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Summaries*

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88th Regular Session Legislative Update for Risk Pool Members

After each legislative session, the Texas Municipal League’s legal staff prepares the “final wrap up” edition of the [Legislative Update](#) newsletter. The task is monumental. Probably no other advocacy organization goes to the same lengths to quickly and accurately prepare summaries of every city-related bill that passed.

Risk Pool staff has taken the liberty of preparing this abbreviated version that includes bills of most interest to TML Risk Pool Members. Pool staff has also included some additional commentary on certain bills based on the Pool general counsel’s legislative report to the Board of Trustees. Thanks to all for their efforts on behalf of Texas cities and the Pool.

BILLS THAT FAILED TO PASS

Below are two significant bills that failed to pass.

Expiration of COVID-19 First Responder Disease Presumption

[H.B. 2926 \(Turner\)](#) – COVID-19 Disease Presumption: Senate Bill 22, which was effective June 14, 2021 (and retroactively applied to a COVID-19 diagnosis on or after the date of the governor’s first disaster declaration on March 13, 2020), enacted Texas Government Code Section 607.0545. That section provided a disease “presumption” for first responders diagnosed with COVID-19. The original bill contained a “sunset provision,” which provides that its presumption

expires on September 1, 2023. During the 2023 legislative session, H.B. 2926 would have extended the expiration date to September 1, 2025. **However, the bill failed to pass.** Thus, come September 1, 2023, COVID-19 will be treated as an ordinary disease of life, which is not considered an occupational disease under the Texas Workers' Compensation Act.

Law Enforcement Agency Accreditation

S.B. 267 (King/Burrows) – Law Enforcement Agency Accreditation: this bill was **VETOED BY THE GOVERNOR AND WILL NOT BECOME LAW**. It would have provided, among other things, that: (1) the Texas Commission on Law Enforcement (TCOLE) shall adopt rules requiring each law enforcement agency that employs at least 20 peace officers to become accredited and maintain accreditation through or by (a) the Texas Police Chiefs Association Law Enforcement Agency Best Practices Accreditation Program; (b) the Commission on Accreditation for Law Enforcement Agencies, Inc.; (c) the International Association of Campus Law Enforcement Administrators; (d) an accreditation program developed by the Sheriff's Association of Texas; or (e) an association or organization designated by TCOLE; (2) the rules adopted under (1), above, must require a law enforcement agency that is not already accredited to: (a) execute a contract with an approved accrediting entity not later than September 1, 2027; and (b) become accredited not later than September 1, 2029; (3) TCOLE shall implement a program to assist law enforcement agencies in becoming accredited; (4) TCOLE shall periodically review associations and organizations that establish standards of practice for law enforcement agencies and that offer accreditation to agencies that meet those standards; (5) a law enforcement agency shall annually report the agency's accreditation status, including the applicable accrediting entity described in (1), above, to TCOLE; (6) TCOLE shall post on its website a list of all law enforcement agencies that are currently accredited or under contract with an accrediting entity; and (7) the comptroller shall establish and administer a grant program to provide financial assistance for purposes of becoming accredited as required by (1), above, to each law enforcement agency that employs fewer than 250 peace officers.

BILLS THAT PASSED

Below is a list of the more significant bills affecting the Pool and its Member cities. All bills are effective now or on September 1, 2023, unless otherwise noted. Of course, many more bills affecting cities and governmental entities passed. TML has prepared [master lists](#) of all city-related bills filed and passed this session.

New Causes of Action

H.B. 567 (Bowers/Miles) – Hair Discrimination: provides, among other things, that: (1) discrimination because of race or on the basis of race in employment includes discrimination because of or on the basis of an employee's hair texture or protective hairstyle (braids, locks, and twists) commonly or historically associated with race; and (2) an employer, including a city, commits an unlawful employment practice if the employer adopts or enforces a dress or grooming policy that discriminates against a hair texture or protective hairstyle commonly or historically associated with race.

H.B. 2127 (Burrows/Creighton) – Preemption: this bill, known as the Texas Regulatory Consistency Act, does three things: (1) it expressly preempts certain city regulations in the Labor, Property, and Local Government Codes, while exempting specific city regulations from preemption in certain circumstances; (2) it prohibits a city from adopting or enforcing an ordinance in a field of regulation occupied by state law in eight specific codes; and (3) it allows a person, or a trade association representing a person, after providing a city with at least three months' notice, to sue the city for adopting or enforcing an ordinance preempted under its terms. Moving forward, one primary unresolved question looms large: what fields of regulation does the state occupy? Quite simply, we do not know. This is a legal question that the courts must decide on a case-by-case basis. The full scope of H.B. 2127 will likely be unknown for years. TML has prepared a [more detailed summary](#) of the bill.

Worker's Compensation

H.B. 471 (Patterson/Schwertner) – Illness or Injury Leave: as-filed, this bill would have amended the smoking exception to the presumption statute for first responders to make it apply only to regular use of tobacco during the seven years preceding the illness diagnosis. It would have also amended the heart attack and stroke presumption to apply to heart attacks and strokes that occur not later than eight hours after the end of the shift in which the first responder engage in stressful or strenuous activity involving their job duties. In the House, Rep. Patterson worked with the Pool and accepted the changes proposed by the Pool. In the Senate, both presumption provisions were unexpectedly removed. What remained in the bill was a leave of absence for first responders for an illness or injury related to the first responder's line of duty. The leave is with full pay, but it is offset by any workers' compensation income benefits that are paid. TML staff prepared a detailed [FAQ](#) on the bill.

H.B. 2314 (Canales/Kolkhorst) – Death Benefits: allows workers' compensation claims for death benefits to be filed with either the Division of Workers' Compensation or the insurance carrier. If the claim is filed with the insurance carrier, the carrier must provide written notice to the Division of Workers' Compensation.

H.B. 2468 (Burrows/Perry) – Workers' Compensation: this bill, among other things, provides that a first responder who sustains a serious bodily injury in the course and scope of the employee's employment or volunteer services as a first responder that renders the employee permanently unemployable is entitled to receive lifetime income benefits paid until the employee's death for the employee's injury.

H.B. 3335 (Canales/Kolkhorst) – Scope of Employment: provides that for purposes of workers' compensation, the travel of a peace officer en route to an emergency call is considered to be in the course and scope of the peace officer's employment.

First Responder Administration

H.B. 568 (Bowers/Menendez) – Peace Officer Training: provides that, as part of the minimum curriculum requirements, peace officer training must include instruction on interacting with

persons with Alzheimer's disease and other dementias, including: (1) techniques for recognizing symptoms; (2) communicating effectively; (3) employing alternatives to physical restraints; and (4) identifying signs of abuse, neglect, or exploitation.

H.B. 624 (Cody Harris/Birdwell) – Emergency Medical Transport by Firefighters: provides that: (1) a firefighter, regardless of licensure as an emergency medical services provider, may transport a sick or injured patient to a health care facility in a vehicle other than an emergency medical services vehicle if: (a) the appropriate emergency medical services provider is notified of the patient's clinical condition and is unable to provide emergency medical services at the patient's location; and (b) the medical treatment and transport operating guidelines for the patient's apparent clinical condition authorize transport of the patient in a vehicle other than an emergency medical services vehicle; and (2) each trauma service area regional advisory council shall develop medical treatment and transport operating guidelines necessary for the implementation of (1)(b), above, for the area served by the council and provide notice of the guidelines to the emergency medical services providers and fire fighters in that area.

H.B. 1133 (Spiller/Flores) – Volunteer Security Services: provides, among other things, that: (1) a peace officer providing volunteer security services at a place of religious worship or on the premises where an event sponsored by a public school is taking place may: (a) with the consent of the head of the employing or appointing law enforcement agency, wear the uniform of the agency, or (b) wear another uniform or badge that gives the person the appearance of being a peace officer; and (2) the reimbursement or payment of an insurance policy insuring a peace officer who provides volunteer security services for civil liability arising from acts occurring while providing those services is not considered compensation or reimbursement.

H.B. 1486 (Gerdes/Whitmire) – Mental Health Leave Policy: provides that: (1) each law enforcement agency, and each state agency or political subdivision, including a city, that employs a full-time telecommunicator, shall develop and adopt a policy allowing the use of mental health leave by a full-time telecommunicator employed by the agency who experienced a traumatic event in the scope of that employment; (2) the mental health leave policy adopted under (1), above, must: (a) provide clear and objective guidelines establishing the circumstances under which a telecommunicator is granted and may use mental health leave; (b) entitle a telecommunicator to mental health leave without a deduction in salary or other compensation; (c) enumerate the number of mental health leave days available to a telecommunicator; and (d) detail the level of anonymity for a telecommunicator who takes mental health leave; and (3) the mental health leave policy adopted under (1), above, may provide a list of mental health services available to telecommunicators in the area of the law enforcement or employing agency.

H.B. 1661 (Burns/King) – Police Maximum Hiring Age: repeals the provision that prohibits a person who is 45 years of age or older from being certified for a beginning position in a police department. (Effective September 1, 2023.)

H.B. 3858 (Frazier/Johnson) – Peace Officer Wellness Program: provides, among other things, that: (1) a law enforcement agency may establish and maintain a wellness program for the agency's peace officers; (2) a law enforcement agency that establishes a wellness program must ensure the program complies with any requirements established by Texas Commission on Law Enforcement (TCOLE) and is available to each peace officer who has routinely responded to and may have been

affected by a violent incident; (3) the program at a minimum must provide: (a) an initial phone call or other form of contact from a law enforcement agency representative to monitor the mental and physical well-being of a peace officer who may have been affected by a violent incident; and (b) information regarding mental health resources, including counseling and therapy services, to a peace officer who is struggling to cope with the effect on the officer of responding to a violent incident; and (4) TCOLE shall establish and administer a grant program to assist law enforcement agencies in establishing and maintaining peace officer wellness programs as required in (1), above.

H.B. 3981 (Paul/Middleton) – Peace Officers: provides that fire marshals and any related officers, inspectors, or investigators of a municipality who hold a permanent peace officer license are peace officers.

H.B. 4073 (Lozano/Alvarado) – Expired Fire Protection Personnel Certificates: provides that: (1) if a person's fire protection personnel certificate issued by the Texas Commission on Fire Protection (TCFP) has been expired for more than five years, the person may not renew the certification; and (2) if a person's fire protection personnel certificate issued by TCFP has been expired for more than one year but not more than five years, the person may renew the certificate in accordance with TCFP rules.

S.B. 133 (West/Hull) – Use of Chemical Irritant Spray: provides that peace officers or school security personnel performing security-related duties on school property or at a school-sponsored activity may not restrain or use a chemical irritant spray or Taser on a student enrolled in fifth grade or below unless the student poses a serious risk of harm to the student or another person.

S.B. 252 (Alvarado/Guillen) – Licensing Veterans as Peace Officers: provides that: (1) a political subdivision, including a city, that appoints or employs a person to hold a position that requires the person to be licensed by the Texas Commission on Law Enforcement (TCOLE) may appoint or employ a legal permanent resident of the United States to hold the position if the person is an honorably discharged veteran of the armed forces of the United States with at least two years of service before discharge and holds the appropriate license issued by TCOLE; (2) a political subdivision, including a city, may not appoint or employ a person in (1), above, to hold a supervisory position until the person becomes a United States citizen; and (3) TCOLE shall issue a license to a person who is a legal permanent resident of the United States if the person: (a) meets the requirements to be a peace officer and TCOLE's licensing rules; (b) is an honorably discharged veteran of the armed forces of the United States with at least two years of service before discharge; and (c) presents evidence satisfactory to TCOLE that the person has applied for United States citizenship.

S.B. 435 (Middleton/Bonnen) – Public Information Act: amends the Texas Public Information Act to: (1) allow a prosecutor to permit a family member to view a medical examiner's report and video evidence of a crime that resulted in the death of a person; (2) state that a person permitted to view the medical examiner's report or video evidence may not duplicate, record, capture, or otherwise memorialize the information; and (3) authorize a prosecutor to require the person to sign a confidentiality agreement.

S.B. 496 (Zaffirini/Guillen) – Emergency Dispatcher Training: requires the Texas Commission on Law Enforcement, in consultation with the Texas A&M Engineering Extension Service, to

conduct a study to identify potential improvements to training provided to 9-1-1 emergency service call takers and dispatchers.

S.B. 533 (Paxton/Shahen) – Peace Officer Training: provides that: (1) as part of the minimum curriculum requirements, the Texas Commission on Law Enforcement shall require a peace officer to complete a training program on responding to and investigating child fatalities, including the protocols for reporting and investigating child fatalities, the differences between sudden unexpected infant death syndrome, and the relevant regulations applicable to child-care fatalities; and (2) a peace officer shall complete the program not later than the second anniversary of the date the officer is licensed unless they complete the program as part of the their basic training course.

S.B. 997 (West/Leech) – Human Remains Photographs: prohibits individuals to publish a photograph of human remains of the individual obtained while acting within the course and scope of the individual's duties as an officer or employee of the state or a political subdivision. A violation is subject to a civil penalty in an amount not to exceed \$10,000 for each violation.

S.B. 1402 (Zaffarini/Howard) – Peace Officer Training: requires peace officers to complete at least eight hours of basic education and training on child sexual abuse and adult sexual assault. The education and training program is to be established by the Texas Commission on Law Enforcement in consultation with the Sexual Assault Survivors Task Force.

S.B. 1445 (Paxton/Goldman) – Texas Commission on Law Enforcement: this is the Texas Commission on Law Enforcement (TCOLE) sunset bill. The bill, among other things, provides that:

1. TCOLE continue until 2031;
2. TCOLE, with the 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;
3. TCOLE may compel by subpoena the production for inspection or copying of a record by an agency hiring a person to be an officer that is relevant to the investigation of an alleged violation of this bill or a TCOLE rule, and TCOLE acting through the attorney general, may bring an action to enforce a subpoena against a person who fails to comply with the subpoena; venue for an action is in a district court in Travis County or any county in which TCOLE may conduct a hearing;
4. TCOLE, with input from an advisory committee, shall adopt a model policy prescribing standards and procedures for the medical and psychological examination of a license holder or person for whom a license is sought by a law enforcement agency to ensure the license holder or person is able to perform the duties for which the license is required, and each law enforcement agency in this state shall adopt the model policy or a substantively similar policy;
5. TCOLE shall establish a database containing, for each officer licensed under state law: (a) the officer's license status, including a record of any action taken against the officer by TCOLE; and (b) personnel files provided by each law enforcement agency that employs the officer;
6. TCOLE shall make available to a law enforcement agency on request any relevant information maintained in the database;

7. TCOLE shall designate one or more national law enforcement databases that a law enforcement agency must access to complete the preemployment background check, and a database designated under this bill must be as comprehensive as possible;
8. TCOLE shall designate for purposes of this bill a national database that serves as a registry for the revocation of officer licenses in several jurisdictions based on misconduct committed by the officer;
9. TCOLE shall establish a public database containing personal service reports of each officer licensed, and a report must contain the following information with respect to each officer: (a) the date the officer completed the basic training course; (b) whether the officer is in compliance with continuing education requirements and the continuing education courses completed; (c) the total hours of training the officer has completed; and (d) the date the officer's license was issued;
10. TCOLE shall adopt rules to exclude from the database personal service reports for certain officers if including the service report would create a safety risk for an undercover officer or an officer involved in an active sensitive operation;
11. before a law enforcement agency or governmental entity hires a person for whom a license is sought, the agency or entity must review any information relating to the person available: (a) in a database established under Number 6, above; (b) in a database designated under Number 9, above; and (c) if applicable, in a file provided to TCOLE under this bill;
12. a person who appoints an officer or a telecommunicator licensed by TCOLE shall notify TCOLE not later than the 30th day after the date of the appointment, and if the person appoints an individual who previously served as an officer or telecommunicator and the appointment occurs after the 180th day after the last date of service as an officer or telecommunicator, the person must have on file for the license holder in a form readily accessible to TCOLE, among other things, new documentation that the license holder has been fingerprinted and subjected to a search of local, state, and national records and fingerprint files to disclose any criminal record of the license holder;
13. TCOLE shall adopt a model policy establishing procedures applicable to a law enforcement agency: (a) investigating alleged misconduct by a license holder employed by the agency; and (b) hiring a license holder;
14. a law enforcement agency shall adopt the model policy described in Number 13, above, or a substantively similar policy;
15. TCOLE shall adopt a model policy regarding personnel files maintained with respect to a license holder, and a law enforcement agency shall adopt the model policy or a substantively similar policy;
16. a law enforcement agency shall provide a license holder's personnel file to TCOLE: (a) not later than the 30th day after the date the license holder separates from the agency; or (b) on request by TCOLE as part of an ongoing investigation relating to the license holder;
17. except with respect to an officer elected under the Texas Constitution, TCOLE shall revoke or suspend a law enforcement agency's authority to employ a license holder, place on probation an agency whose authority to employ a license holder has been suspended or reprimand a law enforcement agency for violating a TCOLE rule or state law with regard to law enforcement officers, or reporting requirements with regard to racial profiling.

S.B. 1588 (Blanco/Morales) – EMS Staffing Variance: provides that: (1) the Department of State Health Services (DSHS) shall grant to an emergency medical services provider, who is the sole

provider for a service area, a variance from the minimum staffing standards for the provision of emergency medical services in that service area; and (2) an applicant for a variance in (1), above, must submit a letter to DSHS from the commissioners court of the county or the governing body of the municipality in which the provider intends to operate an emergency medical services vehicle in the provision of emergency medical services in a service area of the county or the municipality.

S.B. 1852 (Flores/Metcalf) – Peace Officer Training: provides that: (1) as part of the minimum curriculum requirements, the Texas Commission on Law Enforcement (TCOLE) shall require a peace officer to complete a training program of not less than 16 hours on responding to an active shooter as developed by the Advanced Law Enforcement Rapid Response Training Center at Texas State University—San Marcos (RRTC); (2) a peace officer shall complete the program in (1), above, not later than the last day of the first full continuing education training period that begins on or after the date the officer is licensed unless the officer completes the program as part of the their basic training course; and (3) as part of the continuing education programs, a peace officer must complete not less than 16 hours of training on responding to an active shooter as developed by the RRTC.

S.B. 2133 (Miles/Oliverson) – Dialysis Patient Transportation During Disaster: requires an emergency medical services provider to adopt and implement a plan to provide dialysis patients who call 9-1-1 during a declared disaster an alternative mode of transportation to and from an outpatient end-stage renal disease facility if the patient's normal and alternative modes of transportation cannot be used during the disaster.

S.B. 2429 (Hancock/Klick) – Missing Persons: provides, among other things, that – regardless of the jurisdiction in which the child went missing – a law enforcement agency, on receiving a report of a missing child, shall immediately start an investigation in order to determine the present location of a child and comply with numerous other requirements.

S.B. 2476 (Zaffirini/Oliverson) – Municipal Ambulance Billing: this bill, among other things: (1) allows a political subdivision to submit fixed rates that insurers must pay for certain emergency medical services to the Texas Department of Insurance (TDI); (2) establishes a base rate for certain emergency medical services if the political subdivision does not submit such rates to TDI, which is the lesser of the provider's billed charge or 325 percent of the current Medicare rate plus any applicable extenders or multipliers; and (3) provides that the changes in (1) and (2), above, only apply to emergency medical services performed on or after January 1, 2024. (City-related sections expire September 1, 2025.)

S.B. 2479 (Zaffirini/Moody) – Mental Illness or Intellectual Disability: this bill, among other things, requires that a sheriff or municipal jailer having custody of a defendant and who receives credible information that may establish probable cause that the defendant has a mental illness or intellectual disability must take certain steps to protect the defendant.

Computer and Cybersecurity

H.B. 4 (Capriglione/Hughes) – Data Privacy: among other things, expressly preempts any local ordinance, resolution, rule, or other regulation regarding the processing of personal consumer data but also exempts political subdivisions from such regulations. (Effective July 1, 2024.)

H.B. 4553 (Longoria/Johnson) – Department of Information Resources: provides, among other things, that if the executive director of the Department of Information Resources (DIR) determines that participation is in the best interest of the state, cities, volunteer fire departments, and city-owned public hospitals, among other entities, are eligible customers for certain DIR services, including: (1) network security services; (2) regional cybersecurity support and network security services; (3) the availability of commodity items for purchase; and (4) consolidated telecommunication systems.

S.B. 271 (Johnson/Shahen) – Local Government Security Incidents: this bill provides that: (1) a local government that owns, licenses, or maintains computerized data that includes sensitive personal information, confidential information, or information the disclosure of which is regulated by law shall, in the event of a security incident: (a) comply with the notification requirements of the Identify Theft Enforcement and Protection Act, to the same extent as a person who conducts business in Texas; (b) not later than 48 hours after the discovery of the security incident, notify: (i) the Department of Information Resources (DIR), including the chief information security officer; or (ii) if the security incident involves election data, the secretary of state; and (c) comply with all DIR rules relating to security incidents; (2) not later than the 10th business day after the date of the eradication, closure, and recovery from a security incident, a local government shall notify the DIR, including the chief information security officer, of the details of the security incident and include in the notification an analysis of the cause of the security incident; and (3) numbers (1) and (2), above, do not apply to a security incident that a local government is required to report to the independent organization certified for the ERCOT power region. (Effective September 1, 2023.)

S.B. 621 (Parker/Capriglione) – Cybersecurity: this bill, among other things: (1) requires the Department of Information Resources to employ a chief information security officer to oversee cybersecurity matters for Texas; and (2) provides that the chief information officer shall collaborate with state agencies, local governmental entities, and other entities operating or exercising control over state information systems or state-controlled data to strengthen Texas's cybersecurity and information security policies, standards, and guidelines. (Effective September 1, 2023.)

S.B. 768 (Parker/Capriglione) – Breach of Data: requires a person who is required to disclose or provide notification of a breach of computerized data to also notify the Attorney General of the breach as soon as practical and not later than the 30th day after the date on which the person determines the breach occurred if the breach involves at least 250 residents of Texas.

S.B. 1893 (Birdwell/Anderson) – TikTok Ban: this bill, among other things, requires a city to adopt a policy prohibiting the installation or use and requiring the removal of TikTok or any successor application, or any other social media application specified by the Department of Information Resources and Department of Public Safety, on any city-owned or leased electronic device, subject to certain exceptions for law enforcement or information security purposes.

Public Safety Bills

H.B. 3 (Burrows/Nichols) – School Safety Measures: this bill, among many other things: (1) requires the board of trustees of each school district to ensure that at least one armed security officer is present during regular school hours at each district campus*; (2) allows the board of trustees of any school district to enter into a memorandum of understanding (MOU) with a city that is the employing political subdivision of commissioned peace officers for the purpose of providing school resource officers; (3) requires the MOU in (2), above, to: (a) be in the form of an interlocal contract; and (b) use a proportionate cost allocation methodology to address any costs or fees incurred by the school district or the city, as applicable; (4) allows a city to recoup direct costs incurred as result of the MOU in (2), above, but the city may not profit under the MOU; and (5) allows a city to seek funding from federal, state, and private sources to support the cost of providing school resource officers.

** Education Code Section 37.0814 appears to provide that – if a school board is unable to ensure that a commissioned peace officer is present during regular school hours at each district campus – the board may claim a good cause exception due to lack of funding or available officers, allowing the board to fulfill the mandate by providing only a school marshal as the security officer for the school.*

H.B. 898 (Stucky/Parker) – Increased Punishment for Passing Certain Vehicles: increases the penalties for drivers who pass certain stopped emergency or utility vehicles on a roadway without slowing down or changing lanes.

H.B. 3125 (Gamez/Zaffirini) – Emergency Vehicle Equipment: allows governmental entities to equip an authorized emergency vehicle with alternating or flashing white light signal lamps.

S.B. 1413 (Johnson/Frazier) – Removal of Personal Property from Roadways: provides that: (1) a fire department may remove personal property from a roadway or right-of-way if the fire department determines that the property blocks the roadway or endangers public safety; (2) the property owner shall reimburse the fire department for any reasonable costs of removal and disposition of the property; (3) a fire department is not liable for: (a) any damage to personal property removed from a roadway or right-of-way under (1), above, unless the removal is carried out recklessly or in a grossly negligent manner; or (b) any damage resulting from the failure to exercise the authority granted by (1), above; and (4) the governing body of a political subdivision, including a city, that has a fire department shall develop and implement a policy concerning the fire department consulting with law enforcement agencies regarding removal of personal property from a roadway or right-of-way. (Effective September 1, 2023.)

H.B. 73 (Murr/Springer) – Landowner Liability: this bill, among other things, provides that a landowner or lessee is not liable for damages arising from any incident or accident involving their livestock due to an act or omission of a firefighter or a peace officer who has entered the landowner's property with or without the permission of the landowner, regardless of where the damage occurs.

[H.B. 1750](#) (Burns/Perry), [H.B. 2308](#) (Ashby/Perry), [H.B. 2947](#) (Cain/Perry), and [H.J.R. 126](#) (Burns/Perry) (Effective if approved at the election on November 7, 2023.) – **Regulation of Agricultural Operations:** these bills, among other things, limits the authority of a city to impose regulations on agricultural operations.

[S.B. 349](#) (Springer/Anderson) – **Housing Authority:** requires any housing authority policy permitting tenant ownership of a pet to comply with all applicable county or municipal restrictions on dangerous dogs imposed under the Health and Safety Code.

Emergency Management

[H.B. 3097](#) (Leo-Wilson/Middleton) – **Anticipation Notes:** authorizes a city located within 70 miles of the Gulf of Mexico to authorize the issuance of an anticipation note or other obligation in the event of an emergency notwithstanding certain credit rating requirements that that would normally apply.

[H.B. 3222](#) (Guillen/Kolkhorst) – **Disaster Recovery Loan Program:** increases the number of days from 15 to 30 days that a governing body of a political subdivision, including a city, has to submit its operating budget for the most recent fiscal year as part of the application process to Texas Department of Emergency Management for a disaster recovery loan.

[S.B. 29](#) (Birdwell/Bettencourt) – **COVID-19 Preventative Measures:** provides that a governmental entity may not implement, order, or otherwise impose a mandate requiring: (1) a person to wear a mask or other face covering to prevent the spread of COVID-19; (2) a person to be vaccinated against COVID-19; and (3) the closure of a private business, public school, open-enrollment charter school, or private school to prevent the spread of COVID-19.

Open Government

[H.B. 30](#) (Moody/King) – **Law Enforcement Records:** provides that information, records, or notations held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of a crime that did not result in a conviction or deferred adjudication may not be withheld under the Public Information Act if: (1) a person who is described by or depicted in the information, record, or notation, other than a peace officer, is deceased or incapacitated; or (2) each person who is described by or depicted in the information, record, or notation, other than a person who is deceased or incapacitated, consents to the release of the information, record, or notation.

General Personnel

[H.B. 915](#) (Craddick/Parker) – **Workplace Violence Hotline:** provides that: (1) each employer, including a city, shall post a notice to employees of the contact information for reporting instances of workplace violence or suspicious activity to the Department of Public Safety (DPS); (2) the

notice must be posted: (a) in a conspicuous place in the employer's place of business; (b) in sufficient locations to be convenient to all employees; and (c) in English and Spanish, as appropriate; and (2) the Texas Workforce Commission, in consultation with DPS, by rule shall prescribe the form and content of the notice required under (1), above.

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