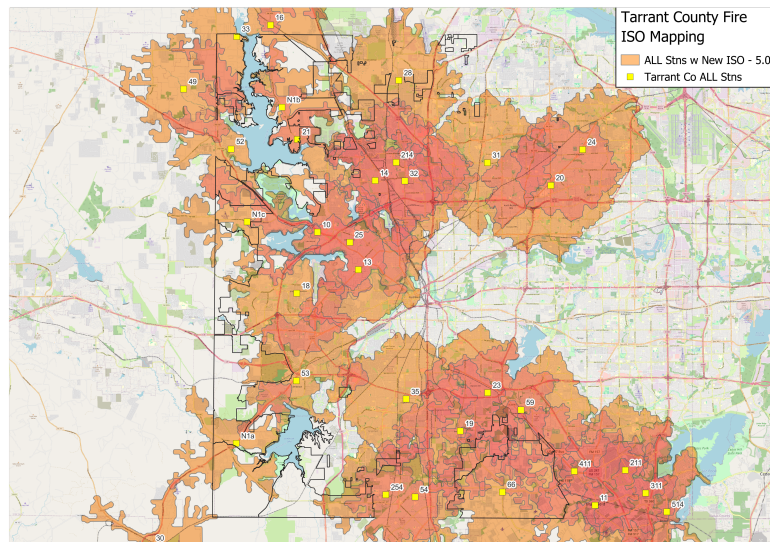
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## ISO Considerations for Station Coverage

An evaluation was completed to assess the capability to have a fire station within 5 miles of all built upon areas within ESD1. The 5-mile threshold is intended for only built-upon areas. This analysis is not

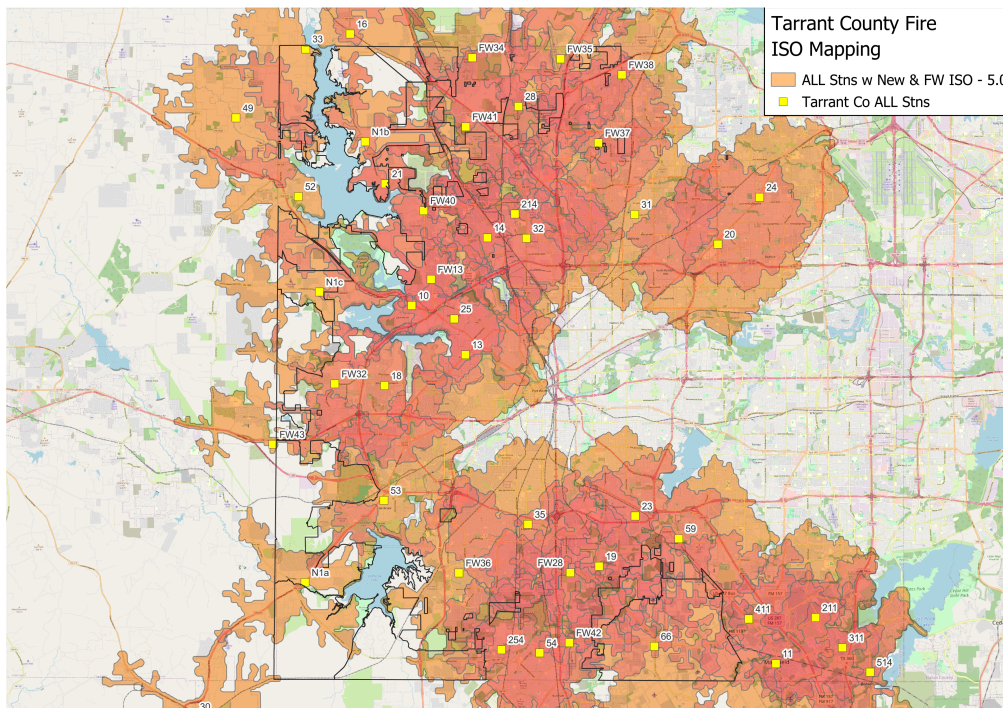
restrictive to only built-upon areas, therefore, this analysis may understate the existing coverage.



### Observations

The three proposed station locations improves coverage within 5 road miles.

Overall, the agency will have to continue to monitor development and may need additional stations to cover development within 5 road miles of a fire station.



Continuing with the previous assessment, three new stations were proposed that provide improved coverage. The new stations are identified as N1a, N1b, and N1c (above).

In addition, the new stations' assessment was replicated including the Fort Worth stations (left).

In both evaluations, the new station locations address areas of need that were beyond the 5-mile coverage.

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## Considerations for Three New Stations

Continuing with the challenges with water supply and areas outside of the 5-road miles of fire stations, three locations were identified as prioritized locations. First is (N1b) Eagle Mountain with a location moved northwest of the existing station and covers the resort area within question. This would be recommended as the first priority if new stations cannot be complemented simultaneously. It is recommended that the staffing is 100% funded by the District, but operated by Eagle Mountain's fire department through a performance-based contract. This would be consistent with the strategy for EMS services as well.



Second would be a new station in the Whiskey Flats community. As the second highest priority, this station and apparatus would be owned by the District. However, it is recommended that the staffing is 100% funded by the District, but operated by a contiguous area fire department through a performance-based contract. This would be consistent with the strategy for EMS services as well.

The third location is in Lakeside. Discussions with local experts and validated by the GIS analyses would suggest that this is a good location to meet the intent of the ISO 5-miles configuration. However, this station has

greater flexibility within the policy choice of whether to immediately staff the station and to what degree. Currently, the station location would not be within the prioritized investment strategy. Therefore, this station may continue as a substation with dedicated apparatus, but without staffing until the policy desires or operational needs identified an elevated priority.

### Recommendation

The District should build three new fire stations to address remote areas outside of the 5-mile fire station threshold.

The order of priority should be Eagle Mountain, Whiskey Flats, and Lakeside.

Category of Spend	Square Footage	Estimated Construction Cost	Annual Replacement
Headquarters Fire Station	12,000	\$5,593,638	
Fire Substation	8,900	\$4,148,615	
Fire Substation	8,900	\$4,148,615	
Land Acquisition (3 sites)		\$1,100,000	
Furnishings		\$300,000	
<b>Est. Total Expenses</b>		<b>\$15,290,868</b>	<b>\$414,254</b>

Staffing costs will be provided within a subsequent analysis.



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## Considerations for Tanker Coverage

Consistent with the analysis on the ISO ratings within Tarrant County ESD1, water supply is a major contributor to the challenges with insurance coverage. ESD1 has some control over the locations of fire stations within 5 miles of built upon areas, but maintains little authority for planning, zoning, land use, and the infrastructure such as a robust fire hydrant system.

Currently, ESD1 supplied Tanker apparatus with mobile water supply to Azle (St. 52), Benbrook (St. 53), Crowley (St. 54), Eagle Mountain (Station 21), Everman (Station 19), Haslet (St. 28), Lake Worth (Station 10), Rendon (Station 26), and Saginaw (Station 14). The deployment strategy of the tankers could not be validated within this study because the data did not provide the specificity of the exact geographic areas in question. Therefore, these recommendations are reliant on the long-standing expertise of ESD1 and the participating agencies and can be refined as needed.

ISO provides an opportunity for the agencies to demonstrate the ability to provide a continuous water supply following a tanker shuttle operation. Therefore, the primary recommendation is for ESD1 to begin funding 100% of the costs of supplying one dedicated firefighter 24/7 that can drive and operate mobile water supply.

### Recommendation

ESD1 should begin funding 100% of the costs of supplying one dedicated firefighter 24/7 that can drive and operate at Rendon, Whiskey Flats, and Eagle Mountain.

It is estimated that each tanker would cost approximately \$280,280 to cover 24/7 with relief staffing.

Expansion of the program can be phased in as fire-ground staffing is improved.



Therefore, it is recommended that the District fund a staffed tanker at Rendon, Whiskey Flats, and Eagle Mountain. Expansion of the program can be phased as fire-ground staffing is improved.

Secondly, ESD1 should coordinate with the agencies for driver certifications and training, operational training, and the coordination of all nine agencies to demonstrate a timely and efficient tanker shuttle operation to provide

continuous water supply. Ultimately, performance expectations should be established as a competency-based expectation for continued funding.

Finally, once the staffing and operations meet expectations, ESD1 and the agencies should discuss the timing of demonstrating to ISO the ability to provide continuous water supply to the areas that do not have water supply and within 5 miles of a fire department. It is understood that there may be competing interests in the timing of said demonstration.



# Tarrant County ESD 1

## Efficacy of a ESD1 as the Provider

The District is in good financial position and has a much more robust ability to meet the demands of a growing service area. However, there are limits to the opportunities that the District can entertain. For example, the District could not fully fund 24/7 services for both fire and EMS services.

Therefore, consideration should be given to the policy choice of having District employees and when and why they would be used. Of course, this is purely a policy choice for the District board, but the recommendation is that the District continue to contract for most of the operational service provisions. For example, EMS, tanker coverage, and fire suppression may be better served by contracting with existing service providers.

### Observation

The District would not be able to fully fund 24/7 services for both Fire and EMS.



If the District elects to fund 100% of the EMS costs, it is recommended that patient billing is outsourced. The cost of billing services is generally between 4% and 6% of collections.

However, the District should consider direct employees for elements such as executive leadership, administrative support, and regional operational items such as a Battalion Chief.

The assumptions for the cost of each employee or contractee are provided below.

Type	Salary	Benefits	Total
Firefighter/EMT	\$70,000	\$21,000	\$91,000
Firefighter/Paramedic	75,000	22,500	97,500
Lieutenant / Officer	95,000	28,500	123,500
Battalion Chief	130,000	39,000	169,000
Executive Director	155,000	46,500	201,500
Administrative Support	55,000	13,750	68,750

# Tarrant County ESD 1



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## Consideration for Performance-based Contracting

The District administration is already taking steps to introduce performance-based criteria in the provider contracts to ensure optimal operational performance as well as greater accountability and transparency with public dollars spent on emergency services.

This recommendation is provided to support the District in this endeavor and reinforce the value of having performance-based contracts when you are responsible for the provision of services, but not the primary provider of services. The following high-level categories are offered to demonstrate the depth and breadth of items that should be considered when framing performance-based contracts in the future.

### Fiscal and Administrative Considerations

- Ongoing financial accountability and reporting of all District dollars that is tied to installments from the District.
- Annual financial audits required of all 501.c.3 or 501.c.4 agencies.
- Municipal budgeting with GASB accounting and annual audits for agencies with substantive investment such as staffing.
- Require coordination and accountability of EMS reporting, documentation, and accuracy.
- Include a mechanism to reduce funding when quality and accuracy thresholds are not met.
- Ensure professional and responsible care of District assets and appropriate routine preventative maintenance.

### Recommendation

The District is encouraged to continue the development of performance-based criteria in the provider contracts.

The District should work with the 911 provider, or explore alternative providers, to ensure that the data capabilities can support the desired system of measures.



### Operations

- Ensure resources are deployed as designed with fidelity.
- Include restrictions on the provider for District funded human capital (or the equivalent FTE) to ensure the appropriate return on investment.
- EMS providers are to provide dedicated resources with closest unit dispatching throughout ESD1.
- EMS providers should be prohibited from providing any non-emergent transfers.
- Contractors should meet the established "Performance of Measures" for items such as **Turnout Time, Travel Time, and Reliability**.

- Establish minimum certifications, credentialing, and/or competencies defined by ESD1.



# Tarrant County ESD 1



## Adopting a System of Measures

However, it is still important to measure and manage the efficiencies of a well-run operation using a system of measures as presented in the table below. In this manner, the daily management continues in place, but the strict adherence to system design performance is secondary to the outcomes measures. For example, if response time increases and there is no change in outcomes then it would be purely a policy choice to act. Conversely, if the outcomes change, then the department leadership will turn to the system of measures and attempt to discern which of the variables or combination of variables may be contributing to the change in outcomes.

### Recommendations

The District should adopt a system of measures to ensure accountability to the desired performance objectives.

In addition, the District should utilize a system of measures to transparently identify system needs and future investments.

The summary of measures provided below includes all aspects of time, apparatus staffing by type, relative risk ratings, and system resiliency measures such as reliability, call concurrency, workload, and unit hour utilization. For example, reliability should be at least 70% for each station, and only if the reliability drops below the 70% threshold before considering a mitigation reaction. Similarly, call concurrency is credible until the call concurrency reaches 70%. In other words, only 30% of the calls are overlapping. Call concurrency is suggested as a per-unit threshold unless the majority of calls are multi-unit responses. For example, if there are two units assigned to a station, the station-level call concurrency can perform well at 60% or less for single unit responses. Finally, the cross-staffed strategy applies to an upper call volume threshold of no more than 1,500 calls per year (4 calls per day) and a call concurrency of 15% or less. Under these conditions, units can typically be cross-staffed.

The system of measures provided are not intended to be overly prescriptive. The District should adopt the system performance objectives internally and update as needed.

Type of Measure	Performance Metric	Recommended Performance Urban	Priority	Review Period
Station/Unit Performance	Turnout Time – EMS	≤1.0 Min at 90%	All Emergency EMS Calls	Quarterly
	Turnout Time – All Other	≤1.5 Min at 90%	All Responses	Quarterly
	Travel Time	≤12 Min at 90%	All Emergency Responses	Quarterly
	Minimum Engine Staffing	≥1 FF/EMT ≥1 FF/Lieutenant	All Responses	Daily
	Minimum Ambulance Staffing	≥1 FF/PM ≥1 FF/EMT	All Responses	Daily
System Design and Performance	Dispatch	≤2 Min at 90%	All Emergency Calls	Monthly
	Station Risk Rating	Increases in Risk		Annually
	Reliability	≥70%		Quarterly
	Call Concurrency	≤15%		Quarterly
	Call Volume	3,000 – Initial 1,000 – Ongoing		Annually
	Unit Hour Utilization	≤0.25 on 24-hour ambulance units ≤0.15 on 24-hour Engine and Aerial units ≤0.45 on 12-hour ambulance units		Quarterly
	Cross-Staffing at Unit Level	<1,500 annual calls and <15% Call Concurrency		Annually

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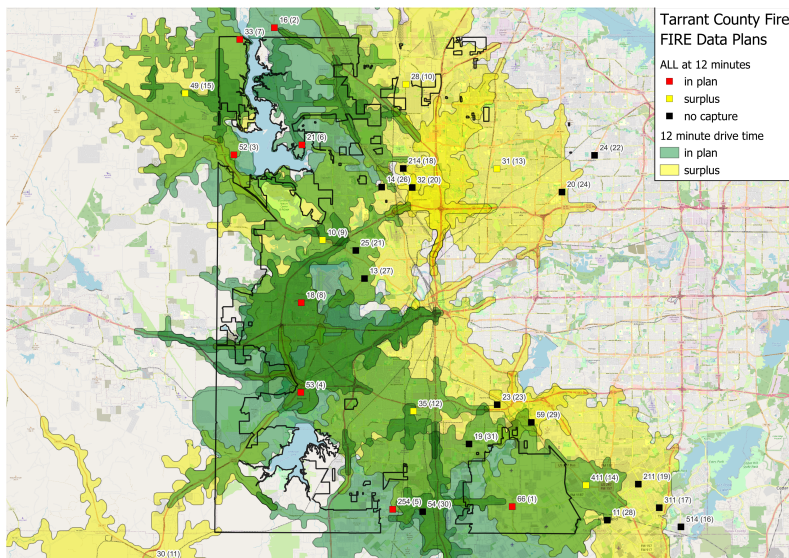
May 2025

## Assessment of Current Fire Deployment

The previous fire station location study demonstrated that an 8-station configuration is well positioned to deliver a 12-minute travel time to greater than 90% of the fire incidents. The GIS analyses utilized average road speeds, so it would not be uncommon for the fire department to outperform the modeling by several percentage points while utilizing lights and sirens responses that do not strictly adhere to non-emergency traffic behavior.

### Recommendation

Within the current station configuration, eight prioritized stations can maintain a 12-minute travel time to 90% of the fire related incidents.

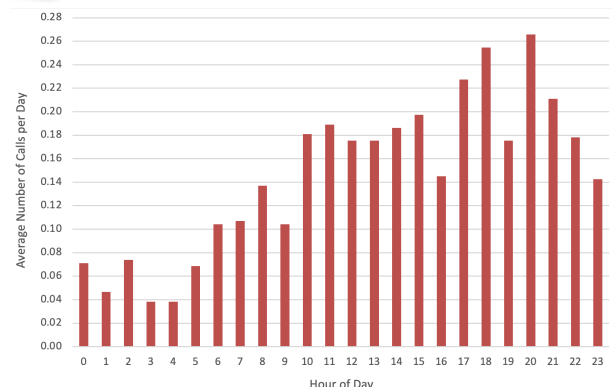


However, ESD1 is actually performing at 11.5 minutes at the 90th percentile. Therefore, maintaining current performance could be efficiently managed through eight prioritized stations.

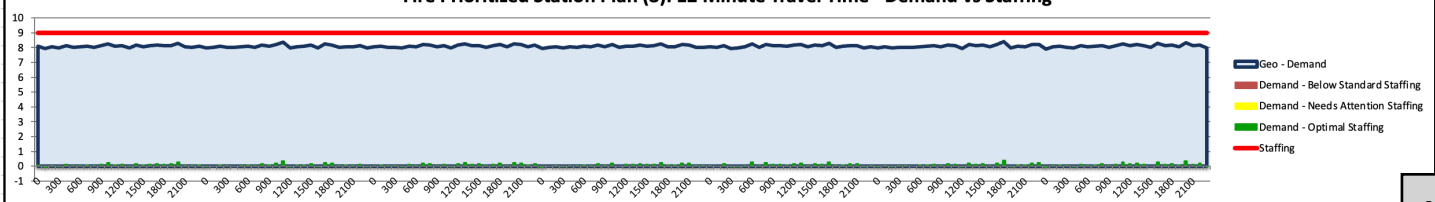
Understanding that the average demand throughout the peak of the day is less than one call per hour, the number of fire (non-EMS) resources should be nine.

The following staffing-to-demand assessment considers the current staffing-to-demand to meet a 12-minute travel time and the actual call durations throughout each day of the week. The RED line indicates the deployed resource, and the BLUE line indicates the combined demand for both response time compliance and resources.

Results demonstrate that nine resources deployed from eight stations can maintain the current travel-time performance.



Fire Prioritized Station Plan (8): 12 Minute Travel Time - Demand vs Staffing





# Tarrant County ESD 1

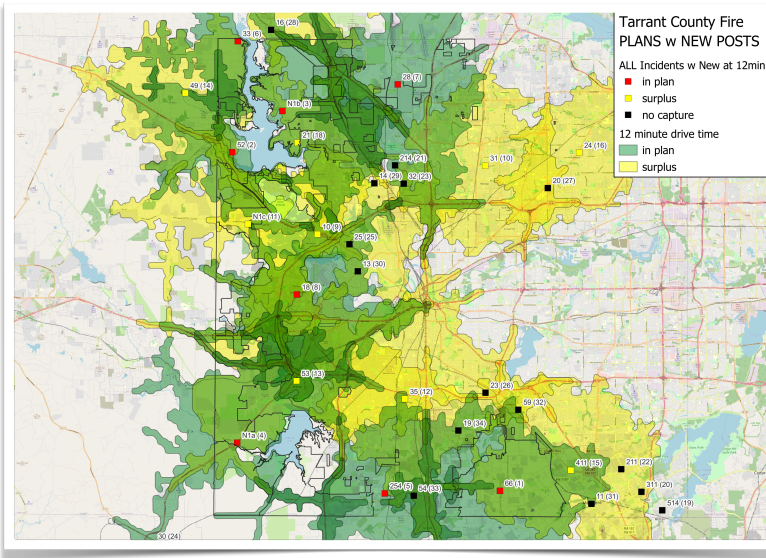
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## Considerations for Prioritizing Fire Expenditures

The following marginal utility analysis provides the District with some guidance on where the greatest return on non-EMS investment exists. These are provided to posit the most efficient operational design as well as guide the policy discourse on the prioritization of investments.

Analyses suggest that an eight station and nine fire engine configuration could maintain the current 12-minute travel time to ~93% of all incidents. When referring to the marginal utility analyses below, each station locations' relative contribution to accomplishing a 12-minute travel time is outlined in the last column labeled "Percent Capture". This cumulative value demonstrates that, if properly resourced, Station 26 (Rendon) could capture nearly 29% of all of the District's calls within 12 minutes.



This deployment strategy is well aligned with the investments

suggested for ISO coverage in areas of the highest need such as Eagle Mountain (N1b) and Whiskey Flats (N1a).

The agencies and/or locations that should receive prioritized investment strategies would be Rendon, Azle, Eagle Mountain (new location), Whiskey Flats (new location), Crowley, Briar-Reno, Haslet, and White Settlement. It is understood that some adjacent providers may provide the resources or co-locate where appropriate.

This assumes new stations in Eagle Mountain (N1b) and Whiskey Flats (N1a). Therefore, the District would own and fund all of the capital for these locations. Secondly, it is likely that the staffing should be provided through contractual relationships and/or through direct employment of the District.

It is recommended that the District continue to contract for fire services.

### Recommendations

Fire service investment strategies may be prioritized by the agencies and/or locations that provide the greatest return on investment.

All current fire department funding would remain, or transition to standardized funding formula, except for current funding that is duplicative to the proposed funding.

Rank	Station	Drive Time (Min)	Station Capture	Total Capture	Percent Capture
1	26	12	1,741	1,741	28.94%
2	52	12	1,058	2,799	46.53%
3	N1b	12	1,012	3,811	63.36%
4	N1a	12	637	4,448	73.95%
5	254	12	367	4,815	80.05%
6	33	12	318	5,133	85.34%
7	28	12	252	5,385	89.53%
8	18	12	197	5,582	92.80%
9	10	12	109	5,691	94.61%
10	31	12	23	5,714	95.00%
11	N1c	12	17	5,731	95.28%
12	35	12	15	5,746	95.53%
13	53	12	7	5,753	95.64%
14	49	12	6	5,759	95.74%
15	411	12	2	5,761	95.78%
16	24	12	1	5,762	95.79%





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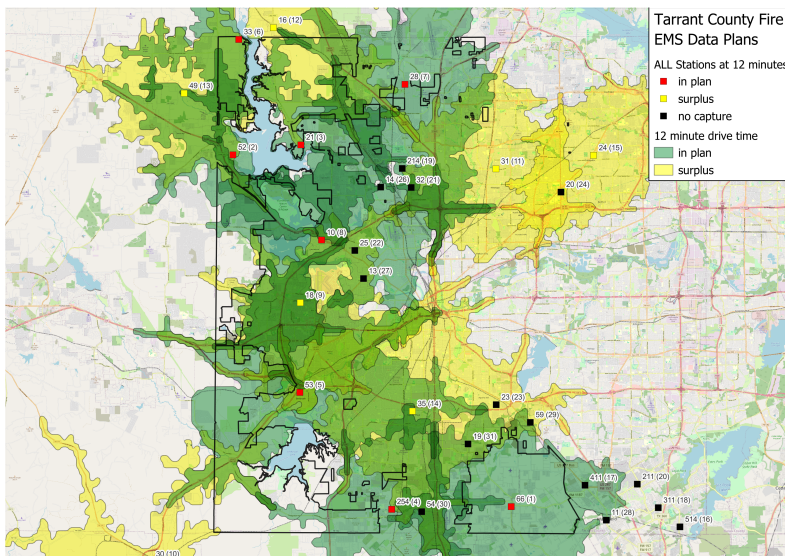
May 2025

## Assessment of Current EMS Deployment

The previous fire station location study demonstrated that an 8-station configuration is well positioned to deliver a 12-minute travel time to greater than 90% of the EMS incidents. The GIS analyses utilized average road speeds, so it would not be uncommon for the fire department to outperform the modeling by several percentage points while utilizing lights and sirens responses that do not strictly adhere to non-emergency traffic behavior.

### Recommendation

Within the current station configuration, eight prioritized stations can maintain a 12-minute travel time to 90% of the EMS incidents.

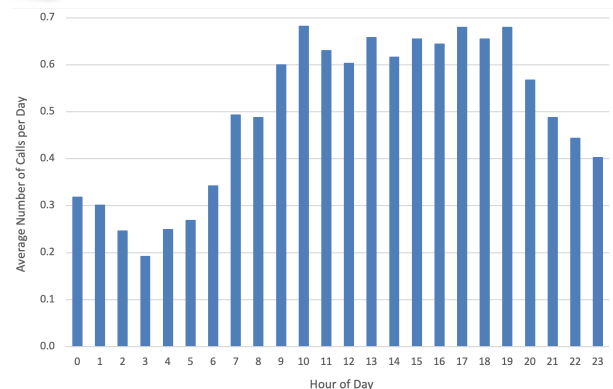


However, ESD1 is actually performing at 11.6 minutes at the 90th percentile. Therefore, maintaining current performance could be efficiently managed through eight prioritized stations.

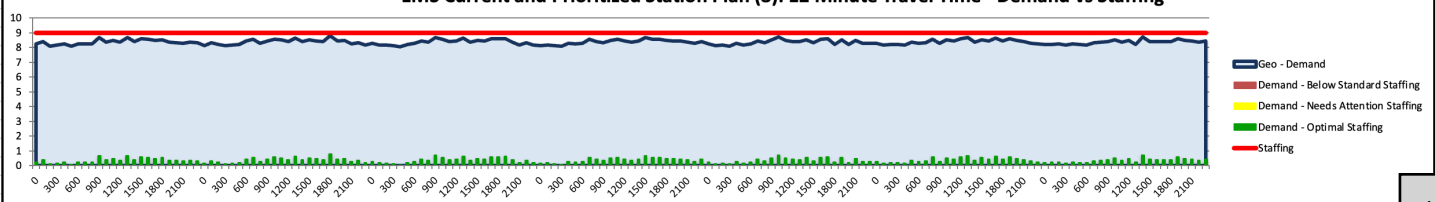
Understanding that the average demand throughout the peak of the day is less than one call per hour, the number of EMS resources should be nine.

The following staffing-to-demand assessment considers the current staffing-to-demand to meet a 12-minute travel time and the actual call durations throughout each day of the week. The RED line indicates the deployed resource, and the BLUE line indicates the combined demand for both response time compliance and resources.

Results demonstrate that nine resources deployed from eight stations can maintain the current travel time performance.



EMS Current and Prioritized Station Plan (8): 12 Minute Travel Time - Demand vs Staffing



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## Considerations for Prioritizing EMS Expenditures

The following marginal utility analysis provides the District with some guidance on where the greatest return on EMS investment exists. These are provided to posit the most efficient operational design as well as guide the policy discourse on the prioritization of investments.

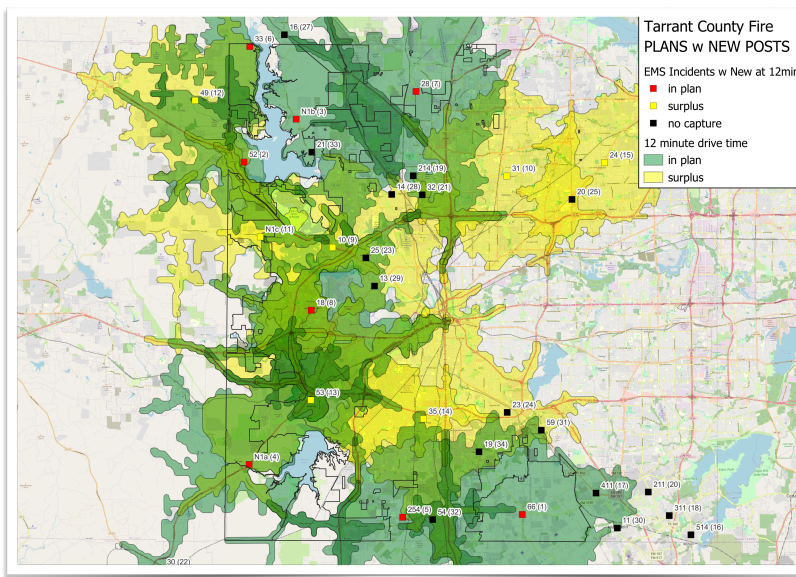
Analyses suggest that an eight station and nine ambulance configuration could maintain the current 12-minute travel time to 92% of the EMS incidents. When referring to the marginal utility analyses below, each station locations' relative contribution to accomplishing a 12-minute travel time is outlined in the last column labeled "Percent Capture". This cumulative value demonstrates that, if properly resourced, Station 26 (Rendon) could capture nearly 30% of all of the District's calls within 12 minutes.

This deployment strategy is well aligned with the investments suggested for ISO coverage in areas of the highest need such as Eagle Mountain (N1b) and Whiskey Flats (N1a).

It is recommended that two staffed ambulances are funded in Rendon, and each of the remaining territories would receive one dedicated staffed ambulance fully funded by ESD1. It is understood that some adjacent providers may provide the resources or co-locate where appropriate.

### Observation

The District could fund 100% of the costs for EMS and introduce an additional revenue stream for less than or equal to the current expenditures associated with EMS.



Rank	Station	Drive Time (Min)	Station Capture	Total Capture	Percent Capture
1	26	12	1,286	1,286	29.60%
2	52	12	769	2,055	47.31%
3	N1b	12	702	2,757	63.47%
4	N1a	12	435	3,192	73.48%
5	254	12	278	3,470	79.88%
6	33	12	264	3,734	85.96%
7	28	12	142	3,876	89.23%
8	18	12	135	4,011	92.33%
9	10	12	67	4,078	93.88%
10	31	12	15	4,093	94.22%
11	N1c	12	13	4,106	94.52%
12	49	12	4	4,110	94.61%
13	53	12	4	4,114	94.71%
14	35	12	1	4,115	94.73%
15	24	12	1	4,116	94.75%
16	514	12	0	4,116	94.75%

The remaining agencies, in priority order, are Azle, Eagle Mountain (new location), Whiskey Flats (new location), Crowley, Briar-Reno, Haslet, and White Settlement.

This deployment is consistent with the "All Calls" assessment for fire stations.

The District would need to meet the agencies to validate their willingness to provide ambulance services to the District.

# Tarrant County ESD 1



## Consideration for an Alternative EMS Delivery Model

The projected 2025 year end cost for EMS, identified as “Ambulance Service”, is \$2,750,000. However, the line item identified as “Aid to Departments’ Staffing” has increased by nearly \$2m in 2024 for a total of \$3,250,000. The staffing supplements were provided to Eagle Mountain Volunteer Fire (~\$726k), Rendon Volunteer Fire Department (~\$732k), and Briar-Reno Volunteer Fire Department (~\$374k).

The total costs for the provision of EMS in FY 2025/26 could be described as the combination of Ambulance Service and some of the Aid to Departments’ Staffing for a total spend of up to \$6,137,500. Therefore, there is an alternative strategy offered for the Board’s consideration; namely ESD1 funding 100% of the EMS service delivery with a dedicated workforce for EMS.

### Observation

It is understood that the Board may elect to contract with adjacent providers and co-locate resources at the most efficient locations.

The system analysis demonstrates that a total of nine staffed ambulances across ESD1 would be able to deliver consistent and reliable service with a 12-minute travel time to 90% of the incidents within the District. This can be accomplished by expanding the policy approach exercised with Eagle Mountain, Rendon, and Brian-Reno in 2024 for a total cost similar to the current spend, but with enhanced operational and fiscal accountability and transparency. It is understood that some adjacent providers may provide the resources or co-locate where appropriate. The estimated costs are provided below.

Category of Spend	Personnel Costs (24/7 + Relief)	Administrative Personnel Costs	Ambulance Revenue
(9) Ambulances with 1 FF/PM and 1 FF/EMT	\$5,343,975		
Clinical Staff (Contractors)		\$150,000	
Executive Director		\$201,500	
(2) Administrative Support		\$137,500	
Total Expenses		\$5,832,975	
Ambulance User Fees (Estimated 60% transport rate and \$404 per transport)			\$1,026,806
Texas ASPP Program			TBD
Total Personnel Costs for EMS			\$4,806,169

The capital replacement costs should be included in this policy option and have been covered in the capital reserve plan. Also, the relief multiplier is at 3.15. In other words, for every seat on the daily deployment of 18 (1 FF/EMT and 1 FF/PM) for each of the nine ambulances, this would equate to a total of ~57 FTEs designed to cover the average leave of the employees. However, the relief multiplier is deliberately established relatively low at 3.15 versus 3.4 - 3.6, because within the contracted environment, the District may elect to have greater control and transparency for the need to fill vacancies and ensure that the relief dollars are being utilized for the intended purposes.

# Tarrant County ESD 1



## Consideration for Future Investment Strategies

The previous analyses have introduced a methodology to prioritize limited funds to ensure the greatest return on investment for the District. The following table is a schematic of what a funding strategy could look like. This is not intended to be overly prescriptive as these decisions are complex and may have competing interests across stakeholder groups and within the unique political, operational, and fiscal environments that may exist.

Similarly, it is understood that the Board may elect to contract or fund services with adjacent providers that provide staffing and/or co-locate at the most efficient locations.

Agency/Function	Engine (3 person)	Tanker (1 person)	Ambulance (2 Person)	Recommended Spend without offset for current spending
Rendon		1	2	
		\$280,280	\$1,187,550	\$1,467,830
Azle			1	
			\$593,775	\$593,775
Eagle Mountain (new station)	1	1	1	
	\$1,038,960	\$280,280	\$593,775	\$1,913,015
Whiskey Flats (new station)	1	1	1	
	\$1,038,960	\$280,280	\$593,775	\$1,913,015
Crowley			1	
			\$593,775	\$593,775
Briar-Reno			1	
			\$593,775	\$593,775
Haslet			1	
			\$593,775	\$593,775
White Settlement			1	
			\$593,775	\$593,775
<b>Total Expenditures for Prioritized Investments</b>	<b>2</b>	<b>3</b>	<b>9</b>	<b>\$8,262,735</b>

### Assumptions

All current reserve fund installments would continue.

All capital replacement obligations would continue to be met.

All current fire department funding would remain, or transition to standardized funding formula, except for current funding that is duplicative to the proposed funding.

The majority of the EMS funding would largely be eliminated. However, secondary resources could continue under the current point system when requested by the District for mutual aid or surge capacity.

District EMS resources would not be utilized for non-emergent transfers.

If the District is funding 100% of the EMS costs, then the EMS user fees would be collected by the District that provides an estimated \$1m in cost recovery.

District funded positions must be part of the minimum daily staffing and are not subject to closure without District approval.





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## Consideration for Agency Fire Funding Allocation

A major tenet of this study was to identify reasonable and understandable approaches to standardizing how funds are distributed to departments in an accountable and transparent manner. This will help both the contract agencies and the District better prepare for the anticipated service demands and the available funds to provide the requested services.



Five alternative funding schema are presented for the District's consideration. As previously stated, the examples are provided to illustrate sound approaches to a standardized funding strategy,

but are not intended to be overly prescriptive and the District should retain full latitude to either adopt one of these alternatives or develop their own. The example approaches are summarized in the table to the right.

The scales for the proportion of the readiness costs are provided below. The same proportional approach was utilized irrespective of the base contract value.

### Assumptions

Population estimates were created through apportioning US Census data to the GIS geographic boundaries of each agencies area of responsibility.

The GIS shape files were provided by the District and refined with the assistance of the District.

Similarly, the square mileage is provided through calculation of the GIS Shape Files provided.

Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5
\$100k Base + \$825 per Call	\$100k Base adjusted for readiness costs by 50/50 split between Population and Square Miles of the coverage area + \$825 per call	\$25k Base + \$1,300 per call	\$25k Base adjusted for readiness costs by 50/50 split between Population and Square Miles of the coverage area + \$1,300 per call	\$1,300 per Call with no base funding

Population Scale		Square Mileage		Factor
0	1,999	0.0	4.9	0.2
2,000	3,999	5.0	9.9	0.4
4,000	5,999	10.0	14.9	0.6
6,000	7,999	15.0	19.9	0.8
8000		20.0		1

Population and Square mileage each shared 50% of the weighted value. For example, to obtain full value of the base readiness funding, the agency would have to have at least a population of 8,000 and 20 square mile coverage area within ESD 1.

# Tarrant County ESD 1



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May 2025

## Consideration for Agency Fire Funding Allocation

This analysis provides the detail for the funding allocation strategies to be refined and/or replicated. Each agencies current fire funding for FY 24/25 are provided for context and the reader's convenience.

In addition, the population, square mileage, and the number of "fire" calls are provided for reference. The highest investment cost are Alternatives one and three. Alternatives four and two, utilize the blended approach for distributing the base funding across the relative need for readiness.

Finally, Alternative 5 does not utilize a readiness assumption or a base contract value. Rather, this alternative utilizes a cost per call value of \$1,300 per call.

Overall, the total spend on each of the alternatives vary between \$2.5m and \$3.5m while the current spend is \$2.6m.

It is understood that the Board may elect to contract or fund services with adjacent providers that provide staffing and/or co-locate at the most efficient locations.

### Assumptions

Fire calls are defined as fire related activity plus all non-EMS incidents such as hazmat and rescue.

The number of fire calls were transferred directly from the District budget.

The number of calls for any given agency may vary in the future as additional resources are staffed and deployed throughout the District.

ESD 1 Agency	Current FIRE Funding (FY 24/25)	Population	Square Miles of ESD 1 Area	Fire Calls by Budget	Alt #1: \$100k Base + Calls (\$825/call)	Alt #2: Readiness (pop/sq mi) (\$100k base) + Calls (#825/call)	Alt. #3: \$25k Base + Calls (\$1,300/call)	Alt #4 Readiness (pop/sq mi) (\$25k base + Calls (\$1,300/call)	Alt #5: Calls (\$1,300/call)
Azle*	\$212,200	3,387	7	254	\$309,550	\$249,550	\$355,200	\$340,200	\$330,200
Benbrook	\$212,000	4,595	24	193	\$259,225	\$199,225	\$275,900	\$260,900	\$250,900
Briar-Reno*	\$168,000	2,446	7	182	\$250,150	\$190,150	\$261,600	\$246,600	\$236,600
Colleyville	\$16,320	12	0		\$100,000	\$40,000	\$25,000	\$10,000	\$0
Cresson	\$118,100	2,273	16	129	\$206,425	\$146,425	\$192,700	\$177,700	\$167,700
Crowley*	\$212,200	4,804	17	225	\$285,625	\$225,625	\$317,500	\$302,500	\$292,500
Eagle Mountain*	\$312,000	3,657	25	288	\$337,600	\$277,600	\$399,400	\$384,400	\$374,400
Everman	\$166,600	941	6	103	\$184,975	\$124,975	\$158,900	\$143,900	\$133,900
Haslet*	\$212,200	5,115	10	176	\$245,200	\$185,200	\$253,800	\$238,800	\$228,800
Kennedale	\$88,000	338	1	65	\$153,625	\$93,625	\$109,500	\$94,500	\$84,500
Lake Worth	\$166,600	2,985	5	125	\$203,125	\$143,125	\$187,500	\$172,500	\$162,500
Mansfield	\$0				\$100,000	\$40,000	\$25,000	\$10,000	\$0
Newark	\$72,980	693	3	63	\$151,975	\$91,975	\$106,900	\$91,900	\$81,900
Rendon*	\$312,000	16,084	26	584	\$581,800	\$521,800	\$784,200	\$769,200	\$759,200
Roanoke	\$119,300	146	1	9	\$107,425	\$47,425	\$36,700	\$21,700	\$11,700
Saginaw	\$166,600	2,786	3	82	\$167,650	\$107,650	\$131,600	\$116,600	\$106,600
White Settlement*	\$75,500	1,231	11	59	\$148,675	\$88,675	\$101,700	\$86,700	\$76,700
<b>All ESD 1</b>	<b>\$2,630,600</b>	<b>51,491</b>	<b>162</b>	<b>2,537</b>	<b>3,793,025</b>	<b>2,773,025</b>	<b>3,723,100</b>	<b>3,468,100</b>	<b>3,298,100</b>
Less Eagle Mountain					<b>\$3,455,425</b>	<b>\$2,495,425</b>	<b>\$3,323,700</b>	<b>\$3,083,700</b>	<b>\$2,923,700</b>



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## Estimated “All In” Net Impact for Personnel Costs

Continuing from the previous analyses, this table represents an “All In” net personnel costs for the substantive areas of investment presented in this report. This funding is both crucial to the future of ESD 1 and the citizens served, but also somewhat constrained to ensure that estimates are actualized before future investment decisions. Once again, this is not intended to be overly prescriptive as these decisions are complex and may have competing interests across stakeholder groups and within the unique political, operational, and fiscal environments that may exist.

Category	Cost / (Reduction)
EMS Program with Executive Director, Administrative Personnel, and Clinical Positions	\$5,832,975
Less Estimated Transport Revenue	(\$1,026,806)
Subtotal of Admin/EMS Expenditures	\$4,806,169
New Fire Costs (Staffed Fire Engines in Eagle Mountain and Whiskey Flats plus 3 Staffed Tankers)	\$2,918,760
New Fire Funding Formula (Utilized the Highest Value in Alt #1 without Eagle Mountain)	\$3,455,425
Subtotal of Expenditures	\$11,180,354
Reallocation of Existing Expenditures	
Fire	(\$2,518,551)
Aid to Fire Departments (66% reduction)	(\$2,145,000)
Admin Costs	(\$270,250)
EMS (80% reduction)	(\$2,310,000)
Expenditures Less Reallocated Costs	\$3,936,553
Residual Costs not Reallocated	\$1,650,000
Net Costs for Prioritized Opportunities	\$5,586,553

### Assumptions

All current reserve fund installments would continue.

All capital replacement obligations would continue to be met.

Standardized funding schema are presented and the highest cost alternative was utilized for a conservative estimate of net costs.

If the District is funding 100% of the EMS costs, then the EMS user fees would be collected by District.

EMS cost recovery was estimated at a 60% transport rate and a \$404 collection per trip based on regional experience.

Current costs were reallocated when duplicative.

Residual costs remained for 33% of the Aid to Fire Departments and 20% of the current EMS costs.

The overall net margin would allow the District to absorb cash flow delays after initiating EMS billing.

It is assumed that there would be a multi-year implementation.

# Tarrant County ESD 1



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## Recommended Implementation Strategies

The alternatives provided within this report require some operational adjustments and considerations to ensure the efficacy of the performance and financial estimates. This section will provide a high-level framing of the policy considerations and assumptions contained within the alternatives.

### Call Triage

It was recommended that the District begin funding and operating 100% of the EMS services through contractual relationships. Understanding that there would be eight primary locations for EMS units, these units may be traversing through other response areas. Since the District may be responsible for per call reimbursement, it is imperative that the dispatch center is able to provide a comprehensive call triage process, such as Medical Priority Dispatch (MPDS) to discern when a closest unit response is of import and not allow agencies to respond to incidents outside of the response matrix developed by the District with an expectation for compensation.

### Closest Unit Dispatching or Redefining Response Zones

Continuing with the system design identified above, moving the Eagle Mountain station and introducing a new station in the Whiskey Flats area will cause some of the response zones to adjust accordingly. For example, if the District is paying for a full time resource in Whiskey Flats, then adjacent agencies' zones may be reduced as well as the requests for services and ultimately the per call compensation. The District will have to redefine the response areas and expectations in conjunction with future performance-based contracts.

### Dedicated EMS Units - Monitor the Impact of Cross-Staffing

The intent of funding 100% of the EMS program assumes that the resources are dedicated and not subject to cross-staffing fire apparatus. However, at the current call volume the system would require approximately a 6% UHU value for both Fire and EMS, suggesting that cross-staffing may be an efficient utilization of career staff. Therefore, the District should carefully monitor the performance of the EMS system and restrict cross-staffing activities as needed to ensure the proper return on investment. If needed, the call triage process can reduce the types and number of fire related activity involving EMS units and/or personnel to high-risk events such as structure fires and reduce utilization for lower risk events such as fire alarms.

Fitch's recommendation is that resources should not be cross staffed after approximately 1,500 calls and a call concurrency of 15%. Finally, District funded EMS units should not be utilized for non-emergent transfers.

### Recommendations

Develop an agreed upon call triage process and response matrix to ensure the best utilization of limited resources and control costs.

Redefine response zones for Fire and EMS after the introduction of new stations and the reconfiguration of the EMS system.

District EMS resources should not be utilized for non-emergent transfers.

The District should approve any cross-staffing between EMS and Fire responsibilities and ensure EMS performance is meeting expectations.

Cross-staffing should not be continued after 1,500 calls per year and a 15% or higher call-concurrency rate.

# Tarrant County ESD 1



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## Recommended Implementation Strategies (Cont.)

### EMS Move-Up

Part of the efficient utilization of the nine ambulances is that during surges in EMS demand, resources may be moved up to locations that provide the most efficient coverage within ESD 1. Therefore, any over reliance on cross-staffing fire responsibilities may be impacted when an ESD 1 EMS unit is relocated during peak activity. Conversely, an agency should not move-up a cross-staffed fire resource that removes the EMS coverage without the Districts consent.

### EMS Billing

In conjunction with the EMS funding strategy, the District will need to establish itself as a provider and make the appropriate registrations to be able to assume the billing functions. It should be expected that there will be a lag in accounts receivable for approximately 6-months until the recurring revenue is consistent and on-target for the annualized value.

### District Funded Positions as Daily Minimum Staffing

District funded positions should be part of the daily minimum staffing of the provider agencies. Therefore, District positions should not be subject to closure, out of service times, or brown-outs without District approval.

### Staffed Tanker Coverage

One of the recommendations is to begin staffing tankers with one FF/EMT 24/7 to assist with a more efficient dedication to providing mobile continuous water supply to help with the ISO ratings and insurance availability and costs. The initial proposed investment was in Rendon, Eagle Mountain, and Whiskey Flats.

However, the financial analyses demonstrate the District will still have limited capacity to fund all issues and may have to prioritize funding. For example, for the same cost of providing three tankers, the District could fund a 3rd full time engine company. This may be relevant if the District needs to assume responsibility in any prioritized areas or open new stations in uncovered areas similar to Eagle Mountain and Whiskey Flats.

### Dispatching and Data Capabilities

The District's future is tied to a more robust and efficient call triage and dispatching process as well as sufficient access to timely and detailed data.

The system design and recommendations will be limited if the data and process are not in place to allow the system to function with the utmost efficiency. The District will need timely access to data sufficient to support professional management of the system resources and performance. Additionally, it will be a necessary tool to partner with contracted agencies to have a transparent and accountable dialogue for contract performance and equitable funding.

### Recommendations

District funded EMS units are subject to periodic move-ups to more efficient locations during surges in demand.

The District should expect that once the official registration processes are in place, a 6-month lag in revenue should be expected and accounted for in budget decisions.

District funded positions must be part of the minimum daily staffing of contracted agencies and are not subject to closure without District approval.

Tanker Coverage may have to be reconsidered if additional fully staffed engine companies are required.

The District should ensure that the capabilities of dispatching, call triage, and data management meet the expectations of the system design.

# Tarrant County ESD 1



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## Volunteer Recruitment and Retention

Overall, the national experience is that volunteerism is on the decline in the United States. There are many factors that may contribute to this phenomenon, including a changing economy, generational preferences, and community age demographics, to name a few.



U.S. Fire Administration  
Working for a fire-safe America

### Retention and Recruitment for the Volunteer Emergency Services

FA-361 | May 2023



FEMA

In 2023, the United States Fire Administration (USFA) and the Federal Emergency Management Agency (FEMA) published an excellent guide and resource dedicated to the common challenges that are targeted specifically to volunteer agencies.

The 2023 released report titled Retention and Recruitment for the Volunteer Emergency Services (FA-361) found that from 1984 to 2020 there has been a 25% decrease in volunteer

### External Dynamics

Reduction in available time to volunteer

Increase in dual-income households

Fewer businesses allowing workers to leave for call during work hours

Employees who commute further to work

### Internal Dynamics

Increasing demand for service

Increasing training requirements

The overall length of the onboarding process and initial training to be a contributing member

Individual health risks

Scheduling conflicts

firefighters across the country. Some of the reasons reported externally for the recruitment and retention challenges include: reduction in available time to volunteer, more dual-income households, less businesses allowing workers to leave for fire calls during work hours, and employees who commute further to work.

Internally, some of the dynamics include: increasing demand for service, increasing training requirements, and health risks.

It is usually not just one of the challenges, but multiple, that keep residents from volunteering at their local fire department. In addition, each communities unique experience may vary. Therefore, it is recommended that the department is well versed in the best practices and guidance provided by the USFA and evaluate and implement a robust strategy for the greatest return on investment and organizational sustainability.



# Tarrant County ESD 1



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## Continuous Improvement and Annual Appraisal

This SOC document is designed to guide the department to continuously monitor performance, seek areas for improvement, and to clearly articulate service levels and performance to the community we have the privilege of serving. Therefore, the Fire Chief has established a Compliance Team to continuously monitor elements of this SOC and make recommendations for system adjustment or improvement quarterly.

### Recommendation

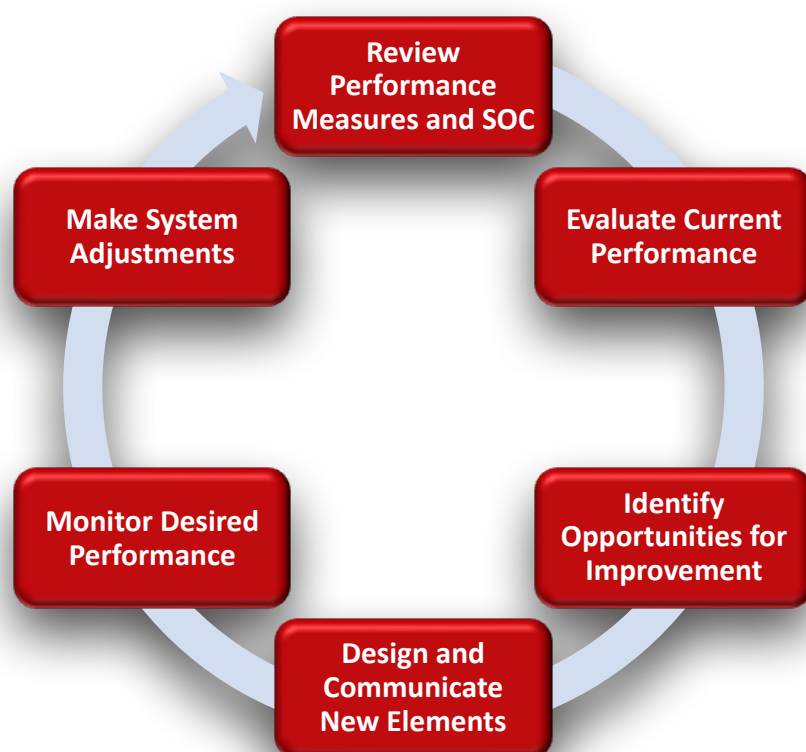
The department should regularly analyze performance data and outcome measurements to ensure alignment with strategic goals and objectives.

### Compliance Team and Responsibilities

The Compliance Team will consist of the following department members (TBD) and will have the responsibility of continuously monitoring changes in risk, community service demands and department performance in each program area, fire department demand zone, and/or risk category.

- Chair - Director of ESD1
- Members - Fire Chiefs
- Member – Community Risk Reduction
- Member – Operations
- Member – Administration

### Performance Evaluation and Compliance Strategy



The Compliance Team will evaluate system performance by measuring first due unit performance at the 90th percentile quarterly and annually. In addition, the department will evaluate first due performance by each individual SDZ and by program area. Annual reviews will be conducted in January of each year regarding the previous year. All response performance monitoring will exclusively evaluate emergency responses.

The Compliance Team will determine the strengths, weaknesses, opportunities, and challenges of the system performance annually and make recommendations for system adjustments to the Board. Finally, the team will annually update and evaluate the risk assessment matrices for relevancy and changes in community risk.

# Tarrant County ESD 1



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## Appendices - Supporting Documents

**T**he community risk assessment (CRA) is presented as a supporting document to provide greater detail and transparency into the risk assessment process.

This summary report provided the high-level substantive results of the community risk assessment. However, if greater detail is desired, please refer to the Community Risk Assessment report provided in the appendices.



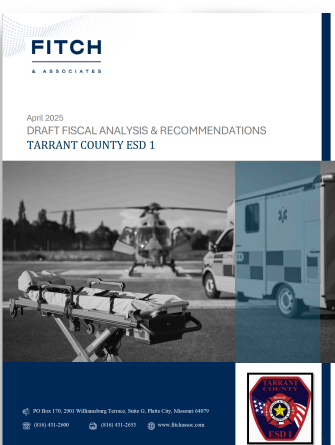
**T**he comprehensive quantitative data analysis is presented as a supporting document to provide greater detail and transparency into the historical performance of the fire department.

This summary report provided the high-level substantive results of the comprehensive data analysis. However, if greater detail is desired, please refer to the Data Analysis report provided in the appendices.



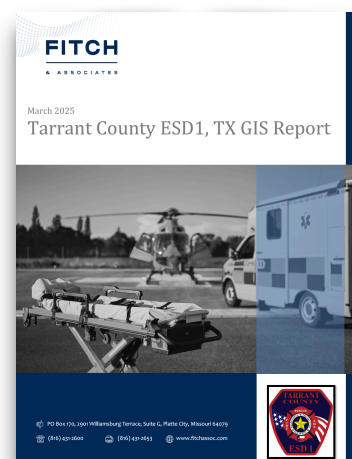
**T**he comprehensive geospatial analysis (GIS) is presented as a supporting document to provide greater detail and transparency into the response time and fire station location study.

This summary report provided the high-level substantive results of the comprehensive data analysis. However, if greater detail is desired, please refer to the GIS Analysis report provided in the appendices.



**T**he comprehensive financial assessment is presented as a supporting document to provide greater detail and transparency into the financial recommendations provided in the summary report.

This summary report provided the high-level substantive results of the financial analysis. However, if greater detail is desired, please refer to the Financial Analysis report provided in the appendices.





# CITY OF EVERMAN

## City Council, Boards, Commissions, and Committees

### Rules and Procedures





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## **ARTICLE 1. INTRODUCTION, APPLICABILITY, AMENDMENT, AND ANNUAL REVIEW**

### **1.1 Introduction**

The Everman City Council ("Council") is the governing body of the City of Everman ("City"); therefore, it must bear the initial responsibility for the integrity of governance. The Council is accountable for its own professional development (both as a group and as individuals), its responsibilities, its own discipline, and its own performance. The development and adoption of this policy are to ensure effective and efficient government. All citizens and businesses of Everman are entitled to fair, ethical, and accountable local government which has earned the public's full confidence for integrity. In keeping with the City's commitment to excellence, the effective functioning of democratic government, therefore, requires that:

- Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Public officials are independent, impartial, and fair in their judgment and actions;
- Public office be used for the public good, not for personal gain; and
- Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

### **1.2 Applicability**

The rules and procedures adopted by the City Council are applicable not only to the City Council, but shall apply to all other boards, commissions, and committees of the City of Everman.

### **1.3 Amendment**

These rules may be amended or new rules adopted, by a majority vote of the members of the City Council present.

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## **ARTICLE 2. MISSION STATEMENT**

### **2.1 Mission Statement**

Based on recognition that stewardship of the public interest must be their primary concern, members of the Council and of the Boards, Commissions, and Committees that are appointed by the Council ("Board Members"), will work for the common good of the people of Everman and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before their respective body.

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## **ARTICLE 3. COMPLY WITH LAW**

### **3.1 Comply with Law**

All Members shall comply with all Federal, State and Local laws, the Everman City Charter, all Ordinances, Regulations, Codes, Rules and Policies of the City of Everman.

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## **ARTICLE 4. GENERAL RULES OF PROCEDURE AND POLICIES**

### **4.1 Construction of Authority**

The construction of authority in all matters associated with the meetings and activities of the City Council, including the Agenda, shall be: (1) the U.S. Constitution and statutes of the United States of America; (2) the Texas Constitution and statutes of the State of Texas; (3) the City Charter; (4) the Code of Ordinances of the City of Everman, Texas; (5) these rules; and, (6) Robert's Rules as amended and set forth herein.

### **4.2 Council/Staff Relationships and Communications**

The City Manager shall be the chief executive and administrative officer of the City. Refer to Home Rule Charter, Section 5.04 for specific details. The Council should contact City employees through the City Manager. Council Members should refrain from giving orders or directions to any subordinate of the City Manager, either publicly or privately. Work assignments and policy direction should come from the elected body as a whole and not from individual members.

The City Manager shall be directly responsible for providing equal information to all Council members. Should the City Manager find that staff time is being dominated by a single member, he/she should inform the Mayor of the concern.

All Council members and staff members shall show respect and courtesy to each other and citizens at all times.

The City Manager is responsible for seeing that all newly elected Council members are provided with a thorough orientation on staff procedures, municipal facilities and other information of interest to municipal officials.

Consultants hired by the City shall be considered staff members for purposes of governance.

### **4.3 Meetings Shall Be Public**

All meetings of the City Council, Boards, Commissions, and Committees shall be public, and notices thereof shall be posted as provided for under the Texas Government Code, Chapter 551, Open Meetings Act. Except in the case of an emergency meeting, a notice of all meetings



shall be given 72 hours before the time set for any meeting. The Everman City Hall is wheelchair accessible and special parking is available on the west side of the building. If special accommodations are required, citizens should contact the City Secretary a minimum of 24 hours in advance at 817-293-0525.

#### **4.4 Conduct of Meetings**

Meetings shall be conducted according to the rules adopted by the City Council, as well as the terms and provisions of Robert's Rules of Order as amended herein and when consistent with these rules.

#### **4.5 Regular Meetings**

Regular meetings of the City Council shall be established by ordinance in accordance with the Everman City Charter. The Council may, by majority vote at a regular meeting, change the days or times of meetings, as circumstances may necessitate. Regular meetings of Boards, Commissions, and Committees shall be set by each independent board and are required to meet at least once during each fiscal quarter of the year.

#### **4.6 Special Meetings**

Special meetings of the City Council may be called, upon the request of the Mayor or two Council Members. A request for a special meeting shall be filed with the City Manager in written/electronic format unless made at a regular meeting at which a quorum of the Council Members is present. The City Manager and all Council Members shall be notified of all special meetings.

#### **4.7 Emergency Meetings**

In case of emergency or urgent public necessity, which shall be expressed in the meeting notice, it shall be sufficient if members receive and notice is posted two (2) hours before the meeting is convened. Notice shall be provided also to the media in accordance with the Texas Government Code, Section 551.047.

#### **4.8 Work Sessions**

Work Sessions are called for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the City Council.

#### 4.9 Executive Sessions

Executive Sessions are sessions closed to the public. They are only permitted for the purpose of discussing matters enumerated in Chapter 551, Open Meetings Act of the Texas Government Code. Disclosure of topics to be discussed shall be made to the public in accordance with the requirements of the Open Meetings Act.

The City Council, Board, Commission, or Committee can retire into an Executive Session as stated on a posted agenda during a regular or special meeting if a motion is duly made and seconded, and affirmed by a majority of the Council. The order in which an Executive Session may appear on the agenda is subject to the discretion of the City Council. A certified record of the meeting will be created by the presiding officer or his/her designee, sealed and permanently kept, subject to opening by Court order. No voting or action shall be taken by the City Council during Executive Session. No other subject but that posted on the agenda is to be considered. Adjournment of Executive Session and any vote needed shall be made during the open public meeting.

A member of the governmental body who, without lawful authority, knowingly discloses to a member of the public the certified agenda for a meeting that was lawfully closed to the public under the Open Meetings Act is liable for: (a) actual damages; (b) reasonable attorney fees and court costs; and possibly (c) exemplary damages. An offense is a Class B misdemeanor. The governmental body will make and keep a certified agenda of each closed executive session, except for an executive session held by the governmental body to consult with attorney in accordance with section 551.071 of the Texas Government Code. The presiding officer must certify that the agenda is a true and correct record of the executive session. The certified agenda must include: (1) a statement of the subject matter of each deliberation, (2) a record of any further action taken, and (3) an announcement by the presiding officer at the beginning and end of the closed meeting indicating the time and date. The presiding officer will certify all agendas in accordance with state law.

#### 4.10 Recessed Meetings

No meeting shall be recessed for a longer period of time than until the next regular meeting except when required information has not been received, or, in the case of work sessions or special meetings, to a date determined by a motion duly passed.

#### 4.11 Quorum

The Open Meetings Act defines a “quorum” as the majority of the governing body unless otherwise defined by applicable law, rule, or charter. A quorum of a governmental body’s members must be present in order for the governmental body to exercise the authority delegated to it. A quorum of any governmental body must be present to convene an open

meeting of that body under the Act. This requirement applies even if the governmental body plans to go into executive session immediately after convening.

#### **4.12 Conflict of Interest**

A Council Member prevented from voting by a conflict of interest shall file a conflict-of-interest questionnaire with the City Secretary as soon as possible after the posting of an agenda which contains a conflict, unless an applicable conflict-of-interest questionnaire has already been filed.

A Council Member prevented from voting by conflict of interest shall step down from the dais and leave the room, shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council's deliberation of the matter in any way, shall not attend Executive Sessions regarding the matter, and shall otherwise comply with the state law and city ordinances concerning conflict of interest including Chapter 171 of the Local Government Code.

Also, Section 176.003 of the Local Government Code requires certain local government officers to file a conflict-of-interest questionnaire. A "local government officer" is defined as a member of the governing body of a local government entity, a director, superintendent, administrator, president, or other person designated as the executive director of the local government entity; or an employee of a local government entity with respect to whom the local government has, in accordance with Section 176.005, extended the requirements of Section 176.003 and 176.004. The conflict-of-interest questionnaire form is required to be filed with the City Secretary no later than 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement. Additionally, a local government officer is required to file an "Affidavit Providing Notice of Potential Conflict of Interest" should the officer have a "substantial interest" in a business or property, as defined in Chapter 171 of the Local Government Code, if the Council is contemplating taking action that may have a special economic effect on the business property. That affidavit must be filed if you or a person related to you in the first degree by consanguinity (blood) or affinity (marriage) has the interest. Please contact the City Secretary for a form prior to the meeting.

#### **4.13 Presiding Officer**

The Mayor shall be the official head of City Government. The Mayor shall serve as the presiding officer for all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall serve as the presiding officer. In the absence of the Mayor Pro Tem, the City Secretary shall call the meeting to order if a quorum of the Council is present and the first order of business shall be for Council to elect by majority vote, a temporary presiding officer from the members then seated and in attendance. The temporary presiding officer shall serve in such capacity until the meeting is adjourned.

The Presiding Officer shall serve as the chair of all meetings and shall make final rulings on all questions pertaining to these rules. All decisions of the Presiding Officer are final unless overruled by the City Council through a Motion to Appeal as described in the City Charter.

The Presiding Officer is entitled to participate in the discussion and debate, and is entitled to vote on all business before the City Council. The Presiding Officer of Boards, Commissions, and Committees shall be the person selected by the board as the chair, co-chair, or vice chair. If these persons are not in attendance, the board shall choose a temporary presiding officer from among the members in attendance.

#### **4.14 Minutes of Meetings**

The City Secretary shall keep an account of all proceedings of the City Council and they shall be open to public inspection in accordance with the laws of the State of Texas.

#### **4.15 Suspension and Amendment of Rules**

Any provisions of these rules not governed by federal, state law, or the City Charter, may be temporarily suspended by a super majority vote of the City Council and may be amended in a similar fashion if such amendment was introduced at the previous regular meeting of the City Council and shall have received preliminary approval of the City Council at such meeting. For the purposes of this section, preliminary approval shall mean a motion and a second with a majority vote to preliminary approve the amendment.

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### **ARTICLE 5. PARLIAMENTARY PROCEDURE**

#### **5.1 Purpose**

The purpose of these rules of parliamentary procedure is to establish orderly conduct of the meetings. Simple rules lead to a wider understanding and participation. Complex rules create two classes: (1) those who understand the rules, and (2) those who do not fully understand and those who do not fully participate. The ultimate purpose of these rules of parliamentary procedure is to encourage and facilitate decision-making by the City Council. In a democracy, the majority opinion carries the day. These rules enable the majority to express their opinion and fashion a result, while permitting the minority to also express itself and fully participate in the process.

#### **5.2 Model Format for an Agenda Item Discussion**

The following ten steps may be used as a model or guidebook by the presiding officer. The meeting is governed by the agenda and the agenda constitutes the only items to be discussed. Each agenda item can be handled by the presiding officer in the following basic format:



1. *Announce the Item.* The Mayor should clearly announce the agenda item number and should clearly state what the subject matter of the agenda item is by reading the caption for the item being considered.
2. *Ordinance Caption Read.* The Ordinance Caption must be read out loud for the participating members, the audience, and the record prior to the adoption of the ordinance.
3. *Receive a Report.* The Mayor should invite the appropriate people to report on the item, including any recommendation they might have.
4. *Ask Clarifying Questions.* The Mayor should ask the Council Members if they have any technical questions for clarification. At this point, members of the City Council may ask clarifying questions to the people who reported on the item, and they should be given time to respond.
5. *Seek Resident Input.* The Mayor should invite resident comments – or if a public hearing, open the public hearing. Upon conclusion, the Mayor should announce that the public input is closed, or if a public hearing, the public hearing is closed.
6. *Motion First.* The Mayor should invite a motion from the City Council before debate is given on the merits of the item. The Mayor should announce the name of the member who makes the motion.
7. *Motion Second.* The Mayor should determine if any member of the City Council wishes to second the motion to allow discussion. The Mayor should announce the name of the member who seconds the motion. If no member of the City Council wishes to second the motion, then the motion is not seconded and should be so stated by the Mayor, who may ask for another motion or move on to the next order of business.
8. *Repeat Motion.* If the motion is made and seconded, the Mayor should make certain that everyone (including the audience) understands the motion. This is done in three ways:
  - a. The Mayor can ask the maker of the motion to repeat it;
  - b. The Mayor can repeat the motion; or
  - c. The Mayor can ask the City Secretary to repeat the motion.
9. *Discuss the Motion.* The Mayor should now invite the members of the City Council to discuss the motion. If there is no desired discussion, the Mayor may call for a vote. If there has been no discussion or a brief discussion, then there is no need to repeat the motion before taking a vote. If the discussion has been lengthy, it is a good practice to repeat the motion before calling for a vote.
10. *Vote.* The Mayor will call for a vote. Unless a super-majority is required for passage of the motion, a simple majority vote determines whether the motion passes or fails. Unless a member of the Council seeks recusal from voting on any question where the

vote would constitute a conflict of interest, all members of the Council, including the Mayor, shall vote upon every question, ordinance, or resolution. Any Council Member refusing to vote unless so excused shall be entered upon the minutes as voting with the majority. Action items require a vote. A roll call vote will be conducted by the City Secretary.

11. *Announce the Outcome.* The City Secretary announces the results of the vote and should also state what action (if any) the Council has taken.

### 5.3 Types of Council Actions

The Council adopts standing policy for the City primarily in three forms: (1) Ordinances; (2) Resolutions; and (3) Passed Council Actions.

1. *Ordinances*

Actions requiring an ordinance are those required by law and City Charter § 3.11. An ordinance adopted by the Council is a law of the City that may be enforced through the court system. The City Manager or any member of the Council may offer an ordinance for consideration by the Council. Copies of proposed ordinances are furnished to members of the Council in their agenda packets. Copies of proposed ordinances are made available at City offices and will be furnished to residents upon request to the City Secretary. The City Attorney may draft, review, or provide any comments about the proposed ordinance to be included in the Agenda Packet.

A proposed ordinance may be amended, but any ordinance amended in substance must be reconsidered at the next regular meeting, except for ordinances authorizing the issue of bonds or other obligations. The Charter requires that the City codify all general obligations. General ordinances are those ordinances of a permanent or continuing nature that affect the residents of the City at large. The Council may legislate by ordinance only.

2. *Resolutions*

Resolutions generally do not have the force of law. A resolution is adopted to approve a contract, state a policy, or to define in writing the intent of the Council when a law is not necessary. Examples would include a resolution to define the scope and purpose of a Council committee, or a resolution to define the Council's policy on an issue. Resolutions are also used to document Council actions for reference. A list of resolutions is also maintained by the City Secretary.

3. *Council Actions*

In addition to ordinances and resolutions, Council policy may also be set by Council action. Those actions are documented in the minutes of the meeting. Council policy is also supplemented by administrative orders issued by the City Manager and other duly

authorized offices of the City, such as clarifications to the personnel manual, or general orders of the police department. All administrative orders must be in conformance with any policies set by the Council.

#### 5.4 Basic Motions

The basic motion puts forward a decision for consideration. A basic motion might be: “I move approval of the Ordinance as submitted,” or “I make a motion that we deny the Resolution.”

#### 5.5 The Motion to Amend

If a member wants to change a basic motion, he or she would have to move to amend the original or previously amended motion. A motion to amend might be: “I move that we amend the motion to include the changes we discussed to the Ordinance.” A motion to amend seeks to retain the basic motion on the floor (a motion made and seconded), but to modify it in some way. A motion to amend requires the agreement of the person making the original motion. If the basic motion has already been seconded, the motion to amend must be acknowledged and accepted by the member who seconded the basic motion.

#### 5.6 Discussion and Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, the basic motion and the motion to amend are all eligible, each in their turn for full discussion by and before the City Council. Discussion and debate can continue as long as the members wish to discuss it, or until the Mayor decides that it is time to move on and call a vote on the motion.

#### 5.7 Other Motions

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the Council to move on. The following motions are NOT debatable, and the Mayor must immediately call a vote on the motion, if seconded by another member.

- *Motion to Adjourn.* This motion, if passed, requires the Council to immediately adjourn to its next regularly scheduled meeting. This motion requires a simple majority vote.
- *Motion to Recess.* This motion, if passed, requires the Council to immediately take a recess. Normally the Mayor will determine the length of the recess which could last for a few minutes to several hours. It requires a simple majority vote.
- *Motion to Fix the Time to Adjourn.* This motion, if passed, requires the Council to adjourn the meeting at the specific time set in the motion. For example, “I move we adjourn this meeting at Midnight.” It requires a simple majority vote.

- **Motion to Table.** This motion, if passed, requires discussion of the agenda item to be halted immediately, and the agenda to be placed on hold. The motion may contain a specific time to bring the item up again, or it may not specify a time. If no time is specified, the item shall be placed on the agenda at the following Council meeting. This motion requires a simple majority vote.
- **Motion to Remove from Table.** This motion, if passed, allows the Council to remove an item previously placed on hold. A vote in favor of removing an item from the table must be made before the Council can take action on an item that was tabled.

### 5.8 Motions Requiring Two-Thirds or a Supermajority Vote to Pass

Normally a super majority vote requires a larger number of affirmative votes than a simple majority. For purposes of these rules, and where applicable state law does not dictate a contrary result, a super majority vote shall require a minimum of five votes for a two-thirds majority vote. The number of affirmative votes required for a super majority is not reduced by the sickness or absence of one or more Council Members. In circumstances where the number of Council Members available to vote on a particular matter is reduced by death, resignation or legal disqualification of one or more of said Members, the total number of Members voting shall be reduced by a like number and the number of affirmative votes required for adoption re-calculated accordingly. The following table provides an example of the calculation for a super majority vote in instances where the number of Council Members is reduced by death, resignation or legal disqualification:

Number of Council Members After Reducing by Death, Resignation, etc.	Minimum Number of Votes For Two-Thirds Supermajority
7	5
6	4
5	4
4	3

- **Motion to Limit Debate.** This motion is sometimes referred to as, “moving the question” or, “calling the question.” When a member of the Council makes such a motion, the member is saying, “I have had enough discussion, let’s vote on the issue.” When such a motion is made, the Mayor should ask for a second, stop the discussion and vote on the motion to limit debate. The motion requires two-thirds, or super majority vote to pass. Meaning, the number of Council Members voting for the motion must equal four or more.



- *Motion to Object to the Consideration of an Item.* This motion, if passed, precludes the City Council from even considering the item on the agenda. It does not preclude the item from appearing on a future agenda. The motion requires two-thirds, or super majority vote to pass. (Normally, this motion is unnecessary, because the objectionable item can be defeated outright or tabled.)
- *Motion to Suspend the Rules.* This motion IS debatable, but requires a two-thirds or super majority vote to pass. This motion allows the Council to suspend its own rules for a particular purpose. For example, the Council may desire to give a particular speaker more time than normally allowed. A “motion to suspend the rules and give the speaker ten additional minutes” accomplishes this desire.

### 5.9 Motion to Reconsider

There is a special motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. As such, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to reconsider is made.

A motion to reconsider requires a simple majority vote to pass, but there are two special rules that apply only to the motion to reconsider.

First, the issue involves timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting (if properly noticed and on the posted agenda). A motion to reconsider made at a later time is considered untimely and it may not be considered unless the Council suspends the rules to consider it.

Secondly, the motion to reconsider can only be made by a member of the Council who voted in the majority on the original motion. The motion to reconsider may be seconded by any member of the City Council regardless of how they voted on the original motion. If a member of the Council who voted in the minority on the original motion seeks to make a motion to reconsider, it MUST be ruled out of order by the Mayor. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back again and again, which would defeat the purpose of finality.

If a motion to reconsider passes, then the original matter is back before the Council, and a new original motion is in order. The matter may be discussed as if it were on the floor for the first time.

### 5.10 Courtesy, Decorum, and Order

These rules of order are meant to promote an atmosphere of courtesy and decorum appropriate for the efficient discussion of business. It is the responsibility of the Mayor and the members of the City Council to maintain that atmosphere of courtesy and decorum. The Mayor

should always ensure that debate and discussion focus on the item and the policy in question, not on the personalities of the participants of the discussion. Debate on policy is healthy; debate on personalities is not. In order to assist in the creation and maintenance of that atmosphere the following rules shall govern all meetings:

1. *Request to Speak.* Before a Council Member, staff member or an audience member may speak, they must first be recognized by the Mayor. Upon recognition the person requesting to speak shall hold the floor and shall make their point clearly and succinctly. Public comments must be kept relevant to the subject before the Council. The Mayor shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, overly redundant or slanderous remarks may be barred by the Mayor from further comment before the Council during the meeting. Audience members who wish to speak during a meeting must first complete a Citizen Comment Request Form and submit it to the City Secretary. The Mayor has the right to cut a speaker off if the discussion becomes too personal, too loud, crude, irrelevant, impertinent, redundant, or slanderous.
2. *Order.* If a person fails to request to speak before speaking, the Mayor shall rule them Out of Order and remind them that they do not have the floor. While the Council is in session, all Council Members must preserve order and decorum. A person shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the meeting, nor disturb any other person while speaking or refuse to obey the orders of the Mayor. Members of the City Council should not leave their seats during a meeting without first obtaining permission of the Mayor, or making a Motion to Recess.
3. *Improper References Prohibited.* Every person desiring to speak shall address the entire Council and shall not single out a member of the Council, the audience or a staff member. Speakers shall confine themselves to the question under debate, avoiding all personal attacks and indecorous language.
4. *Interruptions.* A Council Member, once recognized, shall not be interrupted when speaking unless it is to call him or her to order, or other such interruption expressed below. If the Council Member, while speaking, is called to order, he or she shall cease speaking until the question of order is determined, and if the Council Member is found to be in order, he or she shall be permitted to proceed speaking. Allowable interruptions or points of order are as follows:
  - a. *Point of Privilege.* The proper interruption would be: "Point of Privilege." The Mayor would then ask the interrupter to, "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room might be too hot or cold, or a fan motor might interfere with a Council Member's ability to hear.
  - b. *Point of Order.* The proper interruption would be: "Point of Order." The Mayor would then ask the interrupter to, "state your point." Appropriate points of

order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Mayor called for a vote on a motion that permits debate without allowing any discussion.

- c. *Motion to Appeal.* If the Mayor makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the Mayor by stating, “motion to appeal.” If the motion is seconded and after debate if it passes by a simple majority vote, the ruling of the Mayor is reversed.
- d. *Call for orders of the day.* This is simply another way of saying, “let’s return to the agenda” if a Council Member believes the discussion has strayed from the agenda. The motion does not require a vote. If the Mayor discovers that the discussion has strayed from the agenda, he or she simply returns to the business of the day.
- e. *Withdraw a Motion.* During the debate and discussion of a motion, the original maker of the motion on the floor, at any time, may interrupt the speaker to withdraw his or her motion. The motion is immediately deemed withdrawn and discussion on the motion shall cease. Council Members are free to make the same motion or another motion.

### 5.11 Enforcement of Rules and Procedures

The following provisions may be used to enforce the good order and decorum of the meeting. The action may be taken by the Mayor under his or her own action, or upon a Motion to Enforce by any Council Member.

1. *Warning.* The Mayor may order any person (Council Member, staff member, or audience member) in violation of these rules to be silent.
2. *Removal.* If, after receiving a warning from the Mayor, the person continues to disturb the meeting or breach the peace and good order of the meeting, the Mayor may order the person to leave the meeting. If the person does not leave the room, the Mayor may order the Sergeant-at-Arms to remove the person.
3. *Sergeant-at-Arms.* The Sergeant-at-Arms shall be the highest-ranking police officer in attendance at the Council Meeting or such other officer designated by the Chief of Police for that purpose. Upon instruction of the Mayor, it shall be the duty of the Sergeant-at-Arms to remove from the meeting any person who intentionally disturbs the proceedings of the City Council. A violation of these rules may be deemed an attempt to disrupt, obstruct, and/or interfere with a lawful meeting and subject the violator to prosecution under state law for disrupting a lawful meeting. (Section 42.05, Texas Penal Code)
4. *Resisting Removal.* Any person who resists removal by the Sergeant-at-Arms may be charged with violating Section 42.05 of the Texas Penal Code.

5. *Motion to Enforce.* Any Council Member may move to require the Mayor to enforce these rules and the affirmative vote of a simple majority of the Council shall require the Mayor to do so. A motion to enforce is an allowable interruption and is not debatable.

### 5.12 Council May Discipline its Own Members

In the event a Council Member violates the Charter, these rules, or any other Ordinance of the City, or acts in a manner that causes embarrassment or disgrace to the City of Everman, the City Council on supermajority vote may discipline the offending member.

Such action may only take place after a hearing in an Executive Session, or if the member requests a public hearing, is held to discuss the offense. The offending member shall be present at the hearing to answer any questions asked by members of the City Council or make other statements as he or she may desire to make in his or her defense. If the offending member refuses to attend the hearing, the remaining members of the City Council may proceed in his or her absence.

The outcome of the hearing may be as follows and shall be made when required in Open Session in Accordance with the Texas Open Meetings Act:

1. *No Action.* The City Council chooses to take no action.
2. *Private Censure.* The City Council may choose to privately censure the offending member, leaving their comments to the offending member left in the confines of the Executive Session.
3. *Public Censure.* The City Council may choose to publicly censure the offending member through a resolution passed by supermajority vote and entered into the public record.

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## ARTICLE 6. AGENDA ORDER

The City Secretary shall prepare an agenda and cause the same to be posted a minimum of 72 hours prior to the meeting. Agendas shall be delivered to the City Council, in the format requested by each Council Member, on the day of the posting, or within such other times as established by the City Council from time to time. In the event of an emergency meeting of the City Council, this provision shall be suspended when consistent with the provisions of federal or state law or the City Charter.

Council Members may request an item to be included on a future agenda. For an item to be included, requests must be made by the Mayor or at least two members of Council and submitted to the City Manager's Office at City Hall by 5:00 pm on the seventh (7th) calendar day preceding the date of the regular meeting. The Council Members requesting the agenda item shall be responsible for the presentation of that item during the meeting. Any City staff assistance should be requested through the City Manager's office.



### **6.1 Call to Order.**

The Mayor shall call the meeting to order.

### **6.2 Invocation/Pledge of Allegiance**

All meetings of the City Council shall begin with an invocation and the Pledge of Allegiance to the United States flag.

### **6.3 Consent Agenda Items.**

There is hereby established, as a part of every agenda for Regular and/or Special Called Meetings of the City Council, a portion of said agenda shall be labeled "Consent Agenda." Said Consent Agenda may consist of any and all non-controversial business regularly coming before the City Council or requires no deliberation. All items set out in the Consent Agenda shall be deemed passed upon passage of an affirmative motion, by a simple majority, that the Consent Agenda be adopted. No further action shall be deemed necessary, and all such items appearing on the Consent Agenda, upon passage of such motion, shall be deemed adopted as if voted upon separately and as if the caption and/or body of any ordinance therein set out shall have been read in full. Any member of the City Council may request during the *Consider Approval of the Agenda* segment, that an item be removed from the Consent Agenda and considered separately. Such request shall be honored as if it had been passed by majority vote. If any item was removed from the Consent Agenda, it will be considered immediately following approval of the remainder of the Consent Agenda.

### **6.4 Approval of the Minutes.**

The Council shall consider the Minutes of any meeting presented for their review since the last Regular Meeting.

### **6.5 Presentations and Proclamations.**

The Mayor shall make any presentation or deliver any proclamation as may be required from time to time. Outside entities and organizations granted permission to make a presentation shall be placed in this section.

## **6.6 Public Hearings.**

This section is only used when a statutorily required public hearing is part of the order of business. The Mayor shall first request staff comments. The Mayor shall open the public hearing, then open the public hearing to receive resident input in the following order: proponents, then opponents. While the public hearing is open, Council may ask questions of the speakers, but may not deliberate or argue with the public on the matter at hand. Those speaking at a public hearing are required to follow the rules established herein for resident comments. Upon conclusion of resident comments, the Mayor shall close the public hearing. Council may deliberate or take action on the matter at hand upon the closing of the public hearing.

## **6.7 Resident Comments on Agenda and Non-Agenda Items.**

All persons desiring to speak to the City Council on an agenda or non-agenda item must submit a Citizen Comment Request Form to the City Secretary at least five (5) minutes before the meeting starts. A member of the public may address the City Council upon being recognized by the Mayor or with the consent of the City Council. The Mayor may limit comments to three (3) minutes to address the council. City Council is restricted on discussing or taking action during Citizen Comments.

## **6.8 Regular Agenda Items.**

Items for individual consideration shall be considered by the City Council individually and approved by either a simple majority vote or a super majority vote as may be required.

## **6.9 City Manager's Report.**

This section is used for routine reports and announcements provided by the City Manager to the Council. It also is an opportunity for Council to ask questions of the City Manager related to project status and clarifications.

## **6.10 Mayor's Report.**

This section is used for routine reports and announcements provided by the Mayor to the Council. It also is an opportunity for Council to ask questions of the Mayor related to project status and clarifications.

### **6.11 Future Agenda Items.**

The Mayor or City Council may request items be placed on a future agenda at this time. An additional member of Council must concur with a Council Members request for an item to be placed on a future agenda. No discussion or deliberation of the items may take place.

### **6.12 Executive Session Items.**

This section is only used when it is necessary for the Council to convene in Executive Session. Executive Sessions are sessions closed to the public. They are only permitted for the purpose of discussing matters enumerated in Chapter 551, Open Meetings Act of the Texas Government Code. Disclosure of topics to be discussed shall be made to the public in accordance with the requirements of the Open Meetings Act. If the subject of the Executive Session warrants, the Executive Session may be held prior to the Regular Session.

### **6.13 Action on Executive Session Items.**

This section is only used if section 6.12 is used. Action on Executive Session Items must be taken during public/open session of the Council Meeting. Action may include the taking of no action at all.

### **6.14 Adjournment.**

The Mayor shall adjourn the meeting or upon passage of the appropriate motion.

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## **ARTICLE 7. WORK SESSION POLICIES AND PROCEDURES**

### **7.1 Purpose.**

City Council may call and hold Work Sessions for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the City Council. The following rules shall prevail for the call and conduct of Work Session meetings.

### **7.2 Agenda.**

Only a limited number of matters shall be considered by the City Council during a Work Session, and sufficient time for consideration of such matters shall be provided. An abbreviated agenda order shall be used for all Work Session agendas.

### **7.3 Technical Questions.**

All questions of a technical nature, which require a detailed explanation for understanding, may be considered in a Work Session. Council may, through the City Manager, request the attendance of such staff members or outside experts as may be required to answer such questions.

### **7.4 Prohibitions Against Formal Actions.**

No formal actions may be taken at a Work Session. Council may provide staff direction on the matter being considered and ask that the item be placed on a Regular or Special Called Meeting agenda for formal action.

### **7.5 Audience Comments or Questions.**

Audience comments or questions will not be considered at a Work Session.

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## **ARTICLE 8. RULES GOVERNING RESIDENT COMMENTS**

### **8.1 Purpose.**

It is the desire of the City Council to hear from the residents of Everman and to stimulate discussion and offer a forum for a cordial and meaningful public debate on matters that are properly a concern of the City Council. The following rules shall control and govern audience comments.

### **8.2 Mayor to State Rules for Audience Comments.**

Immediately preceding the opening of a public hearing, or resident input on an agenda item, or to receive comments on non-agenda items, the Mayor shall summarize the rules governing comments from the audience. The Mayor may direct the City Secretary to read the rules and publish the same in the Council Chambers.

### **8.3 Rules Governing Resident Comments.**

1. A maximum of 30 minutes will be devoted to receiving comments from the public on each agenda item. Each speaker is limited to one presentation per meeting and a maximum time limit of three minutes, unless otherwise granted by the Presiding Officer.
2. No individual may address the Council without submitting a Citizen Comment Request Form. The form must clearly state the subject or issue on which the resident wishes to



speak. If the subject matter does not pertain to city business the Mayor shall advise the individual and/or make recommendations as to how they may get the issue addressed.

3. Residents speaking on agenda items shall restrict their comments to the subject matter listed.
4. Residents speaking on non-agenda items shall only speak on matters pertaining to city business or issues which the Council would have the authority to act upon if brought forth as an agenda item.
5. Council may not act upon or discuss any issue brought forth as a non-agenda item; except to:
  - a. Make a statement of specific factual information given in response to the inquiry, or
  - b. A recitation of existing policy in response to the inquiry. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting, or direct staff to review.
6. Proper respect, decorum, and conduct shall prevail at all times. Impertinent, slanderous, or personal attacks are strictly prohibited and violators may be removed from the Council Chambers.
7. No placards, banners or signs may be displayed in the Council Chambers or City Hall. Exhibits relating to a presentation are acceptable.
8. Arguing, intimidation or other disruptive behavior is prohibited. Discussion and/or debate are acceptable only on items specifically listed on the agenda.
9. Unauthorized remarks from the audience, stomping of feet, applauding, whistles, yells, or any type of disruptive behavior is prohibited. Applause of appreciation may be acceptable when recognizing a significant event or achievement.
10. Council meetings are the workplace to carry out the business of the City of Everman; therefore, any conduct that could constitute harassment in the workplace is prohibited.
11. In all cases, the Mayor shall preside over the Council meeting and ensure that proper conduct and decorum is adhered to.

#### **8.4 Preservation of Order.**

The Mayor shall preserve order and decorum and, if necessary, shall cause to be silenced or removed from the Council Chambers any person speaking out of order or disrupting the order of the meeting.

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## **ARTICLE 9. BOARDS, COMMISSIONS, AND COMMITTEES**

### **9.1 General.**

All boards, commissions, and committees are detailed under the City of Everman Charter. Ad hoc boards may be temporarily appointed and terminate upon completion of a specific task or special purpose for which it was created, or when abolished by a majority vote of the City Council. No ad hoc board shall have powers other than advisory to the City Council.

### **9.2 Meeting Times and Agenda Order.**

Boards, commissions, and committees shall set their own meeting times. All boards, commissions, and committees shall be subject to these rules. Each board, commission, and committee shall set their own agenda, so long as it is in accordance with the Texas Open Meetings Act. All boards, commissions, and committees shall be required to hold a Regular Meeting at least once every financial quarter. The purpose of these meetings is for the members to receive status updates, pose questions of clarification, set future agenda items as well as provide opportunity for public comment.

### **9.3 Boards with Regulatory Authority.**

The Board of Adjustments, Capital Improvements Advisory Committee, Economic Development Corporation, Planning and Zoning Commission, and Tax Increment Financing Board all have regulatory authority.

### **9.4 Boards without Regulatory Authority.**

The Library Board do not have regulatory authority.

### **9.5 Appointments.**

The City Council will review applications and/or interview eligible applicants for open positions on boards, commissions, and committees. Appointments will be approved by a simple majority vote.

### **9.6 Board Members.**

Members appointed to boards, commissions and committees serve at the will of the Council and may be removed, replaced, or not reappointed at the discretion of the Council, by majority vote, with or without cause. When conducting the business of the City, appointed members of

all boards, commissions, and committees shall follow the rules of procedure set forth for the City Council.

### **9.7 Open Government Training.**

Upon initial appointment, within 90 days of taking the oath of office or assuming duties, all board, commission, and or committee members shall be required to watch the Texas Public Information Act and the Texas Open Meetings Act training videos as provided by the City Secretary.

### **9.8 Liaisons.**

Council Members or staff may be appointed as Liaison to the following City Boards, Commissions, and Committees: Planning and Zoning, Library, Animal Control Advisory, and Economic Development Corporation board. Liaisons will be appointed by Council with consideration given to applicable expertise. Liaisons shall attend the meetings of the boards, commissions, and committees to which they have been appointed as liaison. Board, commission, and committee members may contact their Liaison concerning items of concern or interest with regard to their appointed board.

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## **ARTICLE 10. TRAINING**

### **10.1 General Provisions**

In addition to the required training, Council members are encouraged to attend at least one training event per year, and others as found beneficial to the performance of their elective duties, subject to the availability of funds as appropriated in the annual budget for the Mayor and each Council member.

At a minimum, funds will be appropriated annually for three council members to attend the annual TML Training Conference. Accordingly, Places 1, 3, and 5 will attend in odd-numbered years while Places 2, 4, and 6 will attend in even-numbered years. These allocations are transferrable only in the event that a Council member is unable to attend and that both council members are in agreement on the transfer. Additionally, funds will be appropriated annually for the Mayor to attend one conference.

Council members are responsible for completing their own training registration and any necessary travel and lodging arrangements.

When attending TML conferences, credit must be obtained for all training seminars, with a minimum of 5 credits obtained per full day, and 2.5 credits for all half days. Documentation of credits obtained must be submitted to the Mayor, or the City Manager in the Mayor's absence, to be eligible for reimbursement.

## 10.2 Permissible Training

Training can be obtained through Texas Municipal League, the Everman City Attorney's office, North Central Texas Council of Governments (NCTCOG), or online. All other training must be approved by the City Council, or reimbursement will not be processed.

## 10.3 Financial Responsibility and Reimbursement Process

If a Council member is scheduled to go to an event per their request, and then cancels their registration for the event, the Council Member will be responsible for all late fees or the forfeiture of funds incurred by the City.

The following criteria must be met for expenses to be eligible for reimbursement:

1. All training must be approved in advance by the Mayor.
2. All training must be obtained within the State of Texas and must be pertinent to the local city government.
3. Council member must complete a Staff Reimbursement Form, attach copies of all appropriate receipts or documentation and submit the form to the Mayor for approval.
4. If a Council member is requesting reimbursement for mileage, a map indicating the start and end locations, route, and mileage are required in accordance with city policy.

All Council Members are required to participate in "Automatic Payroll Deposit" to receive payments or reimbursements due to them. This is required of all city employees, and the City Council will abide by the same rules. Once an automatic payroll deposit account is set up any payments shall be made electronically. The Mayor is responsible for approving all reimbursement requests submitted by a Council Member.

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## ARTICLE 11. MISCELLANEOUS COUNCIL POLICIES

### 11.1 City Shirts

City shirts or other similar items may be purchased by Council, Board, Commission, and Committee Members at their own expense.



### 11.2 Business Cards

Elected or appointed officials who want business cards, other than those outlined in the personnel policy (Management Staff and Mayor) may order them through the city but will be required to reimburse the city.

### 11.3 Functions

The city will pay for Council members and one guest to attend functions related to city business, e.g., TML Region 8 dinners, Mayor's Council dinner, Chamber dinners, up to the dollar amount allocated for each council member as approved during the budget process. If a council member signs up for an event and does not attend, the Council Member shall reimburse the city for any amounts already paid that cannot be refunded. All reimbursements shall be processed within 30 days of receiving appropriate documentation and support.

**TABLE OF MOTIONS AND POINTS OF ORDER**

<b>MOTION/ORDER</b>	<b>REQUIRES SECOND</b>	<b>DEBATABLE</b>	<b>AMENDABLE</b>	<b>VOTE TYPE</b>
Basic Motion	Yes	Yes	Yes	Simple
Motion to Amend	*	No	Yes	N/A
Motion to Adjourn	Yes	No	No	Simple
Motion to Recess	Yes	No	Yes	Simple
Motion to Fix the Time to Adjourn	Yes	No	No	Simple
Motion to Table	Yes	No	No	Simple
Motion to Limit Debate	Yes	No	No	Super
Motion to Object to the Consideration of an Item	Yes	No	No	Super
Motion to Suspend Rules	Yes	No	No	Super
Motion to Reconsider	Yes	Yes	Yes	Simple
Point of Privilege	No	No	No	N/A
Point of Order	No	No	No	N/A
Motion to Appeal	Yes	Yes	No	Simple
Call for Orders of the Day	No	No	No	N/A
Withdraw a Motion	No	No	No	N/A
Motion to Enforce	Yes	No	No	Simple

\*For the purposes of these rules, Amendments are not debatable and only require the approval of the member who made the original motion. An amendment to an amendment, requires first the approval of the member who made the original amendment and secondly the approval of the member who made the original motion.

TML LEGISLATIVE  
UPDATE



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June 13, 2025  
Number 23

**City Engagement Leads to Promising Outcomes in 89th  
Legislative Session**

For cities, the 89th Legislature may be remembered as one of unprecedented engagement by city officials across the state. From the beginning of the bill filing period in November, through the committee hearing process, and to the final day of the session last week on June 2<sup>nd</sup>, city leaders were in constant communication with their state legislators about the impact of proposed legislation on their cities. This level of widespread participation in the legislative process was invaluable in defeating harmful legislation, amending bills in beneficial ways, and pushing city priorities across the finish line.

City participation in the legislative process was vital this session, given the historic number of bills filed. All told there were 9,014 bills and joint resolutions filed this session, an all-time record. The League tracked nearly a quarter of that total as bills that impact cities in some form or fashion. By the time both chambers adjourned the session, they sent a total of 1,231 bills and joint resolutions to the governor for his signature. Roughly 260 of those will have a direct impact on Texas cities and are summarized in the pages that follow.

Included among them are bills that make important changes to Texas law to assist cities in various ways. For instance, TML priority legislation passed in the form of S.B. 1173, which moves the competitive bidding threshold amount for cities from \$50,000, where it has remained for nearly 20 years, up to \$100,000 to assist cities with the rising costs of goods and services. H.B. 21 restricts the operation of so-called “travelling housing finance corporations” that grant property tax exemptions without city council consent in locations far from the originating jurisdiction of the corporation. And S.B. 7 and H.J.R. 7 would appropriate \$1 billion per year for the next 20 years for funding local water supply and infrastructure projects across the state. All of these bills passed with strong support from city leaders.

For some bills that passed, city efforts were critical in improving the bills dramatically from their as-filed form. For instance, S.B. 1844, as it was filed, would have authorized disannexation of any area from a city if the city did not provide full municipal services. City officials were successful in working with the bill author and others to limit the final version of that bill to applying only to certain areas adjacent to navigable waterways that do not receive city water and sewer services. City input greatly improved legislation like S.B. 15 relating to lowering minimum lot sizes in city zoning codes. In its final form, S.B. 15 would limit minimum lot sizes to 3,000 square feet, but only for certain new developments located on unplatted land in larger cities. Cities, legislators, and other stakeholders were able to improve the bill to promote the development of affordable housing, but not in a way that overrides the concerns of existing homeowners. Similar kinds of collaborations improved dozens of bills that ultimately passed.

Other bills passed that will push city officials to potentially rethink some city practices. H.B. 1522, for example, changes the long-standing requirement of 72 hours’ notice of a meeting in the Texas Open Meetings Act to a three-business-day standard. S.B. 1851 imposes financial penalties on cities for failure to conduct an annual audit. And H.B. 762 and S.B. 2237 restrict severance payments to local government employees and contractors to 20 weeks of pay.

Perhaps most critical were the efforts by city officials to voice their opposition to legislation that would significantly restrict city authority to respond to local needs and effectively represent city residents. City leaders helped defeat many detrimental bills, including legislation that would:

- Prevent cities from hiring advocates or joining associations that advocate for their issues at the Capitol;
- Effectively eliminate city issuance of various types of debt;
- Preempt local authority broadly and authorize the attorney general enforce the law by taking away city sales tax revenue;
- Place strict limitations on city council authority over property tax rates and budget expenditures;
- Allow accessory dwelling units to be located in any residential area by right;
- Allow developers to bypass the city development review and inspection process and use a private-third party for the job;
- Eliminate the concept of the extraterritorial jurisdiction (ETJ);
- Eliminate the May uniform election date; and
- Require cities to pay for private utilities’ relocation costs.

All of these bills failed to make it to the governor’s desk, and that’s in no small part due to city officials taking the time from their already busy schedules to make calls, write emails, set up meetings, and testify in committee to make their voices heard.

Of course, this is a two-way street and credit should also be given to state legislators, who seemed to be more responsive to city feedback this session as compared with other sessions in the recent past. The 89<sup>th</sup> legislative session was not a perfect one for Texas cities, but city officials should be encouraged by the results and motivated to continue building towards a better partnership with state legislators headed into 2027.

All city-related bills that passed during the 89th Regular Session are summarized in this edition of the *Legislative Update*. In the coming weeks, the League will provide more detailed analyses of the major legislation impacting cities in “Post Session Update” articles on specific topics.

## **City-Related Bills Passed**

*(Editor’s Note: A master list of all city-related bills filed and passed this session can be found online [here](#).)*

### **Land Use**

**H.B. 21 (Gates/Bettencourt) – Housing Finance Corporations:** provides, among other things, that:

1. meetings of housing finance corporations (HFCs) are subject to the Public Information Act and Open Meetings Act;
2. the area in which an HFC may exercise its power is limited to: (a) the jurisdictional boundaries of a sponsoring city; (b) the boundaries of a sponsoring county; or (c) for an HFC sponsored by more than one local government, the combined area of each sponsoring city and county;
3. an HFC may exercise its power outside the area described in (2), above, if a resolution or order approving that exercise of power in the outside area is adopted by the governing body of: (a) each sponsoring local government; (b) each city or county that contains any part of the outside area in which the HFC proposes to operate; and (c) any HFC sponsored by a city or county described in (a) or (b), above;
4. bonds issued by an HFC may be issued only to finance or support residential developments or homes that are located inside the boundaries of: (a) the sponsoring local government; or (b) outside the boundaries of the HFC’s sponsoring local governments, if a resolution or order, as applicable, approving the issuance of bonds is adopted by the governing body of: (i) each city that contains any part of the residential development or home; and (ii) for a residential development or home located in the unincorporated area of a county, each county that contains any part of the residential development or home;



5. a property-based tax exemption for a multifamily residential development developed by an HFC is available only if, among other things: (a) certain income-based occupancy requirements are met; (b) the income-restricted residential units are comparable to non-income-restricted units; (c) unit rental rates are limited by income and family size; and (d) the HFC does not discriminate against potential tenants who participate in housing voucher programs;
6. an HFC receiving a property-based tax exemption must submit certain annual audit reports exhibiting compliance with applicable laws to the Texas Department of Housing and Community Affairs and the chief appraiser of the appraisal district in which the development is located;
7. an HFC development may lose its property-based tax exemption due to noncompliance;
8. property owned by an HFC and the income derived therefrom, are exempt from license fees, recording fees, and other taxes imposed by the state or any political subdivision of the state only if: (a) all applicable audit requirements are satisfied; (b) the property is located in the area where the HFC is authorized to exercise its power; (c) a certain underwriting assessment is completed and made public; and (d) if property tax exemption is claimed, the appropriate one-time exemption application has been submitted.

(Effective immediately.)

**H.B. 24 (Orr/Hughes) – Zoning Amendments and Protests:** provides, among other things, that:

1. a protest of a proposed change to a zoning regulation or district boundary must be written and signed by the owners of: (a) at least 20 percent of the area of the lots or land covered by the proposed change; (b) except as provided by (c), below, at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area; or (c) at least 60 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area if the proposed change: (i) has the effect of allowing more residential development than the existing zoning regulation or district boundary; and (ii) does not have the effect of allowing additional commercial or industrial uses, unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development;
2. in computing the percentage of land under Number 1, above: (a) the area of streets and alleys shall be included; and (b) the land area is not calculated individually for each tract of land subject to the proposed change but in the aggregate for all tracts of land subject to the change;
3. for a proposed change to a zoning regulation or district boundary that is protested under Number 1, above, the proposed change must receive, in order to take effect, the affirmative vote of at least: (a) three-fourths of all members of the governing body for a protest

described by Number 1(a) or (b), above; or (b) a majority of all members of the governing body for a protest described by Number 1(c), above;

4. for a proposed zoning change, before the 15th day before the date of a required public hearing, notice of the time and place of the public hearing must be published: (a) in an official newspaper or a newspaper of general circulation in the city; and (b) on the city's internet website, if the city maintains one;
5. the term "proposed comprehensive zoning change" means a city proposal to: (a) change an existing zoning regulation that: (i) will have the effect of allowing more residential development than previously; and (ii) will apply uniformly to each parcel in one or more zoning districts; (b) adopt a new zoning code or zoning map that will apply to the entire city; or (c) adopt a zoning overlay district that: (i) will have the effect of allowing more residential development than previously; and (ii) will include an area along a major roadway, highway, or transit corridor;
6. only certain statutory notice provisions are required for a proposed comprehensive zoning change;
7. a zoning change that has the effect of making residential development less restrictive than the previous regulation is conclusively presumed valid and to have occurred in accordance with all applicable statutes and ordinances if an action to annul or invalidate the change has not been filed before the 60th day after the effective date of the change; and
8. for a proposed change in zoning classification that does not apply to the whole city: (a) the zoning commission of a home-rule city shall post a notice sign not later than the 10th day before the date the zoning commission holds a hearing on a proposed change until the date of a final determination on the proposed change by the city's governing body; (b) the sign must be at least 24 inches long by 48 inches wide and located either on: (i) the property affected by the change; or (ii) a public right-of-way for a change initiated by the city that affects multiple properties; and (c) the zoning commission may elect to provide, maintain, and pay for a notice sign under this section or require an applicant for a change in zoning classification to provide, maintain, and pay for the sign.

(Effective September 1, 2025.)

**H.B. 517 (Harris Davila/Schwertner) – Property Owners' Association Fines:** prohibits a property owners' association from assessing a fine against a property owner related to the planting or maintenance of green turf or vegetation while the property is subject to residential watering restrictions mandated by a city, water utility, or other water supplier, and for at least 60 days following the lifting of the watering restrictions. (Effective September 1, 2025.)

**H.B. 2025 (Tepper/Hughes) – Tax Receipts on Plats:** provides that a person seeking to record a plat, replat, or amended plat or replat of real property or a condominium after September 1 of a year no longer must have attached to it a certain tax receipt indicating that the taxes imposed by

the applicable taxing units for the current year have either been paid or not been calculated. (Effective September 1, 2025.)

**H.B. 2512 (Geren/King) – Extraterritorial Jurisdiction Release:** provides, among other things, that: (1) a resident may only file a petition for release of an area from the extraterritorial jurisdiction (ETJ) if the resident resides in the area subject to the release; (2) if a city receives a petition for release, the city shall provide notice of the petition to the residents and landowners of the area described by the petition not later than the seventh business day after the date of receipt; (3) before an area is released from a city’s ETJ by election, a landowner in the area to be released must be provided the opportunity to have their property remain within the city’s ETJ; and (4) a city’s written consent is not required to reduce the city’s ETJ as necessary to comply with release by petition or election. (Effective September 1, 2025.)

**H.B. 2464 (Hefner/Middleton) – Home-Based Businesses:** among other things: (1) defines a “home-based business” (HBB) as a business that is operated: (a) from a residential property; (b) by the owner or tenant of the property; and (c) for the purpose of manufacturing, providing, or selling a lawful good or providing a lawful service; (2) defines a “no-impact-home-based-business” (NIHBB) as a HBB that: (a) has at any time on the property where the business is operated a total number of employees and clients or patrons of the business that does not exceed the city’s occupancy limit for the property; (b) does not generate on-street parking or a substantial increase in traffic through the area; (c) operates in a manner in which none of its activities are visible from a street; and (d) does not substantially increase noise in the area or violate a municipal noise ordinance, regulation, or rule; (3) provides that a city council may not adopt or enforce an ordinance, regulation, or other measure that: (a) prohibits the operation of a NIHBB; (b) requires a person that owns or operates a NIHBB to obtain a license, permit, or other approval to operate; or (c) requires a person that owns or operates an HBB to rezone the property for a non-residential use or install a fire sprinkler protection system if the residence where the business is operated consists only of a single-family detached residential structure or a multi-family residential structure with not more than two residential units; (4) provides that, subject to (2), above, a city may: (a) require that a HBB comply with federal, state, and local law, including a city fire and building code or city regulation related to health and sanitation, transportation or traffic control, solid or hazardous waste, or pollution and noise control; (b) require that a HBB be compatible with the residential use of the property where the business is located; (c) require that a HBB be secondary to the use of the property as a residential dwelling; and (d) limit or prohibit the operation of a HBB that sells alcohol or illegal drugs, is a structure sober living home, or is a sexually oriented business; (5) provides that a person is not prohibited from enforcing a rule or deed restriction imposed by a homeowners’ association or by other private agreement; and (6) provides that a municipality is not prohibited from adopting or enforcing an ordinance regulating the operation of a short-term rental unit. (Effective immediately.)

**H.B. 2559 (Patterson/Bettencourt) – Development Moratoria:** provides that, with regard to a development moratorium adopted by a city: (1) not later than the 30th day before a public hearing on a moratorium, the city must: (a) publish notice of the time and place of the hearing in the newspaper; and (b) send notice of the hearing by certified mail to any person who has given certain written notice to the city secretary within the prior two years; (2) the city council must hold two public hearings on the moratorium, but may not hold the second public hearing before the 30th

day after the date of the first public hearing; (3) not later than the 12th day after the date of the second public hearing, the city council must begin a final determination on the imposition of a moratorium by giving the ordinance adopting a moratorium at least two readings that are not less than 28 days apart; (4) the moratorium ordinance must receive the affirmative vote of at least three-fourths of all members of the city council on final reading in order to take effect; (5) a moratorium expires on the 90th day after its adoption unless it is extended by the city council; (6) a moratorium may not exceed an aggregate length of greater than 180 days; and (7) a city may not adopt a moratorium before the second anniversary of the expiration date of a previous moratorium if the subsequent moratorium addresses the same harm, affects the same type of property, or affects the same geographical area identified by the previous moratorium. (Effective September 1, 2025.)

**H.B. 2844 (Landgraf/Kolkhorst) – Mobile Food Vendor Regulation Preemption:** this bill, among other things:

1. preempts a city, county, or public health district from requiring certain small-scale food businesses or their employees to obtain a permit or pay a permitting fee to operate a food service establishment, temporary food service establishment, retail food establishment, temporary retail food establishment, or retail food store if the business: (a) holds a permit issued by the Texas Department of State Health Services (DSHS) for that purpose; or (b) is licensed as a food manufacturer;
2. preempt a city's authority to prohibit or regulate mobile food vending in a manner that conflicts with state law;
3. empowers the executive commissioner of the Health and Human Services Commission to adopt narrowly tailored rules for mobile food vendors to address demonstrable health and safety risks;
4. provides that the rules adopted under Number 3, above, may not: (a) limit the number of mobile food vending licenses the department may issue; (b) address the hours of operation for mobile food vendors; (c) restrict a mobile food vendor's propane capacity below the capacity state law allows for commercial vehicles; or (d) require a mobile food vendor to: (i) operate a specific distance from the perimeter of a commercial establishment or restaurant; (ii) enter into any agreement with a commercial establishment or restaurant in order to operate; (iii) have a handwashing sink in the vehicle of a mobile food vendor who sells only prepackaged food; (iv) associate with a commissary if the mobile food vendor's food vending vehicle carries the equipment necessary to comply with state law and properly disposes of grease and other cooking waste; (v) provide the vendor's fingerprints as a condition of holding a mobile food vendor license; (vi) install a global positioning system tracking device on the mobile food vendor's food vending vehicle; (vii) keep the mobile food vendor's food vending vehicle in constant motion except when serving customers; submit to an additional fire inspection a vehicle the vendor demonstrates has passed a state or local fire inspection within the preceding 12 months; or (viii) submit to health inspections other than an inspection DSHS, or a local authority under a collaborative agreement, conducts unless DSHS is investigating a reported foodborne illness;

5. requires a mobile food vendor to obtain a mobile food vending license from the state for each food vending vehicle and have each of their mobile food vehicles undergo a health inspection within 14 days of applying for a license;
6. provides that the inspection required in Number 5, above, shall ensure that: (a) an applicant's food vending vehicle is safe for preparing, handling, and selling food; and (b) an applicant is in compliance with all applicable laws and rules;
7. prohibits a city from barring a mobile food vendor from operating in its jurisdiction if: (a) the mobile food vendor holds a mobile food vending license; and (b) complies with all other state and local laws;
8. permits DSHS to charge fees related to the licensing and inspection processes;
9. requires a person who drives a food vending vehicle to hold a commercial driver's license;
10. requires a mobile food vendor to: (a) submit to and pass any required health inspection; (b) display the mobile food vendor's license and health inspection certificate in a conspicuous location for public view; (c) comply with all laws and rules regarding food safety, including any food safety and food manager certifications; and (d) comply with all state and local laws in the jurisdiction in which the mobile food vendor operates, including all fire codes, location restrictions, and zoning codes.
11. permits a local authority, on its request, to enter a collaborative agreement with the department to allow the local authority to conduct required health inspections and reclassify vendors in accordance with rules adopted by DSHS;
12. requires DSHS to reimburse the local authority acting under a collaborative agreement for the cost of conducting a health inspection using money collected for health inspection fees;
13. authorizes a city to investigate a mobile food vendor on reasonable suspicion the vendor is violating the law or on receipt of a health or safety complaint; and
14. requires a city to report suspected violations of state law to DSHS.

(The provisions described in Number 4, above, are effective September 1, 2025; the remaining provisions are effective July 1, 2026.)

**H.B. 3234 (Cortez/Menéndez) – Regulating County-Owned Buildings:** prohibits a political subdivision in a county with a population greater than one million from requiring a county to notify the political subdivision or obtain a building permit for any new construction or any renovation of a county-owned building or facility if the construction or renovation work is supervised and inspected by a state-licensed engineer or architect. (Effective September 1, 2025.)

**H.B. 3866 (Landgraf/Sparks) – Outdoor Storage Containers at Commercial Facilities:** among other things: (1) prohibits a person from installing or operating an intermediate bulk container



recycling facility within 2,000 feet of a private residence; (2) requires the owner to register the container with the Texas Commission on Environmental Quality (TCEQ); (3) authorizes TCEQ to conduct inspections of the containers; (4) exempts facilities from these regulations if they do not stage, store, or process more than 50 intermediate bulk containers at any time; and (5) allows a city to adopt an ordinance prohibiting the installation or operation of an outdoor storage container in a location more than 2,000 feet from a private residence. (Effective September 1, 2025.)

**H.B. 4163 (Guillen/Perry) – Agricultural Operations:** provides that a city may not impose a governmental requirement that directly or indirectly requires the owner or lessee of an agricultural operation to mow, bale, shred, or hoe material on the right-of-way of a portion of a public road that is adjacent to an agricultural operation. (Effective September 1, 2025.)

**H.B. 4506 (Bonnen/Hagenbuch) – Electronic Notice for Zoning Changes:** this bill: (1) authorizes the electronic delivery of zoning notices by e-mail or text message if: (a) the recipient elects to receive notice electronically; and (b) the city establishes an online portal on the city’s website through which a notice recipient may elect to receive notice electronically and manage their preferences; and (2) requires a city to deliver notice as otherwise provided if the recipient does not acknowledge receipt of the electronic notice. (Effective immediately.)

**S.B. 15 (Bettencourt/Gates) – Single-Family Residential Density:** with respect to a tract of land that has no recorded plat, that will be platted and located in an area zoned for single-family homes, and is five acres or more in a city with a population above 150,000 located wholly or partly in a county with a population of more than 300,000, provides that:

1. a city may not adopt or enforce an ordinance or other measure that requires: (a) a residential lot to be: (i) larger than 3,000 square feet; (ii) wider than 30 feet; or (iii) deeper than 75 feet; or (b) a ratio of dwelling units per acre that prevents a single-family home from being built on a residential lot that is at least 3,000 square feet, if regulating the density of dwelling units on a residential lot;
2. with respect to a residential lot that is 4,000 square feet or less: (a) a city may not adopt or enforce an ordinance or other measure that requires a lot to have: (i) any setback or building plane greater than: (A) 15 feet from the front or ten feet from the back of the property; or (B) five feet from the side of the property; (ii) covered parking; (iii) more than one parking space per unit; (iv) off-site parking; (v) more than 30 percent open space or permeable surface; (vi) fewer than three full stories not exceeding ten feet in height measured from the interior floor to ceiling; (vii) a maximum building bulk; (viii) a wall articulation requirement; or (ix) any other zoning restriction that imposes restrictions inconsistent with this section Number 2, above, including restrictions through contiguous or overlapping zoning districts; and (b) a city may require: (i) the sharing of a driveway with another lot; (ii) permitting fees equivalent to the permitting fees charged for the development of a lot the use of which is restricted to a single-family residence; or (iii) impact fees; and (iv) a setback related to environmental features, erosion, or waterways, to the extent authorized by federal or other state law.

3. a city is not prohibited from imposing restrictions that are applicable to all similarly situated lots or subdivisions, including requiring all subdivisions or all small lots to fully mitigate stormwater runoff;
4. property owners associations are not prohibited from enforcing rules or deed restrictions;
5. a person adversely affected or aggrieved, or a housing organization, may bring an action against a city or an officer or employee of the city in their official capacity for an alleged violation;
6. in an action brought under Number 5, above: (a) a court may: (i) enter a declaratory judgment; (ii) issue a writ of mandamus compelling a defendant officer or employee to comply; and (iii) issue an injunction preventing the defendant from further violations; and (b) a court shall award reasonable attorney's fees and court costs incurred in bringing an action to a prevailing claimant; and
7. Numbers 1 – 6, above, do not: (a) affect requirements directly related to: (i) the use and occupancy of residential units leased for a term of less than 30 days; or (ii) flooding, sewer facilities, or well water located on an individual residential lot and serving only that lot; or (b) apply to an area located within: (i) one mile of a campus of the perimeter of a law enforcement training center in a county that has a population of 2,600,000 or more; (ii) 3,000 feet of an airport or military base; or (iii) 15,000 feet of the boundary of certain military facilities.

(Effective September 1, 2025.)

**S.B. 250 (Flores/Hickland) – Annexation of Connecting Railroad Right-of-Way:** among other things, provides that a city that is annexing an area may also annex an additional area if: (1) the area is adjacent to a right-of-way of a railway line, spur, or other railroad property that is contiguous and runs parallel to the city's boundaries and contiguous to the area being annexed; and (2) each owner of the area agrees to the annexation by the city. (Effective immediately.)

**S.B. 783 (Menéndez/Hernandez) – Building Materials Exemptions:** provides, among other things, for additional exemptions to the current building materials preemption related to: (1) an energy code adopted by the State Energy Conservation Office for building energy efficiency performance standards; (2) an energy and water conservation design standard established by the State Energy Conservation Office; and (3) a high-performance building standard approved by a board of regents relating to the construction of a building, structure, or other facility owned by an institution of higher education. (Effective September 1, 2025.)

**S.B. 785 (Flores/Guillen) – Manufactured Homes:** this bill: (1) prohibits a city from requiring a specific use permit or other similar permit for a new HUD-code manufactured home if: (a) the home has been constructed in accordance with state and federal law; and (b) the city does not require a specific use permit for other residential property in the same zoning classification; (2) requires a city with zoning regulations or zoning district boundaries to: (a) permit the installation, by right, of a new HUD-code manufactured home for use as a dwelling within the city limits under

at least one: (i) residential zoning classification; (ii) type of residential zoning district; or (iii) dedicated zoning classification for residential HUD-code manufactured homes; and (b) ensure at least one of the zoning classifications or districts has been adopted and applies to an area within the city; (3) requires cities with a comprehensive zoning classification map to indicate on the map the areas within the city that comply with (2), above; (4) provides that (2) and (3), above, do not: (a) limit a city's historic preservation authority; (b) affect deed restrictions in place before January 2, 2025; or (c) apply to a city: (i) in which all areas zoned for residential use have deed restrictions on September 1, 2025, prohibiting the placement of manufactured homes; or (ii) that does not have any areas or districts zoned for business or industrial use. (Effective September 1, 2026.)

**S.B. 840 (Hughes/Hefner) – Mixed Use and Multifamily Development:** among other things, provides that for a city with a population over 150,000 located in a county with a population over 300,000:

1. “Multifamily residential” means the use or development of a site for three or more dwelling units within one or more buildings, including a residential condominium;
2. “Mixed-use residential” means the use or development of a site consisting of residential and nonresidential uses in which the residential uses are at least 65 percent of the total square footage of the development;
3. a city shall allow mixed-use residential use and development or multifamily residential use and development in a zoning classification that allows office, commercial, retail, warehouse, or mixed-use use or development as an allowed use under the classification;
4. a city may not require the change of land use classification or regulation or approval of an amendment, exception, or variance to a land use classification or regulation, special exception, zoning variance, conditional use approval, special use permit, or comprehensive plan amendment prior to allowing a mixed-use residential use or development or multifamily residential use or development in an area covered by a zoning classification described by Number 3, above;
5. the provisions of Numbers 3 and 4, above, do not apply to a building proposed to be converted that is located: (a) in an area that allows heavy industrial use; (b) within 1,000 feet of an existing heavy industrial use; (c) within 3,000 feet of an airport or military base; or (d) in an area designated by a city as a clear zone or accident potential zone;
6. a city may not adopt or enforce an ordinance, order, zoning restriction, or other regulation that: (a) imposes on a mixed-use residential or multifamily residential development: (i) a limit on density that is more restrictive than the greater of: (A) the highest residential density allowed in the city; or (B) 36 units per acre; (ii) a limit on building height that is more restrictive than the greater of: (A) the highest height that would apply to an office, commercial, retail, or warehouse development constructed on the site; or (B) 45 feet; or (iii) a setback or buffer requirement that is more restrictive than the lesser of: (A) a setback or buffer requirement that would apply to an office, commercial, retail, or warehouse development constructed on the site; or (B) 25 feet; (b) requires a mixed-use residential or

multifamily residential development to provide: (i) more than one parking space per dwelling unit; or (ii) a multi-level parking structure; (c) restricts the ratio of the total building floor area of a mixed-use residential or multifamily residential development in relation to the lot area of the development; or (d) requires a multifamily residential development not located in an area zoned for mixed-use residential use to contain nonresidential uses.

7. if the city authority responsible for approving a building permit or other authorization required for the construction of a mixed-use residential or multifamily residential development determines that a proposed development meets city land development regulations, the authority shall administratively approve the permit or other authorization and may not require further action by the governing body of the city for the approval to take effect;
8. for a building or the structural components of a building that is being used for office, retail, or warehouse use, that is proposed to be converted from nonresidential occupancy to mixed-use residential or multifamily residential occupancy for at least 65 percent of the building and at least 65 percent of each floor of the building that is fit for occupancy, and was constructed at least five years before the proposed date to start the conversion, in connection with the use, development, construction, or occupancy of a building proposed to be converted to mixed-use residential or multifamily residential use, a city may not: (a) require: (i) the preparation of a traffic impact analysis or other study relating to the effect the proposed converted building would have on traffic or traffic operations; (ii) the construction of improvements or payment of a fee in connection with mitigating traffic effects related to the proposed converted building; (iii) the provision of additional parking spaces, other than the parking spaces that already exist on the site; (iv) the extension, upgrade, replacement, or oversizing of a utility facility except as necessary to provide the minimum capacity needed to serve the proposed converted building; or (v) a design requirement, including a requirement related to the exterior, windows, internal environment of a building, or interior space dimensions of an apartment, that is more restrictive than the applicable minimum standard under the International Building Code; or (b) impose an impact fee on land where a building has been converted to mixed-use residential or multifamily residential use unless the land on which the building is located was already subject to an impact fee before a building permit related to the conversion was filed with the city;
9. a person adversely affected or aggrieved, and a housing organization, may bring an action against a city for declaratory or injunctive relief relating to alleged violations; and
10. for an action brought under Number 9, above: (a) a claimant who prevails in the action is entitled to recover: (i) declaratory and injunctive relief; and (ii) court costs and reasonable attorney's fees; and (b) the Fifteenth Court of Appeals has exclusive intermediate appellate jurisdiction.

(Effective September 1, 2025.)

**S.B. 1035 (Sparks/Spiller) – Agricultural Operations:** allows a person aggrieved by a political subdivision’s enforcement of a nuisance action or other governmental requirement on certain agricultural operations to bring an action against the political subdivision to obtain declaratory or injunctive relief to block the enforcement of the government requirement and allow for the recovery of court costs and reasonable attorney’s fees if they prevail. (Effective immediately.)

**S.B. 1106 (Parker/Harris) – Public Improvement Districts:** requires a city to: (1) post a copy of a public improvement district (PID) service plan and certain other information on the city’s website within seven days of approving, amending, or updating the plan; (2) submit an assessment roll for each city PID to each appraisal district in which property subject to assessment is located within seven days of levying the assessment; and (3) post on its website certain information about city PIDs. (Effective January 1, 2026.)

**S.B. 1252 (Schwertner/King) – Residential Energy Backup Systems:** this bill: (1) defines “residential energy backup system” to mean a backup energy system installed at a residential property that is: (a) capable of providing no more than 50 kilowatts of electricity to the residence; or (b) has a storage capacity of no more than 100 kilowatt hours; (2) prohibits a city from adopting or enforcing: (a) an amendment to the National Electrical Code that would regulate the installation or inspection of a residential energy backup system; or (b) an ordinance, rule, or other measure that would regulate the installation or inspection of a residential energy backup system; and (3) clarifies that the authority of a municipally owned utility to regulate the installation or inspection of a residential energy backup system within the utility’s service area is not limited by these regulations. (Effective September 1, 2025.)

**S.B. 1253 (Perry/C. Bell) – Impact Fee Credits:** provides that: (1) a political subdivision shall provide a credit against water and wastewater impact fees otherwise assessed to a development to a builder or developer for the construction, contribution, or dedication of an eligible facility, system, or product that results in water reuse, conservation, or savings; (2) a facility, system, or product eligible for a credit under (1), above, includes a facility, system, or product that: (a) reduces per service unit water consumption, supply requirements, or necessary treatment and distribution infrastructure per service unit; (b) decreases the need of wastewater collection and treatment facilities per service unit; (c) diminishes the demand for stormwater and drainage facilities per service unit; or (d) integrates practices or technologies that achieve water efficiency, reuse, or conservation performance that exceed standard compliance requirements; and (3) a political subdivision that provides a credit under the bill shall establish procedures for: (a) calculating and applying the credits in a fair and consistent manner; and (b) reviewing and approving credits. (Effective September 1, 2025.)

**S.B. 1341 (Hancock/McQueeney) – Manufactured Homes:** amends the definition of “manufactured home” to the statutory citation for the definition of manufactured home under federal law. (Effective September 1, 2025.)

**S.B. 1566 (Bettencourt/Darby) – City Utilities in the Extraterritorial Jurisdiction:** permits a city that holds a certificate of convenience and necessity to serve a tract of land that has been released from the city’s extraterritorial jurisdiction by petition or election. (Effective immediately.)



**S.B. 1567 (Bettencourt/Vasut) – Occupancy of Dwelling Units:** for certain home rule cities with a population of less than 250,000 which either contain or are adjacent to the campus of an institution of higher education with a student enrollment of more than 20,000: (1) prohibits a city from adopting or enforcing a zoning ordinance, rule, or other regulation that limits the number of people who may occupy a dwelling unit based on: (a) age; (b) familial status; (c) occupation; (d) relationship status; or (e) whether the occupants are related to each other by a certain degree of affinity or consanguinity; (2) for zoning purposes, defines “dwelling unit” to: (a) include a house, an apartment unit, or any unit in a multiunit residential structure; and (b) exclude a unit in a hotel, motel, or other establishment in which more than half of the units are intended to be used for transient accommodations; (3) authorizes a city to impose a limit on the number of occupants of a dwelling unit that is not more restrictive than: (a) one occupant per sleeping room with a minimum floor area of 70 square feet; and (b) on additional occupant for each additional 50 square feet of floor area in the same sleeping room; (4) otherwise allows a city to impose a limit on the number of people who may occupy a dwelling unit based on health and safety standards contained in: (a) a building code; (b) a fire code; (c) standards adopted by the Department of State Health Services; or (d) local, state, or federal affordable housing program guidelines; (5) prohibits a city from requiring a real estate agent, broker, or third party fiduciary to provide access to a lease or other document to determine the number of unrelated occupants of a dwelling unit for the purpose of enforcing a dwelling unit occupancy requirement; and (6) authorizes a claimant in a city to bring an action against the city for a declaratory judgment, mandamus or other equitable relief due to an alleged violation of these rules and authorizes a court to award a prevailing claimant reasonable attorney’s fees and costs. (Effective September 1, 2025.)

**S.B. 1844 (Paxton/Craddick) – Disannexation for Failure to Provide Services:** provides, among other things, that: (1) a majority of the property owners of an area of a city, including one or more tracts, lots, or parcels, or portions thereof, may petition to disannex the area if the city fails or refuses to provide or cause to be provided certain services to the area: (a) pursuant to a statutory requirement or adopted service plan, as applicable; (b) pursuant to a written services agreement or resolution, as applicable; or (c) if any part of the area is located adjacent to a navigable waterway and the area did not become part of the municipality under the statutory provisions applicable to a non-consent annexation; (2) if a valid petition is received under (1), above, a city must disannex the area within 60 days; (3) if a city fails to disannex the area within 60 days, the signers of the petition may bring a court action to order the disannexation; (4) the court shall order the disannexation and award attorney’s fees and costs if the court finds that a valid petition was filed with the city and that the city failed to: (a) perform its obligations pursuant to an applicable service plan, written services agreement, or resolution authorizing annexation; (b) perform in good faith; or (c) if the petition for disannexation covers an area described by (1)(c), above, connect a majority of the properties in the area, regardless of whether the area was annexed, to the city’s water and wastewater systems, if any other area in the city is connected to the city’s water and wastewater systems; (5) if an area described by (1)(c), above, is disannexed, the landowners of that area are not eligible for a refund of taxes or fees; and (6) these provisions do not apply to an area located in an area previously designated as an industrial district. (Effective September 1, 2025.)

**S.B. 1883 (Bettencourt/Buckley) – Impact Fees:** provides, among other things, that:

1. at least 60 days before the date of the first publication of the notice of a required hearing on the land use assumptions and capital improvements plan related to an impact fee, the city shall make available to the public its land use assumptions, the time period of the projections, and a description of the capital improvement facilities that may be proposed;
2. approval of the imposition of an impact fee by a city requires an affirmative vote of two-thirds of the members of the governing body;
3. a city may not increase the amount of an impact fee for three years from the later of the date the fee was adopted or most recently increased;
4. nothing in Number 3, above, prohibits a city from implementing an impact fee collection schedule that allows less than the maximum adopted impact fee to be collected or phased in up to the maximum adopted impact fee for a period not to exceed ten years;
5. a city council shall, within 120 days after the date it receives the update of the land use assumptions and the capital improvements plan, adopt an order setting a public hearing to discuss and review the update and determine whether to amend the plan;
6. at least 60 days before the date of the first publication of the notice of the hearing on proposed amendments to land use assumptions, a capital improvements plan, or an impact fee, the city shall make available to the public the land use assumptions and the capital improvements plan, and any amount of any proposed amended impact fee per service unit;
7. not less than 50 percent of the members of the impact fee advisory committee must be representatives of the real estate, development, or building industries who are not employees or officials of a governmental entity;
8. a city may not use the existing planning and zoning commission as the impact fee advisory committee;
9. before a city may increase an existing impact fee or adopt a new impact fee for a service area where an impact fee had previously been adopted, the city must conduct an independent financial audit and hold a hearing on the results of the audit;
10. the independent financial audit under Number 9, above, must: (a) be conducted by an independent auditor who: (i) is a certified public accountant or licensed public accountant; and (ii) has not been under contract to provide any service to the city during the 12 months preceding the commencement of the audit; and (b) provide, if applicable, a detailed accounting of: (i) the amount of funds collected from any impact fee imposed by the city; (ii) the amount of interest accumulated on collected impact fees; (iii) any proposed capital improvements or facility expansions to be financed from an impact fee in the service area that were not constructed; (iv) the amount of funds collected from impact fees by the city that have not been spent; (v) each impact fee collected by the city in the service area; (vi) the allocation of each impact fee made to the city; (vii) any waived impact fees in the

service area; (viii) any requested refunds of impact fees; (ix) any refunded impact fees in the service area; and (x) any errors or omissions of credits in impact fee calculations;

11. the city shall make the audit available to the public on the city's website at least 30 days before: (a) the publication of notice for the hearing on the land use assumptions and capital improvements plan; and (b) adoption of the order setting said hearing;
12. a city may use impact fee revenue to conduct the required audit; and
13. the attorney general may bring an action on behalf of a property owner to: (a) contest an impact fee; or (b) recover a refund; and (10) strict compliance with notice requirements is required.

(Effective September 1, 2025.)

**S.B. 1948 (Perry/Ashby) – Agricultural Facility Regulation:** prohibits a city from adopting or enforcing an ordinance or other measure that requires the installation of a fire protection sprinkler system in: (1) an agricultural pole barn; (2) a nonresidential farm building; (3) a cotton gin; (4) a cottonseed storage building; (5) a grain storage facility; (6) a livestock market; or (7) a commercial feed mill. (Effective September 1, 2025.)

**S.B. 2419 (Paxton/Dean) – Disannexation of Limited Special Districts:** provides that a limited district may exercise all powers and duties granted to a former special district by law in the portion of a disannexed area located in the district if the district: (1) was created by the conversion of a special district under a strategic partnership agreement; and (2) is located in and serves an area that has been disannexed from a city following an election for that purpose. (Effective immediately.)

**S.B. 2477 (Bettencourt/Patterson) – Building Conversions to Mixed Use and Multifamily Use:** among other things, for a city with a population over 150,000 located in a county with a population over 300,000, provides that:

1. “Multifamily residential” means the use or development of a site for three or more dwelling units within one or more buildings, including a residential condominium;
2. “Mixed-use residential” means the use or development of a site consisting of residential and nonresidential uses in which the residential uses are at least 65 percent of the total square footage of the development;
3. if the city authority responsible for approving a building permit or other authorization required for the conversion of a building to mixed-use residential or multifamily residential use determines that a proposed development meets city land development regulations the authority shall administratively approve the permit or other authorization and may not require further action by the governing body of the city for the approval to take effect;
4. for a building or the structural components of a building that is being used primarily for office use, is proposed to be converted from primarily office use to mixed use residential

or multifamily residential occupancy for at least 65 percent of the building and at least 65 percent of each floor of the building that is fit for occupancy, and was constructed at least five years before the proposed date to start the conversion, provides that a city may not: (a) in connection with the use, development, construction, or occupancy of a building proposed to be converted to mixed-use residential or multifamily residential use, require: (i) the preparation of a traffic impact analysis or other study relating to the effect the proposed converted building would have on traffic or traffic operations; (ii) the construction of improvements or payment of a fee in connection with mitigating traffic effects related to the proposed converted building; (iii) the provision of additional parking spaces, other than the spaces that already exist on the site of the proposed converted building; (iv) the extension, upgrade, replacement, or oversizing of a utility facility except as necessary to provide the minimum capacity needed to serve the proposed converted building; (v) a limit on density that is more restrictive than: (A) the highest residential density allowed in the city; or (B) 36 units per acre; (vi) a building proposed to be converted to multifamily residential occupancy not located in an area zoned for mixed-use residential use to contain nonresidential uses; (vii) a design requirement, including a requirement related to the exterior, windows, internal environment of a building, or interior space dimensions of an apartment, that is more restrictive than the applicable minimum standard under the International Building Code; (viii) the change of a zoning district or land use classification or regulation or approval of an amendment, exception, or variance to a land use classification or regulation, special exception, zoning variance, conditional use approval, special use permit, or comprehensive plan amendment prior to allowing conversion of a building to mixed-use residential use or development or multifamily residential use; (ix) a floor-to-area ratio that is less than the greater of: (A) 120 percent of the existing floor-to-area ratio of the building, if the proposed conversion does not increase the existing height or site coverage of the building; or (B) the highest floor-to-area ratio allowed for a building on the site; (x) a limit on impervious cover or site coverage that is less than the existing impervious cover or site coverage of the building or site; or (xi) an additional drainage, detention, or water quality requirement, if the proposed conversion does not increase the amount of impervious cover on the building site; and (b) impose an impact fee on land where a building has been converted to mixed-use residential or multifamily residential use unless: (i) the land on which the building is located was already subject to an impact fee before a building permit related to the conversion was filed with the city; and (ii) for an impact fee related to water and wastewater facilities, the conversion increases the demand for those services for the building;

5. the provisions of Numbers 3 and 4, above, do not apply to a building proposed to be converted that is located: (a) in an area that allows heavy industrial use; (b) within 1,000 feet of an existing heavy industrial use; (c) within 3,000 feet of an airport or military base; or (d) within 15,000 feet of the boundary of certain military facilities;
6. a person adversely affected or aggrieved, certain Texas nonprofit organizations, and housing organizations may bring an action against a city for declaratory or injunctive relief relating to a violation of Numbers 3 and 4, above;

7. for an action brought under Number 6, above: (a) a claimant who prevails in the action is entitled to recover injunctive relief and court costs and reasonable attorney's fees; and (b) the Fifteenth Court of Appeals has exclusive intermediate appellate jurisdiction.

(Effective September 1, 2025.)

**S.B. 2835 (Johnson/Talarico) – Single-Stairway Regulations:** provides that a city may allow apartment buildings to be served by a single stairway regardless of the city's adoption of the International Building Code if the building meets certain conditions, including having: (1) no more than six stories above grade and which is not a high-rise; (2) no more than four dwelling units on any floor; (3) automatic sprinkler locations in interior exit stairways; (4) an exterior stairway or an interior exit stairway is provided with doors in a certain configuration; (5) limited openings to the interior exit stairway enclosure; (6) interior exit stairway enclosures with: (a) a fire-resistance rating of not less than two hours; and (b) no elevator opening; (7) a minimum one hour fire-resistance rated corridors in certain areas; (8) no more than 20 feet of travel distance between the exit stairway from the door of any dwelling unit; (9) exit access travel that does not exceed 125 feet; (10) an exit serving certain units that does not discharge through any other occupancy, including an accessory parking garage; (11) an exit that does not terminate in an egress court where the court depth exceeds the court width; (12) no openings within ten feet of openings into the stairway other than required exit doors having an one-hour fire-resistance rating; (13) emergency escape and rescue openings on all floors served by the single exit; (14) no electrical receptacles in an interior exit stairway; and (15) an automatic smoke and fire detection system that activates the occupant notification system in: (a) common spaces outside of dwelling units; (b) laundry rooms, mechanical equipment rooms, and storage rooms; (c) all interior corridors serving dwelling units; and (d) all main floor landings or interior and exterior exit stairways. (Effective September 1, 2025.)

**S.B. 2965 (Creighton/C. Bell) – Removal of Territory from Emergency Services District Following Annexation:** among other things, provides that: (1) if a city annexes territory located in an emergency services district, intends to remove the territory from the district, and is capable of being the sole provider of emergency services to the territory, the city shall send written notice of those facts, and the completed service plan, if applicable, to the district's board not later than the 30th day after completing the annexation; (2) the territory remains part of the district and does not become part of the city until the secretary of the board receives the notice and the district's board of directors disannexes the territory from the district; (3) if the board determines that the city services planned to be provided in the territory will meet or exceed the level provided by the district in the territory at the time of disannexation, the board shall disannex the territory; (4) if the board determines that the city services planned to be provided in the territory will not meet or exceed the level provided by the district, the board: (a) shall adopt that determination by resolution; (b) must send a copy of the resolution to the city not later than the 30th day after the date of adoption; and (c) may not disannex the territory; (5) a district is considered to have approved a disannexation if the board fails to provide a resolution disapproving the disannexation before the 30th day after the date the board receives the notice from (1), above; (6) if the city disagrees with the board's determination that the city's services will not meet or exceed the level of service provided by the district, the city may adopt a resolution stating the grounds for the disagreement and requesting arbitration; (7) if the city adopts a resolution under (6), above, the city and the district shall resolve



the dispute using binding arbitration; and (8) the request for binding arbitration must be in writing and may not be made before the 60th day after the date the city receives, as applicable: (a) a resolution from the district under (4), above; or (b) notice from the district regarding the amount of compensation required following the annexation. (Effective September 1, 2025.)

### **Public Safety and Emergency Management**

**H.B. 33** (McLaughlin/Flores) – Uvalde Strong Act: provides, among other things, that:

1. no later than December 1, 2025, the Advanced Law Enforcement Rapid Response Training Center at Texas State University – San Marcos shall create a template for use by a local law enforcement agency or emergency medical services provider in evaluating and reporting on the agency's or provider's response to an active shooter incident at a primary or secondary school facility;
2. the center may collaborate with the Texas Division of Emergency Management (TDEM), the Department of Public Safety (DPS), the Sheriff's Association of Texas, or the Texas Police Chiefs Association to develop the template;
3. the template must include: (a) prompts for reporting on the following items: (i) a brief description and outcome of the active shooter incident; (ii) a statement of personnel and equipment deployed during the incident; (iii) a cost analysis, including salaries, equipment, and incidentals; (iv) a copy of appropriate incident logs and reports; (v) any maps, forms, or related documentation used in responding to or evaluating the agency's or provider's response to the incident; (vi) a summary of any deaths or injuries that occurred as a result of the incident; (v) any information relating to the status of criminal investigations and subsequent prosecutions arising out of the incident; (vi) a final evaluation including conclusions relating to the agency's or provider's response to the incident; (vii) problems encountered during the response regarding personnel, equipment, resources, or multiagency response; (viii) suggestions for revising policy, such as improving training and equipment; and (ix) any additional considerations that would improve the agency's or provider's response to active shooter incidents at primary or secondary school facilities in the future; and (b) any other content the center considers appropriate;
4. the center shall develop a training program for peace officers and emergency medical services personnel for responding to active shooter incidents at primary and secondary school facilities;
5. in developing the training program, the center: (a) shall incorporate the findings of at least one final report submitted in Number 3, above, regarding a local law enforcement agency's or EMS's response to an active shooter incident at a primary or secondary school facility; and (b) may collaborate with TDEM, the Texas Commission on Law Enforcement (TCOLE), DPS, or the Department of State Health Services (DSHS);

6. each city police department shall employ or appoint a public information officer who must obtain certification in emergency communications from TDEM, and complete continuing education on emergency communications;
7. the chief administrative officer of an agency may be appointed or employed as a public information officer;
8. TDEM in coordination with the Emergency Management Council shall: (a) develop a guide in collaboration with DPS on preparing for and responding to an active shooter incident at a primary or secondary school facility for civic, volunteer, and community organizations; (b) post the guide on its website for public use and must provide a comprehensive approach to preparing for and responding to active shooter incidents at primary and secondary school facilities;
9. each local law enforcement agency and emergency medical services provider that responds to an active shooter event by providing law enforcement services or emergency medical services, or both, shall: (a) not later than the 45th day after the date of the event, initiate an evaluation of the agency's or provider's response to the event and submit a preliminary report to TDEM, DPS, and the center regarding, at minimum, the items required in the template created under Number 1, above; and (b) not later than the 90th day after the date of the event, or as soon as practicable thereafter, finalize and submit the report to TDEM, DPS, and the center;
10. a local law enforcement agency or emergency medical services provider that complies with Number 9, above, regarding an active shooter event is not required to conduct a post disaster evaluation or report;
11. information obtained or created by TDEM or DPS in carrying out their obligations are confidential and are not subject to disclosure under the Public Information Act, and any meetings between a law enforcement agency or emergency medical services provider and TDEM or DPS are not subject to open meetings requirements under the Open Meetings Act;
12. TDEM by rule shall require the peace officers of each local law enforcement agency to complete a training program for responding to active shooter incidents at primary and secondary school facilities developed by the center;
13. TDEM by rule shall require emergency medical services personnel of each emergency medical services provider developed by TDEM that involves reviewing at least one final evaluation and report required by Number 9, above;
14. a public information officer in Number 6, above, shall: (a) obtain certification from TDEM in emergency communications not later than the first anniversary of the date the public information officer was hired or appointed; and (b) complete a continuing education program on emergency communications approved by TDEM once during each 12-month period beginning on the date the public information officer obtained certification;

15. TDEM shall establish minimum education and training requirements for initial certification and continuing education by designating courses approved by FEMA, and the minimum requirements must include courses on: (a) the National Incident Management System; (b) the Incident Command System; and (c) the basic skills and principles necessary to fulfill the role of a public information officer with respect to emergency communications;
16. each entity shall: (a) maintain records that demonstrate the compliance of each public information officer employed or appointed by that entity with the certification and continuing education requirements; and (b) submit to TDEM the compliance records required to be maintained;
17. to prepare for complex response to and investigations of emergencies that require mutual aid and support from more than one governmental entity, DPS shall consult with the sheriff of each county in which a primary or secondary school facility is located to determine which governmental entities that employ a first responder are reasonably likely, in the sheriff's opinion, to respond to an active shooter incident at one of those facilities;
18. DPS, each sheriff, and each governmental entity identified by the sheriff shall collectively participate in: (a) multiagency tabletop exercises at least once each odd-numbered year; and (b) an in-person drill at least once each even-numbered year;
19. DPS and each governmental entity identified by a sheriff shall collectively enter into a mutual aid agreement not later than January 1, 2026, that establishes the procedures for the provision of resources, personnel, facilities, equipment, and supplies in responses to critical incidents in a vertically integrated fashion;
20. in establishing the procedures, DPS and local law enforcement agencies shall: (a) give priority to establishing the interoperability of communications equipment among the parties to the agreement; (b) establish procedures for interagency coordination in activities arising from critical incidents, including evidence collection; (c) set jurisdictional boundaries; and (d) determine the capabilities, process, and expectations among the parties to the agreement;
21. each council of governments shall develop a mental health resources plan to address the mental health needs of first responders following a critical incident and provide the plan to each local emergency management director in the state;
22. DPS and each local law enforcement agency located wholly or partly within the geographic boundaries of a council of governments shall collectively enter into a mutual aid agreement that establishes the procedures for the provision of resources, personnel, facilities, equipment, and supplies in responses to critical incidents in a vertically integrated fashion;
23. a political subdivision that elects, appoints, or employs first responders shall develop a resilient emergency management system to coordinate the political subdivision's response to an emergency, and the system must provide for the establishment of: (a) a shared

emergency response plan across each department or agency of the political subdivision with a first responder; and (b) a multi-department and agency coordination group to support resource prioritization and allocation for the political subdivision during an emergency;

24. the governing body of a political subdivision by official action must approve the resilient emergency management system for the political subdivision;
25. each political subdivision and interjurisdictional agency with an operations plan for emergency response shall adopt and implement measures for the prompt recovery of services provided by the political subdivision or agency after an active shooter emergency;
26. a law enforcement agency shall make available for use by the agency's peace officers sufficient tactical equipment to allow the peace officers to effectively respond to a critical incident and may satisfy this requirement by providing tactical equipment to equip the greater of: (a) at least 20 percent of the agency's peace officers; or (b) five of the agency's peace officers;
27. a law enforcement agency may enter into a mutual aid agreement with a law enforcement agency with overlapping or adjacent jurisdiction to share tactical equipment during a critical incident in the quantity that allows the agency to meet the equipment requirement;
28. each council of governments shall develop a mental health resources plan to address the mental health needs of a first responder following a critical incident that occurs within the territory of the council;
29. a plan: (a) must identify and provide for Education and training to a first responder prior to a critical incident on topics including the potential psychological impact that being involved in an accident may have on the first responder and resources available to the first responder to address the psychological impact of an incident, including mental health counseling, peer support programs, and stress management practices or a list of recommended providers located within the territory of the council of governments who can provide the education and training; (b) may recommend that an employer of a first responder create a process to conduct a critical incident stress debriefing following an incident and create a peer support program to support the first responder following an incident; and (c) may include any other recommendation the council of governments considers appropriate to address the mental health needs of a first responder following a critical incident;
30. each political subdivision that receives a plan shall implement the plan and share the plan with each council of governments that has jurisdiction over the political subdivision to ensure regional plan integration and awareness;
31. TCOLE, with input from an advisory committee, shall by rule establish minimum standards with respect to the creation or continued operation of a law enforcement agency based on the function, size, and jurisdiction of the agency including: (a) the physical resources available to officers, including access to at least one breaching tool and one ballistic shield;

and (b) the policies of the agency including policies on active shooters, including a detailed written policy based on current best practices for responding to an active shooter incident at a primary or secondary school facility and a recommendation for the frequency at which simulated emergency drills should be conducted;

32. a law enforcement agency may enter into a mutual aid agreement with a law enforcement agency with overlapping or adjacent jurisdiction to share protective equipment during a critical incident to meet the requirements related to the physical resources available to officers;
33. as part of the minimum curriculum requirements, TCOLE shall require a peace officer to complete, as part of the minimum curriculum requirements, the following emergency response management training courses, or a substantially similar successor course as determined by TCOLE, in collaboration with TDEM: (a) Introduction to Incident Command System; and (b) National Incident Management, An Introduction; and
34. TCOLE shall require a peace officer whose duties involve the supervision of officers in an incident response to complete, as part of the continuing education programs, an advanced incident response and command course, in collaboration with TDEM as determined by TCOLE rule.

(Effective September 1, 2025.)

**H.B. 75 (Smithee/Alders) – Bail Determinations:** provides that not later than 24 hours after the time a magistrate determines that no probable cause exists to believe that a person committed the offense for which the person was arrested, the magistrate shall enter in the record written findings to support that finding. (Effective September 1, 2025.)

**H.B. 121 (King/Nichols) – School Safety Measures:** provides, among other things, that: (a) a fire marshal or any officer, inspector, or investigator of a city who holds a permanent peace officer license is added to the definition of a peace officer under state law; and (b) the sheriff of a county with a total population of less than 350,000 in which a school district or open-enrollment charter school is located shall call and conduct a school safety meeting at least twice each calendar year, not less than three months apart, with certain school district employees and law enforcement personnel, including the police chief of a city police department in the county or the police chief's designee. (Effective immediately.)

**H.B. 163 (Cortez/Blanco) – Epinephrine Delivery Systems:** provides that an entity in this state, including a governmental entity, may adopt a policy regarding the maintenance, administration, and disposal of epinephrine delivery systems. (Effective September 1, 2025.)

**H.B. 742 (Thompson/Parker) – Human Trafficking Training:** provides, among other things, that: (1) a first responder, within the time prescribed by the Health and Human Services Commission (HHSC) rule, shall successfully complete a training course approved by the executive commissioner on identifying, assisting, and reporting victims of human trafficking; and (2) the HHSC executive commissioner shall approve training courses on human trafficking prevention,



including at least one course available without charge, and post a list of the approved training courses on HHSC's Internet website. (Effective September 1, 2025.)

**H.B. 908 (Spiller/Zaffirini) – Missing Child:** requires a law enforcement agency to: (1) immediately, but not later than two hours after the agency receives the report of a missing child, enter applicable information into the National Center for Missing and Exploited Children (NCMEC) system, among others; and (2) inform the person who filed the report that the information in (1), above, will be entered into the NCMEC system, among others. (Effective September 1, 2025.)

**H.B. 1024 (Shaheen/Hagenbuch) – Warrants:** requires a law enforcement agency to execute, as soon as practicable, a warrant that is directed to the agency and issued for the return of a releasee in the super-intensive supervision program based on a violation of a condition of parole or mandatory release supervision related to the electronic monitoring of the releasee. (Effective September 1, 2025.)

**H.B. 1105 (Cole/Eckhardt) – Paramedics Tuition Exemption:** provides, among other things, that an institution of higher education shall exempt from the payment of tuition and laboratory fees any student who is enrolled in one or more courses offered as part of an emergency medical services curriculum and is employed as a paramedic by a city. (Effective September 1, 2025.)

**H.B. 1261 (Cunningham/Flores) – Disposition of Abandoned or Unclaimed Personal Property:** provides, among other things, that: (1) for purposes of any unclaimed or abandoned personal property, a person designated by the city to dispose of the property may, instead of sending a notice to the last known address of the owner of the property by certified mail, place a one-time notice on the internet website and social networking website of the law enforcement agency that seized the property; and (2) the notice described in (1), above, shall state that if the owner does not claim the property before the 90th day after the date of the notice, the property shall be disposed of, and the proceeds placed in the city treasury. (Effective September 1, 2025.)

**H.B. 1593 (Campos/Middleton) – Firefighter Suicide Prevention Study:** provides, among other things, that: (1) Texas Commission on Fire Protection (TCFP) shall establish an advisory committee to study the need to implement suicide prevention and peer support programs in fire departments in this state; and (2) not later than September 1, 2026, the advisory committee shall prepare and submit a report to the governor and the legislature which must: (a) provide an overview of suicide prevention and peer support groups in fire departments; (b) address possible licensing requirements and any confidentiality concerns; and (c) provide recommendations on: (i) the need for legislation to implement suicide and peer support groups in fire departments; (ii) whether to encourage local governments to develop local suicide prevention and peer support groups in fire departments; and (iii) specific programs to be implemented in this state. (Effective September 1, 2025.)

**H.B. 1639 (Patterson/Alvarado) – Female Firefighter Cancer Study:** directs the Texas Department of State Health Services, in collaboration with the Texas Commission on Fire Protection, to: (1) conduct a study on the increased incidence of cancer in female firefighters, focusing on cancers specific to women, including ovarian and breast cancer; and (2) prepare and

submit a report regarding (1), above, to the legislature not later than September 1, 2026. (Effective September 1, 2025.)

**H.B. 1871 (Dyson/Schwertner) – Attempted Capital Murder of a Peace Officer:** provides, among other things, that the offense of attempted capital murder of a peace officer is a felony of the first degree, punishable by imprisonment for life or for any term of not more than 99 years or less than 25 years, and that an inmate under a sentence for such offense is not eligible for release on parole. (Effective September 1, 2025.)

**H.B. 2128 (Spiller/Hagenbuch) – Rural Firefighting Study:** requires that: (1) the Texas A&M Engineering Extension Service conduct a study of rural firefighting and technical rescue service capabilities and compare those capabilities with those of urban cities; (2) the study consider disparities in: (a) available funding for personnel and equipment; (b) the number of qualified candidates to fill new or vacant firefighting and rescue personnel positions; (c) opportunities for affordable training for firefighting and rescue personnel; and (d) any other factor. (Effective immediately.)

**H.B. 2217 (Wharton/Hagenbuch) – Bullet-Resistant Vehicle Components Grant:** provides, among other things, that: (1) the governor’s Criminal Justice Division shall establish and administer a grant program to provide financial assistance to a law enforcement agency to purchase and install motor vehicles used by peace officers of the law enforcement agency in discharging the officers’ official duties with bullet-resistant windshields, side windows, rear windows, and door panels; and (2) a law enforcement agency receiving a grant must, as soon as practicable after spending the grant money, provide to the criminal justice division proof of purchase and installation, as applicable, of bullet-resistant windshields, side windows, rear windows, or door panels. (Effective September 1, 2025.)

**H.B. 2282 (J. Lopez/Perry) – Warrant Reimbursements:** increases the reimbursement fee that a defendant convicted of a felony or a misdemeanor must pay to defray the costs of a peace officer for executing or processing an issued arrest warrant, capias, or capias pro fine, with the fee imposed for the services of the law enforcement agency that processed or executed the warrant. (Effective September 1, 2025.)

**H.B. 3000 (King/Perry) – Ambulance Service Providers Grant:** provides, among other things, that: (1) the comptroller shall establish and administer the rural ambulance service grant program to support the state purpose of ensuring adequate ground ambulance services by providing financial assistance to qualified rural ambulance service providers in qualified counties; (2) not later than the 30<sup>th</sup> day after the first day of a qualified county’s fiscal year, the county, on behalf of a qualified rural ambulance service provider, may submit a grant application to the comptroller; (3) a county may only submit one application each fiscal year; (4) if a county is awarded a grant under the program, the provider is ineligible to receive additional grant funds under the program from another qualified county in the same fiscal year; (5) a qualified county awarded a grant may use or authorize the use of the grant money only to purchase ambulances, including necessary accessories and modifications, as provided by comptroller rule; and (6) a qualified county awarded a grant may not reduce the budget of the qualified rural ambulance service provider for the county’s next fiscal year following the fiscal year of the grant award. (Effective September 1, 2025.)

**H.B. 3053 (Virdell/Hall) – Local Gun Buyback Programs:** prohibits a city or county from adopting or enforcing an ordinance, order, or other measure in which the city or county organizes, sponsors, or participates in a program that purchases or offers to purchase firearms with the intent to remove firearms from circulation, reduce the number of firearms owned by civilians, or allow individuals to sell firearms without fear of criminal prosecution. (Effective September 1, 2025.)

**H.B. 3425 (Capriglione/Zaffirini) – Criminal Offense:** among other things, provides that a person commits an offense if the person discloses through an electronic communication the residence address or telephone number of an individual the actor knows is a public servant or a member of a public servant's family or household: (1) with the intent to cause harm or a threat of harm to the individual or a member of the individual's family or household in retaliation for or on account of the service or status of the individual as a public servant; or (2) with the intent to cause harm or a threat of harm to the individual or a member of the individual's family or household. (Effective September 1, 2025.)

**H.B. 3595 (Barry/Perry) – Assisted Living Facilities:** among other things: (1) provides that an assisted living facility must adopt and implement an emergency preparedness and contingency operations plan that requires that the facility provide: (a) each resident a climate-controlled area of refuge with at least 15 square feet per resident; (b) that the area of refuge maintain a temperature between 68 and 82 degrees Fahrenheit; and (c) notice to the Texas Department of Health and Human Services (HHS) of any unplanned electricity interruption or outage for more than 12 hours, in the event of an emergency; (2) provides that an assisted living facility's emergency preparedness and contingency operations plan must include information about building equipment, including the location of any on-site generator equipment or backup power sources and residents, including residents who are medically-dependent on electrically powered equipment; and (3) directs HHS to establish construction and licensure standards for assisted living facilities constructed after September 1, 2026, including standards the integration of backup power systems or a connection point for a backup power system and the evacuation of residents in emergencies to other buildings on the same premises with a backup power system or a connection point for a backup power system or portable backup power system. (Effective September 1, 2025.)

**H.B. 3732 (A. Martinez/Alvarado) – Fire Department Standards:** provides that: (1) a fire department may request an extension from the Texas Commission on Fire Protection (TCFP) to comply with minimum standards related to protective clothing, self-contained breathing apparatuses, personal alert safety systems, incident management systems, personnel accountability systems, and fire protection personnel operating procedures; (2) TCFP shall grant a request for an extension if the fire department provides evidence TCFP finds sufficient to justify the extension; (3) TCFP must adopt rules necessary to implement (2), above; and (4) this extension authority expires on September 1, 2027. (Effective immediately.)

**H.B. 4765 (Phelan/Zaffirini) – Code Enforcement Officers:** among other things, provides that: (1) a city may only engage in code enforcement without employing an individual registered as a code enforcement official if the individual engaging in code enforcement is exempt from state registration requirements; and (2) that an individual is not required to be registered as a code enforcement officer if the individual is required to be licensed or is registered under another state

law and engages in code enforcement under that license or registration. (Effective September 1, 2025.)

**H.B. 4264 (Hefner/J. Hinojosa) – Peace Officer Grant Program:** provides that: (1) the governor’s Criminal Justice Division may establish a grant program for the public purpose of fostering the professional development of peace officers employed in this state; (2) to be eligible for a grant, a person must: (a) hold a master proficiency certificate issued by the Texas Commission on Law Enforcement (TCOLE); (b) be employed on a full-time basis as a peace officer by a law enforcement agency; and (c) meet any other eligibility criteria established by the criminal justice division; (3) only the following persons may apply for a grant: (a) a law enforcement agency on behalf of an employee of the agency who meets the eligibility criteria for a grant; or (b) a person who meets the eligibility criteria for a grant with the consent of the person’s employing law enforcement agency; (4) the criminal justice division may award a grant only to a law enforcement agency, and the law enforcement agency may use the money only to increase the compensation of the employee who applied for the grant or for whom the agency applied for the grant; (5) if the grant program is established, the criminal justice division shall establish procedures for: (a) processing grant applications in addition to any other application procedures; (b) evaluating grant applications; and (c) monitoring the use of a grant awarded under the program and ensuring compliance with any condition of a grant; (6) the criminal justice division shall award grants in an amount equal to \$6,500 for each award; and (7) a grant may not be awarded to the same person more than one time. (Effective September 1, 2025.)

**H.B. 4464 (M. González/Schwertner) – Emergency Management Workers’ Compensation:** provides, among other things, that: (1) service with Texas Task Force 1, an intrastate fire mutual aid system team, or a regional incident management team by a local government employee member who is activated is considered to be in the course and scope of the employee’s regular employment with the political subdivision; (2) the average weekly wage computation for members of state military forces does not apply to Texas Task Force 1 members, intrastate fire mutual aid system team members, and regional incident management team members; and (3) for purposes of workers’ compensation coverage, service with Texas Task Force 1, an intrastate fire mutual aid system team, or a regional incident management team, as applicable, by an employee is: (a) considered to be in the course and scope of the employee’s regular employment; and (b) included in workers’ compensation coverage provided for employees of political subdivisions as opposed to coverage as a state employee. (Effective September 1, 2025.)

**H.B. 5238 (R. Lopez/J. Hinojosa) – Disrupting a Meeting:** creates a criminal offense for obstructing or interfering with a public meeting, procession, or gathering by electronic disturbance, including hacking, of any virtual component of the meeting, procession, or gathering. (Effective September 1, 2025.)

**H.B. 5424 (Bonnen/Middleton) – Volunteer Firefighter Compensation:** provides that a fire department may not, in a calendar year, compensate, reimburse, or provide benefits to an individual designated as a volunteer or auxiliary firefighter that exceeds 20 percent of the highest total compensation paid to full-time fire protection personnel by a local government: (1) in the county in which the department is located; or (2) if the county does not have a local government that pays

compensation to full-time fire protection personnel, in adjacent county to the county in which the department is located. (Effective September 1, 2026.)

**H.B. 5509 (Bumgarner/Paxton) – Human Trafficking:** provides that: (1) the governing body of a city may suspend or revoke a certificate of occupancy for a hotel located in the city if: (a) a law enforcement agency provides an affidavit of probable cause swearing that criminal human trafficking activity is occurring in the hotel; (b) a court with criminal jurisdiction in the county in which the hotel is located issues an order stating the court’s finding of probable cause that human trafficking activity is occurring at the hotel; and (c) the city follows the procedures in (2), below, before suspending or revoking the certificate of occupancy; (2) a city that seeks to suspend or revoke a certificate of occupancy for a hotel shall follow procedures that are consistent with the suspension or revocation of a certificate of occupancy for any other type of business or use of land within the city; and (3) the authority in (1), above: (a) does not limit a hotel owner’s or operator’s right to a public hearing and to present evidence at a proceeding regarding the suspension or revocation of a certificate of occupancy; and (b) may not be construed to create a private cause of action. (Effective September 1, 2025.)

**S.B. 3 (Perry/King) – Consumable Hemp:** among other things, creates criminal offenses for the: (1) manufacture, delivery, or possession with intent to deliver certain consumable hemp products; (2) possession of certain consumable hemp products; (3) sale or distribution of certain consumable hemp products to persons younger than 21 years of age; (4) manufacture, distribution, or sale of consumable hemp products for smoking; (5) sale or delivery of certain consumable hemp products near a school; and (6) the provision of certain consumable hemp product by courier, delivery, or mail service. (Effective September 1, 2025.)

**S.B. 9 (Huffman/Smithee) – Bail Determinations:** provides, among other things, that:

1. as soon as practicable but not later than the tenth business day after the date a defendant enters a pretrial intervention program, the attorney representing the state, or the attorney’s designee who is responsible for monitoring the defendant’s compliance with the conditions of the program, shall enter information relating to the conditions of the program into the appropriate database of the statewide law enforcement information system maintained by the Department of Public Safety (DPS) or modify or remove information, as appropriate;
2. the public safety report system must provide, in summary form, the criminal history of the defendant, including information regarding: (a) whether the defendant is currently on community supervision, parole, or mandatory supervision for an offense; (b) whether the defendant is currently released on bail or participating in a pretrial intervention program and any conditions of that release or participation; (c) outstanding warrants for the defendant’s arrest that have been entered into the National Crime Information Center database or the Texas Crime Information System, including a warrant issued; and (d) any current protective orders for which the defendant is subject;
3. the public safety report system must be configured to allow a county or city to integrate the jail records management system and case management systems used by the county with the public safety report system;



4. the Office of Court Administration may provide grants to reimburse counties and cities for costs related to integrating their systems but is not required to provide a grant unless the office is appropriated money for that purpose;
5. a magistrate may order, prepare, or consider a public safety report in setting bail for a defendant who is not in custody at the time the report is ordered, prepared, or considered;
6. if a defendant is taken before a magistrate for committing an offense punishable as a felony while released on bail for another offense punishable as a felony, the court before which the case for the previous offense is pending shall consider whether to revoke or modify the terms of the previous bond or to otherwise reevaluate the previous bail decision;
7. a magistrate may not release on bail a defendant who: (a) is charged with committing an offense punishable as a felony if the defendant: (i) was released on bail, parole, or community supervision for an offense punishable as a felony at the time of the instant offense; (ii) has previously been finally convicted of two or more offenses punishable as a felony and for which the defendant was imprisoned in the Texas Department of Criminal Justice; or (iii) is subject to an immigration detainer issued by United States Immigration and Customs Enforcement; or (b) is charged with committing certain violent offenses;
8. an order granting bail signed by a magistrate must include the names of each individual who appointed the magistrate and state that the magistrate was appointed by those individuals; (8) certain magistrates, including mayors and municipal court judges, may not modify the amount or conditions of bond set by the judge of a district court, including the judge of a district court in another county; and
9. the state is entitled to appeal an order of a court in a criminal case if the order grants bail, in an amount considered insufficient by the prosecuting attorney, to a defendant who is charged with certain violent crimes or an offense punishable as a felony and has previously been granted bail for a pending offense punishable as a felony.

(The provisions described in Numbers 1, 3-5, and 7, above, are effective January 1, 2026; the provisions described in Numbers 2 and 6, above, are effective April 1, 2026; and the remaining provisions are effective on September 1, 2025.)

**S.B. 34 (Sparks/King) – Wildfires:** provides, among other things, that: (1) the Texas A&M Forest Service and West Texas A&M University shall jointly conduct a study to determine the status and condition of fuel loading in wildfire risk zones in this state and the corresponding risk of wildfire to the residents, homes, businesses, and ecology of this state; (2) the Texas A&M Forest Service shall create and maintain a comprehensive database that shows in real time the statewide inventory of firefighting equipment available for use in responding to wildfires; (3) the database must: (a) include a description of the type of firefighting equipment each fire department in this state has available for use in responding to wildfires; (b) include contact information for the fire department with the equipment; (c) be searchable by location and equipment type; and (d) be accessible by all fire departments in this state and allow each fire department to update the database information

regarding the fire department's available equipment; and (4) at least ten percent of appropriations for a state fiscal year from the fund for the purpose of providing assistance to volunteer fire departments under the program is allocated for volunteer fire departments located in areas of this state the service determines are at high risk for large wildfires. (Effective September 1, 2025.)

**S.B. 36 (Parker/Hefner) – Homeland Security Division:** this bill, among other things:

1. establishes the Homeland Security Division (HSD) in the Texas Department of Public Safety (DPS) to lead multi-agency, multi-jurisdictional, and public-private efforts to enhance law enforcement initiatives and operations in support of homeland security objectives in this state;
2. requires HSD, in collaboration with any other person who by law performs similar duties, to: (a) provide the strategic and operational planning for state border security operations for the state; and (b) support the border security operations of this state by coordinating the law enforcement efforts of federal and state agencies, local governments, and private organizations and by ensuring clarity and alignment on the law enforcement priorities and responsibilities of each stakeholder;
3. requires HSD to coordinate the collection, dissemination, and analysis of intelligence for this state's border security operations and operate intelligence centers dedicated to this purpose;
4. requires HSD to establish policies and procedures relating to the collection and management of intelligence, including establishing intelligence collection priorities and assignment management responsibilities for state agencies, local governments, and private organizations participating in border security operations;
5. requires HSD, in collaboration with any other person who by law performs similar duties, to: (a) regularly develop a comprehensive state homeland security strategic plan; (b) plan and facilitate homeland security exercises in coordination with the Texas Division of Emergency Management (TDEM) and other state agencies, federal agencies, local governments, and any participating private organizations; (c) develop operational and tactical plans for significant law enforcement agencies or contingencies, including assisting each department region with developing plans specific to the needs of that region; (d) conduct assessments of the risks and hazards posed to this state by criminal actors and organizations and the capabilities of state and local stakeholders to respond to the occurrence of those risks and hazards, including by coordinating the annual completion of the following federal assessments: (i) the Threat and Hazard Identification and Risk Assessment; and (ii) the Stakeholder Preparedness Review; (e) establish programs for regular outreach to and information sharing among public and private organizations regarding threats by criminal actors and organizations, including: (i) coordinating the Bomb-Making Materials Awareness Program and similar programs; and (ii) ensuring private industry organizations are aware of criminal threats to critical infrastructure and best practices and resources available to protect and respond to threats to critical

infrastructure; and (f) assist state agencies and local governments in complying with restrictions under federal law on commerce with certain prohibited or restricted entities;

6. requires HSD to coordinate multi-agency, multi-jurisdictional, and public-private efforts to protect critical infrastructure in the state from criminal actors and organizations, specifically prioritizing the protection of critical energy, communications, transportation systems, and water and wastewater systems;
7. requires HSD to conduct exercises to enhance public-private coordination in protecting critical infrastructure of this state from criminal actors and organizations;
8. permits HSD to establish and appoint members to one or more work groups composed of representatives from state and federal agencies, local governments, and private organizations, to: (a) study any issue related to HSD's duties or the law enforcement initiatives or operations of this state; and (b) advise or produce written reports on an issue studied;
9. requires HSD, in collaboration with any person who by law performs similar duties, to establish or operate work groups to study methods or technologies to enhance border security operations and the security of the critical infrastructure of this state, including any task force established to survey the vulnerabilities of state government, local governments, and critical infrastructure;
10. requires HSD, upon request, to provide subject matter expertise and counsel to state agencies and local governments regarding the state's border security operations and critical infrastructure protection or resilience initiatives, including related grant programs, legislation, risk management assessment, and other related initiatives;
11. requires HSD to maintain a publicly accessible Internet website and publish assessments and other HSD reports that are not confidential and not excepted from disclosure under the Public Information Act (PIA); and
12. provides that if in performing any duty or exercising any authority, HSD or a workgroup or task force of HSD is provided information by a private organization that the private organization considers highly sensitive, proprietary, or otherwise confidential and the private organization notifies in writing of that fact: (a) the information is not public information and is excepted from the requirements under the PIA; and (b) HSD or the applicable work group or task force shall secure the information in the same manner as the private organization secures the information and may not further disclose the information without the consent of the private organization.

(Effective September 1, 2025.)

**S.B. 40 (Huffman/Smithee) – Bail Bonds:** provides that: (1) a political subdivision, including a city, is prohibited from spending public funds to pay a nonprofit organization that accepts and uses donations from the public to deposit money with a court in the amount of a defendant's bail bond;

(2) if a political subdivision engages in an activity prohibited by (1), above, a taxpayer or resident of the political subdivision is entitled to appropriate injunctive relief to prevent further prohibited activity and further payment of public funds related to that activity; and (3) a party who prevails in an action in (2), above, is entitled to recover the party's reasonable attorney's fees and costs. (Effective September 1, 2025.)

**S.B. 305 (Perry/King) – Unlawful Vehicle Passing:** creates a criminal offense for unlawfully passing a vehicle operated by: (1) an animal control officer or other individual for the purpose of removing an animal or animal carcass from a roadway and using certain prescribed visual signals; or (2) an employee of a local authority for the purpose of issuing a parking citation and using certain prescribed visual signals. (Effective September 1, 2025.)

**S.B. 412 (Middleton/Patterson) – Harmful Materials Regulation:** provides that: (1) it is an affirmative defense to prosecution for the sale, distribution, or display of harmful materials to a minor that at the time of the offense the actor was a judicial or law enforcement officer discharging the officer's official duties; (2) it is an affirmative defense to a prosecution for sexual performance by a child that at the time of the offense the actor was a judicial officer discharging the officer's official duties; and (3) the affirmative defense to prosecution for the sale, distribution, or display of harmful materials to a minor if the person had a scientific, educational, governmental, or other similar justification is repealed. (Effective September 1, 2025.)

**S.B. 528 (Schwertner/Harris Davila) – Restoring Competency:** among other things, requires each facility that contracts with the Texas Health and Human Services Commission to provide inpatient competency restoration services for an individual to stand trial to enter into a memorandum of understanding with the county and city in which the facility is located and each local mental health authority and local behavioral health authority that operates in the county or city to outline the respective powers and duties of the parties with respect to inpatient competency restoration services. (Effective September 1, 2025.)

**S.B. 761 (J. Hinojosa/Thompson) – Crime Victims' Rights:** provides, among other things, that:

1. before accepting a plea of guilty or a plea of nolo contendere, the court shall, as applicable in the case inquire as to whether the attorney representing the state has conferred with the victim guardian of a victim, or close relative of a deceased victim regarding the disposition of the case;
2. a victim, guardian of a victim, or a close relative of a deceased victim is entitled to, among other things, the right to be informed by the attorney representing the state of relevant court proceedings, including appellate proceedings, at least five business days before the date of each proceeding or otherwise as soon as reasonably practicable, and to be informed as soon as possible if those proceedings have been canceled or rescheduled before the event;
3. a victim, guardian of a victim, or close relative of a deceased victim may assert the rights either orally or in writing, individually or through an attorney;

4. an individual or entity, including a health care facility, that is required to offer a victim the opportunity to have an advocate from a sexual assault program be present with the victim during the forensic medical examination shall document: (a) whether the offer was extended to the victim; (b) whether the advocate was available at the time of the examination; and (c) if the offer was not extended to the victim, the reason the offer was not extended to the victim;
5. before conducting a law enforcement investigative interview with a victim reporting a sexual assault, other than a victim who is a minor, the peace officer or other individual conducting the interview shall offer the victim the opportunity to have an advocate from a sexual assault program be present with the victim during the interview;
6. a crime victim has the right to have an attorney present during an investigative interview with the victim, but the attorney may not unreasonably delay or otherwise impede the interview process;
7. the attorney representing the state shall give to each victim of the offense a written notice containing, among other things: (a) a statement that the attorney representing the state does not represent the victim, guardian of the victim, or close relative of a deceased victim; and (b) the right of a victim, guardian of a victim, or close relative of a deceased victim to assert the rights granted to crime victims either orally or in writing, individually or through an attorney;
8. if requested by the victim, the attorney representing the state, at least five days before the date of the court proceeding or the filing of the continuance request or otherwise as soon as reasonably practicable, shall give the victim notice of any scheduled court proceedings and the filing of a request for continuance of trial setting; and
9. if requested by the victim, the attorney representing the state shall give the victim notice of any changes in scheduled court proceedings as soon as possible.

(Effective September 1, 2025.)

**S.B. 767 (Sparks/Fairly) – Firefighting Equipment Database:** requires: (1) the Texas A&M Forest Service (TFS) to create and maintain a comprehensive database that shows in real time the statewide inventory of firefighting equipment available for use in responding to wildfires; (2) the database to: (a) include a description of the type of firefighting equipment each fire department in the state has available for use in responding to wildfires; (b) include contact information for the fire department that has the equipment; (c) be searchable by location and equipment type; and (d) be accessible by all fire departments in the state and allow each fire department to update the information in the database regarding the equipment the fire department has available; (3) TFS to assist fire departments that provide equipment information to the database annually or as soon as practicable after any change in the availability of the department's firefighting equipment; and (4) TFS to use an electronic notification system to remind fire departments, at least once each calendar year, to update the availability of the department's firefighting equipment. (Effective September 1, 2025.)



**S.B. 836 (Paxton/Hull) – Confidentiality of Sexual Offense-Related Material:** provides, among other things, that: (1) a peace officer who investigates an incident involving sexual assault or who responds to a disturbance call that may involve sexual assault shall provide to the victim written notice containing information about the rights and procedures relating to confidentiality of identifying information and medical records, including procedures to request a pseudonym to be used instead of the person’s name in all public files and records concerning the offense; (2) a victim who elects to use a pseudonym must complete a pseudonym form and return the form to the law enforcement agency investigating the offense or to the office of the attorney representing the state prosecuting the offense; (3) a law enforcement agency or an office of the attorney representing the state receiving a pseudonym form shall send a copy of the form to each other agency or office investigating or prosecuting the offense; and (4) a court is prohibited from allowing the electronic transmission or broadcasting of certain court proceedings in which evidence or testimony is offered that depicts or describes acts of a sexual nature unless the court provides notice to and receives express consent for the transmission or broadcasting from the victim or the parent, conservator, or guardian of the victim, as applicable, the attorney representing the state, and the defendant. (Effective September 1, 2025.)

**S.B. 857 (Schwertner/Louderback) – Removing Motor Vehicles:** allows a peace officer or a licensed inspector of the Texas Department of Public Safety to remove or require the operator or a person in charge of a vehicle to move the vehicle from a highway if the person is in violation of driving without a license, driving while their license is invalid, operating a motor vehicle without vehicle liability insurance, or a minor operating a motor vehicle without a license. (Effective September 1, 2025.)

**S.B. 868 (Sparks/King) – Volunteer Fire Department Assistance Program:** provides that: (1) at least ten percent of appropriations for a state fiscal year from the Volunteer Fire Department Assistance Program fund is allocated for the purposes of providing assistance to volunteer fire departments in areas of the state defined as high risk for large wildfires by the Texas A&M Forest Service; and (2) if the amount of the assistance requested in a state fiscal year by eligible departments is less than the amount allocated, the remaining amount may be used for other types of requests for assistance. (Effective September 1, 2025.)

**S.B. 1120 (J. Hinojosa/Johnson) – Crime Victims’ Rights:** among other things: (1) adds to the definition of “victim” for purposes of crime victims’ rights, a person who is a victim of: (a) the offense of family violence or stalking; or (b) an offense relating to a violation of a condition of bond set in a family violence, sexual assault or abuse, indecent assault, stalking, or trafficking case, regardless of the relationship or association with the defendant; (2) provides additional rights to crime victims, including the right to be informed, on request, of: (a) the defendant’s release on parole for the offense involving the victim, including the county in which the defendant is required to reside, and the nonconfidential conditions of the defendant’s parole, including any condition prohibiting the defendant from going near the victim’s home or work or requiring the defendant to complete a battering intervention and prevention program; (b) any offense in which the defendant is charged while released on parole for the offense involving the victim, if the department is aware of the offense; (c) the issuance of any warrant for the return of the defendant; and (d) any revocation of the defendant’s parole for the offense involving the victim; (3) entitles an advocate

for a victim to obtain on behalf of the victim the information in (2), above; (4) provides additional rights to victims of certain offenses involving family violence, stalking, or a violation of protective orders or conditions of bond, including: (a) the right to a disclosure of information regarding any evidence that was collected during the investigation of the offense, unless disclosing the information would interfere with the investigation or prosecution of the offense, in which event the victim, guardian, or relative shall be informed of the estimated date on which that information is expected to be disclosed, and the status of any analysis being performed on any evidence; (b) the right to be notified at the time a request is submitted to a crime laboratory to process and analyze any evidence that was collected during the investigation of the offense; (c) the right to be informed about, and confer with the attorney representing the state regarding, the disposition of the offense, including sharing the victim's, guardian's, or relative's views regarding: (i) a decision not to file charges; (ii) the dismissal of charges; (iii) the use of a pretrial intervention program; or (iv) a plea bargain agreement; and (d) the right to be notified that the attorney representing the state does not represent the victim, guardian of a victim, or close relative of a deceased victim; and (5) requires a victim, guardian of a victim, or close relative of a deceased victim who requests to be notified or receive information under (4), above, to: (a) provide a current address and phone number to the attorney representing the state and the law enforcement agency that is investigating the offense; (b) inform the attorney representing the state and the law enforcement agency of any change in the address or phone number; and (c) if the victim, guardian, or relative chooses to receive notifications by e-mail, provide an e-mail address and update any change in that e-mail address. (Effective September 1, 2025.)

**S.B. 1164 (Zaffirini/Moody) – Emergency Detention:** provides, among other things, that: (1) for purposes of an emergency detention, a peace officer, without a warrant, may take a person into custody, regardless of the age of the person, if the officer has reason to believe and does believe that: (a) the person is a person with mental illness and because of that mental illness: (i) there is a substantial risk of serious harm to that person or to others; (ii) the person evidences severe emotional distress and deterioration in the person's mental condition; or (iii) the person evidences an inability to recognize symptoms or appreciate the risks and benefits of treatment; (b) the person is likely without immediate detention to suffer serious risk of harm or to inflict serious harm on another person; and (c) there is not sufficient time to obtain a warrant before taking the person into custody; (2) the notification of emergency detention form completed by a peace officer must also include, among other information: (a) the person's date of birth, race, gender, phone number, and address; (b) whether the person was physically restrained and, if so, the reason for the physical restraint; (c) where the call originated at; (d) if a person is a child 17 years of age or younger, whether notice was provided to the child's parents or guardians; and (e) additional observations and history of the person; and (3) a peace officer or emergency medical services provider who transports an apprehended person to a mental health facility: (a) is not required to remain at the facility while the apprehended person is medically screened or treated or while the person's insurance coverage is verified; and (b) may leave the facility immediately after the person is taken into custody by appropriate facility staff and the notification of emergency detention form is provided to the facility. (Effective September 1, 2025.)

**S.B. 1177 (Alvarado/Leach) – Fire Safety Inspections:** provides that: (1) a fire safety inspection of a public or private school, including an open-enrollment charter school, required by a state or local law, rule, regulation, or ordinance must include an examination of each automated external

defibrillator (AED) on the school campus to determine whether the AED is fully functional, which must include verifying that the AED's pads and battery have not expired and that the AED's status indicator light indicates that the device is ready for use; (2) a person who conducts a fire safety inspection must: (a) provide a written report of the inspection and any relevant paperwork pertaining to the findings of the inspection to: (i) the principal of the school and the superintendent of the applicable school district if the inspection is of a public school; or (ii) the director of the school if the inspection is of a private school; and (b) at the time the person provides the report, indicate on the report the method by which, and the time and date on which, the person provided the report to the appropriate person; (3) the report must be filed at the school campus to which the report relates and according to the year in which the inspection occurred; and (4) the minimum curriculum requirements established by the Texas Commission on Fire Protection must require training on conducting a fire safety inspection at a public or private school. (Effective September 1, 2025.)

**S.B. 1271 (Hancock/Frank) – Military Installations:** provides, among other things, that: (1) on written application of an authorized representative of the United States to the governor, the governor, in the name and on behalf of this state, may accept the establishment of concurrent jurisdiction of this state with the United States over land in this state owned or acquired by the United States for a military purpose; (2) on the establishment of concurrent jurisdiction over land, a state agency or political subdivision, including a city, may enter into a memorandum of understanding with any officer or agency of the United States for the purpose of coordinating and assigning duties with respect to the concurrent jurisdiction; and (3) a state agency, a political subdivision of this state, and any officer, employee, or agent of the state agency or political subdivision is not liable for acts or omissions occurring on land over which concurrent jurisdiction is established. (Effective immediately.)

**S.B. 1349 (Hughes/J. Lopez) – Transnational Repression Training Program:** provides, among other things, that: (1) a person commits an offense of transnational repression if: (a) the person commits or conspires to commit an offense including human trafficking, assault, aggravated assault, harassment, stalking, or compelled prostitution with the intent to: (i) cause another person to act on behalf of a foreign government or a foreign terrorist organization; (ii) cause another person to leave or be confined in the United States; (iii) discourage another person from engaging in protected conduct; or (iv) retaliate against another person for engaging in protected conduct; and (b) the person commits or conspires to commit that offense as an agent of a foreign government or foreign terrorist organization; (2) a person commits an offense of unauthorized enforcement of foreign law if, as an agent of a foreign government or foreign terrorist organization, the person, without the approval of this state or the United States: (a) prevents another person in this state from violating the laws of a foreign government; or (b) detects, investigates, monitors, or surveilles another person in this state for the purpose of preventing the other person from violating the laws of a foreign government; (3) the Department of Public Safety (DPS) shall develop a training program for peace officers regarding transnational repression not later than April 1, 2026; (4) the training program must: (a) prepare peace officers to: (i) identify transnational repression; (ii) develop practices for preventing, reporting, and responding to transnational repression; and (iii) recognize communities targeted by transnational repression and misinformation that may be perpetuated by an agent of a foreign government or foreign terrorist organization; and (b) include information about foreign governments and foreign terrorist organizations that are frequently

involved in transnational repression and the methods those governments and organizations use; and (5) DPS shall regularly update the training to address emerging threats and new transnational repression methods used by agents of a foreign government or foreign terrorist organization. (Effective September 1, 2025.)

**S.B. 1362 (Hughes/Hefner) – Anti-Red Flag Act:** provides, among other things, that: (1) the governing body of a city or an officer, employee, or other body that is part of a city may not adopt or enforce a rule, ordinance, order, policy, or other similar measure relating to an extreme risk protective order unless state law specifically authorizes the adoption and enforcement of such a rule, ordinance, order, policy, or measure; (2) a federal statute, order, rule, or regulation purporting to implement or enforce an extreme risk protective order against a person in this state that infringes on the person’s right of due process, keeping and bearing arms, or free speech protected by the United States Constitution or the Texas Constitution is unenforceable as against the public policy of this state and shall have no effect; (3) cities may not accept federal grant funds for the implementation, service, or enforcement of a federal statute, order, rule, or regulation purporting to implement or enforce an extreme risk protective order against a person in this state; (4) any person who serves or enforces or attempts to serve or enforce an extreme risk protective order against a person in this state, unless the order was issued under the laws of this state, commits a state jail felony criminal offense; and (5) the Anti-Red Flag Act does not apply to a protective order issued under Texas laws or to a protective order issued under the laws of another state that is recognized or enforceable under Texas laws. (Effective September 1, 2025.)

**S.B. 1376 (Hughes/VanDeaver) – Code Enforcement Officers:** provides that a code enforcement officer in training may engage in code enforcement without supervision if the employer of the code enforcement officer does not also employ a registered code enforcement officer. (Effectively immediately.)

**S.B. 1497 (Nichols/M. Perez) – Searching Wireless Devices:** provides that a skimmer capable of unlawfully intercepting electronic communications or data to perpetrate fraud is not considered a wireless device for purposes of the prohibition against a peace officer searching a person’s cellular telephone or other wireless communication device pursuant to a lawful arrest without obtaining a warrant. (Effective September 1, 2025.)

**S.B. 1498 (Nichols/M. Perez) – Asset Forfeiture:** among other things: (1) provides that an attorney for the state may file for a judgment in the amount of the proceeds for property that is a digital currency, non-fungible token, stablecoin, or wallet not connected to an exchange or network, in: (a) the county in which the proceeds were seized; (b) the county in which the law enforcement agency that initiated the seizure of property is located; or (c) Travis County; and (2) requires that, not later than 72 hours after a law enforcement officer seizes property subject to potential forfeiture that is a digital currency, non-fungible token, stablecoin, the law enforcement agency employing the office shall transfer the property to a wallet that is not connected to an exchange or network, and only accessibly by the law enforcement agency or the attorney representing the state. (Effective immediately.)

**S.B. 1598 (Hagenbuch/Curry) – Collision Reports:** provides, among other things, that: (1) for written reports of a collision made by a law enforcement officer or compiled by the Texas

Department of Transportation (TxDOT), the information is privileged and for the confidential use of TxDOT and the agency of the United States, this state, or a local government of this state that has use for the information for purposes of collision prevention or a criminal investigation conducted by a law enforcement agency; (2) in addition to the information required to be released in certain instances, the governmental entity may release a vehicle identification number and specific collision information relating to the vehicle to a peace officer who investigated the collision or a person acting on behalf of the law enforcement agency who is authorized by contract to obtain the information; and (3) TxDOT or the governmental entity when releasing information may not release personal information and shall withhold or redact certain information related to the persons involved in the collision. (Effective September 1, 2025.)

**S.B. 1637 (King/Hefner) – Deadly Conduct:** provides: (1) for an exception to the offense of deadly conduct for a peace officer if, at the time of the offense, the officer: (a) was engaged in the actual discharge of the officer’s official duties; and (b) reasonably believed the discharge of the officer’s firearm was justified; and (2) the recklessness and danger presumption that an actor who knowingly pointed a firearm at or in the direction of another whether or not the actor believed the firearm was loaded does not apply to a peace officer engaged in the lawful discharge of the officer’s official duties. (Effective September 1, 2025.)

**S.B. 1646 (King/Hefner) – Sale of Copper and Brass:** provides, among other things, that: (1) a city may not: (a) with respect to copper or brass material, restrict the purchase, acquisition, sale, transfer, or possession of the material by a metal recycling entity from certain persons and businesses or (b) alter or add to the recordkeeping requirements of metal recycling entities; (2) the prohibition in (1), above, does not affect: (a) the authority of a city to issue a license or permit or to inspect a record; and (b) a city ordinance in effect on March 1, 2025, to the extent the ordinance requires a metal recycling entity to submit records to a searchable online database that is used by law enforcement to identify and locate damaged or stolen property and any individuals who may be associated with the damaged or stolen property; (3) on request, a metal recycling entity shall permit a peace officer or a city representative that issues a license or permit to, during the entity’s usual business hours: (a) enter the premises of the entity; and (b) inspect a record required to be maintained by the metal recycling entity; (4) the offense of criminal mischief is a felony of the third degree if the actor committed the offense by damaging or destroying a copper or brass component of a critical infrastructure facility, including a system that enables interoperable communications between emergency services personnel during an emergency or disaster, or of equipment appurtenant to the facility or on which the facility depends to properly function, and the damage or destruction causes, wholly or partly, the impairment or interruption of the facility or that equipment; (5) the punishment for an offense of theft is increased to the next higher category of offense if it is shown on the trial of the offense that: (a) the property stolen was copper or brass; and (b) the actor committed the offense by unlawfully appropriating the property from a critical infrastructure facility or from equipment or communication wires appurtenant to or connected to the facility or on which the facility depends to properly function, regardless of whether the equipment or communication wires are enclosed by a fence or other barrier; (6) a person commits an offense of unauthorized possession of certain copper or brass material if the person: (a) intentionally or knowingly possesses copper or brass material; and (b) is not a person who is authorized to possess the copper or brass material; and (7) the offense of engaging in organized criminal activity includes criminal mischief involving certain damage to copper or brass



components of a critical infrastructure facility and unauthorized possession of certain copper or brass material. (Effective immediately.)

**S.B. 1660 (Huffman/Cook) – Toxicological Evidence:** provides, among other things, that: (1) a crime laboratory that is in possession of toxicological evidence for an alleged intoxication offense shall annually: (a) notify the prosecutor’s office in the county in which the alleged offense occurred that the laboratory is in possession of toxicological evidence for an alleged offense that occurred in the county; and (b) provide to the prosecutor’s office the date on which the laboratory received the evidence; and (2) if a prosecutor’s office does not provide a written denial of a request to destroy toxicological evidence before the 90th day after the date the request is made by hand delivery, certified mail, or e-mail to an address designated by the prosecutor’s office, the entity or individual charged with storing the toxicological evidence may destroy the evidence if the retention period for that evidence has expired. (Effective September 1, 2025.)

**S.B. 1886 (Sparks/Louderback) – Blood Search Warrant:** provides that, notwithstanding any other law, a warrant to collect a blood specimen from a person suspected of committing an intoxication offense may be executed by any peace officer in any county adjacent to the county in which the warrant was issued. (Effective September 1, 2025.)

**S.B. 1896 (Huffman/Cook) – Emergency Protection Orders:** provides that: (1) a person making a complaint alleging a family violence-related offense or certain other offenses must include the information necessary for the issuance of a magistrate’s order for emergency protection; (2) failure to include the information described in (1), above, does not affect the sufficiency of the complaint; (3) the person making the arrest or the having custody of a person arrested for family violence or certain other offenses, on presentation of the arrested person, must provide the magistrate with information regarding the arrested person that is necessary for or will aid the magistrate in issuing an order for emergency protection; and (4) failure to provide the magistrate with the information described in (3), above, does not negate the magistrate’s authority or duty to issue an order for emergency protection. (Effective September 1, 2025.)

**S.B. 1957 (Hagenbuch/Hickland) – Civilian Oversight Board:** provides that a person is not eligible to serve on a civilian oversight board in a civil service city if the person has been convicted of or placed on deferred adjudication community supervision for a felony offense. (Effective September 1, 2025.)

**S.B. 2001 (King/Craddick) – Peace Officers with Disabilities:** provides, among other things, that: (1) a toll project discount program must include free or discounted use of the entity’s toll project by an electronic toll collection customer whose account relates to a vehicle registered to a disabled peace officer; (2) a person who is disabled as a result of an injury suffered during the course and scope of the person’s employment as a peace officer is entitled to register, for the person’s own use, one vehicle without payment of any fee paid for or at the time of registration except the fee for the license plates if the motor vehicle is owned by the person and has a gross vehicle weight of 18,000 pounds or less or is a motor home; (3) the initial application for license plates must be accompanied by: (a) a written statement from a physician who is licensed to practice medicine in this state; (b) a written statement completed by the chief law enforcement officer of the law enforcement agency that employed the person, certifying that the person is disabled as a

result of an injury suffered during the course and scope of the person's employment as a peace officer; and (c) any other information required for an application; (4) the license plates in (2), above, must include: (a) the letters "DPO" on the plate if the plate is issued for a vehicle other than a motorcycle; and (b) the words "Disabled Police Officer" at the bottom of each license plate; (5) a person who receives license plates in (2), above may receive a disabled parking placard for each set of license plates; (6) if a vehicle displays special license plates issued in (2), above, and is being operated by or for the transportation of the person whom the plates were issued the vehicle: (a) may be parked for an unlimited period in a parking space or area that is designated specifically for persons with physical disabilities; and (b) is exempt from the payment of a parking fee collected through a parking meter charged by a governmental authority other than a branch of the federal government; and (7) parking spaces or areas designated for the exclusive use of vehicles transporting persons with disabilities may be used by vehicles displaying license plates issued in (2), above. (Effective September 1, 2025.)

**S.B. 2177 (Hagenbuch/Little) – Law Enforcement Grant:** provides, among other things, that: (1) the governor's criminal justice division shall establish and administer a grant program through which a law enforcement agency may apply for a grant designed to improve clearance rates for violent and sexual offenses; (2) grant money awarded may be used to pay for: (a) hiring, training, and retaining personnel to: (i) investigate violent and sexual offenses; (ii) collect, process, and forensically test evidence; or (iii) analyze violent and sexual offenses, including temporal and geographical trends; (b) acquiring, upgrading, or replacing technology or equipment related to evidence collection, evidence processing, or forensic testing; and (c) upgrading record management systems to achieve compliance with the reporting requirements; (4) a law enforcement agency that receives a grant under the program annually shall report: (a) the clearance rate and the percentage of the clearance rate that is clearance by arrest and the percentage that is clearance by exception for: (i) violent offenses; (ii) sexual offenses; and (iii) offenses including indecency with a child, sexual assault, aggravated sexual assault, murder, capital murder, aggravated kidnapping, aggravated assault with a deadly weapon, or aggravated robbery; (b) the average duration between the date of the offense and the date of clearance; and (c) the percentage of the grant amount used for each authorized use; (5) the criminal justice division shall periodically evaluate the practices employed by grant recipients to identify policies and procedures that have successfully improved clearance rates for violent and sexual offenses; and (6) a governmental entity may not reduce the amount of funds provided to a law enforcement agency because the agency received a grant. (Effective immediately.)

**S.B. 2180 (Hagenbuch/Isaac) – Polygraph Examinations:** provides that: (1) the Texas Commission of Law Enforcement (TCOLE) by rule may establish minimum requirements for the training, testing, and certification of peace officers to conduct polygraph examinations for the purpose of: (a) a preemployment examination of a candidate applying for a position that requires a license; or (b) a criminal investigation; (2) TCOLE shall adopt rules prohibiting a peace officer from conducting a polygraph examination unless the officer: (a) completes a training course approved by TCOLE; and (b) passes an examination administered by TCOLE that is designed to test the officer's knowledge of investigative polygraphy; and (3) TCOLE shall issue a certification to conduct polygraph examinations to a peace officer who applies for the certification, completes the required training, and passes the required examination. (Effective September 1, 2025.)

**S.B. 2284 (A. Hinojosa/J. Lopez) – Regulating Archery Equipment:** among other things: (1) provides that city may not adopt or enforce regulations that relate to the transfer, possession, wearing, carrying, ownership, storage, transportation, licensing, or registration of archery equipment, commerce in archery equipment, and the discharge of a firearm or archery equipment at a sport shooting range; (2) requires archery equipment owners to obtain liability insurance coverage for certain damages involving the use of the archery equipment; and (3) provides that the restrictions described in (1) and (2), above do not affect a city’s authority to regulate the discharge of archery equipment within city limits other than at a sport shooting range and the carrying of archery equipment at a public park, public meeting of a governmental body, political rally, meeting, or parade, or a nonfirearms-related school, college, or professional athletic event. (Effective September 1, 2025.)

**S.B. 2371 (Nichols/M. Perez) – Skimmers:** provides, among other things, that: (1) if a merchant discovers a skimmer in or on an electronic terminal or is notified of the presence of a skimmer, the merchant shall, in the manner prescribed by Financial Crimes Intelligence Center (FCIC) rule: (a) disable, or cause to be disabled, the electronic terminal on which the skimmer was discovered; (b) notify a law enforcement agency and FCIC that a skimmer has been detected; and (c) take appropriate measures to protect the electronic terminal from tampering until FCIC or the law enforcement agency arrives and the skimmer is removed; (2) FCIC shall cooperate with law enforcement agencies in conducting an investigation of the report; (3) if the skimmer is reported to be located on an electronic terminal, FCIC may inspect, in coordination with a law enforcement agency, the electronic terminal that is the subject of the report and any other electronic terminal located at the same place of business; (4) a merchant shall cooperate with FCIC or the law enforcement agency during an investigation of a skimmer discovered or reported at the merchant’s place of business and allow the inspection and alteration of an electronic terminal at the place of business as necessary; (5) except as otherwise provided, information is confidential and not subject to disclosure under the Public Information Act (PIA), if the information is from a report received by FCIC or prepared or compiled by FCIC in connection with the report or an investigation; (6) information may be disclosed to: (a) an institution of higher education; (b) a law enforcement agency; (c) a payment card issuer, a financial institution that is not a payment card issuer, or a payment card network that may be impacted by the use of a skimmer on an electronic terminal; (d) another person if the disclosure of the information is authorized or required by other law or court order; (e) a trade association representing a financial institution; (f) a center contractor or other agent; or (g) the Texas Department of Banking; (7) a law enforcement agency or FCIC: (a) may disclose the public information if the law enforcement agency or the chief intelligence coordinator for FCIC determines the disclosure of the information furthers a law enforcement purpose; and (b) may not disclose to the public the identity of a person who submits a report of a suspected skimmer to FCIC; and (8) a person commits: (a) a Class C misdemeanor offense if the person refuses to allow an inspection of an electronic terminal at the merchant’s place of business; (b) a Class B misdemeanor offense if the person negligently or recklessly disposes of a skimmer that was installed on an electronic terminal by another person; and (c) a felony of the third degree if knowing that an investigation is ongoing or that a criminal proceeding has been commenced and is pending, the person disposes of a skimmer installed on an electronic terminal by another person. (Effective immediately.)

**S.B. 2514 (Hughes/Hefner) – Hostile Foreign Adversaries Unit:** provides, among other things, that: (1) the hostile foreign adversaries unit is established in the Department of Public Safety (DPS) to support DPS’s duty to: (a) prevent the harassment and coercion of this state’s residents from foreign adversary operations; (b) strengthen state agencies against foreign adversary operations; and (c) protect this state’s critical infrastructure against threats foreign adversary operations pose; (2) not later than December 1 of each even-numbered year, the unit shall submit to the governor and the legislature a written report that assesses the threat foreign adversary operations posed to this state, including to this state’s residents and governmental units, during the preceding two years; (3) on request by the unit, a state agency or a local law enforcement agency shall provide information relating to any foreign adversary operation that the agency has researched or investigated or otherwise holds relevant information on; (4) the unit shall provide for the secure storage of sensitive information obtained or produced as part of the report, and information determined as sensitive is not subject to disclosure under the Public Information Act; (5) with the approval of the director, the unit may share sensitive information with another federal, state, or local law enforcement agency; (6) an employee or volunteer of a state agency or a political subdivision of this state may not: (a) accept transportation to or lodging in a country that is a foreign adversary and that is paid for by the foreign adversary because of the employee’s or volunteer’s position with the state or political subdivision; or (b) accept a gift or item of value from a person representing a foreign adversary for any purpose, including to pay for travel expenses or as reimbursement for the costs of attending a conference or other event in a country that is a foreign adversary or that is hosted on behalf of a foreign adversary or a principal of a foreign adversary; (7) an employee or volunteer of a state agency or a political subdivision of this state shall report to the Texas Ethics Commission (TEC), in the form and manner TEC requires, each interaction, communication, or meeting the employee or volunteer has with a person acting on behalf of a foreign adversary not later than the 30th day after the date of the interaction, communication, or meeting; and (8) in addition to the requirements for certification, a cybersecurity training program that occurs on or after May 1, 2026, must include education on: (a) the threat of foreign adversaries and other hostile foreign actors, including the United Front Work Department of the Central Committee of the Chinese Communist Party and other coordinated foreign influence operations; (b) known efforts by foreign adversaries to target and influence subnational governments, including efforts made by the United Front Work Department; (c) identifying and recognizing suspected foreign influence operations; (d) informational resources promulgated by federal, state, and nongovernmental organizations on United Front Work Department activities in this state and adjacent states; and (e) reporting to the Texas Ethics Commission as required by (7), above, and to law enforcement agencies suspected foreign influence operations and other interactions with persons acting on behalf of a foreign adversary. (Effective September 1, 2025.)

**S.B. 2570 (Flores/Guillen) – Less-Lethal Force Weapons:** provides that a guard employed by a correctional facility or a peace officer who is engaged in the discharge of the guard’s or officer’s official duties is justified in using force with a less-lethal force weapon against another when and to the degree the person reasonably believes the force was necessary to accomplish the person’s official duties as a guard or officer and if the person’s use of the weapon is in substantial compliance with the person’s training. (Effective September 1, 2025.)

**S.B. 2786 (Creighton/Lambert) – Texas Success Initiative:** provides that the following are exempt from an assessment by an institution of higher education to assess readiness to enroll in

freshman-level academic coursework: (1) a student who is certified as an emergency medical technician by the Texas Department of State Health Services and who is employed by a political subdivision; (2) a student who is certified as a firefighter; or (3) a student who is an individual elected, appointed, or employed to serve as a peace officer for a governmental entity. (Effective immediately.)

### **Property Tax**

**H.B. 9 (Meyer/Bettencourt) – Personal Property Tax:** provides, among other things: (1) that a person is entitled to an exemption from taxation of \$125,000 of the appraised value of income-producing tangible personal property; and (2) that a person is required to file a rendition statement concerning tangible personal property only if, in the person’s opinion, the aggregate market value of the property in at least one taxing unit is greater than the amount exempted under (1), above. (Effective January 1, 2026, but only if **H.J.R. 1** is approved at the election on November 4, 2025.)

**H.B. 22 (Noble/A. Hinojosa) – Property Tax Exemption:** exempts from the property tax all intangible personal property. (Effective January 1, 2026.)

**H.B. 30 (Troxclair/Bettencourt) – Property Taxes Following a Disaster:** among other things: (1) repeals the provision authorizing cities to adopt a property tax rate that exceeds the voter-approval tax rate without holding an election in the year following the year in which a disaster occurs; and (2) provides that if any part of a taxing unit is located in an area declared to be a disaster area by the governor or the president of the United States and at least one person is granted a property tax exemption for qualified property damaged by a disaster, the governing body of a taxing unit other than a school district or a special taxing unit may direct the designated officer or employee to calculate the voter-approval tax rate of the taxing unit as the lesser of: (a) the voter-approval tax rate calculated in the manner provided for a special taxing unit; or (b) the voter-approval tax rate calculated according to a specific formula using a “disaster relief rate” that accounts for the total amount of a taxing unit’s share of the costs associated with certain services provided during a disaster, including debris or wreckage removal and essential assistance efforts. (Effective January 1, 2026.)

**H.B. 148 (Turner/Bettencourt) – Appraisal District Boards:** among other things: (1) requires a member of the board of directors of an appraisal district established for a county with a population of 75,000 or more to complete a training program before the beginning of each term the member serves; (2) requires the training described in (1), above, to be not less than eight hours for a member of the board of directors of an appraisal district that has contracted to perform duties relating to the assessment or collection of taxes; (2) requires the training described in (1), above, to be provided by an accredited institution of higher education; (3) provides that the term “incompetency” includes the failure to complete the training described in (1), above, for purposes of removal from office; and (4) requires each candidate for an elective position or appointee on an appraisal district board of directors to sign an acknowledgement of director’s duties and submit the signed acknowledgement to the chief appraiser. (Effective September 1, 2025.)

**H.B. 247 (Guillen/Middleton) – Property Tax Exemption:** provides an exemption from taxation of the amount of appraised value of real property that arises from the installation or construction



on the property of an improvement that is installed or constructed pursuant to a border security infrastructure agreement between the property owner and this state or the United States. (Effective January 1, 2026, but only if **H.J.R. 34** is approved at the election on November 4, 2025.)

**H.B. 1244 (Guillen/Bettencourt) – Agricultural Appraisal:** this bill: (1) provides that land that was eligible for agricultural appraisal remains eligible after a change in ownership if the new owner uses the land in materially the same way it was used in the preceding year and the use is conducted by the same individuals who conducted the use in the preceding year; and (2) requires the chief appraiser to accept an application for agricultural appraisal after the deadline if the land was appraised as agricultural land in the preceding year, the new owner uses the land in materially the same way as the former owner, and the application is received not later than the later of: (a) the delinquency date for the taxes on the land for the year for which the application is filed; or (b) the first anniversary of the date ownership of the land was transferred. (Effective January 1, 2026.)

**H.B. 1399 (Harris/Nichols) – Property Tax Exemption:** exempts from the property tax tangible personal property consisting of animal feed that is exempt from the sales tax if the property is held by the owner for sale at retail. (Effective January 1, 2026, but only if **H.J.R. 99** is approved at the election on November 4, 2026.)

**H.B. 2508 (Turner/Hughes) – Property Tax Exemption:** this bill: (1) exempts from property tax the total appraised value of the residence homestead of the surviving spouse of a veteran of the armed services of the United States who died as a result of a condition or disease that is presumed under federal law to have been service-connected if the surviving spouse has not remarried; and (2) provides that a surviving spouse who receives an exemption under (1), above, is entitled to an exemption from taxation of a property the surviving spouse subsequently qualifies as a residence homestead equal to the dollar amount of the exemption the surviving spouse received on the first property in the last year the spouse received the exemption. (Effective January 1, 2026, but only if **H.J.R. 133** is approved at the election on November 4, 2026.)

**H.B. 2525 (Darby/Paxton) – Property Tax Exemption:** expands the charitable property tax exemption to be available if: (1) an organization provides charitable housing and services in an amount that is not less than four percent of the charitable organization’s net resident revenue; (2) the property is used to provide: (a) permanent housing and related services to certain residents aged 62 years of age or older; or (b) housing and related services to persons who are 62 years of age or older in a retirement community, if the retirement community provides certain related services; and (3) the organization performing the charitable function described in (1) or (2), above, has been in existence for at least 20 years and or is under common control of an organization that has been in existence for at least 20 years and performs a charitable function that entitles the organization to a property tax exemption. (Effective January 1, 2026.)

**H.B. 2723 (Cunningham/West) – Cemetery Tax Exemption:** this bill: (1) requires the chief appraiser to grant an exemption for property used exclusively for human burial that is not held for profit if: (a) the person does not apply for the exemption; (b) the chief appraiser knows or should know based on a reasonable inspection of the property that the property is used exclusively for human burial; and (c) the owner is not identifiable; and (2) authorizes the chief appraiser to request

the assistance of a city or other entity to help determine whether a property is a property described in (1), above. (Effective January 1, 2026.)

**H.B. 2894 (Hickland/Flores) – Disabled Veteran Grants:** provides, among other things, that a city is entitled to an assistance grant from the state for governments disproportionately affected by the granting of property tax relief to disabled veterans if the amount of property tax revenue lost due to that relief is equal to or greater than: (1) two percent of the local government’s general fund if it is a city located adjacent to a United States military installation or a county in which a United States military installation is wholly or partly located; and (2) ten percent of the local government’s general fund if it is a city located in a county: (a) in which a military installation is located that has a population of: (i) more than 370,000 but not more than 380,000; (ii) more than 83,000 but not more than 84,000; or (iii) less than 25,000 if the county is adjacent to two counties that contain the same United States Army installation, neither of which has a population greater than 400,000. (Effective September 1, 2025.)

**H.B. 3424 (Capriglione/Bettencourt) – Heavy Equipment Held For Sale or Lease:** among other things: (1) requires that an owner of heavy equipment inventory shall deposit the property tax assigned to the heavy equipment to the collector once every calendar quarter rather than once every month; (2) requires a tax collector to provide annual written notice to each owner for whom the collector maintains a property tax escrow account for property tax on heavy equipment held for lease notifying the owner of the unit property tax factor the following year for each location in which the owner’s heavy equipment inventory is located; and (3) authorizes a person who acquires the business or assets of an owner of heavy equipment to use the same unit property tax factor that the owner who owes the current year tax would use when paying the current year tax. (Effective January 1, 2026.)

**H.B. 4809 (Meyer/West) – Appraisal of Historic Property:** provides that a property owner may protest: (1) the appraised value of a historic structure or archaeological site; (2) the appraised value of the land necessary to access the structure or site; and (3) the allocation of appraised value between the structure or archeological site and the land. (Effective immediately.)

**H.J.R. 1 (Meyer/Bettencourt) – Personal Property Tax:** amends the Texas Constitution to authorize the legislature to exempt from the property tax \$125,000 of the market value of tangible personal property that is held or used for the production of income. (Effective if approved at the election on November 4, 2025.)

**H.J.R. 34 (Guillen/Middleton) – Property Tax Exemption:** amends the Texas Constitution to authorize the legislature to exempt from property tax the portion of the value of a person’s property that is attributable to the installation or construction in or on the property of border security infrastructure in a county that borders the United Mexican States. (Effective if approved at the election on November 4, 2025.)

**H.J.R. 99 (Harris/Nichols) – Property Tax Exemption:** amends the Texas Constitution to authorize the legislature to exempt from property tax tangible personal property consisting of animal feed that is held by the owner for sale at retail. (Effective if approved at the election on November 4, 2025.)

**H.J.R. 133 (Turner/Hughes) – Property Tax Exemption:** amends the Texas Constitution to authorize the legislature to provide: (1) an exemption from property tax of all or part of the market value of the residence homestead of the surviving spouse of a veteran of the armed services of the United States who died as a result of a condition or disease that is presumed under federal law to have been service-connected if the surviving spouse has not remarried; and (2) an exemption from taxation of a property the surviving spouse subsequently qualifies as a residence homestead equal to the dollar amount of the exemption the surviving spouse received on the first property in the last year the spouse received the exemption (Effective if approved at the election on November 4, 2025.)

**S.B. 467 (Paxton/Hefner) – Temporary Property Tax Exemption:** provides an exemption from taxation for a habitable dwelling that is completely destroyed by a fire and remains uninhabitable for at least 30 days after the fire for the tax year in which the fire occurs. (Effective January 1, 2026, but only if **S.J.R. 84** is approved at the election on November 4, 2025.)

**S.B. 850 (Middleton/Bonnen) – Property Tax Refunds:** among other things: (1) provides that a person may, but is not required to, apply for a refund of property taxes if the amount of the refund is at least \$20; (2) requires that most property tax refunds due to a taxpayer must be paid in 60 days; (3) provides that most refunds not paid by the due date accrue interest at a rate of 12 percent; (4) authorizes a property owner to waive the interest due on a refund after a judicial appeal is finally determined to decrease tax liability; (5) prohibits a final judgement in a judicial property tax appeal from requiring a property owner to file a form with Internal Revenue Service as a prerequisite to the issuance of a refund unless the form is required under federal law. (Effective September 1, 2025.)

**S.B. 1023 (Bettencourt/Troxclair) – Property Tax Rate Calculation:** requires: (1) the tax rate calculation forms prescribed by the comptroller to be capable of including for each entry other than a mathematical calculation a hyperlink to a document that evidences the accuracy of the entry; and (2) a taxing unit to calculate adjustments made to the value of taxable property due to tax revenue the taxing unit pays into a tax increment reinvestment zone fund separately for each reinvestment zone in which the taxing unit participates. (Effective January 1, 2026.)

**S.B. 1352 (A. Hinojosa/Capriglione) – Property Tax Deadlines:** this bill: (1) provides that if the chief appraiser extends the deadline for a property owner to file a rendition statement to May 15, the chief appraiser shall also extend the deadline for the property owner to file an application for an exemption for freeport goods; (2) authorizes the chief appraiser to further extend the deadline described in (1), above, for a period not to exceed 60 days; (3) limits the penalty for a late application for an exemption for freeport goods to the lesser of: (a) ten percent of the difference between the amount of tax imposed by the taxing unit on the inventory or property, a portion of which consists of freeport goods, and the amount that would otherwise have been imposed; or (b) ten percent of the amount of tax imposed by the taxing unit on the inventory or property, a portion of which consists of freeport goods; (4) provides that if the chief appraiser extends the deadline for a property owner to file a rendition statement to May 15, the chief appraiser shall also extend the deadline for the property owner to file an application for allocation; (5) authorizes the chief appraiser to further extend the deadline described in (4), above, for a period not to exceed 60 days;

and (6) limits the penalty for a late application for allocation to the lesser of: (a) ten percent of the difference between the amount of tax imposed by the taxing unit on the property without the allocation and the amount of tax imposed on the property with the allocation; and (b) ten percent of the amount of tax imposed by the taxing unit on the property with the allocation. (Effective September 1, 2025.)

**S.B. 1453 (Bettencourt/Meyer) – Tax Rate Calculation:** among other things: (1) defines “current debt service” for purposes of tax rate calculation to mean the minimum dollar amount required to be expended for debt service in the current year; and (2) permits the governing body of a taxing unit, including a city council, to adopt a debt service tax rate that exceeds the debt service tax rate calculated with the current debt service described in (1), above, only if the rate is proposed by a motion that: (a) states the calculated debt service tax rate; (b) states the proposed debt service tax rate; (c) states the difference between the proposed rate and the calculated debt service tax rate; (d) describes the purpose for which the excess debt revenue collected will be used; and (e) is approved by at least 60 percent of the members of the governing body. (Effective January 1, 2026.)

**S.B. 2173 (Parker/Darby) – Tax Liens:** provides that: (1) if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties, or interest are due, the tax lien securing the payment of any delinquent taxes, penalties, or interest that are subsequently determined to be due the taxing unit on the property because a residence homestead exemption was erroneously allowed for the property and was subsequently canceled is extinguished; and (2) a tax lien described in (1), above, is not extinguished if the chief appraiser or tax collector determines that the transfer occurred between: (a) two individuals who are related within the first degree of consanguinity; (b) an employer and an employee; (c) a parent company and subsidiary company; or (d) a trust and a beneficiary of that trust. (Effective September 1, 2025.)

### **Sales Tax**

**H.B. 135 (Button/Campbell) – Sales Tax Exemption:** exempts from the sales tax game animals and exotic animals. (Effective immediately.)

**S.B. 2206 (Bettencourt/Geren) – Repeal of Sales Tax Exemption:** would, among other things, repeal the sales tax exemption for certain property used in research and development activities. (Effective January 1, 2026.)

### **Open Government**

**H.B. 132 (R. Lopez/Hughes) – Confidential Information:** provides that the following information is confidential: (1) information that is collected, assembled, or maintained by or for a governmental entity for the purpose of preventing, detecting, responding to, or investigating a hostile act by a foreign adversary of the United States and: (a) relates to the staffing requirements of an emergency response provider, including a law enforcement agency, a fire-fighting agency, or an emergency services agency; (b) relates to a tactical plan of the provider; or (c) consists of a list or compilation of pager or telephone numbers, including mobile and cellular telephone numbers, of the provider; (2) information collected, assembled, or maintained by or for a

governmental entity for the purpose of preventing, detecting or investigating a hostile act by a foreign adversary of the United States and relates to an assessment by or for a governmental entity, or an assessment that is maintained by a governmental entity, of the risk or vulnerability of persons or property, including critical infrastructure, to an act of terrorism or related criminal activity; (3) information collected, assembled, or maintained by or for a governmental entity for the purpose of preventing, detecting or investigating a hostile act by a foreign adversary of the United States and relates to the details of the encryption codes or security keys for a public communications system; (4) information, other than financial information, in the possession of a governmental entity that: (a) is part of a report to an agency of the United States; (b) relates to a hostile act by a foreign adversary of the United States; and (c) is specifically required to be kept confidential because of a federal law, to participate in a state-federal information sharing agreement or to obtain federal funds; (5) documents or portions of documents in the possession of a governmental entity if they identify the technical details of particular vulnerabilities of critical infrastructure to a hostile act by a foreign adversary of the United States; and (6) information, including access codes and passwords, in the possession of a governmental entity if the information relates to the specifications, operating procedures, or location of a security system used to protect public or private property from a hostile act by a foreign adversary of the United States. (Effective immediately.)

**H.B. 1522 (Gerdes/Kolkhorst) – Open Meetings Notice:** among other things, provides that, with the exception of a notice of an emergency meeting: (1) the notice of a meeting of a governmental body must be posted in a place readily accessible to the general public at all times for at least three business days before the scheduled date of the meeting; and (2) the notice of the meeting required under (1), above, at which a governmental body will discuss or adopt a budget for the governmental body must include: (a) a physical copy of the proposed budget unless the governmental body has made the proposed budget clearly accessible on the home page of the governmental body’s Internet website; and (b) a taxpayer impact statement showing, for the median-valued homestead property, a comparison of the property tax bill in dollars pertaining to the property for the current fiscal year to an estimate of the property tax bill in dollars for the same property for the upcoming fiscal year if the proposed budget is adopted and a balanced budget funded at the no-new-revenue tax rate is adopted. (Effective September 1, 2025.)

**H.B. 1893 (Cook/King) – License Plate Numbers:** provides that: (1) the license plate number of a motor vehicle captured visually or audibly in a video recording obtained or maintained by a law enforcement agency is not confidential and may be included in a video recording disclosed under the Public Information Act (PIA); (2) the provision in (1), above, does not preclude a law enforcement agency from asserting other exceptions to disclosure of information under the PIA; and (3) a law enforcement agency may release a video recording obtained or maintained by the law enforcement agency that includes the license plate number of a motor vehicle captured visually or audibly in the video in response to a request for public information under the PIA, and the agency is not required to redact any license plate numbers before releasing the video. (Effective September 1, 2025.)

**H.B. 2355 (Fairly/Parker) – Crime Victims Compensation:** provides that information provided by a law enforcement agency to the attorney general to allow the attorney general to determine whether a claimant or victim qualifies for an award under the crime victims’ compensation fund



and the extent of the qualification shall not be releasable under the Public Information Act. (Effective September 1, 2025.)

**H.B. 2520 (Johnson/Middleton) – Notice of Meetings:** among other things, provides that: (1) the notice of each meeting of a governmental body must include an agenda for the meeting that is the subject of the notice that: (a) is sufficiently specific to inform the public of each subject to be considered in the open portion of the meeting, including any matter: (i) that is special or unusual; or (ii) in which the public may have a particular interest; and (b) describes any subject to be considered in the closed portion of the meeting, if applicable; (2) a governmental body may meet in a closed meeting under the personnel exception to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a specific public officer or employee; and (3) a governmental body may not meet in a closed meeting under the personnel exception if the governmental body's deliberations concern operational issues that generally impact a class or group of employees, including changes in the duties or compensation of a class or group of employees. (Effective September 1, 2025.)

**H.B. 2788 (Button/Johnson) – Unemployment Compensation:** provides that any information, including risk assessments, reports, data, protocols, technology specifications, manuals, instructions, investigative materials, crossmatches, mental impressions, and communications that may reveal the methods or means by which the Texas Workforce Commission prevents, detects, investigates, or evaluates fraud in the administration of unemployment compensation benefits and the unemployment compensation tax programs is not public information under the Public Information Act. (Effective immediately.)

**H.B. 3112 (Tepper/Perry) – Cybersecurity Measures:** provides that: (1) a governmental body is not required to conduct an open meeting to deliberate a cybersecurity measure, policy or contract solely intended to protect a critical infrastructure facility located in the jurisdiction of the governmental body; (2) information is excepted from public disclosure under the Public Information Act if it is information that relates to: (a) a cybersecurity measure, policy, or contract solely intended to protect a critical infrastructure facility located in the jurisdiction of the governmental body; (b) coverage limits and deductible amounts for insurance or other risk mitigation coverages acquired for the protection of information technology systems, critical infrastructure, operational technology systems, or data of a governmental body or the amount of money set aside by a governmental body to self-insure against those risks; (c) cybersecurity incident information reported pursuant to state law; and (d) network schematics, hardware and software configurations, or encryption information or information that identifies the detection, investigation, or response practices for suspected or confirmed cybersecurity incidents if the disclosure of such information would facilitate unauthorized access to: (i) data or information, whether physical or virtual; or (ii) information technology resources, including a governmental body's existing or proposed information technology system; (3) a governmental body may disclose information made confidential by (2), above, to comply with applicable state or federal law or a court order; and (4) a governmental body that discloses information under (3), above, must provide notice of the required disclosure to the person or third party who owns the critical infrastructure facility or, not later than the fifth business day before the information is required to be disclosed, or in the event immediate disclosure is required, notifying in writing the person or third party as soon as practicable but not later than the fifth business day after the information is disclosed, and

retain all existing labeling on the information being disclosed describing such information as confidential or privileged. (Effective immediately.)

**H.B. 3711 (Capriglione/Sparks) – Open Meetings Act Offenses:** among other things, provides that: (1) a law enforcement agency that submits a report stating there is probable cause to believe someone has committed an Open Meetings Act (OMA) violation shall simultaneously submit the report to the open records division of the Office of the Attorney General (OAG); (2) on request of the OAG, a law enforcement entity shall provide all requested information that has not been made publicly available regarding an OMA violation investigation to the open records division of the OAG; and (3) if a district attorney, criminal district attorney, or county attorney who receives a report under (1), above, or represents the state in the prosecution of a criminal offense of an OMA violation, decides not to prosecute or to terminate the investigation of a case regarding an OMA offense, the attorney shall publish notice of the attorney’s decision to not prosecute or to terminate the investigation of the case, and the attorney’s reason for not prosecuting and terminating the investigation of the case, on any Internet website maintained by the attorney’s office for a period of not less than one year. (Effective September 1, 2025.)

**H.B. 3803 (Lambert/Zaffirini) – Confidentiality of Cemetery Financial Records:** provides, among other things, that: (1) information retained by the Banking Department of Texas that relates to the financial condition of a perpetual care cemetery or perpetual care trust fund is confidential; and (2) the banking commissioner may disclose information described by (1), above, to an agency, department, or instrumentality of this or another state or the United States if the commissioner determines disclosure is in the best interest of the public and necessary or proper to enforce the laws of this or another state or the United States. (Effective immediately.)

**H.B. 4214 (Curry/Middleton) – Public Information Act:** provides that: (1) on or before October 1 of each year, a governmental body subject to the Public Information Act must notify the attorney general of the mailing address and electronic mail address designated by the governmental body for receiving written requests for public information; and (2) the attorney general shall create and maintain on its public website a publicly accessible database of the mailing address and electronic mail address provided by each governmental body for receiving written requests for public information. (Effective immediately.)

**H.B. 4219 (Capriglione/Zaffirini) – Public Information:** provides that: (1) if a governmental body determines it has no information responsive to a request for information, the officer for public information shall notify the requestor in writing not later than the tenth business day after the date the request is received; (2) if a governmental body determines the requested information is subject to a previous determination that permits or requires the governmental body to withhold the requested information, the officer for public information shall, not later than the tenth business day after the date the request is received: (a) notify the requestor in writing that the information is being withheld; and (b) identify in the notice the specific previous determination the governmental body is relying on to withhold the requested information; (3) a governmental body that asks for an attorney general’s decision in response to a request for public information must state the specific exceptions that apply to the request within a reasonable time but not later than the tenth business day after the date of receiving the written request; (4) if a governmental body fails to respond to a requestor as required by the Public Information Act (PIA), the requestor may send a written

complaint to the attorney general that must include: (a) the original request for information; and (b) any correspondence received from the governmental body in response to the request; and (5) if the attorney general determines the governmental body improperly failed to comply with the PIA in connection with a request for which a complaint is made: (a) the attorney general shall notify the governmental body in writing and require the governmental body's public information officer or the officer's designee to complete open records training not later than six months after receiving the notification; (b) the governmental body may not assess costs to the requestor for producing information in response to the request; and (c) if the governmental body seeks to withhold information in response to the request, the governmental body must: (i) request an attorney general decision not later than the fifth business day after the date the governmental body receives the notification under (5)(a), above; and (ii) release the requested information unless there is a compelling reason to withhold the information. (Effective September 1, 2025.)

**H.B. 4310 (Vasut/Hughes) – Special Right of Access:** among other things, provides that: (1) a member of governing board of a governmental entity or a member of a nongovernmental entity (entity that has a contract with a governmental that has a stated expenditure of at least \$1 million by the governmental body or that results in the expenditure of at least \$1 million in public funds by the governmental body in a fiscal year) may inspect, duplicate or inspect and duplicate public information maintained by the governmental body or the nongovernmental entity if the member is acting in the member's official capacity; (2) requested public information shall be provided to the member promptly and without charge; (3) public information requested by the member that is confidential shall be redacted from the information provided to the member without charge; (4) a governmental body or a nongovernmental entity that has been requested to provide information may request the member of the governing board who is receiving public information that is confidential to sign a confidentiality agreement that covers the information and requires that: (a) the information not be disclosed; (b) the information be labeled as confidential; (c) the information be kept securely; or (d) the number of copies made of the information or the notes taken from the information that implicate the confidential nature of the information be controlled, with all copies or notes that are not destroyed or returned remaining confidential and subject to the confidentiality agreement; (5) a governmental body or a nongovernmental entity, by providing public information, that is confidential or otherwise excepted from disclosure under the Public Information Act, does not waive or affect the confidentiality of the information for purposes of state or federal law or waive the right to assert exceptions to required disclosure of the information in the future; (6) a member of a governing board who has received a request to sign a confidentiality agreement may seek a decision about whether the information covered by the confidentiality agreement is confidential under law, and a signed confidentiality agreement is void to the extent that the agreement covers information that is determined by the attorney general or a court to not be confidential under law; (7) information subject to attorney-client privilege is not subject to disclosure to a member of a governing board under this section unless the attorney-client relationship upon which the privilege is based applies to the member; and (8) if a governmental body or a nongovernmental entity fails or refuses to comply with an applicable requirement, a member of a governing board who made a request for public information may file a motion, petition, or other appropriate pleading in a district court having jurisdiction for a writ of mandamus to compel the body or entity to comply with the applicable requirement. (Effective September 1, 2025.)

**S.B. 710 (Eckhardt/Bucy) – Online Message Board:** among other things, provides that: (1) a city may authorize its zoning commission or similar entity to establish and use an online message board for the communication or exchange of information between its members; (2) a message board created for the purpose described by (1), above, must be reauthorized every two years; and (3) an employee of the city must monitor the message board for compliance with the law. (Effective September 1, 2025.)

**S.B. 765 (Kolkhorst/Landgraf) – Fraud Detection Information:** provides that information in the custody of a governmental body that relates to fraud detection and deterrence measures, including risk assessments, reports, data, protocols, technology specifications, manuals, instructions, investigative materials, crossmatches, mental impressions, and communications that may reveal the methods or means by which a governmental body prevents, investigates, or evaluates fraud is confidential and excepted from disclosure under the Public Information Act. (Effective September 1, 2025.)

**S.B. 1062 (Kolkhorst/Smithee) – Digital Newspapers:** provides that in lieu of publishing a notice in a newspaper, a governmental entity may publish a notice in a digital newspaper if that digital newspaper: (1) has an audited paid-subscriber base; (2) has been in business for at least three years; (3) employs staff in the jurisdiction of the governmental entity; (4) reports on local events and governmental activities in the jurisdiction of the governmental entity; (5) provides news of general interest to people in the jurisdiction of the governmental entity; and (6) updates its news at least once each week. (Effective immediately.)

**S.B. 1188 (Kolkhorst/Bonnen) – Electronic Health Records & the Use of Artificial Intelligence in Medical Care:** among other things, provides that: (1) certain covered entities, which could include a city: (a) must store all electronic health record information of residents only at a location in the United States or a territory of the United States; (b) must ensure that the electronic health record information of Texas residents is accessible only to individuals who require that information to perform duties within the scope of their employment for treatment, payment, or health care operations; (c) must ensure each electronic health record maintained for an individual includes the individual’s medical history and any communications between the practitioner and a specialty health care practitioner related to the individual’s metabolic health and diet in the treatment of a chronic disease or illness; (d) may not collect or store any information regarding an individual’s credit score or voter registration status in their electronic health record; (e) must ensure each electronic health record system the facility, practitioner, or entity uses to store electronic health records of minors automatically allows a minor’s parent, guardian, or conservator to fully access the minor’s electronic health record unless access to all or a portion of the record is restricted under state or federal law or by a court order; (f) must ensure that each health record and any algorithm or decision assistance tool included in the record includes a separate space to document: (i) an individual’s biological sex as either male or female based on the individual’s observed biological sex recorded by a health care practitioner at birth; and (ii) information on any sexual development disorder of the individual, whether identified at birth or later in the individual’s life; and (g) may amend a person’s biological sex information only under certain circumstances; (2) a health care practitioner may use artificial intelligence for diagnostic purposes, including the use of artificial intelligence for recommendations on a diagnosis or course of treatment if: (a) the practitioner is acting within the scope of the practitioner’s license, certification,

or other authorization to provide health care services; (b) the particular use of artificial intelligence is not otherwise restricted or prohibited by state or federal law; (c) the practitioner reviews all records created with artificial intelligence in a manner that is consistent with medical records standards developed by the Texas Medical Board; and (d) the use of artificial intelligence is disclosed to the patient; and (3) violations of these regulations can result in injunctive relief, civil penalties, and other disciplinary actions. (Effective September 1, 2025.)

**S.B. 1540 (Bettencourt/Capriglione) – Personal Information:** protects from public disclosure under the Public Information Act information that relates to the home address, home telephone number, emergency contact information, date of birth, social security number, or family member information of a current or former election official or employee, volunteer, or designee of an election official, or an employee of the secretary of state's office who performs duties relating to elections if the individual: (1) chooses to restrict public access to the information; and (2) notifies the governmental body of the individual's choice on a form provided by the governmental body, accompanied by evidence of the individual's status. (Effective September 1, 2025.)

**S.B. 1841 (Johnson/Y. Davis) – Confidentiality of Personally Identifying Information:** deems the following personally identifying information confidential and not subject to disclosure, if the information collected is in relation to a person's use of an airport facility or by certain joint airport boards: (1) a person's profile name associated with a purchase or other online or in-person activity; (2) a person's travel dates and flight information; (3) the dates, times, and amounts of any purchase made by the person; and (4) the person's airport lounge memberships and trusted traveler information. (Effective September 1, 2025.)

**S.B. 2145 (Perry/Tepper) – PID and TIRZ Meetings by Telecommunication Device:** among other things, provides that: (1) for the advisory body of a public improvement district: (a) if one member of the body is physically present at a meeting, any number of the other members of the body may attend by use of telephone conference call, video conference call, or other similar telecommunication device; (b) members attending via telecommunication device are considered present for quorum, voting, and any form of participation in the meeting; and (c) if members attend a meeting via telecommunication device, the body must: (i) provide two-way audio communication among the members; and (ii) if two-way audio communication is disrupted, stop the meeting until the link is reestablished; and (2) for the board of directors of a tax increment reinvestment zone: (a) if the chair or vice chair of the board is physically present at a meeting of the board, any number of the other members of the body may attend the meeting by use of telephone conference call, video conference call, or other similar telecommunication device; (b) members attending via telecommunication device are considered present for quorum, voting, and any form of participation in the meeting; and (c) if members attend a board meeting via telecommunication device: (i) the meeting is still subject to the notice requirements for other meetings of the board; (ii) the board must specify in the notice the meeting location where the chair or vice chair will be physically present; (iii) the board must make the meeting open and audible to the public at the location specified under (2)(c)(ii), above; and (iv) the board must: (A) provide two-way audio communication among the members; and (B) if two-way audio communication is disrupted, stop the meeting until the link is reestablished. (Effective September 1, 2025.)



## **Transportation**

**S.B. 1555 (Nichols/Patterson) – Railroad Grade Crossings:** directs the Texas Department of Transportation to establish and administer a program to award grants to political subdivisions of this state or railroad companies to fund rail-roadway located at intersections of railroads and non-state highways or rail-pedestrian grade separation projects located at intersections of railroads and pedestrian crossings, subject to certain requirements. (Effective immediately.)

**S.B. 2366 (Hughes/Hefner) – Grants for Shortline Rail Facility Improvements:** provides, among other things, that: (1) for the purpose of increasing public safety, enhancing economic development, and reducing traffic, the Texas Transportation Commission shall establish and administer a program to award grants to districts that own or operate short line railroads to fund projects that: (a) replace short line railroad tracks or bridges; (b) improve short line rail capacity; or (c) restore short line railways; and (2) the commission may not approve a grant unless the commission determines that: (a) at least ten percent of the total project costs will be provided by a source other than the state; or (b) if the grant money is being used as matching funds, at least ten percent of the amount used as matching funds will be provided by a source other than the state. (Effective immediately.)

## **Utilities and Environment**

**H.B. 29 (Gerdes/Perry) – Water Loss:** provides, among other things, that for a municipally owned utility (MOU) that provides potable water through more than 150,000 service connections: (1) a MOU that has filed an annual water audit with the Texas Water Development Board (TWDB) shall: (a) not later than the 180th day after the date the audit was filed, complete a validation of the audit to ensure the utility accurately assessed potential inaccuracies in data used in the audit; and (b) not later than the first anniversary of the date the audit was filed, develop and submit to the board a water loss mitigation plan; (2) not later than December 31, 2030, and every ten years thereafter, a MOU that has filed an annual water audit with the TWDB shall: (a) complete a more detailed validation of the utility's most current water audit to: (i) determine whether the implementation of water leakage reduction strategies is appropriate; and (ii) investigate the accuracy of the utility's billing data; and (b) update the water loss mitigation plan developed by the utility under (1)(a), above; (3) each water loss mitigation plan developed under (1)(b), above, as updated by (2)(b), above, if applicable, must be incorporated into the utility's most recent water conservation plan not later than the first anniversary of the date the mitigation plan is completed; and (4) the Texas Commission on Environmental Quality shall assess against a MOU an administrative penalty of \$25,000 if the utility fails to develop and submit to the TWDB a water loss mitigation plan required by (1)(b), above. (Effective immediately.)

**H.B. 143 (King/Hancock) – Power Lines to Oil Wells:** provides, among other things, that: (1) when an electrical power line to an oil or gas well does not meet state law standards and poses a risk of causing a fire or injury to a person, the Railroad Commission and the Public Utility Commission, in collaboration, shall to resolve the condition by: (a) requesting that the state fire marshal or a local government authority inspect the condition at the well site or surface facility and requiring the operator to mitigate any dangerous conditions identified by the state fire marshal or local government authority; (b) requesting that the electric cooperative, electric utility, or

municipally owned utility that provides electric service to the well site or surface facility disconnect electric service to the well site or surface facility at the common coupling point at which the cooperative's or utility's equipment meets customer-owned equipment; or (c) taking any other action the commission and the Public Utility Commission consider necessary and appropriate to resolve the condition; and (2) if electric service was disconnected pursuant to a request, the electric cooperative, electric utility, or municipally owned utility must restore electric service to the well site or surface facility on receipt of notice by the Railroad Commission that the condition has been resolved. (Effective September 1, 2025.)

**H.B. 144 (King/Schwertner) – Distribution Poles:** among other things, requires each electric cooperative, electric utility, and municipally owned utility that distributes electric energy to the public to: (1) submit to the Public Utility Commission (PUC) a plan for the management and inspection of distribution poles the cooperative or utility owns in the cooperative's or utility's distribution system; and (2) not later than May 1 of each year, submit an update to the PUC detailing the entity's compliance with the plan's objectives, the costs of implementing the plan to date, and the results of the entity's inspection of distribution poles, including the number of poles inspected and any remediation or replacement action taken. (Effective immediately.)

**H.B. 145 (King/Schwertner) – Wildfire Mitigation Plan:** provides, among other things, that: (1) an electric utility, municipally owned utility, or electric cooperative that owns a transmission or distribution facility in a wildfire risk area shall file with the Public Utility Commission (PUC) a wildfire mitigation plan that includes, among other things, a description of the procedures the utility or cooperative intends to use to restore the utility's or cooperative's system during and after a wildfire event, including contact information for the utility or cooperative that may be used for coordination with the division and first responders; (2) an electric utility, municipally owned utility, or electric cooperative that does not implement a plan approved under this section is subject to an administrative penalty; (3) an electric utility, municipally owned utility, or electric cooperative that submits and obtains PUC approval for a wildfire mitigation plan may use the plan as evidence in an action brought against the utility or cooperative for damages resulting from a wildfire ignited or propagated by the utility's or cooperative's facility; and (4) subject to any applicable tariff provision, in an action for damages resulting from a wildfire ignited or propagated by an electric utility's, municipally owned utility's, or electric cooperative's facility, the utility or cooperative is not liable for damages resulting from the wildfire if the trier of fact in the action finds that the utility or cooperative: (a) submitted, obtained commission approval for, and implemented a wildfire mitigation plan; (b) was in compliance with relevant measures of the utility's or cooperative's wildfire mitigation plan with respect to the specific equipment found to have ignited or propagated the wildfire; and (c) did not cause the wildfire intentionally, recklessly, or with negligence. (Effective immediately.)

**H.B. 685 (C. Bell/Creighton) – Municipal Rate Discrimination:** prohibits a city from establishing a higher rate for water or sewer utilities that applies only to entities that qualify for a sales tax or property tax exemption. (Effective September 1, 2025.)

**H.B. 1318 (Guillen/Flores) – Water and Sewer Service in Annexed Area:** provides, among other things, that: (1) when a city annexes property and the municipally owned utility (MOU) seeks a certificate of convenience and necessity for water or sewer for the annexed area, the Public Utility

Commission shall determine in its order granting the certificate to the MOU the adequate and just compensation to be paid for the transferred property and damages to or adverse effects on property remaining in the ownership of the retail public utility after single certification; and (2) in determining whether and to what extent property remaining in the ownership of a retail public utility after single certification is damaged or adversely affected in an appeal to district court, a court or jury may only consider the factors provided for in state law. (Effective September 1, 2025.)

**H.B. 1584 (Hull/Schwertner) – Priority Facilities for Electric Utilities:** among other things: (1) requires an electric utility to maintain a list of priority facilities in the utility’s retail service area; (2) provides that “priority facility” means certain medical facilities or a facility for which electric service is considered crucial for the protection or maintenance of public safety, including: (a) a hospital; (b) a police station; (c) a fire station; (c) a critical water or wastewater facility; and (e) a confinement facility operated by or under a contract with any division of the Texas Department of Criminal Justice; (3) provides that on a declaration of a natural disaster or other emergency by the governor affecting the service area of the electric utility, the utility shall provide the list of priority facilities to the Texas Division of Emergency Management; and (4) provides that a priority facility list submitted to the Texas Division of Emergency Management under the bill is confidential and not subject to disclosure under the Public Information Act. (Effective September 1, 2025.)

**H.B. 1606 (Metcalf/Zaffirini) – Vegetation Management:** among other things, requires a municipally owned electric utility to periodically provide information about the procedure for a customer to request vegetation management near a transmission or distribution line with bills sent to retail customers of the utility. (Effective September 1, 2025.)

**H.B. 1690 (Gerdes/Kolkhorst) – Groundwater Conservation District Permits:** among other things, requires a groundwater conservation district to adopt rules requiring that notice for an application for a permit to transfer groundwater outside the district’s boundaries to be: (1) sent by certified mail to: (a) each district that is adjacent to the district considering the application and overlies any portion of the aquifer from which the groundwater would be produced; (b) the commissioners court of each county in which the district considering the application is located and that overlies any portion of the aquifer from which the groundwater would be produced; and (c) the commissioners court of each county in which a district that receives notice under (1)(a), above, is located; and (2) published in a newspaper of general circulation in: (a) the county in which the district considering the application is located; and (b) each county in which a district that receives notice under (1)(a), above. (Effective September 1, 2025.)

**H.B. 1991 (Guillen/Gutierrez) – Service Charges for Municipally Owned Utilities:** provides that a city that imposes operating, maintenance, replacement, or improvement charges for services provided by a utility system shall: (1) publish the terms and conditions of the charges on the utility system’s and the city’s websites; and (2) not later than the 30th day after the date the city adopts a change to the terms and conditions of the charges, update the utility system’s and the city’s Internet websites to reflect the change. (Effective September 1, 2025.)

**H.B. 3092 (Gerdes/Schwertner) – Certificate of Convenience and Necessity for Transmission:** provides that an electric utility is not required to amend the utility’s certificate of public convenience and necessity to construct a transmission line that connects the utility’s existing

transmission facilities to a substation or metering point if, among other things, the transmission line does not exceed: (1) five miles in length, if the line connects to a load-serving substation or metering point; or (2) two miles in length, if the line connects to a generation substation or metering point. (Effective September 1, 2025.)

**H.B. 3228 (Lambert/Perry) – Solar or Wind Power Facility Lease Agreements:** provides, among other things, that: (1) a wind power facility agreement must provide that the grantee is responsible for reuse or recycling, all components of the wind power facility practicably capable of being reused or recycled, including the wind turbine blades, in accordance with any other applicable laws or regulations collecting and reusing or recycling, or shipping, among other things; and (2) a solar power facility agreement must provide that the grantee is responsible for collecting and reusing or recycling, or shipping for reuse or recycling, all components of the solar power facility practicably capable of being reused or recycled, including the photovoltaic modules, in accordance with any other applicable laws or regulations. (Effective September 1, 2025.)

**H.B. 3229 (Lambert/Perry) – Recycling of Certain Renewable Energy Components:** among other things: (1) requires the owner of a recycling facility that accepts, processes, and repurposes certain renewable energy components to submit a report to the Texas Commission on Environmental Quality (TCEQ) by January 15 of each year that includes: (a) an inventory of all components of a wind turbine generator, solar energy device, or battery energy storage system accepted by the facility for recycling that have not yet been recycled, including any components the facility has taken title to or assumed control of regardless of whether the components are located at the facility; (b) an estimated timeline for recycling or disposing of the components; and (c) a cost estimate for recycling or disposing of the components prepared by an independent, third-party professional engineer licensed in this state; (2) requires TCEQ to maintain on its Internet website a list of recycling facilities in this state that are in compliance with (1), above; and (3) creates an administrative penalty not to exceed \$500 a day for each violation of (1), above. (Effective September 1, 2025.)

**H.B. 3824 (King/Schwertner) – Battery Energy Storage Facilities:** provides, among other things, that: (1) each battery operator or municipally owned utility that owns or operates a battery energy storage facility shall ensure that the facility meets the fire safety standards for design, installation, operation, and safety adopted by the Commissioner of Insurance under the bill in effect at the time the operator or utility first submits an application for a building permit or other similar authorization from the relevant political subdivision to install the facility; (2) unless expressly authorized by another statute, a city or county may not adopt, enforce, or maintain an ordinance, order, or rule regulating conduct in a field of regulation that is inconsistent with the standards for design, installation, operation, and safety adopted by the Commissioner of Insurance; (3) before the commercial operations date of a battery energy storage facility, on request by a city in which the facility is located, or a county in which the facility is located if the facility is in an unincorporated area, a battery operator that owns or operates the facility shall, at the battery operator's expense, select and contract with an independent, third-party engineer licensed in this state or other consultant with appropriate expertise to: (a) evaluate the design, safety, and installation of the facility to ensure compliance with the requirements of the bill; and (b) produce a written report to the city or county; (4) the battery operator must make available to the engineer or consultant and the requesting city or county certain documents if held or created by the battery

operator; (5) a battery operator or a municipally owned utility shall produce a site-specific emergency operations plan for each battery energy storage facility site owned or operated by the battery operator or utility that must include, among other things, procedures for communication between the operator or utility and first responders, including procedures that facilitate communication between first responders and emergency contacts designated by the operator or utility; (6) the battery operator or municipally owned utility shall offer to local first responders, at no cost to the responders, education and annual training regarding responding to an equipment failure incident at the battery energy storage facility site; and (7) the Commissioner of Insurance by rule shall: (a) delegate to the state fire marshal the authority to take disciplinary and enforcement actions, including the imposition of administrative penalties, to enforce the bill; and (b) adopt a schedule of administrative penalties for violations subject to a penalty under the bill to ensure that the amount of an administrative penalty imposed is appropriate to the violation. (Effective September 1, 2025.)

**H.B. 4341 (McLaughlin/King) – Critical Infrastructure Facility Emergency Response Maps:** for a critical infrastructure facility that is a public or private airport depicted in any current aeronautical chart published by the Federal Aviation Administration, or a military installation owned or operated by or for this state or another governmental entity, provides, among other things, that: (1) each critical infrastructure facility shall provide to the Texas Division of Emergency Management (TDEM) and appropriate public safety agencies: (a) an accurate emergency response map of the facility that is developed in accordance with the standards in (2), below; and (b) an opportunity to tour the facility using the map to verify the map’s accuracy; (2) an emergency map must: (a) include: (i) an accurate floor plan overlaid on current, verified aerial imagery of the facility and its surrounding land and a site-specific label for each building of the facility; (ii) a label for each room, named hallway, and external door or stairwell number; and (iii) the location of each known hazard, critical utility, key box, automated external defibrillator, and trauma kit; (b) conform to, integrate with, and be accessible by software used by TDEM, entities operating a local public safety answering point, or appropriate public safety agencies without imposing a fee or requiring the purchase of additional software to access the map and associated data; (c) be in a format capable of being printed, shared electronically, or integrated into an interactive software application; and (d) be in a format easily modified or updated; (3) a critical infrastructure facility may only provide an emergency response map to TDEM and appropriate public safety agencies for purposes of developing a verified source of critical infrastructure mapping data in this state and ensuring efficient emergency response for the facility and may not provide or make available to the public an emergency response map; and (4) TDEM shall establish and administer a grant program to provide mapping services for critical infrastructure facilities to develop emergency response maps. (Effective September 1, 2025.)

**H.B. 4520 (A. Martinez/Nichols) – Airport Grants in Economically Disadvantaged Counties:** provides that for certain grants to airports, an airport located in an economically disadvantaged county must provide project funding for only five percent of the total project costs rather than ten percent. (Effective September 1, 2025.)

**H.B. 5057 (Landgraf/Nichols) – Exclusive Contracts for Municipal Solid Waste Management Services:** provides, among other things, that: (1) a public agency that enters into an exclusive contract, including by renewing or amending an existing contract in a manner that grants a



privately owned solid waste management service provider an exclusive right to provide certain additional solid waste services that was not contained in the contract before the renewal or amendment, shall give notice containing: (a) a summary of the purpose of the contract or amendment; and (b) a description of the change made by the contract or amendment; and (2) a public agency required to give notice shall: (a) publish the notice: (i) in a newspaper of general circulation in the jurisdiction of the public agency; and (ii) on a publicly available Internet website maintained by the public agency, if the public agency maintains such a website; and (b) if the public agency requires a privately owned solid waste management service provider to register or obtain approval to operate in the public agency's jurisdiction, give notice to each provider registered with or approved by the public agency to operate in the jurisdiction. (Effective immediately.)

**H.B. 5560 (Harris/Perry) – Groundwater Conservation District Penalties:** provides that: (1) the groundwater conservation board by rule may set reasonable civil penalties, including a range of reasonable civil penalties, that the groundwater conservation district may recover from any person for breach of any rule of the district in an amount not to exceed \$25,000 per day per violation, and each day of a continuing violation constitutes a separate violation; and (2) a court that has assessed a civil penalty against a water and sewer utility for a violation of a district rule limiting groundwater production may authorize the utility to recover, in any manner that is equitable and just, all or part of the civil penalty from any customers or class of customers responsible for causing the utility to violate the rule. (Effective September 1, 2025.)

**H.J.R. 7 (Harris/Perry) – Texas Water Fund:** amends the Texas Constitution to provide, among other things, that: (1) the Texas water fund consists of money transferred or deposited to the credit of the fund under this constitution or by general law, including money appropriated by the legislature directly to the fund and money from any source transferred or deposited to the credit of the fund authorized by this constitution or by general law; (2) the legislature by general law or by adoption of a concurrent resolution approved by a record vote of a majority of the members of each house may allocate for transfer to the funds and accounts administered by the Texas Water Development Board or that board's successor the money deposited to the credit of the Texas water fund; (3) during a state of disaster, an allocation made under (2), above, may be suspended through the budget execution process or by adoption of a concurrent resolution approved by a record vote of a majority of the members of each house; (4) in each state fiscal year, the comptroller of public accounts shall deposit to the credit of the Texas water fund the first \$1 billion of the net revenue derived from the imposition of the state sales and use tax on the sale, storage, use, or other consumption in this state of taxable items that exceeds the first \$46.5 billion of that revenue coming into the treasury in that state fiscal year; (5) money deposited to the credit of the Texas water fund may not be transferred to the New Water Supply for Texas Fund for the purpose of financing the construction of infrastructure to transport groundwater that was produced from a well in this state and that, at the time of production, was not brackish, as that term is defined by general law. (Effective if approved at the election on November 4, 2025.)

**S.B. 6 (King/King) – Electricity Planning for Large Loads:** this bill, among other things, provides that:

1. a municipally owned utility (MOU) or electric cooperative that has not adopted customer choice shall pass through to a large load customer who is subject to the standards adopted under the bill the reasonable costs to interconnect the large load in a manner determined by the electric cooperative or municipally owned utility;
2. the Public Utility Commission (PUC) shall adopt rules to establish standards for interconnecting large load in the Electric Reliability Council of Texas (ERCOT) power region in a manner designed to support business development in this state while minimizing the potential for stranded infrastructure costs and maintaining system reliability;
3. the standards must require each large load customer seeking interconnection to disclose to the interconnecting electric utility or MOU whether the customer is pursuing a substantially similar request for electric service in this state the approval of which would result in the customer materially changing, delaying, or withdrawing the interconnection request;
4. the standards must require each interconnected large load customer subject to disclose to the interconnecting electric utility or MOU information about the customer's on-site backup generating facilities and require the interconnecting electric utility or MOU to provide the information to the independent organization for the ERCOT power region;
5. the standards must set a flat study fee of at least \$100,000 to be paid to the interconnecting electric utility or MOU for initial transmission screening studies for large loads;
6. the PUC may not limit the authority of a MOU or an electric cooperative to impose electric service requirements for large load customers on their systems in addition to the standards adopted under the bill;
7. a power generation company, MOU, or electric cooperative must submit a notice to the independent organization for the ERCOT power region before implementing a net metering arrangement between an operating facility registered with the independent organization as a stand-alone generation resource as of September 1, 2025, and a new large load customer;
8. the electric cooperative, transmission and distribution utility, or MOU that provides electric service at the location of the new net metering arrangement may for reasonable cause including a violation of other law, object to the arrangement, provided however, that no reasonable cause objection may be raised after a final decision by the PUC is issued under the bill;
9. the independent organization for the ERCOT power region shall study the system impacts of a proposed net metering arrangement and removal of generation for which the independent organization receives a notice under Number 7, above, and submit the study to the PUC to approve, deny, or impose reasonable conditions on the proposed net metering arrangement as necessary to maintain system reliability, including transmission security and resource adequacy impacts;

10. the PUC shall require the independent organization for the ERCOT power region to ensure that each electric cooperative, transmission and distribution utility, and MOU serving a transmission-voltage customer develops a protocol, including the installation of any necessary equipment or technology before the customer is interconnected, to allow the load to be curtailed during firm load shed;
11. the PUC shall require the independent organization certified for the ERCOT power region to develop a reliability service to competitively procure demand reductions from large load customers with a demand of at least 75 megawatts to be deployed in the event of an anticipated emergency condition;
12. a water supply or sewer corporation may generate electric power for use in the corporation's operations, limited to: (a) powering water well pumps, service pumps, and other equipment for the production, treatment, and transportation of raw water; and (b) powering infrastructure for the treatment and delivery of potable drinking water; and
13. a corporation operating solely as a wholesale water supplier or sewer service in a county with a population of less than 350,000 may generate excess electric power in conjunction with the uses described in Number 12, above, for sale in the ERCOT power region to provide revenue for the corporation only if the corporation: (a) primarily generates electric power solely for the uses described in Number 12, above; and (b) registers as a power generation company.

(Effective immediately.)

**S.B. 7 (Perry/Harris) – Water Infrastructure Financing:** this bill, among other things:

1. requires the Texas Water Development Board (TWDB) to:
  - a. for the development of infrastructure to transport water that is made available by a project, facilitate joint planning and coordination between project sponsors, governmental entities, utilities, common carriers, and other entities, as applicable, to reduce the necessity of exercising the power of eminent domain to obtain interests in real property by using existing transportation and utility easements;
  - b. facilitate the development of guidance and best practices for the standardization of the specifications, materials, and components used to design and construct infrastructure to transport water;
  - c. facilitate the development of standards and guidance to ensure potential interconnectivity and interoperability between different systems developed to transport water from different projects;
  - d. facilitate the development of mechanical and technical standards for the integration of water that is made available by a project into a water supply system or into infrastructure to transport water that is made available by a project, as applicable; and
  - e. take other action the board determines necessary to facilitate interconnectivity and interoperability between different infrastructure developed to transport water from different projects;

2. provides the TWDB may convene one or more ad hoc committees composed of representatives of current or potential project sponsors, the Texas Department of Transportation, river authorities, retail public utilities, electric utilities, counties, cities, special purpose districts, common carriers, and other entities considered appropriate by the TWDB to advise and assist the TWDB in fulfilling any purpose described by Number 1, including in drafting any guidance or best practices;
3. provides that the new water supply fund for Texas may be used to:
  - a. provide financial assistance to political subdivisions to develop water supply projects that create new water sources for the state, including: (i) water and wastewater reuse projects; (ii) acquisition of water or water rights originating from outside this state; (iii) reservoir projects for which: (A) the required land has already been acquired; (B) a permit for the discharge of dredged or fill material has been issued by the United States Secretary of the Army under the Federal Water Pollution Control Act; and (C) a permit for the storage, taking, or diversion of state water has been issued by the Texas Commission on Environmental Quality; or (iv) the development of infrastructure to transport or integrate into a water supply system water that is made available by a project; and
  - b. make transfers from the fund to the Texas Water Development Fund II state participation account;
4. provides that money from the new water supply fund may be used to acquire another person's right acquired or authorized in accordance with state law to impound, divert, or use state water only by a water supply contract or a lease of that right from its owner;
5. provides that the TWDB may use the Texas Water Fund only to transfer money to, among other things:
  - a. the Texas water fund administrative fund;
  - b. the flood infrastructure fund;
  - c. the Texas Water Development Fund II economically distressed areas program account; and
  - d. the agricultural water conservation fund;
6. provides that money in the fund consists of, among other things, money transferred or deposited to the credit of the fund under the Texas Constitution;
7. provides that the TWDB shall ensure that a portion of the money transferred from the Texas Water Fund is used for:
  - a. water and wastewater infrastructure projects, including projects to rehabilitate or replace deficient or deteriorating infrastructure, prioritized by risk or need for financial assistance, including grants, for: (A) rural political subdivisions; and (B) municipalities with a population of less than 150,000;
  - b. projects for which all required state or federal permitting has been substantially completed, as determined by the board;
  - c. the statewide water public awareness program;
  - d. water conservation strategies;

- e. water loss mitigation projects; and
  - f. technical assistance for applicants in obtaining and using financial assistance from funds and accounts administered by the TWDB;
8. creates the Texas water fund administrative fund to be administered by the TWDB and established for the payment of or reimbursement of the TWDB for the expenses incurred by the TWDB in administering the Texas water fund;
  9. provides that using existing resources, the executive administrator shall conduct a study to determine:
    - a. the feasibility and practicability of incorporating planning for the development of infrastructure to meet the state's current and future wastewater treatment needs into the process used to produce each state water plan beginning with the five-year state water planning period ending January 5, 2032; and
    - b. the statutory changes necessary to facilitate the incorporation of the wastewater treatment planning described by Number 8(a) into the process used to produce each state water plan beginning with the five-year state water planning period ending January 5, 2032;
  10. provides that not later than December 1, 2026, the executive administrator shall provide a report of the study's findings to:
    - a. the governor;
    - b. the lieutenant governor;
    - c. the speaker of the house of representatives;
    - d. each member of the Texas Water Fund Advisory Committee; and
    - e. each member of the standing committees of the senate and the house of representatives having primary jurisdiction over water resources;
  11. provides that the TWDB may take all actions necessary to operate the water bank and to facilitate the transfer of water rights from the water bank for future beneficial use, including but not limited to purchasing, holding, and transferring water or water rights in its own name, including purchasing, holding, and transferring water or water rights originating from outside this state for the purpose of providing water for the use or benefit of this state;
  12. provides that the TWDB may not issue more than \$100 million in bonds during a fiscal year to provide financial assistance for water supply and sewer services for assistance to economically distressed areas for water supply and sewer service projects;
  13. creates the Texas Water Fund Advisory Committee, which may submit comments and recommendations to the TWDB regarding the use of money in:
    - a. the state water implementation fund for Texas for use by the TWDB in adopting rules and in adopting policies and procedures;
    - b. the Texas water fund for use by the TWDB in adopting rules;
    - c. the flood infrastructure fund for use by the TWDB in adopting rules; and
    - d. the Texas infrastructure resiliency fund for use by the TWDB in adopting rules;



14. provides that the Texas Water Fund Advisory Committee may:
  - a. provide comments and recommendations to the TWDB on any matter;
  - b. review the overall operation, function, and structure of any fund administered by the TWDB; and
  - c. adopt rules, procedures, and policies as needed to administer the bill and implement its responsibilities; and
15. requires the TWDB to develop and maintain on its Internet website a publicly available tool by which a person may obtain information regarding:
  - a. state progress toward meeting future water supply needs, including the extent to which water management strategies and projects implemented after the adoption of the preceding state water plan have affected that progress;
  - b. water supply projects included in the most recently approved state water plan that received commitments of financial assistance from the board in the preceding year;
  - c. the board's commitments of financial assistance for water supply projects, by program;
  - d. the net amount of water projected to be developed, conserved, or reclaimed through projects that receive financial assistance from the board;
  - e. the TWDB's progress toward providing financial assistance to utilities that have water losses that meet or exceed the threshold established by rule;
  - f. the transfer of money from the Texas water fund to other eligible board-administered funds in the preceding year;
  - g. the total estimated statewide costs of water, wastewater, and flood infrastructure needs and the estimated amount of state financial assistance required to address those needs; and
  - h. the state's progress in closing the gap between total statewide water infrastructure needs and the state financial assistance required to meet those needs.

(Effective September 1, 2025; Number 6, above, is effective September 1, 2027, but only if **H.J.R. 7** is approved at the election on November 4, 2025.)

**S.B. 75 (Hall/Wilson) – Texas Grid Security Commission:** among other things: (1) creates the Texas Grid Security Commission to evaluate, among other things, using available information on past power outages in Electric Reliability Council of Texas (ERCOT), all hazards to the critical infrastructure of the ERCOT electric grid, including threats that can cause future outages; (2) requires the security commission to evaluate the resilience of cities in Texas in the following essential areas: (a) emergency services; (b) communications systems; (c) water and sewer services; (d) health care systems; (e) financial services; (f) energy systems, including whether energy, electric power, and fuel supplies are protected and available for recovery in the event of a catastrophic power outage; and (g) transportation systems; (3) requires the security commission to investigate the steps that local communities and other states have taken to address grid resilience; (4) provides that based on the findings of the evaluations and investigations conducted the bill, the security commission shall consider and recommend resilience standards for cities and critical components of the ERCOT electric grid; (5) provides that standards considered and recommended for energy systems of cities should include provisions to ensure that energy, electric power, and fuel supplies are protected and available for recovery in the event of a catastrophic power outage;

(6) provides that not later than December 1, 2026, the security commission shall prepare and deliver a report to the legislature on the recommended resilience standards, the estimated costs associated with implementing the recommended standards, the potential effects if the recommended standards are not implemented, and the anticipated timeline for implementation of the recommended standards; (7) provides that not later than December 1, 2026, the security commission shall prepare and deliver to the legislature a plan for protecting critical infrastructure from all hazards, including a catastrophic loss of power in the state; and (8) provides that not later than January 1 of each year, the security commission shall prepare and deliver a nonclassified report to the legislature, the governor, and the Public Utility Commission assessing natural and man-made threats to the electric grid and efforts to mitigate the threats. (Effective immediately.)

**S.B. 480 (Perry/Canales) – Water Research:** provides that a local government may contract with another local government, the state, or the federal government to jointly participate in research or planning activities related to water resources. (Effective immediately.)

**S.B. 482 (Alvarado/Harless) – Assault or Harassment of Utility Employee:** provides that: (1) an offense of assault is a felony of the third degree if the offense is committed against a person the actor knows or reasonably should know is an employee or agent of a utility while the person is performing a duty within the scope of that employment or agency; (2) a person commits an offense if the person with criminal negligence interrupts, disrupts, impedes, or otherwise interferes with a person who is an employee or agent of a utility while the person is performing a duty within the scope of that employment or agency; and (3) an offense of harassment is a Class A misdemeanor if the offense was committed against a person the actor knows or reasonably should know is an employee or agent of a utility while the person is performing a duty within the scope of that employment or agency. (Effective September 1, 2025.)

**S.B. 740 (Perry/Spiller) – Water and Sewer Proceedings:** among other things: (1) provides that the Public Utility Commission’s (PUC) jurisdiction to fix rates shall be limited to water furnished by the city to another political subdivision, other than another city, on a wholesale basis; (2) provides that a retail public utility that receives water or sewer service from another retail public utility or political subdivision of the state, including an affected county, but not the decision of a city regarding wholesale water or sewer service provided to another city, may appeal to the PUC a decision of the provider of water or sewer service affecting the amount paid for water or sewer service; and (3) requires that the Public Utility Commission adopt rules to create an expedited process to authorize a municipally owned utility, a county, a water supply or sewer service corporation, or a water district or authority to acquire the stock or ownership interest or assets of a utility in receivership, a utility in supervision, or a utility in temporary management, and, if applicable, its certificated service area, in the manner provided by state law. (Effective September 1, 2025.)

**S.B. 763 (Alvarado/K. Bell) – Concrete Permits:** requires, among other things, that the Texas Commission on Environmental Quality, at least once every eight years, conduct a protectiveness review of a standard permit that authorizes the operation of a permanent concrete plant that performs wet batching, dry batching, or central mixing. (Effective September 1, 2025.)

**S.B. 1169 (A. Hinojosa/Guillen) – Public Utility Agencies:** among other things: (1) adds a water supply or sewer service corporation to the definition of “public entity” for the purposes of state law that allows two or more public entities that have the authority to engage in the collection, transportation, treatment, or disposal of sewage or the conservation, storage, transportation, treatment, or distribution of water to join together as cotenants or co-owners to plan, finance, acquire, construct, own, operate, or maintain water or sewer facilities; (2) provides that each participating public entity may: (a) make an acquisition of property and easements for a facility through a purchase from a public or private entity; and (b) for the use and benefit of each participating public entity, acquire by purchase a public utility, other than an affected county; (3) provides that a public utility agency does not have the power of eminent domain; (4) provides that a public utility agency includes a retail public utility as defined in state law; (5) provides that a participating public entity may withdraw from a public utility agency by providing an ordinance or resolution of the governing body of the participating public entity to the agency not later than the 180th day before the proposed date of withdrawal; (6) provides that the Public Utility Commission (PUC) has appellate jurisdiction over the rates and charges of a public utility agency in the manner provided by state law; (7) provides that ratepayers of a public utility agency may appeal the decision of the agency affecting their water, drainage or sewer rates to the PUC; (8) provides that at the request of the PUC or the Texas Commission on Environmental Quality (TCEQ), the attorney general shall bring suit for the appointment of a receiver that is a public utility agency to collect the assets and carry on the business of a utility or water supply or sewer service corporation that, among other things: (a) has abandoned operation of its facilities; or (b) violates a final order of PUC or the TCEQ; (9) adds public utility agency to the definitions of “retail public utility,” “water and sewer utility,” and “utility;” (10) provides that ratepayers of a public utility agency may appeal the decision of the governing body of the entity affecting their water, drainage, or sewer rates to the PUC; (11) provides that the board of directors of a public utility agency, within 60 days after the date of a final decision on a rate change, shall provide individual written notice to each ratepayer eligible to appeal the rates; and (12) provides that the PUC may by rule allow a public utility agency that includes a water supply or sewer service corporation as a participant in the agency to render retail water or sewer service without a certificate of public convenience and necessity. (Effective immediately.)

**S.B. 1243 (Birdwell/Slawson) – Dissolution of Public Utility Agency:** provides that: (1) the public entities that participate in a public utility agency may by concurrent ordinances dissolve the public utility agency and transfer all obligations, assets, permits, and licenses of the public utility agency to the remaining public entities; and (2) a public entity that is the only remaining participant in a public utility agency may by ordinance dissolve the public utility agency. (Effective September 1, 2025.)

**S.B. 1261 (Perry/Gerdes) – Financing for Water Supply Projects:** among other things: (1) defines “issuer” as a political subdivision, including a city; (2) defines “eligible project” as one or more related water supply projects: (a) that are identified as recommended water management strategies in the state water plan; and (b) the cumulative costs of which are not less than \$750 million; (3) provides that the bill does not apply to financial assistance provided by the Texas Water Development Board; (4) provides that to the extent of any conflict or inconsistency between the bill and another law or a municipal charter, the bill controls; (5) provides that as authorized and approved by the governing body of an issuer, obligations may be issued, sold, incurred, and

delivered to: (a) finance or refinance an eligible project; (b) refund obligations, other indebtedness, or contractual obligations of the issuer issued or incurred in connection with an eligible project; and (c) pay the costs of issuance or delivery of the obligations; (6) provides that an obligation may not be secured wholly or partly by a pledge of ad valorem taxes; (7) provides that before an obligation may be issued or incurred, a record of the proceedings of the issuer authorizing the issuance, execution, incurrence, and delivery of the obligation and any contract providing revenue or security pledged to the payment of the obligation must be submitted to the attorney general for review; and (8) provides that money in the State Water Implementation Fund for Texas may be used for projects detailed in the bill. (Effective September 1, 2025.)

**S.B. 1302 (Kolkhorst/C. Bell) – Waste Discharge Permits:** provides that: (1) after the Texas Commission on Environmental Quality (TCEQ) denies or suspends a discharger’s authority to discharge under a general permit, the discharger may not discharge under the general permit until the executive director actively authorizes the discharger to use the general permit; and (2) the executive director may not use an automatic process to authorize the use of a general permit. (Effective September 1, 2025.)

**S.B. 1662 (Zaffirini/Guillen) – Public Drinking Water Supply Systems:** provides that the Texas Commission on Environmental Quality (TCEQ) may provide notice not more than 24 hours in advance to a public drinking water supply system that obtains its water supply from underground sources of the TCEQ’s intent to perform water quality testing to investigate a complaint related to the public drinking water supply system’s water quality. (Effective September 1, 2025.)

**S.B. 1663 (Zaffirini/Guillen) – Groundwater Contamination Notification:** provides that as soon as practicable but not later than the 30th day after the date the Texas Commission on Environmental Quality (TCEQ) receives notice or obtains independent knowledge of groundwater contamination, the TCEQ shall make every effort to give notice of the contamination by first class mail, e-mail, notice placed on the door of a residence, or another effective delivery method to: (1) each owner of a private drinking water well that may be affected by the contamination; (2) each applicable groundwater conservation district; and (3) the residents of each residential address within one mile of the site of the contamination. (Effective September 1, 2025.)

**S.B. 1664 (Schwertner/Hull) – Transmission and Distribution Utility Rates:** provides that if a regulatory authority proposes to enter an order approving a transmission and distribution utility’s change in rates that differs from the change initially proposed by the transmission and distribution utility, the regulatory authority shall require the utility to provide to the regulatory authority a new stand-alone document that includes the information required by the bill for the proposed change. (Effective September 1, 2025.)

**S.B. 1697 (Zaffirini/VanDeaver) – Solar Energy Devices:** among other things: (1) requires the Public Utility Commission (PUC) to develop and periodically update a guide to provide customers with certain information on solar energy devices for a home; and (2) provides that for at least 12 months after the PUC publishes each version of the guide, each electric utility that issues a bill directly to a customer for any electric product or service and each electric cooperative, municipally owned utility, and retail electric provider shall: (a) include a link to the guide on the utility’s,

cooperative's, or provider's Internet website; and (b) provide information about accessing the guide with each bill. (Effective September 1, 2025.)

**S.B. 1789 (Schwertner/McQueeney) – Electric Service Quality and Reliability:** provides, among other things, that: (1) if an electric utility fails to comply with the standards required by the bill the utility's system is damaged by a weather-related event or natural disaster, the Public Utility Commission (PUC) may at the utility's next rate proceeding reduce the utility's return on equity for infrastructure used or installed to repair or replace the damaged portion of the system; (2) the PUC by rule shall adopt standards for the structural integrity of transmission and distribution poles that must, among other things, require an electric utility, municipally owned utility, or electric cooperative to inspect transmission and distribution poles and take appropriate remedial action as necessary on a timeline established by the PUC; (3) the governing body of a municipally owned utility or an electric cooperative shall adopt for the utility or cooperative, as applicable, the standards adopted by the PUC under (2), above; (4) each electric utility, municipally owned utility, and electric cooperative shall submit to the PUC an annual report on: (a) the implementation of the utility's or cooperative's transmission and distribution pole maintenance schedule; (b) the results of the utility's or cooperative's inspection of transmission and distribution poles, including any remediation or replacement action taken; and (c) any other information the PUC requires; (5) the PUC may impose an administrative penalty against a municipally owned utility or electric cooperative for a violation of the bill or a rule adopted under the bill; and (6) a municipally owned utility or an electric cooperative operating on the effective date of the initial standards adopted by the PUC under (2), above, shall adopt the standards as required by the bill not later than the 120th day after the date the PUC adopts the standards. (Effective September 1, 2025.)

**S.B. 1967 (J. Hinojosa/A. Martinez) – Flood Infrastructure Fund:** provides that: (1) the water loan assistance program fund may be used by the Texas Water Development Board (TWDB) to provide grants to drainage districts for water supply projects, including projects that contain a flood control component; (2) the TWDB may not disqualify a drainage district from receiving a grant under (1), above, because the district does not: (a) have historical data about water use; (b) provide retail water service to consumers; or (c) have a certificate of convenience and necessity under which it provides retail water or wastewater service; (3) in prioritizing projects for the State Water Implementation Fund for Texas, the TWDB must also at least consider the following criteria, among other things, whether the project is a water supply project that contains a flood control component, regardless of whether the applicant holds a certificate of convenience and necessity under which it provides retail water or wastewater service; and (4) a "flood project" for the Flood Infrastructure Fund means a drainage, flood mitigation, or flood control project, including construction of multi-purpose flood mitigation and drainage infrastructure projects that control, divert, capture, or impound floodwater, stormwater, agricultural runoff water, or treated wastewater effluent and treat and distribute the water for the purpose of creating an additional source of water supply. (Effective September 1, 2025.)

**S.B. 2078 (Kolkhorst/Gerdes) – Composting Facilities by Certain Counties:** provides, among other things, that: (1) a person may not deposit at a composting facility located in a county that does not contain a city with a commercial food waste composting ordinance food waste that is: (a) collected for composting in a city that has a commercial food waste composting ordinance; and



(b) subject to such an ordinance; and (2) a person is liable for a civil penalty of \$1,000 for each violation of (1), above. (Effective September 1, 2025.)

**S.B. 2351 (Alvarado/Walle) – Concrete Permits:** provides that if the Texas Commission on Environmental Quality (TCEQ) amends the standard permit authorizing the operation of a permanent concrete plant that performs wet batching, dry batching, or central mixing, the TCEQ may require each facility operator authorized to begin new construction of a facility under the former standard permit to update the facility’s plans for the new construction in accordance with the amended standard permit if: (1) the facility operator did not begin the construction, expansion, or modification before the adoption of the amended permit; and (2) the facility operator filed a request under TCEQ rules for an extension to begin construction. (Effective immediately.)

### **Community and Economic Development**

**H.B. 2765 (Guillen/Zaffirini) – Rural Economic Development:** among other things: (1) expands the entities eligible to receive financial assistance from the Rural Economic Development and Investment Program to include: (a) counties with a population of not more than 200,000; (b) a public utility owned by a city with a population of not more than 50,000; and (c) a political subdivision that is wholly or partly located in a county with a population of not more than 200,000; (2) provides that financial assistance from the program described in (1), above, may be used for mineral extraction activities; (3) removes the requirement that a loan made from the Texas economic development fund must require monthly payments beginning not later than the 90th day after the loan is made; (4) authorizes the Department of Agriculture to use any money in the Texas economic development fund to make loans and grants; and (5) limits the maximum aggregate amount of outstanding loans provided to any one person by the Texas economic development fund to \$1 million. (Effective September 1, 2025.)

**H.B. 3010 (Ashby/Nichols) – Rural Infrastructure Disaster Recovery Program:** provides that: (1) the Texas Division of Emergency Management (TDEM) shall establish and administer a rural infrastructure disaster recovery program designed to provide financial assistance in the form of grants to rural communities located in a disaster area for the purpose of rebuilding and repairing critical infrastructure damaged by a disaster; and (2) a political subdivision is eligible to apply to the TDEM for a grant under the bill if the political subdivision is: (a) a county: (i) that: (A) has a population of less than 100,000; (B) has a gross domestic product of less than \$2 billion; (C) has a poverty rate greater than 15 percent; and (D) is located wholly or partly in a disaster area; and (ii) for which the total dollar amount of damages resulting from the disaster, as shown in an assessment of damages prepared after the disaster, exceeds the amount equal to ten percent of the state and local sales and use taxes collected in the county during the state fiscal year preceding the year in which the disaster occurs; or (b) a political subdivision other than a county that is wholly or partly located in a county described by (2)(a), above. (Effective September 1, 2025.)

**S.B. 617 (Schwertner/Harris Davila) – Homelessness:** among other things, provides that: (1) a city may not approve the conversion of city property to provide housing to homeless individuals unless the city holds a public hearing not less than 90 days before the conversion begins; (2) the hearing must be held at a location within one mile of the property; and (3) the city must provide

notice of the hearing by mail to each residence and business located within a one-mile radius of the property. (Effective September 1, 2025.)

**S.B. 1143 (Blanco/Talarico) – Workforce Development Programs:** among other things, requires the Texas Workforce Commission (TWC) to: (1) annually evaluate the effectiveness of the TWC’s federally funded youth programs; (2) annually evaluate the best practices for local workforce development boards to: (a) meet the current and projected workforce needs of employers in workforce development areas; and (b) provide workforce development services to individuals who are at least 14 years of age but younger than 25 years of age; and (3) provide a report detailing the TWC’s findings on the effectiveness of the TWC’s federally funded youth programs to the legislature not later than January 15 of each odd-numbered year. (Effective September 1, 2025.)

### **Elections**

**H.B. 521 (Guillen/Paxton) – Voting Assistance:** among other things, provides that an election officer commits an offense if the officer knowingly provides assistance to a voter in marking a ballot in violation of the law. (Effective September 1, 2025.)

**H.B. 640 (Bumgarner/Parker) – Office Hours:** among other things, provides that during an election period, the city secretary shall keep his or her office open for election duties for at least three hours each day, during regular office hours, on the days on which the main business office of the city is regularly open for business. (Effective September 1, 2025.)

**H.B. 1661 (Vasut/Bettencourt) – Election Supplies:** provides that: (1) the number of election ballots provided to an election precinct by an authority responsible for procuring election supplies for an election shall not exceed the total number of registered voters in the precinct unless the county participates in the countywide polling place program; (2) the authority responsible for procuring the election supplies for an election commits a Class A misdemeanor if the authority intentionally fails to provide an election precinct with the required number of ballots; (3) the authority responsible for procuring the election supplies for an election commits an offense if the authority intentionally fails to promptly supplement distributed ballots upon request by a polling place; (4) the penalty for intentionally failing to distribute or deliver election supplies within the prescribed deadline shall be increased to a Class A misdemeanor; (5) the penalty for intentionally obstructing the distribution of election supplies for an election shall be increased to a Class A misdemeanor; and (6) the penalty for the unlawfully releasing certain election information by an election officer, watcher or other person serving at a polling place in an official capacity before the polls close or the last voter has voted, whichever is later, shall be increased to a state jail offense. (Effective September 1, 2025.)

**H.B. 2253 (Bhojani/Paxton) – Bond Measures:** provides that: (1) not later than the 74th day before election day, the authority that ordered an election on the issuance of a bond may cancel the election on the bond measure if: (a) not earlier than the 90th day before the election on the measure, the governor issues a disaster declaration, regarding a natural disaster or other disaster threatening the health, safety, or general welfare of the authority’s residents; and (b) the governing body of the authority, after holding an open meeting as described in (2), below, determines that

canceling the election on the measure is necessary due to damage to the authority's election system, to avoid harm to the authority's election workers, or to avoid harm to voters within the authority's jurisdiction; (2) the governing body of authority may hold an open meeting solely whether to deliberate to cancel an election on the measure to authorize the issuance of bonds due a disaster declaration issued under (1)(a), above; and (3) the governing body shall provide reasonable public notice of the meeting and allow members of the public and the press to observe the meeting described in (2), above, to the extent practicable under the circumstances. (Effective September 1, 2025.)

**H.B. 5115 (Shaheen/Hughes) – Election Fraud:** among other things, provides that: (1) a person commits an offense if the person knowingly or intentionally makes any effort to: (a) count votes the person knows are invalid or alter a report to include votes the person knows are invalid; or (b) refuse to count votes the person knows are valid or alter a report to exclude votes the person knows are valid; and (2) an offense under (1), above, is a felony of the second degree unless: (a) the person committed the offense while acting in the person's capacity as an elected official, in which case the offense is a felony of the first degree; or (b) the person is convicted of an attempt, in which case the offense is a felony of the third degree. (Effective September 1, 2025.)

**S.B. 506 (Bettencourt/Paul) – Ballot Propositions and Petitions:** this bill:

1. requires that a ballot proposition substantially submit a question with such definiteness and certainty that the voters are not misled;
2. provides that if a court orders a new election to be held after a contested election is declared void, a person may seek from the court a writ of mandamus to compel the governing body of a city to comply with the requirement that a ballot proposition substantially submit the question with such definiteness and certainty that the voters are not misled;
3. provides that, not later than the seventh day after the date that a home rule city publishes ballot proposition language proposing an amendment to the city charter or another city law as requested by petition, a registered voter eligible to vote in the election or an authorized representative of a home-rule city may submit the proposition for review by the secretary of state (SOS);
4. requires the SOS to review the proposition not later than the seventh day after the date the SOS receives the submission to determine whether the proposition is misleading, inaccurate, or prejudicial;
5. provides that if the SOS determines that the proposition is misleading, inaccurate, or prejudicial, the city shall draft a proposition to cure the defect and give notice of the new proposition not later than the third day after receiving notice from the secretary of state;
6. authorizes a proposition drafted by a city under Number 5, above, to be submitted to the SOS under the process outlined in Number 3, above;

7. provides that if the SOS determines that the city has drafted a proposition that is misleading or inaccurate, the SOS shall draft the ballot proposition;
8. requires, in an action in a district court seeking a writ of mandamus to compel the city to comply with the provision described in Number 1, above, the court to make a determination without delay and authorize the court to: (a) order the city to use ballot proposition language drafted by the court; and (b) award a plaintiff or relator who substantially prevails reasonable attorney's fees, expenses, and court costs, but that if the secretary of state determines that the proposition is not misleading, inaccurate, or prejudicial, or drafts the ballot proposition language, a plaintiff or relator who prevails may not be awarded the party's reasonable attorney's fees, expenses or court costs;
9. waives and abolishes governmental immunity to suit to the extent of the liability created by Number 8(b), above;
10. provides that, following a final judgment that a proposition failed to comply with the provision described in Number 1, above, a city must submit to the SOS any proposition to be voted on at any election held by the city before the fourth anniversary of the court's finding;
11. requires a city to pay fair market value for all legal services relating to a proceeding regarding ballot proposition language enforcement.
12. provides that a political subdivision may not propose a measure, including a charter amendment, that will appear on the same ballot as a petition-initiated measure if: (a) the two measures generally address the same subject matter; or (b) a provision of a proposed measure would invalidate or conflict with any portion of a petition-initiated measure; and
13. provides that a measure proposed by a political subdivision in violation of Number 12, above, is void if the measure is proposed not earlier than the 180<sup>th</sup> day before the date the political subdivision's secretary receives the petition, and a political subdivision may be enjoined from proposing the measure.

(Effective September 1, 2025, but changes in bill only apply to a petition submitted on or after January 1, 2026.)

**S.B. 827 (Parker/DeAyala) – Election Audits:** provides that: (1) the audit of the results of electronic voting systems, other than electronic voting system results for a voting system that uses direct recording electronic voting machines, shall be conducted by hand; and (2) a candidate shall be entitled to appoint a watcher to be present at the count. (Effective September 1, 2025.)

**S.B. 1494 (Johnson/Anchia) – Date of Election:** provides that: (1) the governing body of a political subdivision, other than a county or municipal utility district, that holds its general election for officers on a date other than the November uniform election date may, not later than December 31, 2025, change the date on which it holds its general election for officers to the November uniform election date in odd-numbered years. (Effective immediately.)

**S.B. 2166 (Parker/Shaheen) – Voting Tabulation Equipment:** among other things, provides that: (1) the general custodian of election records and the testing board for the public test of logic and accuracy shall prepare and conduct the first test of automatic tabulating equipment used at a central counting station and the test of automatic tabulating equipment used at a polling place; (2) the first test of automatic tabulation equipment used in a central counting station and the test of automatic tabulating equipment used at a polling place shall be conducted in conjunction with the public test of logic and accuracy; (3) the automatic tabulating equipment used in a central counting station shall be tested immediately: (a) before each time the counting of ballots with the equipment begins; and (b) after each time the counting of ballots with the equipment is completed; (4) on completing the first test of automatic tabulating equipment used in a central counting station and the test of automatic tabulating equipment used at a polling place, the general custodian of election records shall place the test ballots and other test materials in a container provided for that purpose and seal the container so it cannot be opened without breaking the seal; (5) the general custodian of election records shall provide the test materials to the presiding judge of the central counting station before subsequent tests of the automatic tabulating equipment used at the central counting station are conducted; (6) the test materials may not be made available for public inspection until the first day after the final canvass of the election is completed and the sealed container containing the test materials may be unsealed to allow for public inspection of the records and shall be resealed after the inspection of those records is completed; (7) the general custodian of election records is the custodian of the test materials following the completion of the first test of automatic tabulating equipment used in a central counting station and the test of automatic tabulating equipment used at a polling place; (8) immediately after receiving a voting system from a vendor, the general custodian of election records shall perform a hash validation on each ballot marking device, each unit of automatic tabulating equipment, and each tabulation computer to verify that the source code of the equipment has not been altered; (9) not later than the 48th day before election day, the general custodian of election records shall conduct a logic and accuracy test, and the test must be open to the public; (10) notice of the logic and accuracy test described in (9), above, shall be published on the political subdivision’s website, if the political subdivision maintains a website, or on the bulletin board used for posting notice of meetings of the political subdivision’s governing body if the political subdivision does not maintain a website, at least 48 hours before the test begins; (11) if the test cannot be conducted before the 48th day before election day, the general custodian shall conduct the test as soon as practicable after that date and must notify the secretary of state within 24 hours of the determination that the deadline cannot be met; (12) the general custodian of election records shall adopt procedures for testing that: (a) ensure that each type of automatic tabulating equipment, ballot marking device, and direct recording electronic voting device used in the election is tested; (b) include each type of ballot used in the election, including mail ballot stock and ballots marked from ballot marking devices, if any; (c) require that tested ballots are marked and labeled to ensure they are not used in an upcoming election; and (d) require that, if the testing board determines that the test is unsuccessful, the general custodian of election records: (i) identify the cause of the unsuccessful test and prepare a written explanation; (ii) publish the written explanation online; (iii) retain the materials used in the unsuccessful test; and (iv) conduct a retest that is open to the public following the unsuccessful test; (13) not later than 48 hours before voting begins in an election, the general custodian of election records shall conduct a test of logic and accuracy of the electronic pollbook system used in the election; and (14) notice of the test described in (13), above, must be published on the political subdivision’s website, if the



political subdivision maintains a website, or on the bulletin board used for posting notice of meetings of the political subdivision's governing body if the political subdivision does not maintain an Internet website, at least 48 hours before the test begins. (Effective September 1, 2025.)

**S.B. 2216 (Hughes/Pierson) – Election System Equipment:** provides that: (1) the equipment used in the operation of a voting system must be stored in a locked room; (2) the inventory of electronic information storage media maintained by the general custodian of records must include information on the polling location at which the storage media will be used; and (3) the general custodian of election records shall: (a) place security seals on each unit of voting system equipment to prevent unauthorized access to the equipment; and (b) create a procedure for documenting: (i) which specific seals are placed on each unit of voting system equipment; and (ii) any instances where the seals are removed, including the identity of the individual who removed the seals and accessed the voting system equipment and the purpose for accessing the equipment. (Effective September 1, 2025.)

**S.B. 2217 (Hughes/Shahen) – Election Reporting:** among other things, provides that: (1) not later than the 30th day after election day, the general custodian of election records shall prepare a reconciliation of the total number of votes cast and the total number of voters accepted to vote by personal appearance at each polling place in the custodian's county during the early voting period and on election day respectively; (2) the general custodian of election records shall post the results of a reconciliation conducted under (1), above, on the county's website in the same location that the county provides information on election results; (3) the general custodian of election records for an authority holding an election that uses an electronic device to accept voters shall prepare a report including information required to be included in a combination form and a list of voters who were accepted to vote, including a reference to the voter's county election precinct and polling location where the voter was accepted to vote, not later than the 30th day after election day; and (4) a report produced under (3), above, is an election record and shall be retained by the general custodian of election records for the period for preserving the precinct election records. (Effective September 1, 2025.)

**S.B. 2753 (Hall/Isaac) – Elections:** among other things, provides that:

1. the authority responsible for designating polling places shall, at a minimum, designate: (a) the location designated as the main early voting polling place; (b) each location designated as a permanent branch polling place; and (c) each location designated as a temporary branch polling place;
2. an election officer shall open and examine the ballot boxes and remove any contents from the boxes on the first day of voting at a polling place during early voting or on election day;
3. election precinct returns must include the total number of voters who voted at the polling place during early voting by personal appearance and on election day as indicated by the poll list;

4. the canvassing authority shall prepare a tabulation stating for each candidate and for and against each measure: (a) the total number of votes received in each precinct; (b) the total number of votes received in each precinct; and (c) the sum of the precinct totals;
5. the period for early voting by personal appearance begins on the 12<sup>th</sup> day before election day, continues through the day before election day, and includes Saturdays, Sundays, and holidays, except as otherwise provided by law;
6. for an election held on the May uniform election date and any resulting runoff election, the period for early voting by personal appearance begins on the ninth day before election day, continues through the day before election day, and includes Saturdays, Sundays, and holidays, except as otherwise provided by law;
7. an election authority must follow certain procedures for delivering voted early voting ballots to be counted manually or using automated tabulating equipment at the close of the early voting and at the close of polls on election day;
8. voted early voting ballots to be counted manually shall be kept in a separate ballot box from voted early voting ballots to be counted using automatic tabulating equipment;
9. the early voting board may not count early voting ballots until the polls open on election day or the fourth day before election day, in an election conducted by an authority of a county with a population of 100,000 or more, or conducted jointly with, or through a contract for election services, with such a county;
10. not later than the time of the local canvas, the early voting clerk shall deliver to the local canvassing authority a reporting of the total number of early voting votes by mail for each candidate or measure by election precinct;
11. voted early voting ballots retained or delivered to the main early voting polling place shall be treated as ballots voted on election day at the same polling place for processing and tabulation purposes; and
12. the Texas Secretary of State (SOS), by no later than August 1, 2027, to adopt rules to implement the above provision and publish a report in the Texas Register stating that the SOS has consulted with county election officials and is confident that the counties are prepared to implement such provisions.

(Bill is effective September 1, 2025, but changes in law in the bill only apply to an election ordered on or after the date the SOS publishes the report described in Number 12, above.)

**S.B. 2964 (Hughes/Bucy) – Defective Mail In Ballots:** among other things, provides that: (1) if an early voting clerk receives a timely carrier envelope for a mail in ballot that is not in full compliance with applicable requirements, the clerk, not later than the second day after the clerk discovers the defect and before the time of delivering the jacket envelopes to the early voting ballot board, shall send the voter a notice of the defect and a corrective form by mail or by common or

contract carrier; (2) the early voting clerk shall include with the notice delivered to the voter: (a) a brief explanation of each defect in the noncomplying ballot; and (b) a notice that the voter may cancel the voter's application to vote by mail or correct the defect; (3) if the early voting clerk determines that it would not be possible for the voter to receive the notice of defect within a reasonable time to correct the defect, the clerk may notify the voter of the defect by telephone or e-mail and inform the voter that the voter may: (a) request to have the voter's application to vote by mail canceled; (b) submit a corrective action form by mail or by common or contract carrier; or (c) come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect; and (4) the early voting clerk shall: (a) in addition to sending the voter notice of the defect or notifying the voter of the defect by telephone or e-mail, notify the voter of a defect using an online tool that shall be developed by the Secretary of State; and (b) if possible, permit the voter to correct a defect using the online tool. (Effective September 1, 2025.)

## **Personnel**

**H.B. 35 (Thompson/West) – First Responder Peer Support Network:** among other things: (1) establishes a peer support network program for emergency medical services personnel and firefighter first responders; (2) tasks the Texas Division of Emergency Management to develop and administer the network described in (1), above, for certain personnel in urban and rural jurisdictions, including peer-to-peer support, suicide prevention training, technical assistance, and identifying, retaining, and screening participating licensed mental health professionals, and connecting first responders with clinical resources at no cost to the first responders; and (3) provides that information relating to a first responder's participation in the peer support network program or services is confidential and not subject to disclosure under the Public Information Act. (Effective September 1, 2025.)

**H.B. 198 (Bumgarner/Parker) – Cancer Screenings:** provides, among other things, that: (1) a city that employs firefighters shall offer an occupational cancer screening to each firefighter at no cost in the fifth year of the firefighter's employment, and once every year following the initial screening; (2) the occupational cancer screening must be confidential, and in addition to testing for cancer, include: (a) a urine test; (b) a pulmonary function test; (c) an electrocardiogram; (d) an infectious disease screening; (e) a breast cancer screening; (f) a blood test; and (g) subject to (3) below, a chest x-ray; (3) a firefighter is eligible to receive a chest x-ray during the screening once every five years; (4) the Texas Commission on Fire Protection (TCFP) shall adopt rules establishing minimum standards for the screening using standards developed by the National Fire Protection Association (NFPA); and (5) a city that employs firefighters is not required to offer a screening in (1) above, if the city offers an annual occupational medical examination under a plan submitted to the TCFP no later than February 1 of each year that is endorsed by a physician and is in substantial compliance with standards developed by the NFPA. (Effective June 1, 2026.)

**H.B. 331 (Patterson/J. Hinojosa) – Disease Presumption:** this bill: (1) removes the requirement that a firefighter, peace officer, or emergency medical technician who suffers an acute myocardial infarction or stroke must have been engaging in a situation or participating in a training exercise that involved "nonroutine" stressful or strenuous physical activity involving fire suppression, rescue, hazardous material response, emergency medical services, or other emergency response activity for the disease presumption to apply; (2) adds law enforcement to the list of emergency

response activities listed in (1), above; and (3) expands the duration from which the acute myocardial infarction or stroke must have occurred to not later than eight hours after the end of a shift in which the firefighter, peace officer, or emergency medical technician was engaging in the activity described in (1), above. (Effective immediately.)

**H.B. 762 (Leach/Bettencourt) – Severance Pay:** among other things, provides that: (1) a political subdivision, including a city, that enters into a contract or employment agreement, or renewal or renegotiation of an existing contract or employment agreement, that contains a provision for severance pay with an employee or independent contractor must include: (a) a requirement that severance pay that is paid from public money may not exceed the amount of compensation, at the rate at the termination of employment or the contract, the employee or independent contractor would have been paid for 20 weeks, excluding paid time off or accrued vacation leave; and (b) a prohibition of the provision of severance pay when the employee or independent contractor is terminated for misconduct; (2) a political subdivision shall post each severance agreement in a prominent place on the political subdivision’s internet website; and (3) for an action brought against a political subdivision by an employee or independent contractor of the political subdivision arising from the termination of the person’s employment or contract, a court may not issue a writ of execution or mandamus in connection with a judgment in the action if the judgment does not comply with (1), above. (Effective September 1, 2025.)

**H.B. 2513 (Tepper/Perry) – Military Leave:** provides that, for purposes of calculating the payment amount for a paid military leave of absence for a fire protection employee, a 24-hour work shift constitutes one workday. (Effective September 1, 2025.)

**H.B. 2713 (Darby/Hancock) – Civil Service Repeal:** provides that the ability for voters to petition for an election to repeal civil service only applies in a city with a population of less than 50,000 that has operated under civil service for its police officers or firefighters for at least one year. (Effective immediately.)

**H.B. 3153 (Kerwin/Kolkhorst) – Hiring Requirements for Persons in Direct Contact with Children:** among other things, for a facility operated by or under the authority of a city or county that provides temporary living accommodations for homeless individuals, provides that: (1) a city or county shall ensure each facility the entity regulates or operates reviews state and federal criminal history record information and conducts an employment verification for each person: (a) who is: (i) an applicant selected for employment with the facility; (ii) an employee of the facility; (iii) an applicant selected for a volunteer position with the facility; (iv) a volunteer with the facility; (v) an applicant for an independent contractor position with the facility; or (vi) an independent contractor of the facility; and (b) who may be placed in direct contact with a child receiving services at the facility; (2) in conducting an employment verification, the facility must at a minimum contact the previous employers listed in the submitted application materials for each applicant; (3) a facility may not offer a person an employment, volunteer, or independent contractor position and must terminate the person’s position if, based on a criminal history record information review or an employment verification of that person, the facility discovers the person: (a) engaged in physical or sexual abuse of a child constituting an offense under certain state criminal laws; or (b) was terminated from a previous position based on allegations of engaging in conduct described by (3)(a), above; (4) a separation agreement for a facility employee, volunteer,

or independent contractor may not include a provision that prohibits disclosure to a prospective employer of an allegation of conduct constituting an offense under certain state criminal laws; and (5) a facility must provide training to each employee, volunteer, or independent contractor who may be placed in direct contact with a child. (Effective September 1, 2025.)

**H.B. 3161 (Villalobos/A. Hinojosa) – Texas Municipal Retirement System:** provides that a city that participates in the Texas Municipal Retirement System may designate the rate of member contributions for employees at a rate of eight percent of the employees' compensation. (Effective September 1, 2025.)

**H.B. 4144 (Turner/Middleton) – Supplemental Income Benefits:** provides that: (1) a governmental entity shall provide to a firefighter or peace officer who retires from a fire department or law enforcement agency with at least 50 firefighters or peace officers, a critical-illness supplemental income benefit or comparable health benefit plan coverage if the firefighter or peace officer is diagnosed with certain types of cancer or acute myocardial infarction or stroke not later than the third anniversary of the date the firefighter or peace officer retires; (2) the value of the supplemental income benefit shall be the lesser of: (a) the firefighter's or peace officer's final year salary; or (b) \$100,000; (3) a governmental entity providing a supplemental income benefit may provide the benefit in a lump sum payment or equal payments over three consecutive months; (4) not later than September 1 of each year ending in a five, the commissioner of insurance by rule shall adjust the amount described in (2), above, by an amount equal to the percentage increase, if any, in the consumer price index for the preceding ten years; and (5) the above provisions do not apply to a political subdivision that provides a firefighter or peace officer who retires from the political subdivision a health benefit plan that is comparable in coverage and cost to the retiree as the health benefit plan the political subdivision provided to the retiree on the day before the date the retiree retired. (Effective September 1, 2025.)

**S.B. 777 (Hughes/Lujan) – Collective Bargaining:** among other things, provides that: (1) in settling disputes relating to compensation, hours, and other conditions of employment, an arbitration board shall consider, to the extent applicable, a city's charter or collective bargaining agreement; (2) an arbitration award rendered by an arbitration board must be made effective for the period for which the public employer and the employee association are bargaining, and may exceed one year; (3) if a city has a charter or a collective bargaining agreement that provides for the resolution of an impasse in a collective bargaining process, the city and the employee association that is the bargaining agent for the city's firefighters shall submit to the impasse resolution mechanism contained in the charter or the agreement if the parties: (a) reach an impasse in collective bargaining; or (b) are unable to settle after the 61<sup>st</sup> day after the date the city council fails to approve a contract reached through collective bargaining; and (4) a provision in state law relating to collective bargaining arbitration does not apply to the impasse resolution mechanism described in (3), above, unless the charter or agreement, as applicable, provides otherwise. (Effective September 1, 2025.)

**S.B. 2237 (Bettencourt/C. Bell) – Severance Pay:** (1) defines an executive employee as a chief executive officer of a political subdivision other than a school district, an agency or department head, or the superintendent of a school district or the chief executive officer of an open-enrollment charter school; (2) provides that a political subdivision that enters into an employment agreement,



or renewal or renegotiation of an existing employment agreement, that contains a provision for severance pay with an executive employee must include: (a) a provision that severance pay that is paid from tax revenue may not exceed the amount of compensation, at the rate at the termination of employment, the executive employee would have been paid for 20 weeks, excluding paid time off or accrued vacation leave; and (b) a provision that prohibits the provision of severance pay when the executive employee is terminated for misconduct; (3) requires that a political subdivision post each severance agreement in a prominent place on its website; and (4) provides that a court may not issue a writ of execution or mandamus in connection with a judgment in an action brought against a political subdivision if the judgment does not comply with (1) and (2), above. (Effective September 1, 2025.)

### **Purchasing**

**H.B. 223 (Capriglione/Middleton) – Lobbying Procurement:** provides that an expenditure by a city to procure lobbying, government relations, or similar services intended to influence state or federal lawmakers on behalf of a city may not be classified as a personal, professional, or planning service for competitive procurement purposes. (Effective September 1, 2025.)

**S.B. 1173 (Perry/Spiller) – Competitive Bidding Threshold:** among other things: (1) increases the threshold at which competitive bidding is required for city purchases from \$50,000 to \$100,000; and (2) increases the threshold at which a city must contact at least two historically underutilized businesses to an expenditure of more than \$3,000 but less than \$100,000. (Effective September 1, 2025.)

### **Municipal Courts**

**H.B. 1950 (Capriglione/Hancock) – Municipal Court Building Security and Technology Funds:** for a city with a population less than 100,000: (1) consolidates the municipal court building security and municipal court technology funds into a single consolidated municipal court building security and technology fund in the municipal court treasury; and (2) allows cities to use funds in the consolidated fund described in (1), above, for purposes authorized by state law for a municipal court building security fund or a municipal court technology fund. (Effective immediately.)

**H.B. 5081 (Leach/Creighton) – Protected Information:** among other things, provides that: (1) a person may not publicly post or display on a publicly accessible website the following information of a judge or a municipal court clerk, or an immediate family member of the judge or clerk, if the individual, or the Office of Court Administration of the Texas Judicial System, acting on the individual's behalf, submits a written request to that person not to disclose or acquire the covered information that is the subject of the request: (a) a home address, including primary and secondary residences; (b) a home or personal telephone number, including a mobile telephone number; (c) an e-mail address; (d) a social security number or driver's license number; (e) bank account, credit card, or debit card information; (f) a license plate number or other unique identifier of a vehicle owned, leased, or regularly used; (g) the identity of a child younger than 18 years of age; (h) a person's date of birth; (i) information regarding current or future school or day care attendance, including the name or address of the school or day care, schedules of attendance, or routes taken to or from the school or day care; (j) employment information, including the name or address of

the employer, employment schedules, or routes taken to or from the employer's location; and (k) photographs or videos that reveal information listed in (a)-(j), above; (2) the provisions of (1), above, do not apply to information that the judge or court clerk or their immediate family member: (a) displayed on a publicly accessible website if the information is relevant to and displayed as part of a news story, commentary, editorial, or other speech on a matter of public concern; or (b) voluntarily posts on the internet; (3) the provisions of (1), above, do not apply to information received from a governmental entity or an employee or agent of a governmental entity; and (4) a data broker may not knowingly sell, license, trade for consideration, transfer, or purchase information of an individual or immediate family member of the individual described in (1), above. (Effective September 1, 2025.)

**S.B. 293 (Huffman/Leach) – Judicial Complaints:** among other things: (1) provides that failing to meet deadlines set by statute or binding court order and persistently or willfully violating state law bail requirements constitutes willful or persistent conduct inconsistent with the proper performance of a judge's duties; (2) creates a criminal offense for filing a false judicial complaint and assessing a penalty for violations; and (3) provides commission staff procedures to investigate judicial complaints, including applicable timelines, reporting and recommendation requirements, notice requirements, and available disciplinary actions and penalties. (Effective immediately.)

**S.B. 296 (Perry/Canales) – Motorcycle Safety Course Dismissals:** provides that: (1) a defendant may request to complete an approved driver's safety course or motorcycle operator training and safety program course to dismiss an applicable traffic citation through a court-authorized email address or internet portal, on or before the answer date on notice to appear; and (2) is eligible for dismissal of all offenses arising out the same criminal transaction following completion of such course, if each offense is eligible for dismissal following completion of such course, and the defendant satisfies all other applicable requirements. (Effective September 1, 2025.)

**S.B. 304 (Perry/Darby) – Code Enforcement:** allows a city, by ordinance, to provide its municipal court with: (1) civil jurisdiction for the purpose of enforcing certain code enforcement-related ordinances; (2) concurrent jurisdiction with a district court or county court of law within the city's territorial limits and property owned by the city in the city's extraterritorial jurisdiction, for the purposes of enforcing health and safety nuisance abatement ordinances; (3) the authority to issue search warrants to investigate a health and safety or nuisance abatement ordinance violation, and (4) the authority to issue a seizure warrant to secure, remove, or demolish the offending property and removing debris from the premises. (Effective September 1, 2025.)

**S.B. 647 (West/Anchia) – Notice of Suspected Fraudulent Documents:** among other things, requires a municipal clerk who reasonably believes that a previously filed or submitted document that purports to create a lien or assert a claim against or interest in real or personal property is fraudulent to provide written notice to specific individuals, including the last known property owner and any grantor, obligor, or debtor named in the document. (Effective September 1, 2025.)

**S.B. 664 (Huffman/Cook) – Judge and Magistrate Qualifications:** among other things: (1) requires that to be eligible for appointment as a master, magistrate, referee, associate judge, or hearing officer, a person must: (a) be a resident of Texas and the county in which they are appointed; (b) except under certain circumstances, have been licensed to practice law in Texas and

in good standing with the State Bar of Texas for at least five years; (c) not have been defeated for reelection to a judicial office; (d) not have been removed from office by impeachment or other certain circumstances; and (e) not have resigned from office after having received notice the State Commission on Judicial Conduct had instituted formal proceedings and before the final disposition of the proceeding; (2) requires that any person described in (1), above, whose duties include setting, adjusting, or revoking bail bonds must comply with state bail training requirements; (3) subjects any person described in (1), above, to removal under the Texas Constitution; (4) requires the local administrative judge to ensure that any person described in (1), above, complies with the above requirements and report violations to the applicable commissioners court, presiding regional administrative judge, the Office of Court Administration of the Texas Judicial System, and under certain circumstances, to the State Commission on Judicial Conduct. (Effective September 1, 2025.)

**S.B. 1537 (Zaffirini/Smithee) – Municipal Court Interpreters:** provides that following a motion for appointment of an interpreter filed by any party, or a court on its motion, a court must appoint a certified interpreter to interpret for a person charged or a witness if the court determines that the person charged or a witness does not understand or speak the English language. (Effective immediately.)

**S.B. 2878 (Hughes/Leach) – Judicial Branch Administration:** among other things, provides that:

1. in addition to any other qualification required by law, an appointed master, magistrate, referee, or associate judge generally must have been licensed to practice law in Texas for at least five years before the appointment, but at least two years before appointment in certain circumstances;
2. a person is disqualified from serving as a petit juror if they have been convicted of a felony or have served as a petit juror for six days during the preceding three months in the county court or during the preceding six months in the district court;
3. a person may establish an exemption from petit juror service if they are 75 years of age or older;
4. a municipal court in a county with a population of 50,000 or more, may appoint a spoken language interpreter who is not a certified or licensed court interpreter;
5. the filing of an election contest does not suspend implementation of a constitutional amendment approved by the majority of votes cast, and that the trial court must ensure a written ruling on a pretrial motion in such a case is entered not later than the 30<sup>th</sup> day after the date the motion is filed, and final judgment is not filed later than the 180<sup>th</sup> day after the date of the contested election;
6. each district judge, judge of a statutory county court, associate judge, master, referee, and magistrate must complete at least four hours of training dedicated to issues related to trafficking of persons, child abuse and neglect, and elder abuse and neglect with the judge's

first term of office or four years of service, but that each judge or judicial officer are exempt from these requirements if they file an affidavit stating that the judge or judicial officer does not hear cases involving family violence, sexual assault, trafficking of persons, or child abuse and neglect;

7. the director of the Office of Court Administration of the Texas Judicial System must develop a procedure to regularly notify county registrars, the Department of Public Safety, the Texas Ethics Commission, and any other state or local government agency the office determines should be notified of the judges, judges' spouses, employee, and related family members whose personal information must be kept from public records;
8. the county registrar shall omit from the registration list the residence address for a registration applicant who is: (a) a current or former employee of the office of a county clerk, district clerk, or county and district clerk or municipal court personnel, or (b) a current for former employee whose duties relate to court administration, including a court clerk, court coordinator, court administrator, a juvenile case manager, law clerk, or staff attorney;
9. information that relates to the home address, home telephone number, emergency contact information, social security number, or reveals whether someone has family members for a current or former employee whose duties relate to court administration, including a court clerk, court coordinator, court administrator, juvenile case manager, law clerk, or staff attorney, is excepted from disclosure under the Public Information Act, regardless of whether or not the individual has specifically opted to keep such information confidential;
10. an actor who commits the offense of harassment is subject to increased criminal penalties, if the offense was committed against a person the actor knows is a court employee;
11. a court employee may choose to make the home address confidential in the local appraisal district records;
12. each justice or municipal court must adopt a youth diversion plan;
13. a juvenile charged with a misdemeanor punishable by fine only, other than a traffic offense, are generally eligible to participate in a youth diversion program, subject to certain conditions and exceptions;
14. a justice or municipal court may collect a \$50 administrative fee from the child's parent to defray the costs of the diversion;
15. a justice or municipal court must include certain terms in a youth diversion agreement, conduct a non-adversarial hearing in the event of non-compliance, and may continue, amend, or set aside the diversion agreement in the event of non-compliance;
16. a justice or municipal court must maintain statistics for each authorized diversion strategy;

17. other than statistical records, all records generated related to a court's youth diversion program are confidential, and that all records pertaining to a child's participation in such a program shall be expunged without the requirement of a motion or request, on the child's 18<sup>th</sup> birthday; and
18. an arrest warrant issued for a child and a complaint or affidavit on which an arrest warrant issued for a child is based are confidential and may only be disclosed to certain listed individuals or entities.

(Effective September 1, 2025.)

### **Other Finance and Administration**

**H.B. 103 (Troxclair/Bettencourt) – Bonds and Tax Database:** this bill: (1) requires the comptroller to consult and coordinate with the Bond Review Board to develop and maintain a database that includes current and historical information regarding taxing unit bonds, taxes, and bond-related projects; (2) requires a taxing unit, including a city, to provide the comptroller with information for the purpose of maintaining the database; (3) prohibits the comptroller from charging a fee to the public to access the database; and (4) provides a civil penalty of \$1,000 for a taxing unit that does not provide the required information to the comptroller. (Effective September 1, 2025.)

**H.B. 128 (Orr/Kolkhorst) – Sister-City Agreements:** among other things, prohibits a city from establishing, maintaining, or renewing a sister-city agreement with: (1) a country that is a foreign adversary; or (2) a community located in: (a) China; (b) North Korea; (c) Iran; (d) Russia; or (e) a nation that has been designated as a threat to critical infrastructure by the governor. (Effective September 1, 2025.)

**H.B. 149 (Capriglione/Schwertner) – Artificial Intelligence:** among other things: (1) provides that a government agency that makes available an artificial intelligence (AI) system that is intended to interact with consumers must disclose to each consumer, before or at the time of interaction, that the consumer is interacting with an AI system; (2) prohibits a government agency from using an AI system for certain social scoring purposes; (3) prohibits a government entity from developing or deploying an AI system with biometric identifiers of individuals and the gathering of images or other media for the purpose of uniquely identifying a specific individual, if doing so, would infringe, constrain, or otherwise chill any right guaranteed under state or federal law; (4) provides that the limitations described in (2) and (3), above, only apply to government entities using AI systems to constrain civil liberties, not any AI system developed or deployed for commercial purposes; (5) provides that state law regarding the use of AI systems supersedes and preempts any such ordinance, resolution, rule, or other regulation adopted by a political subdivision; (6) establishes the Texas Artificial Intelligence Council (TAIC); (7) provides for the membership, powers, and duties of the TAIC; and (8) provides that the TAIC shall conduct training programs for state agencies and local governments on the use of AI systems. (Effective January 1, 2026.)



**H.B. 150 (Capriglione/Parker) – Cyber Training:** among other things: (1) establishes the Texas Cyber Command (TCC) as a state agency; (2) directs the TCC to perform certain duties, including developing cybersecurity best practices and minimum standards for governmental entities, develop and providing cybersecurity training to state agencies and local governmental entities, and offer cybersecurity resources to state agencies and local governmental entities; (3) requires each elected or appointed official and employee of a local governmental entity who has access to the entity's information resources or information resources technologies to annually complete a state-certified cybersecurity training program; (4) requires a local governmental entity to verify and report on the entity's compliance with (3), above, to TCC, and periodically audit such compliance; and (5) allows a governmental entity or the governing body's designee to deny an employee or official access to the entity's information resources or information resources technologies who do not complete the annual training described in (3), above. (Effective September 1, 2025.)

**H.B. 229 (Troxclair/Middleton) – Gender Identification:** among other things, provides that a governmental entity, including a city, that collects vital statistics information that identifies the sex of an individual for the purpose of complying with antidiscrimination laws or for the purpose of gathering public health, crime, economic, or other data shall identify each individual as either male or female. (Effective September 1, 2025.)

**H.B. 303 (Vasut/Hagenbuch) – Type C General Law Cities:** allows a Type A general city with 4,999 or fewer inhabitants or a Type B general law city with 999 or fewer inhabitants to change to a Type C general law city. (Effective immediately.)

**H.B. 519 (M. González/Kolkhorst) – Honey Production Deregulation:** among other things, provides that: (1) honey production operations are not food service establishments; (2) a local government authority, including a city, may not regulate the production or honey or honeycomb; and (3) honey and honeycomb are raw agricultural commodities. (Effective September 1, 2025.)

**H.B. 1922 (Dean/Middleton) – Construction Liability Claims:** provides that: (1) a cause of action for a claim for damages asserted by a governmental entity for certain claims for damages caused by an alleged construction defect in a public building or public work against a contractor, subcontractor, supplier, or design professional accrues on the date that the report from the governmental entity to each party with whom the governmental entity has contracted with for the design or construction of the affected structure, that identifies the construction defect upon which the claim is based and describes the present physical condition of the structure and any modifications, maintenance, or repairs made by the governmental entity or others since the structure was initially occupied or used, is postmarked; and (2) the date of accrual of a cause of action for such a claim described in (1), above, is unaffected for all other purposes. (Effective September 1, 2025.)

**H.B. 2564 (Wilson/King) – Defense Economic Adjustment Assistance Grants:** removes the requirement that the Texas Military Preparedness Commission establish a defense economic adjustment assistance panel to assist the commission in evaluating applications for economic adjustment assistance grants. (Effective September 1, 2025.)

**H.B. 2842 (Zwiener/Perry) – White-Tailed Deer:** provides that a political subdivision, a state agency, a federal agency, an institution of higher education, or a property owners' association that desires to control a white-tailed deer population by lethal means shall submit written notice to the Texas Department of Parks and Wildlife containing evidence that the entity is experiencing an overpopulation of deer on property the entity owns or manages, and recreational hunting is not feasible for controlling the deer population, or the use of lethal means is necessary to prevent the deer from damaging the habitat of or more species listed as endangered or threatened by the U.S. Department of the Interior or a state agency. (Effective September 1, 2025.)

**H.B. 3005 (Gervin-Hawkins/Campbell) – City Construction Contracts:** among other things, provides that a bona fide dispute regarding a contract for the construction of a public work does not include an audit of the public work project that continues for more than 60 days after the date of the substantial completion of the project. (Effective September 1, 2025.)

**H.B. 3474 (Lambert/Huffman) – Public Retirement Systems:** among other things, provides that: (1) in accordance with a schedule of deadlines prescribed by the pension review board, a public retirement system shall conduct an evaluation: (a) once every three years, if the total assets of the system are at least \$100 million; or (b) once every six years, if the total assets of the system are at least 30 million and less than \$100 million; (2) for a public retirement system described by (1)(b), above, if the public retirement system's total pension liability increases to at least \$100 million during a fiscal year, the system shall complete the evaluation by the next appropriate due date specified in the schedule established by the pension review board; and (3) a public retirement system that has completed an evaluation pursuant to the requirements of (1), above, remains subject to the same requirement unless both the total assets and the total pension liability of the system decrease to an amount that is below the minimum amount prescribed by the applicable requirement. (Effective September 1, 2025.)

**H.B. 3512 (Capriglione/Blanco) – Artificial Intelligence Training:** among other things, provides that: (1) local government employees and elected and appointed officials who have access to a local government computer system or database and the use of a computer to perform at least 25 percent of the employee's or official's required duties must complete a certified artificial intelligence (AI) training program; (2) the governing body of a local government may select the most appropriate certified AI training program for employees and officials to complete; (3) the Department of Information Resources, in consultation with the cybersecurity council and interested persons, shall, among other things, annually certify at least five AI training programs for state and local government employees and update standards for maintenance of certification by the AI training programs; and (4) to apply for a criminal justice related state grant, a local government must submit with the grant application a written certification of the local government's compliance with certified AI training. (Effective September 1, 2025.)

**H.B. 3526 (Capriglione/Parker) – Bond Obligations Database:** this bill, among other things:

1. requires the bond review board to develop and maintain on its website a publicly accessible and searchable database that provides, in a table format that is easy to read and understand, information on each bond proposed or issued by a local government;

2. requires the database to include for each proposed and issued bond listed in the database:
  - (a) the amount of the principal of the bond; (b) the estimated amount of interest on the bond; (c) the estimated total amount to pay the principal of and interest on the bond; and (d) the estimated minimum dollar amount required to be annually expended for debt service;
3. provides that, not later than the 20<sup>th</sup> day before election day for an election to authorize a local government to issue bonds, the local government shall submit a report to the bond review board that includes: (a) the date of the election; (b) the proposition number for each bond proposition; (c) the total estimated cost of the issuance of each proposed bond; (d) the estimated minimum dollar amount required to be annually expended for debt service; (e) a description of the purpose of each bond proposition; and (f) any other information the board determines necessary;
4. provides that, not later than the 20<sup>th</sup> day after election day for an election to authorize a local government to issue bonds, the local government shall submit a report to the bond review board that includes: (a) the total number of votes cast for each bond proposition; (b) the total number of votes in support of the bond proposition; (c) the total number of votes against the bond proposition; (d) any updated information different from the information provided to the bond review board under (3), above, if applicable; and (e) any other information the board determines necessary;
5. provides that, not later than September 30 of each year, a local government with voter-approved but unissued bonds shall submit a report to the bond review board regarding the amount of voter-approved but unissued bonds authorized by the local government during the most recent fiscal year that includes: (a) the total amount of voter-approved but unissued bonds authorized by the local government; (b) the specific statute or law authorizing the issuance of bonds; (c) the number of the propositions that authorized the issuance of the bonds, as applicable; (d) the estimated cost of the issuance of the bonds on the bond proposition, as applicable; (e) the estimated minimum dollar amount required to be annually expended for debt service after the issuance of the bonds; and (f) any other information the board determines necessary; and
6. requires the bond review board, not later than December 31 of each even-numbered year, to prepare and submit to each standing committee of the legislature with primary jurisdiction over matters relating to finance a report on each voter-approved bond issued by a local government.

(Effective September 1, 2025.)

**H.B. 3611 (Curry/Miles) – Unauthorized Signs:** provides for a civil penalty of up to \$5,000 to be collected from a person who places or commissions the placement of, or whose commercial advertisement is placed on, an unauthorized sign on the right-of-way of a public road, provided that for a person's first violation: (1) the applicable political subdivision provides written notice to the person that the person may be liable for a civil penalty if the person fails to remove the sign

within a specified period; and (2) the person fails to remove the sign within the specified period. (Effective September 1, 2025.)

**H.B. 4215 (Hunter/Schwertner) – Delivery Network Company Preemption:** among other things: (1) defines “delivery network company” to mean an entity that maintains a digital network to facilitate delivery of a product to a customer who ordered the product digitally by a delivery person; (2) prohibits a city from regulating delivery network companies, including by: (a) imposing a tax; (b) requiring an additional license of permit; (c) setting rates; (d) imposing operational or entry requirements; or (e) imposing other requirements; (3) authorizes a city and a delivery network company to enter an agreement under which the company shares the company’s data with the city; (4) requires a city, when collecting, using, or disclosing any records, data, or other information submitted by a delivery network company to: (a) consider the potential risks to the privacy of the individuals whose information is being collected, used, or disclosed; (b) ensure that the information to be collected, used, or disclosed is necessary, relevant, and appropriate to the proper administration of this chapter; and (c) take all reasonable measures and make all reasonable efforts to protect, secure, and, where appropriate, encrypt or limit access to the information; and (5) prohibits a city from disclosing any records provided by a delivery network company to a third party except in compliance with a court order or subpoena. (Effective September 1, 2025.)

**H.B. 4753 (Gates) – Certificates of Occupancy Substitute:** provides that: (1) if a city has a record of issuing a certificate of occupancy (CO), the city shall, on request of a building owner, provide a document acknowledging that a CO has been issued; (2) a city may not adopt or enforce an ordinance or other measure that requires a person who has obtained the document described in (1), above, to obtain or display an original CO; and (3) a city shall consider a document described by (1), above, sufficient to display in place of an original CO. (Effective immediately.)

**H.B. 4996 (Dyson/Flores) – Liens:** increases the criminal penalty for the offense of failure to release a fraudulent lien or claim to a third-degree felony if the owner of the property subject to the fraudulent lien or claim is a person the actor knows is a public servant. (Effective September 1, 2025.)

**H.B. 5331 (Dean/King) – Security Incident Notifications:** provides that contract language in a cybersecurity insurance contract or other contract for goods or services prohibiting or restricting a state agency or local government’s compliance with or otherwise circumventing state laws requiring notification of cybersecurity incidents to the Texas Department of Information Resources is void and unenforceable. (Effective immediately.)

**S.B. 33 (Campbell/Noble) – Abortion Restrictions:** provides, among other things, that a governmental entity may not: (1) enter into a taxpayer resource transaction with an abortion assistance entity for the purpose of providing an abortion or abortion assistance; or (2) enter into a taxpayer resource transaction or appropriate or spend money to provide to any person logistical support for the express purpose of assisting a woman with procuring an abortion or the services of an abortion provider. (Effective September 1, 2025.)

**S.B. 38 (Bettencourt/Button) – Evictions:** provides, among other things, that: (1) a sheriff or constable, including a deputy sheriff or deputy constable, shall make a diligent effort to serve the citation and petition not later than the fifth business day after the date the petition is filed and if the citation and petition are not served on or before the fifth business day after the date the petition is filed, the landlord may, but is not obligated to, provide for the citation and petition to be served by any other law enforcement officer, including an off-duty officer with appropriate identification, that has received appropriate training in the service of process, eviction procedures, and the execution of writs, as determined by the Texas Commission on Law Enforcement; and (2) a sheriff or constable, including a deputy sheriff or deputy constable, shall serve the writ of possession not later than the fifth business day after the date the writ is issued and if the writ of possession is not served on or before the fifth business day after the date the writ is issued, the landlord may, but is not obligated to, have the writ served by any other law enforcement officer, including an off-duty officer with appropriate identification, who has received training as required by state law. (Effective September 1, 2025.)

**S.B. 541 (Kolkhorst/Hull) – Cottage Food Production Deregulation:** among other things, provides that a local government authority, including a city, may not: (1) require a cottage food production operation to obtain any type of license or permit or pay any fee to produce or sell certain foods directly to a consumer or vendor; or (2) employ or continue to employ a person who knowingly requires or attempts to require a cottage food production operation to obtain a license or permit in violation of (1), above. (Effective September 1, 2025.)

**S.B. 599 (West/A. Davis) – Regulation of Child-Care Facilities:** prohibits a political subdivision from adopting or enforcing an ordinance, order, or other measure that requires a group day-care home or family home licensed, registered, or listed in state law to comply with health and safety standards that exceed those set forth in statute or by rule of the Texas Health and Human Services Commission. (Effective immediately.)

**S.B. 687 (Hughes/Bumgarner) – Construction Contract Liability:** among other things, provides that a contract for land surveying services to which a governmental agency is a party: (1) is void and unenforceable if the contract provides that a land surveyor whose work is the subject to the contract must: (a) indemnify or hold harmless the governmental agency against liability for damage, other than liability for damage to the extent that the damage is caused by or results from an act of negligence, intentional tort, intellectual property infringement, or failure to pay a subcontractor or supplier, or another entity over which the land surveyor exercises control; or (b) defend a party, including a third party, against a claim based wholly or partly on the negligence of, fault of, or breach of contract by the governmental agency, the agency's agent, the agent's employee, or other entity, over which the governmental agency exercises control, excluding the land surveyor or the land surveyor's agent, employee, or subconsultant; (2) may provide for the reimbursement of a governmental agency's reasonable attorney's fees in proportion to the land surveyor's liability; (3) may require that the land surveyor name the governmental agency as an additional insured under the land surveyor's general liability insurance policy and provide any defense provided by the policy; (4) must require that a land surveyor perform services: (a) with the professional skill and care ordinarily provided by competent land surveyors practicing under the same or similar circumstances and professional license; and (b) as expeditiously as is prudent considering the ordinary professional skill and care of a competent land surveyor; and (5) is void



and enforceable if the contract contains a provision establishing a different standard of care than that described in (4), above. (Effective September 1, 2025.)

**S.B. 916 (Zaffirini/Spiller) – Health Care Billing by Emergency Medical Services:** among other things, provides that in addition to other permissible actions or penalties, and regardless of whether an emergency medical services provider is directly operated by a governmental entity, the Texas Department of Insurance may revoke, suspend, or refuse to renew a license or certificate of the provider if the department confirms that the provider has: (1) intentionally submitted incorrect information to the Emergency Medical Services Provider Balance Billing Rate Database; or (2) engaged in a pattern of violations of state law governing rates for emergency medical services providers. (Effective September 1, 2025.)

**S.B. 924 (Hancock/Geren) – Cable or Video Services:** provides, for purposes of state-issued cable and video franchise authority, that: (1) “video service” does not include: (a) direct-to-home satellite services that are transmitted from a satellite directly to a customer’s premises without using or accessing a portion of the public right-of-way; or (b) any video programming accessed via a service that enables users to access content, information, e-mail, or other services offered over the Internet, including streaming content; (2) the change in definition does not affect the obligation of a person who holds a state-issued certificate of franchise authority on September 1, 2025, to provide the compensation required for use of a public right-of-way; and (3) the change in definition does not affect the application of state law to compensation with respect to services provided before September 1, 2025, by a person who was involved in litigation regarding video services on January 1, 2025. (Effective September 1, 2025.)

**S.B. 1008 (Middleton/Harris) – Regulation of Food Service Industry:** this bill, among other things:

1. with respect to a food service establishment, retail food store, mobile food unit, roadside food vendor, temporary food service establishment: (a) authorizes a city to require a permit, license, certification, or other form of authority for an establishment or its employees only if the same requirement would apply to a similar entity or person who was located within the city’s jurisdiction; (b) prohibits a city from charging an establishment: (i) a permit fee for the retail sale of alcoholic beverages if the establishment has already paid a fee to any county, city, or public health district; (ii) a fee, including processing fees or added costs, that exceeds the fee the establishments would be pay to the Texas Department of State Health Services, if the establishment were in its jurisdiction; and (iii) a reinspection fee except under certain circumstances; (c) authorizes a city with a population of 950,000 or more, following a public hearing, to charge up to 120 percent of the total authorized fee if the city determines that the increased fee is necessary to protect public safety;
2. requires a city to establish a fee schedule and submit a copy of the schedule to the Department of State Health Services not later than 60 days after the schedule takes effect;
3. requires a city that requires permits, charges fees, or conducts inspections of food service entities to: (a) provide an opportunity for stakeholders to sign up for e-mail updates from

the entity; and (b) notify by e-mail all stakeholders who have signed up for the updates at least 60 days before a fee, permit, or inspection protocol is revised;

4. prohibits a city from requiring a food service establishment to obtain a sound regulation permit, charging a sound regulation fee, or otherwise prohibiting sound-related activity at an establishment, if the establishment: (a) accepts delivery of supplies or other items, provided that if the delivery occurs between 10 p.m. and 5 a.m., then: (i) the delivery lasts for one hour or less; (ii) the delivery is only for food, nonalcoholic beverages, food service supplies, or ice; and (iii) the delivery sound level when measured from the residential property closest in proximity to the establishment does not exceed 65 dBA, excluding traffic and other background noise that can be reasonably excluded; or (b) is a restaurant that limits the use of amplified sound for playing music or amplifying human speech within the establishment's indoor or outdoor property boundaries to ensure: (i) the amplified sound is not used after 10 p.m. on Sunday through Thursday and 11 p.m. on Friday and Saturday; and (ii) the amplified sound level does not exceed 70 dBA or 75 dBC when measured at the establishment's property perimeter, excluding traffic and other background noise that can be reasonably excluded;
5. exempts from the prohibition in Number 4(b)(ii), above, a food service establishment on property located within 300 feet of residential property that was occupied before the restaurant was located on the property;
6. provides that Number 4, above, does not restrict the authority of a city to enforce sound regulations to the extent the ordinance does not conflict with that provision; and
7. prohibits a city from requiring a permitted food service establishment or permitted mobile food unit to obtain an additional permit to transport, deliver, and serve food at the premises of a workplace under certain conditions.

(Effective September 1, 2025.)

**S.B. 1025 (Bettencourt/Troxclair) – Tax Elections:** requires a ballot proposition for the imposition or increase of a tax to include, at the top of the proposition in capital typewritten letters of the same font size as the rest of the proposition, the statement “THIS IS A TAX INCREASE.” (Effective immediately.)

**S.B. 1036 (Zaffirini/Darby) – Solar Retailers Preemption:** among other things: (1) directs the Texas Department of Licensing and Regulation to: (a) create a state registration process for residential solar energy system retailers and salespeople; and (b) adopt rules necessary to administer and enforce the program; and (2) in the case of a conflict between the program and a city ordinance, preempts cities from regulating the same conduct. (Effective September 1, 2025.)

**S.B. 1119 (Hughes/Harris Davila) – Liability for Water Park:** among other things, provides that: (1) a water park entity is not liable to any person for a water park participant injury if, at the time of the water park participant injury, a specific warning sign is posted in a clearly visible location at or near the entrance to the water park; and (2) the limitation in (1), above, does not limit

liability for an injury: (a) proximately caused by: (i) the water park entity's negligence with regard to the safety of the water park, water park activity, or water park participant; (ii) a potentially dangerous condition at the water park, of which the water park entity knew or reasonably should have known; or (iii) the water park entity's failure to train or improper training of an employee of the water park entity actively involved in the water park or a water park activity; or (b) intentionally caused by the water park entity. (Effective immediately.)

**S.B. 1202 (King/Dean) – Third-Party Review or Inspection of Home Backup Power Installation:** this bill, among other things:

1. defines “home backup power installation” as an electric generating facility, an energy storage facility, a standby system, and any associated infrastructure and equipment intended to provide electrical power to a one- or two-family dwelling, regardless of whether the facility or system is capable of participating in a wholesale electric market, that is connected at 600 volts or less;
2. does not limit the authority of: (a) an electric utility from implementing the utility's tariff; or (b) a municipally owned electric utility from enforcing interconnection and service policies;
3. authorizes the following people to review a development document required by a regulatory authority to install a home backup power installation without having to submit the document to the regulatory authority for review: (a) a person employed by the regulatory authority to review development documents; (b) a person employed by another political subdivision to review development documents, if the regulatory authority has approved the person to review development documents; (c) a licensed engineer; (d) an electrical inspector; or (e) a licensed master electrician;
4. authorizes the following persons to conduct a development inspection required by a regulatory authority to install a home backup power installation without having to request the inspection from the authority: (a) a certified building inspector; (b) a person employed by the regulatory authority as a building inspector; (c) a person employed by another political subdivision as a building inspector, if the regulatory authority has approved the person to perform inspections; (d) a licensed engineer; (e) an electrical inspector; or (f) a licensed master electrician;
5. requires a regulatory authority to: (a) post each law, rule, fee, standard, and other document necessary for a person to review a related development document or conduct a development inspection of a backup home power installation; (b) provide an electronic copy of the information from (a), above, to a requestor within two business days; and (c) issue each approval, permit, or certification applicable to a review or inspection not later than the third business day after the date the authority receives notice of the completed review or inspection;
6. authorizes the third party reviewer or inspector to: (a) use software designed to automate the required review without that person performing additional manual review; (b) rely on

the accuracy of information provided by a regulatory authority; and (c) use applicable building code standards if the regulatory authority has not timely provided its rules, standards, and fee schedules upon request or posted them on the regulatory authority's internet website;

7. prohibits a regulatory authority from charging a fee for issuance of an approval, permit, or certification for a home backup power installation if the authority has not posted or provided its fee schedule as required by Number 5, above;
8. requires a person who reviews a development document or conducts a development inspection to provide to the regulatory authority a copy of any development document or inspection-related note or report the person creates as part of the review or inspection not later than the date the person provides notice to the regulatory authority of the results of the review or inspection;
9. allows construction to commence upon submission of the notice to the city of the results of the required review or inspection; and
10. provides that: (a) a person reviewing a development document or performing a development inspection is liable for damages resulting from their negligent acts or omissions in conducting the review or inspection; and (b) a regulatory authority is not liable for a review or inspection conducted by a third party.

(Effective September 1, 2025.)

**S.B. 1405 (Nichols/Ashby) – Broadband Service:** provides, among other things, that for purposes of the state's broadband program: (1) the term "broadband service" means internet service with the capability of providing broadband speeds of not less than 100 Mbps for downloads and 20 Mbps for uploads; and (2) a broadband serviceable location is considered underserved if: (a) it does not have access to reliable broadband service capable of providing speeds matching standards adopted by the Federal Communications Commission if required by the comptroller, or otherwise, by state law; or (b) it is a public school or community anchor institution and does not have access to reliable gigabit-level broadband service. (Effective immediately.)

**S.B. 1851 (Nichols/Harris) – Annual Audits:** provides that if the attorney general determines that a city has not had its records and accounts audited and an annual financial statement prepared based on the audit or has not filed the financial statement and the auditor's opinion on the statement in the office of the city secretary or clerk before the 180th day after the last day of the city's fiscal year, the city may not adopt a property tax rate that exceeds the city's no-new-revenue tax rate for a tax year until the city has complied with those requirements. (Effective September 1, 2025.)

**S.B. 1901 (Huffman/Bonnen) – Texas Opioid Abatement Trust Fund:** provides, among other things, that the trust company may reallocate certain money that was distributed or should have been distributed to a city if the city: (1) does not deposit the money before the second anniversary of the date on which the money was distributed; or (2) submits in writing to the trust company a

document indicating that the city forfeits or refuses to accept the money. (Effective September 1, 2025.)

**S.B. 1921 (West/Anchia) – Tourism Public Improvement Districts:** among other things, authorizes a person who is employed in a management position responsible for overseeing the operations of a hotel to sign a petition for the establishment of a tourism public improvement district if the person provides a written statement that the person is authorized to enter into a binding agreement concerning the operation of a hotel on behalf of the owner of a hotel. (Effective immediately.)

**S.B. 1964 (Parker/Capriglione) – Artificial Intelligence:** among other things: (1) requires local governments to complete a review of the deployment and use of a heightened scrutiny artificial intelligence system and provide the review to the Department of Information Resources (DIR); (2) directs DIR to: (a) establish an artificial intelligence system code of ethics for use by state agencies and local governments that procure, develop, deploy, or use a heightened scrutiny artificial intelligence system; (b) develop minimum risk management and governance standards for the deployment, procurement, and use of heightened scrutiny artificial intelligence systems by a state agency or local government; (c) develop training materials for state and local government employees and the general public on the use of artificial intelligence systems; (d) provide resources to local governments to advise on the management of heightened scrutiny artificial intelligence system procurement and deployment, data protection measures, and employee training; and (e) establish accountability measures and risk management guidelines for state agencies and local governments; (3) requires that each state agency and local government that deploys or uses an artificial intelligence systems that the public directly accesses or that is a controlling factor in any decision that has a material legal or similarly significant effect on the provision, denial, or conditions of a person's access to a governmental service include a standardized notice on all related applications, Internet websites, and public computer systems; and (4) establishes an online complaint system on the attorney general's Internet website that allows a person to report a complaint relating to artificial intelligence systems. (Effective September 1, 2025.)

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## CITY OF EVERMAN, TEXAS

RESOLUTION NO. 2013-12-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, APPOINTING THREE MEMBERS TO THE BOARD OF DIRECTORS OF TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER ONE (TIF #1), CITY OF EVERMAN, TEXAS, APPOINTING ONE MEMBER OF THE BOARD TO SERVE AS CHAIRMAN FOR THE ENSUING YEAR, AND PROVIDING FOR OTHER MATTERS RELATING TO SUCH BOARD.

WHEREAS, on November 12, 2013 pursuant to Chapter 311 of the Texas Tax Code Annotated (Vernon 2002), the City Council of the City of Everman adopted Ordinance No. 670 which designated an area as Tax Increment Financing Reinvestment Zone Number One (TIF #1), City of Everman, Texas and established a Board of Directors for the Zone; and

WHEREAS, Section 4 of the Ordinance provides that the Board of Directors for the Zone shall consist of three members appointed by Resolution of the City Council of the City of Everman; and

WHEREAS, Section 4 of the Ordinance provides that the terms of the members of the Board of Directors shall be two years, and that each year the City Council shall designate a member of the Board of Directors to serve as Chairman for a term of one year.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, THAT:

SECTION 1

The three following individuals, who are qualified voters of the City of Everman, are hereby appointed to the Board of Directors of Tax Increment Financing Reinvestment Zone Number One (TIF #1), City of Everman, Texas, to serve for a term of two years beginning November 1, 2013 and ending on October 31, 2015.

1. Susan Mackey
2. Rudy Sellers
3. Michelle Meyer

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**SECTION 2**

Susan Mackey is hereby designated to serve as Chairman of the Board of Directors of Tax Increment Financing Reinvestment Zone Number One (TIF #1), City of Everman, Texas, to serve until October 31, 2014, and that each year thereafter, the City Council of the City of Everman shall appoint one voting member of the Board of Directors to serve as Chairman for a one year term that begins on November 1.

**SECTION 3**

That this Resolution shall take effect immediately from and after its adoption and is accordingly so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 12<sup>th</sup> DAY OF NOVEMBER 2013.

APPROVED:

Ray Richardson  
MAYOR

ATTEST:

Michelle Lopez  
CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

Betsy Slaw  
CITY ATTORNEY

CITY OF EVERMAN, TEXAS  
ORDINANCE NO. 670

**AN ORDINANCE DESIGNATING A CERTAIN AREA AS TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER ONE, CITY OF EVERMAN, TEXAS, ESTABLISHING A BOARD OF DIRECTORS FOR SUCH REINVESTMENT ZONE, MAKING CERTAIN FINDINGS, AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, the City Council of the City of Everman, Texas, (the "City"), desires to promote the development of a certain contiguous geographic area within its jurisdiction by the creation of a reinvestment zone, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, Vernon's Texas Codes Annotated (the "Act"); and

**WHEREAS**, in compliance with the Act, the City has called a public hearing to hear public comments on the creation of the proposed reinvestment zone and its benefits to the City and the property in the proposed reinvestment zone; and

**WHEREAS**, in compliance with the Act, notice of such public hearing was published on October 28, 2013, in the Commercial Recorder, a paper of general circulation in the City, such publication date being not later than seven (7) days prior to the date of the public hearing; and

**WHEREAS**, such hearing was convened at the time and place mentioned in the published notice, to wit, on the 12<sup>th</sup> day of November, 2013 at 7:00 p.m., in the City Hall of the City of Everman, Texas, which hearing was then closed; and

**WHEREAS**, the City, at such hearing, invited any interested person, or his attorney, to appear and speak for or against the creation of the reinvestment zone, the boundaries of the proposed reinvestment zone, whether all or part of the territory which is described and attached hereto as Exhibit "A" and depicted on the map attached hereto as Exhibit "B" should be included in such proposed reinvestment zone, the concept of tax increment financing and the appointment of a board of directors of the proposed reinvestment zone; and

**WHEREAS**, all owners of property located within the proposed reinvestment zone and all other taxing units and other interested persons were given a reasonable opportunity at such public hearing to protest the creation of the proposed reinvestment zone and/or the inclusion of their property in such reinvestment zone; and

**WHEREAS**, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone, and opponents, if any, of the reinvestment zone appeared to contest creation of the zone;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS:**

**SECTION 1:** That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

**SECTION 2:** That the City Council, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

- a) That the public hearing on adoption of the reinvestment zone has been properly called, held and conducted and that notice of such hearing has been published as required by law.

b) That creation of the proposed reinvestment zone with boundaries as described in Exhibits "A" and "B" will result in benefits to the City, its residents and property owners, in general, and to the property, residents and property owners in the reinvestment zone.

c) That the reinvestment zone, as defined in Exhibits "A" and "B", meets the criteria for the creation of a reinvestment zone set forth in the Act in that:

1. It is a contiguous geographic area located wholly within the corporate limits of the City.

2. The area is predominately open, undeveloped or underdeveloped, and lack of necessary public improvements impairs growth.

d) That 30 percent or less of the property in the proposed reinvestment zone, excluding property dedicated to public use, is used for residential purposes, which is defined in the Act as any property occupied by a house which has less than five living units.

e) That the total appraised value of all taxable real property in the proposed reinvestment zone according to the most recent appraisal rolls of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, according to the most recent appraisal rolls of the City, does not exceed 50 percent of the current total appraised value of taxable real property in the City and in the industrial districts created by the City, if any.

f) That the proposed reinvestment zone does not contain more than 50 percent of the total appraised value of real property taxable by a county or school district.

g) That the improvements in the reinvestment zone will significantly enhance the value of all taxable real property in the reinvestment zone.

h) That the development or redevelopment of the property in the proposed reinvestment zone will not occur solely through private investment in the reasonable foreseeable future.

**SECTION 3.** That the City hereby creates a reinvestment zone over the area described in Exhibit "A" attached hereto and depicted in the map attached hereto as Exhibit "B" and such reinvestment zone shall hereafter be identified as Tax Increment Financing Reinvestment Zone Number One, City of Everman, Texas (the "Zone" or "Reinvestment Zone").

**SECTION 4.** That there is hereby established a board of directors for the Zone that shall consist of five members. The board of directors of Tax Increment Financing Reinvestment Zone Number One, City of Everman, Texas shall be appointed as follows:

- a) Three members shall be appointed by the City Council of the City of Everman, one member shall be appointed by the Tarrant County Commissioners Court and one member shall be appointed by the Tarrant County Hospital District. The initial board of directors shall be appointed by resolution within sixty (60) days of the passage of this ordinance or within a reasonable time thereafter. All members appointed to the board shall meet the eligibility requirements set forth in the Act. The governing bodies of other taxing units that levy taxes on real property in Tax Increment Financing Reinvestment Zone Number One have chosen not to pay any of their taxes into the Tax Increment Fund and have waived their right to appoint board members.

b) The terms of the board members shall be two-year terms. The City Council shall designate a member of the board to serve as chairman of the board of directors, and the board shall elect from its members a vice chairman and other officers as it sees fit.

c) The board of directors shall make recommendations to the City Council concerning the administration of the Zone. It shall prepare and adopt a project plan and reinvestment zone financing plan for the Zone and must submit such plans to the City Council for its approval. The board of directors shall possess all powers necessary to prepare, implement and monitor such project plan and financing plan for the reinvestment zone as the City Council considers advisable, including the submission of an annual report on the status of the Zone.

SECTION 5: That the Zone shall take effect on January 1, 2013 and that the termination of the Zone shall occur on December 31, 2042, or at an earlier time designated by subsequent ordinance of the City Council in the event the City determines that the Zone should be terminated due to insufficient private investment, accelerated private investment or other good cause, or at such time as all project costs and tax increment bonds, if any, and the interest thereon, have been paid in full.

SECTION 6: That the Tax Increment Base for the Zone, which is the total appraised value of all taxable real property located in the Zone, is to be determined as of January 1, 2013, the year in which the Zone was designated a reinvestment zone.

SECTION 7: That there is hereby created and established a Tax Increment Fund for the Zone which may be divided into such subaccounts as may be authorized by subsequent resolution or ordinance, into which all Tax Increments, less any of the amounts not required to be paid into the Tax Increment Fund pursuant to the Act, are to be deposited. The Tax Increment Fund and any subaccounts are to be maintained in an account at the City Treasurer's affiliated depository bank of the City and shall be secured in the manner prescribed by law for funds of Texas cities. In addition, all revenues from the sale of any tax increment bonds and notes hereafter issued by the City, revenues from the sale of any property acquired as part of the tax increment financing plan and other revenues to be dedicated to and used in the Zone shall be deposited into such fund or subaccount from which money will be disbursed to pay project costs for the Zone or to satisfy the claims of holders of tax increment bonds or notes issued for the Zone.


SECTION 8: That if any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 9: This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

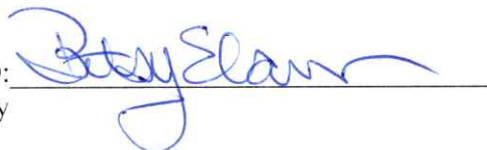
DULY PASSED by the City Council of Everman, Texas, this 12<sup>th</sup> day of November, 2013.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Secretary

APPROVED:  
City Attorney

  
\_\_\_\_\_  
City Attorney



Ordinance Designating TIF  
EVERMAN, Texas



## EXHIBIT A

CITY OF EVERMAN  
TAX INCREMENT FINANCING REINVESTMENT ZONE No. 1

BOUNDARY DESCRIPTION

Beginning at the northeast corner of the ROW intersection of Race Street and Shelby Road, the POINT OF BEGINNING;

THENCE, east along the north ROW of Shelby Road to the southwest corner of Shelby County School Land, Tract 19A;

THENCE, north along the west boundary of Shelby County School Land, Tract 19A, Block 19, Tract 19M and Recold Industrial Park, Tracts 1 through 10 to the north property line of Recold Industrial Park, Tract 1;

THENCE, east along the north boundary of Recold Industrial Park, Tract 1, to a point directly south of the east ROW of Cunningham Street;

THENCE, north across Barron Street continuing along the east ROW of Cunningham Street to the south ROW of Noble Avenue;

THENCE, east along the south ROW of Noble Avenue to the west ROW of the I&GN Railroad ROW;

THENCE, northerly along the west ROW of the I&GN Railroad ROW to the southeast corner of the Baker Addition, Tract 18026;

THENCE, west along the south boundaries of the Baker Addition, Tract 18026, Tract 18035 and Tract 18031 to the southwest corner of Tract 18031;

THENCE, north along the west boundary of Baker Addition, Tract 18031 to its northwest corner;

THENCE, east along the north boundaries of the Baker Addition, Tract 18031 and 18034 to the southwest corner of the Baker Addition, Tract 18028;

THENCE, north along the west boundaries of the Baker Addition 18028, crossing Lee Street, Tract 18025A, Tract 18032, crossing Kings Street, Tract 18024, Tract 18027, Tract 18021A and Tract 18021 to its northwest corner;

THENCE, east along the north boundary of the Baker Addition, Tract 18021 to the west ROW of the I&GN Railroad ROW;

THENCE, northerly along the west ROW of the I&GN Railroad ROW to the north ROW of Belle Street;

THENCE, east along the north ROW of Belle Street, crossing the I&GN Railroad ROW to the city limits boundary;

THENCE; south and east along the city limits boundary to the west boundary of the Souder Elementary School property;

THENCE, south and east along the west and south boundary of the Souder Elementary School property to the west ROW of Forest Hill Drive;

THENCE, south along the west ROW of Forest Hill Drive to the south ROW of Enon Avenue;

THENCE, west along the south ROW of Enon Avenue to a point directly south of the west ROW of Thompson Street;

THENCE, north across Enon Avenue continuing along the west ROW of Thompson Street to the south ROW of Trammell Avenue;

THENCE, west along the south ROW of Trammell Avenue to the east ROW of the I&GN Railroad ROW;

THENCE, southeasterly along the east ROW of the I&GN Railroad ROW to the northwest corner of the Everman Industrial Park;

THENCE, east and south along the north and east boundaries of the Everman Industrial Park to the centerline of Shelby Road;

THENCE, west along the centerline of Shelby Road to the east ROW of Race Street;

THENCE, south along the east ROW of Race Street to a point opposite the north ROW of Townley Drive;

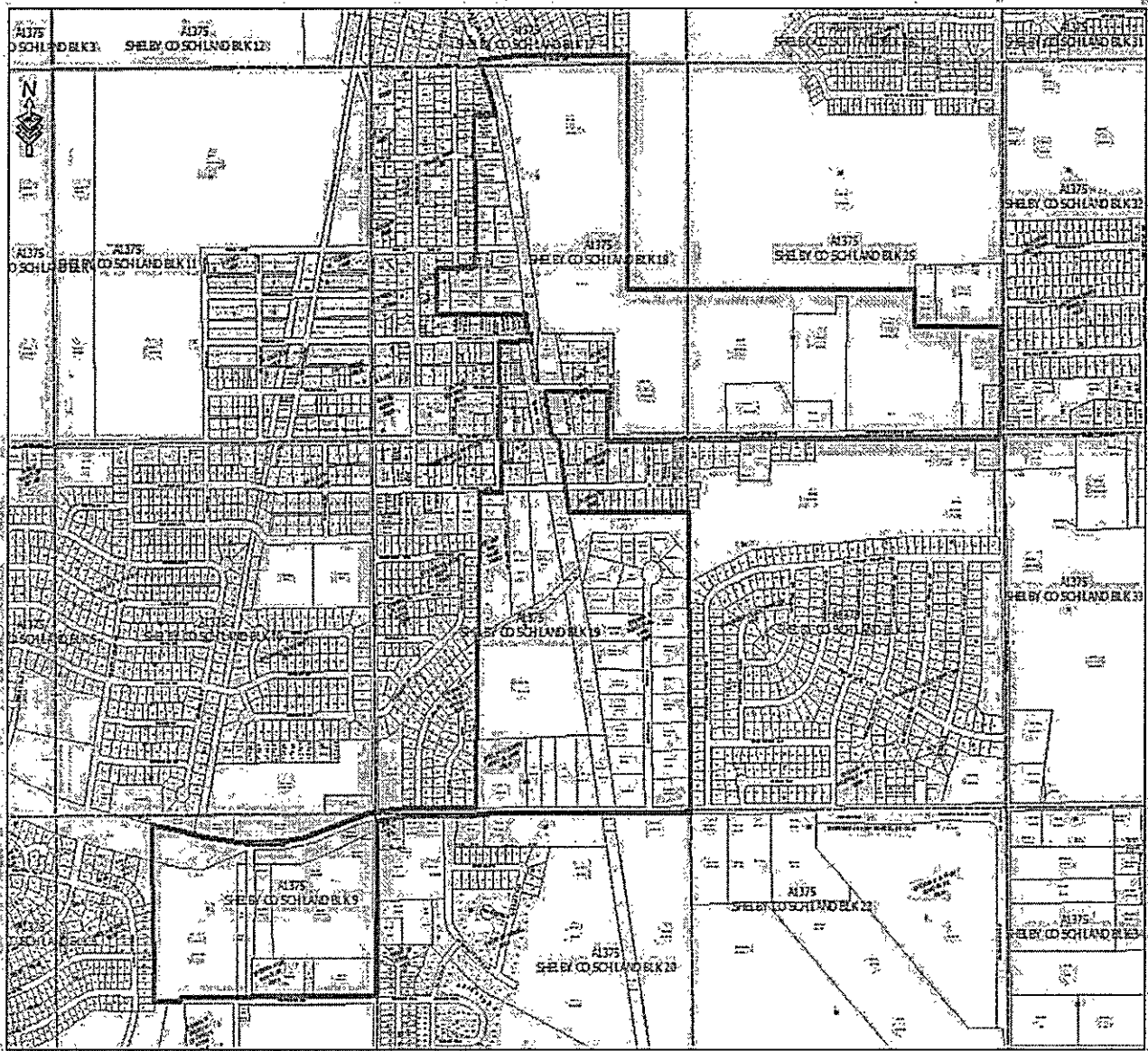
THENCE, west across Race Street and continuing west along the north ROW of Townley Drive, continuing west along the projection of the north ROW of Townley Drive to the Everman city limits;

THENCE, north along the Everman city limits, proceeding directly across Everman Parkway to the north ROW of Everman Parkway;

THENCE, easterly along the north ROW of Everman Parkway and continuing directly across Race Street to the northeast corner of the ROW intersection of Race Street and Shelby Road, the POINT OF BEGINNING, and containing an area of approximately 285 acres.

EXHIBIT B

CITY OF EVERMAN  
TAX INCREMENT FINANCING REINVESTMENT ZONE No. 1  
BOUNDARY MAP



CITY OF EVERMAN, TEXAS

ORDINANCE NO. 834

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EVERMAN, TEXAS, CHAPTER 11 “LICENSES, PERMITS AND MISCELLANEOUS BUSINESS REGULATIONS” BY REPEALING AND REPLACING IN ITS ENTIRETY ARTICLE V “PEDDLERS OR SOLICITORS”; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE .**

**WHEREAS**, the City Council desires to protect the safety, privacy and welfare of its residents; and

**WHEREAS**, unregulated solicitation and peddling may result in disturbances to residents and pose risks to public safety; and

**WHEREAS**, the City recognizes the constitutional rights of individuals to engage in commercial and expressive activities but finds it necessary to impose reasonable regulations on the time, place and manner of such activities; and

**WHEREAS**, the City Council has determined that it serves to protect the health, safety, and general welfare of the citizens of the City to adopt amended regulations regulating the time, place and manner of activity by peddlers or solicitors;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS THAT:**

**SECTION 1:** The Code of Ordinances of the City of Everman, Texas is hereby amended at Chapter 11 “Licenses, Permits and Miscellaneous Business Regulations” by repealing and replacing in its entirety Article V “Peddlers or Solicitors,” to read henceforth in its entirety as follows:

**“CHAPTER 11 Licenses, Permits and Miscellaneous Business Regulations**

. . .

**ARTICLE V Peddlers or Solicitors**

**Sec. 11-216 - General.**

This article regulates the time, place and manner for the solicitation of funds and the distribution of handbills within the corporate limits of the City of Everman. The provisions of this article, however, shall not apply to:

- A. The regular delivery of newspapers, magazines, or other items which have been subscribed to by the persons receiving them or by occupants of the premises to which they are delivered;
- B. The interruption of service notices by the City or other utility companies;
- C. The distribution of mail by the United States Postal Service government or the delivery of mail order merchandise purchased by the occupant of the premises;
- D. The service of any lien foreclosure;
- E. Governmental notices of any character distributed by the City of Everman or any other governmental entity; or.
- F. Any exceptions authorized by state law.

### **Sec. 11-217 - Definitions.**

The following words and phrases, when used in this article, shall have the meaning ascribed to them by this Section:

*Business day* means any calendar day except Saturday, Sunday or any state or national holiday.

*Canvass* shall mean, for the purposes of this article, to examine or discuss in detail; to make subject of discussion or debate; go through places or among people asking, requesting or engaging for vote/opinions concerning religious, political, or other topics of public concern but in no event, shall be construed to mean solicitation of funds or soliciting merchandise as provided herein.

*Charitable purpose* shall mean philanthropic, religious or other nonprofit objectives, including the benefit or poor, needy, sick, refugee or handicapped persons; the benefit of any church or religious society, sect, group or order; the benefit of a patriotic or veterans' association or organization; the benefit of any fraternal, social or civil organization, or the benefit of any educational institution. "Charitable purpose" shall not be construed to include the direct benefit of the individual making the solicitation. "Charitable purpose" shall not be construed to include the benefit of any political group or political organization which is subject to financial disclosure under state or federal law.

*Consumer* means an individual who seeks or acquires real or personal property, services, money, or credit for personal, family or household purposes.

*Consumer transaction* means a sales transaction in which one or more of the parties is a consumer.

*Deposit or depositing a handbill* means to place, distribute, handout, or circulate any type of handbill.



*Handbill, commercial* means and includes any printed or written matter, any sample or devise, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original copies or any matter or literature, which:

- a. Advertises for sale any merchandise, product, commodity, service, or thing;
- b. Directs attention to any business, mercantile, commercial establishment, or other activity for the purpose of either directly or indirectly promoting the interest thereof;
- c. Directs attention or advertises any meeting, theatrical performance, exhibition, group, fundraiser, or other event whether the purpose of directing attention and advertising is for private gain or for raising fund for a charitable purpose; or
- d. Contains information that is of a noncommercial nature, but remains predominantly and essentially an advertisement, and is distributed or circulated for advertisement purposes, for private gain, or for raising funds for a charitable purpose.

*Handbill, noncommercial* means and includes any printed or written matter, any sample or devise, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original copies of any matter or literature, pertaining to any speech not included in the definition of commercial handbill. Noncommercial handbills include, but are not limited to, handbills containing exclusively political and religious speech.

*Handbill distributor* means and includes any person engaging or engaged in the business for hire or gain of distributing commercial handbills, other than newspapers distributed to subscribers thereof, and any person receiving compensation directly or indirectly for the distribution of such commercial handbills.

*Handbill sponsor* means and includes the person, firm, or corporation who is utilizing commercial handbills as a medium of advertising or spreading a message.

*Home solicitation transaction* means: (i) a consumer transaction for the purchase of goods, services, or reality, payable in installments or in cash, in which the merchant engages in a personal solicitation of the sale to the consumer at a residence in person and the consumer's agreement of offer to purchase is given at the residence to the merchant; or (ii) any request for funds made by a person solicitation to the occupant of a residence at a place of residence and the solicitor is unknown to the occupant or owner of the residence at which the request for funds is made. A home solicitation transaction shall not include a sale made pursuant to a preexisting revolving charge account or retail charge agreement, or a sale made pursuant to prior negotiations between the parties at a business establishment at a fixed location where goods or services are offered or exhibited for sale; or a sale

where the consumer initiated a request for an appointment for the merchant to send a representative to his or her residence; or a sale of realty which transaction the purchaser is represented by a licensed attorney or in which the transaction is being negotiated by a licensed real estate broker.

*Individual or person* shall mean an individual, a person, a group of two or more individuals, a proprietorship, a partnership, a corporation, a limited liability company, an association, or other legal entity.

*Residence* means any living unit, occupied for residential purposes by one or more persons, contained within any type of building or structure.

*Solicit funds or solicitation of funds.* Any request for the payment or donation of money, property, or anything of value, or the pledge of a future payment or donation of money, property, or anything of value; or the selling or offering for sale of any service(s) or any property, real or personal, tangible or intangible, whether of value or not, including, but not limited to, goods, books, pamphlets, tickets, publications or subscriptions to publications. Expressly excluded from the meaning of solicit funds or solicitation of funds is any offer of membership in any organization. A solicitation of funds is complete when the solicitation is communicated to any individual then located within the corporate limits of the city.

*Sunset.* The time of day published on the weather page of the Dallas Morning News newspaper for sunset on that day in the City of Dallas, Texas.

#### **Sec. 11-218 - Permits required for solicitation.**

- A. Except as otherwise provided, a permit is required for an individual, person, or business entity through an agent or employee to solicit funds, as defined herein. A permit is required for the business entity, sponsor or merchant and for each individual representative, agent, member or employee of the business entity who will be soliciting funds within the City.
- B. A permit is not required for a handbill distributor, but such handbill distributor or sponsor must comply with the provisions of Section 11-225 of this article.

#### **Sec. 11-219 – Door to door solicitation.**

- A. Permit application must be submitted in writing to the Everman Police Department and shall include the following:
  - 1. The name of the person applying, that person's residence and/or business addresses, and his/her residence, cellular, and business telephone numbers.

2. In regard to any business entity, sponsor and/or merchant, the following:
  - a. If a natural person, the business and residence addresses and telephone numbers.
  - b. If a partnership: (i) the names of all partners; (ii) the name, principal business address; (iii) telephone number of the partnership and the agent for service of process; and (iv) the state of formation.
  - c. If a corporation or limited liability company, the person applying must state: (i) the mailing address and telephone number of the principal place of business and the registered agent; (ii) the mailing address, business location, telephone number and name of the individual in charge of the local office of such entity, if any; (iii) the names of all officers and directors or trustees of such corporation, or of all members (if member managed), managers and officers of such limited liability company; and (iv) the state of incorporation or formation.
  - d. If an association or any other entity, the person applying must state: (i) the mailing address and telephone number of the principal place of business and the agent for process of service; (ii) the names of all members/owners of the association unless they exceed ten in number, in which case the application shall so state and the person registering may alternatively list the names and business addresses and telephone numbers of the officers and directors or trustees of the association; and (iii) if the association is part of a multi-state organization or association, the mailing address and business location of its central office shall be given, in addition to the mailing address and business location of its local office.
  - e. The Everman Police Department may request satisfactory documentation of an individual's authority to represent the partnership, corporation, association or other business entity, the sponsor, and/or the merchant.
3. The names, mailing address, and telephone number of all individuals who will be in direct charge or control of the solicitation of funds or distribution of commercial handbills and responsible for ensuring compliance with this article.
4. The time period within which the solicitation of funds will be conducted, giving the date of the beginning of solicitation or distribution, and its concluding date.
5. A description of the methods and means by which the solicitation of funds is to be accomplished.

6. The names of other communities in which the applicant has solicited funds or distributed commercial handbills in the past six months.
  7. The nature of merchandise to be sold, offered for sale, or furnished and/or the nature of the services to be sold, offered for sale or furnished.
  8. Whether such applicant, upon any such order so obtained, will demand, accept, or receive payment or deposit of money in advance of final delivery.
  9. A statement to the effect that if a permit is granted, such permit will not be used or represented to be an endorsement or approval by the city or any of its officers or employees.
  10. Any other information which the City of Everman deems necessary for the administration of this article.
- B. Each applicant shall appear in person and provide proof of identification through submission of a valid driver's license or other valid, official photo identification.
  - C. The application must be accompanied by a copy of a valid state sales tax certificate, if applicable.
  - D. Information provided by the applicant in accordance with the provisions of this article shall be subject to verification by the Everman Police Department.
  - E. All applications, whether or not a permit is issued, shall be considered public record and shall be available for inspection by members of the public during regular business hours and copies may be obtained at cost in accordance with the Texas public information act. Redactions of personal identification numbers may be required under state law.

### **Sec. 11-220 – Permit fee and exemptions**

- A. Except as otherwise provided, every application for permit shall be accompanied by a nonrefundable application fee of \$50 or such other amount as shall, from time to time, be updated and approved by the Everman City Council by resolution, to cover the cost of administering this article, and such fee will not be refunded if a permit is not issued. No permit provided for by this article shall be issued until such fee has been paid by the applicant, unless an exemption applies.
- B. The following applicants are not required to pay a permit fee:
  1. Individuals operating under license(s) granted by a state agency.

**Sec. 11-221 – Permit issuance, denial, duration, and form.**

- A. When an application for solicitation permit is filed with the Everman Police Department, the department shall review the application.
- B. The Everman Police Department shall approve the application and issue the permit unless:
  - 1. The application fails to comply with a provision of this article;
  - 2. A pervious permit issued under this article was revoked within the past 12 months;
  - 3. The Everman Police Department determines that the applicant has been convicted of a felony, a crime of moral turpitude, or is a registered sex offender;
  - 4. The Everman Police Department determines that the applicant has furnished false information or identification; or
  - 5. The applicant has a warrant out for his/her arrest.
- C. Everman Police Department shall notify the applicant of its decision to approve or deny a permit application within ten business days of the receipt of the application. Notification of the decision shall be given in writing and either sent via U.S. mail to the applicant's address as listed on the permit application or delivered to the applicant in person.
- D. If the application was turned in as incomplete, the Everman Police Department shall not grant or deny the application but shall return the application with an explanation of what additional information/documentation is needed to process the application. The incomplete application and explanation shall be sent within ten business days of the receipt of the application to the applicant's address as listed on the permit application or it shall be delivered to the applicant in person.
- E. A permit requested under this section, if issued, shall be issued for the length of time requested, not to exceed six months.
- F. The city shall prescribe the form of the permit. The permit may contain a photo of the applicant. The following shall be printed prominently on each permit: "The issuance of this permit is not an endorsement by the City of Everman or any of its officers or employees." Each permit shall bear a permit number that corresponds with the city's files containing the application filed by the applicant.

**Sec. 11-222 – Permit suspension or revocation**

- A. If a permit holder fails to comply with any provision of this article, the Everman Police Department will take the following action:
  - 1. For a first offense under this article, any permit issued hereunder to the offender shall be suspended for a period not to exceed 30 days.



The chief of police, or his/her designee, shall determine the number of days of the suspension.

2. For a second offense under this article within a 12 month period, any permit issued hereunder to the offender shall be revoked, and such offender shall not be eligible to apply for another permit for a period of 12 months from the date of revocation.
- B. If a permit holder is arrested and charged with a felony, the permit shall be suspended until final disposition of the criminal charges.
1. Upon conviction or acceptance of deferred adjudication by the court, the permit shall be revoked.
  2. If the permit holder is found innocent or the charges are dismissed, the suspension of the permit shall be lifted.
- C. Upon suspension or revocation, the permit holder shall tender the permit to the Everman Police Department until completion of the suspension or successful appeal of the suspension or revocation.

#### **Sec. 11-223 – Appeal from denial, suspension, or revocation of permit.**

Should an applicant be denied a permit or have a permit suspended or revoked, he/she may appeal that action to the city manager by submitting a letter within ten business days of the denial, suspension or revocation. The city manager, or his/her designee, shall review the appeal and make a determination within ten business days of receiving the appeal request and shall have the authority to uphold, reverse, or modify the action complained of. However, should the city manager uphold the denial, suspension or revocation, he/she shall schedule a hearing before the city council at a regular or special meeting within thirty days of the denial, unless the applicant withdraws the appeal in writing. Such hearing shall be an administrative hearing, and adherence to formal rules of evidence shall not be required. The decision of the city council may be appealed, as allowed by law to any court with competent jurisdiction.

#### **Sec. 11-224 – Solicitor's identification.**

Each solicitor shall, during any time of solicitation, wear the permit issued by the City of Everman pursuant to this article in such a manner that it is visible to others and shall also carry with him/her and produce upon the request of any citizen, city employee, or city official, the following information and identification:

1. A copy of the valid state sales tax certificate, if applicable, and
2. A valid driver's license or other valid, state-issued photo identification.

**Sec. 11-225 – Handbill distribution.**

- A. Except as otherwise prohibited, no person, firm, corporation or other entity, shall distribute any commercial handbill on a private property, except in compliance with this section:
  - 1. Handing the commercial handbill directly to the owner, occupant, or any other person then present in or upon such premises;
  - 2. Depositing the handbill or noncommercial handbill in a secure manner to prevent such handbill from being blown or drifting about the premises, must be affixed to the front door or door window glass, or deposited in a receptacle designated for such purpose, except that mailboxes may not be used when prohibited by federal postal laws or regulations.
- B. Registration. Every individual or person as defined herein shall not distribute any commercial handbill on private property except after registration with the Everman Police Department in compliance with this section. The following information on a form provided by the department shall be submitted which includes:
  - 1. Submission must be provided to the city as provided herein at least 24 hours before any distribution.
  - 2. Provide a list of individuals that will be distributing the handbills.
  - 3. Provide the name, address, telephone number for the handbill distributor or sponsor.
  - 4. Indicate the type and number of any government issue identification for each person actually distributing the handbills.
  - 5. Provide a sworn statement that each distributor of handbills on private property has not been convicted of a felony and/or is not a registered sex offender.
  - 6. Dates and general area where the distribution will be conducted within the city.
- C. An individual, directly or through an agent or employee, may not:
  - 1. Throw, cast or scatter any handbills or leave any handbill unattended that is not securely affixed to the place of deposit.
  - 2. Distribute any commercial handbills outside without registering period.
  - 3. Distribute commercial handbills for a purpose other than what was represented in the registration that was made under this article.

4. Represent that the registration by the city constitutes an endorsement or approval of the solicitation or distribution by the city or its officers or employees.
  5. Distribute any commercial handbill or noncommercial handbill in or upon any premises which are temporarily or continuously uninhabited or vacant.
  6. Distribute any handbill upon any premises if requested not to do so by the owner, occupant, or any other person then present in or upon such premises, or if there is placed on such premises in a conspicuous place upon or near the main entrance of the residence or premises, a card as provided in Section 11-227 of this article (exhibiting card prohibiting solicitation and handbills of any type).
  7. Distribute any handbill in any place, under any circumstances, which does not have printed on the cover, front or back thereof, the name, address and telephone number of the handbill sponsor who caused the same to be distributed; provided, however, that in the case of a fictitious person or club, in addition to such fictitious name, the true name and addresses of the owners, managers, or agents for the fictitious person or club sponsoring such commercial handbill shall also appear thereon.
  8. Employ, hire, request, direct or cause, directly or indirectly, another person for whom a registration is not made to distribute handbills within the city.
  9. Distribute commercial handbills under the direction of another and not have a supervisor who can arrive at the location where the person is distributing the handbills or soliciting within ten minutes of being requested to appear, by the police or otherwise.
  10. Direct someone else to distribute handbills and not provide a supervisor who can arrive at the location where the person is distributing the handbills within ten minutes of being requested to appear, by the police or otherwise.
- D. No person convicted of a felony or sex offender, as defined by state law, may engage in placing any handbill upon any private residential premises.
- E. Upon completed registration in compliance with this article, the Everman Police Department shall issue an identification card which must be displayed on the person distributing handbills under this section.

### **Sec. 11-226 – Hours**

It shall be unlawful for any person, firm, association or corporation to solicit funds or distribute commercial or noncommercial handbills at a place of

residence during the following hours, unless invited to do so by the occupant or owner of the residence outside the following hours:

Monday—Friday: (daylight saving time)	Before 9:00 a.m. After 7:00 p.m.
Monday—Friday: (standard time)	Before 9:00 a.m. After 6:00 p.m.
Saturday:	Before 10:00 a.m. After 5:00 p.m.
Sunday:	None

**Sec. 11-227 – Exhibiting card prohibiting solicitation and handbills**

- A. A person, desiring to prohibit a merchant or other person engaged in a charitable or non-charitable solicitation, or home solicitation or placement of handbills or other advertisement or canvassing at such person's residence shall exhibit in a conspicuous place upon or near the main entrance to the residence a weatherproof card, not less than three inches by four inches in size containing the words, "NO SOLICITORS". The letters shall not be less than two-thirds of an inch in height. No person shall engage in a charitable or non-charitable solicitation, a home solicitation or affix, deposit, or otherwise leave handbills or canvass on or about said residences displaying a "NO SOLICITORS" card.
- B. Every person upon going onto any premises shall first examine the premises to determine if any notice prohibiting soliciting or distribution of commercial handbill or noncommercial handbill distribution is exhibited upon or near the main entrance to the premises. If notice prohibiting solicitation or commercial handbill or noncommercial handbill distribution is exhibited, the person shall immediately depart from the premises without disturbing, placing, or depositing any type of handbill or disturbing the occupant, unless the visit is the result of a request made by the occupant.
- C. No person shall go upon any premises and ring the doorbell, or rap or knock upon the door or create any sound in a manner calculated to attract the attention of the occupant of the premises, for the purpose of securing an audience with the occupant and engaging in or attempting to engage in a solicitation or distribution transaction, if a card, as described in this section, is exhibited in compliance with this article, unless the visit is the result of a request made by the occupant.
- D. No person, other than the owner or occupant of the premises, shall remove, deface, or render illegible, a card placed by the occupant pursuant to this section.

- E. Any merchant, solicitor, or person who has gained entrance to premises, or audience with the occupant, whether invited or not, shall immediately depart from the premises without disturbing the occupant further when requested to leave by the occupant.

**Sec. 11-228 – Sale of merchandise on public right-of-way; city parks; mobile vendors.**

- A. It shall be unlawful for any person to peddle, solicit, sell, offer for sale, or exhibit for sale any merchandise upon any public sidewalk, street, street right-of-way, parkway, or other public right-of-way, except that it shall be lawful for any person to engage in mobile vending operation involving food products upon any street, public street, street right-of-way, provided such person has previously obtained a solicitor's permit and a health permit from the city and under the conditions set forth in this section.
- B. No person shall engage in or attempt to engage in any mobile vending operation involving food products, on any public street which is not residential in character or on any street which includes four or more marked traffic lanes or within any city park.
- C. No person shall engage in or attempt to engage in any mobile vending operation involving food products unless such person has in his or her immediate possession a valid solicitor's permit and health permit issued by the city.
- D. Any person engaged in or who attempts to engage in mobile vending operations involving food products shall stop the motor vehicle only in immediate response to a direct request from a potential customer and for a period not to exceed 15 minutes.
- E. Any person engaged in mobile vending operations involving food products shall comply with all traffic laws and parking regulations. Sales and deliveries of products shall not be made from any part of the vehicle away from the curbside.
- F. No person may sell or offer for sale any food, drinks, confections, merchandise, or services by mobile vending within the limits of any city park except as may be provided in Article III of this Chapter 11.

**Sec. 11-229 – Handbills on public property.**

It shall be unlawful for any person to paste, stick, affix or place any advertisement, handbill, placard, printed material, picture or written matter or any device for advertising purposes upon any fence, railing, sidewalk, telephone, electric light or public utility pole or other public property, or to knowingly permit the same to be done.



**Sec. 11-230 – Penalty**

Any owner, person, firm, corporation or business entity violating this article shall be deemed guilty of a Class C misdemeanor, and upon conviction thereof shall be fined a sum not exceeding \$500.00. Each continuing day's violation under this article shall constitute a separate offense. The penal provisions imposed under this article shall not preclude Everman from filing suit to enjoin the violation. Everman retains all legal rights and remedies available to it pursuant to local, state and federal law.”

**SECTION 2:** All ordinances, orders, or resolutions heretofore pass and adopted by the City Council of the City of Everman, Tarrant County, Texas are hereby repealed to the extent that said ordinances, orders, or resolutions, or parts thereof, are in conflict herewith.

**SECTION 3:** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

**SECTION 4.** This ordinance shall be effective from and after its passage.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Everman, Tarrant County, Texas this the 24th day of June, 2025.

APPROVED:

\_\_\_\_\_  
Ray Richardson, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Mindi Parks, City Secretary

\_\_\_\_\_  
Victoria Thomas, City Attorney  
4925-4443-6555, v. 1

CITY OF EVERMAN, TEXAS

RESOLUTION NO. 2025-06-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS,  
ACCEPTING THE FISCAL YEAR 2024 ANNUAL AUDIT REPORT AS PRESENTED  
AND ATTACHED HERETO AS EXHIBIT A; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Everman, Texas is required by law and best municipal financial practices to conduct an annual independent audit of its financial statements and operations; and

WHEREAS, the firm of Pattillo, Brown & Hill, LLP, Certified Public Accountants, was engaged to perform the independent audit of the City’s financial records for Fiscal Year 2024; and

WHEREAS, the FY 2024 Annual Audit Report has been completed and presented to the City Council in accordance with applicable auditing standards and governmental accounting principles; and

WHEREAS, the City Council has reviewed and discussed the findings, financial statements, and related materials included in the Annual Audit Report, and finds the report to be acceptable and accurate in its representation of the City’s financial position;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS, THAT:

SECTION 1. The City Council hereby formally accepts the Fiscal Year 2024 Annual Audit Report as presented by Pattillo, Brown & Hill, LLP, and as attached hereto as **Exhibit A**.

SECTION 2. The City Manager or his designee is hereby authorized to submit the accepted report to all appropriate agencies, entities, and interested parties, and to take any additional action necessary to ensure compliance with state and local reporting requirements.

SECTION 3. This resolution shall take effect immediately upon its adoption.

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**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2025, by the City Council of the City of Everman, Texas.

**APPROVED:**

\_\_\_\_\_  
**Ray Richardson, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Mindi Parks, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Victoria Thomas, City Attorney**