

TMCCP Presents

Legislative Update Seminar

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HANDOUT FOR

“Insights & Perspectives”

with speaker

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TMCCP LEGISLATIVE UPDATE SEMINAR



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WHAT JUST HAPPENED

- During this year’s regular session, Lt. Gov. Dan Patrick held key “sunset” legislation hostage in an effort to force a special session on other issues – namely bathrooms and property tax reform.
- Lt. Gov. Dan Patrick had been pushing Abbott to call a special session on the bathroom issue, as well as property taxes.
- “Because of their inability or refusal to pass a simple law that would prevent the medical profession from shutting down, I’m announcing a special session to complete that unfinished business,” Abbott told reporters.



MAKE IT COUNT (20)

- "But if I’m going to ask taxpayers to foot the bill for a special session, I intend to make it count."
- Abbott said he would add **19 more issues** to the agenda but only after the Senate passed sunset legislation.



TELL ME HOW YOU FEEL

- Patrick congratulated Abbott on his "big and bold special session agenda which solidly reflects the priorities of the people of Texas." Patrick also noted that "almost every issue" passed the Senate during the regular session.
- Speaker Straus: "The House looks forward to resuming our work on school finance and other challenges facing this state," he said in a statement.
- "Gov. Abbott's announcement today simply shows what an ineffective governor and leader he has been," said House Democratic Caucus Chair Rep. [Chris Turner](#). "After providing zero leadership and interest during the regular session, the governor is clearly panicking and trying to shovel as much red meat as he can to his right-wing Tea Party base."

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WHAT'S SO SPECIAL

- The Texas Constitution requires lawmakers to meet every two years for no more than 140 days.
- Beyond that, the governor can call the Legislature back for as many special sessions as he or she wants, with each lasting no more than 30 days.
- So call "Special sessions" can be called when must-do items — like the state budget — haven't been completed.
- The governor determines the agenda in his "call," which informs the legislature and the public what's eligible for consideration.

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A LITTLE PERSPECTIVE

- There have been 119 special sessions since 1850, according to Legislative Research Library records.
- Former Gov. Rick Perry called 12 special sessions during his 15 years as governor.
- The last special session occurred in May 2013, when Perry called lawmakers back to address issues such as redistricting and transportation infrastructure projects.
- Excluding other costs, a one-month special session can cost anywhere from \$716,100 to \$819,000 in lawmaker and staff per diems.

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THE CALL

1. Sunset
2. **Property Tax _____**
3. **Spending Caps on Local Govt**
4. **Annexation**
5. **Preemption of Ordinance on Property**
6. **Preemption of Tree Ordinances**
7. **Preemption of Hands Free Ordinances**
8. **Expedited Permitting**
9. **Bathrooms / Privacy**

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THE CALL

10. Reforming Health Insurance funded Abortions
11. Prohibiting Taxpayer Funded Abortions
12. Abortion Complication Reporting
13. Commission for School Finance
14. Teacher Pay & Benefits
15. School Choice (Special Needs Student)
16. Mail-in Ballot Fraud
17. Union Dues
18. Spending Caps on State
19. Do-Not-Resuscitate Orders
20. Maternal Mortality Task Force

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WHY?

- “As your governor, I will not allow Austin, Texas, to California-ize the Lone Star State,” he said.

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EVEN MORE WHY?

- Dan Patrick: “People are happy with their governments at the state level.
- They’re not with their **cities**...
- Our cities are still controlled by **Democrats**.

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THE TRUTH

- “Where do we have all our problems in America? Not at the state level, run by Republicans, but in our **cities** mostly controlled by Democrat mayors and city councilmen.
- That’s where you see **liberal policies**, that’s where you see **high taxes**, where you see **high street crimes**. Look at New York, look at Chicago, look at...go around the country.
- So the only place Democrats have control of is our **cities** and they’re doing a **terrible job.**” - - Dan Patrick

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SUNSET

- SB 20 / SB 60 (Taylor, Van) – Signed by the Governor. Effective immediately
- Extend the expiration dates and funding for the Texas Boards of Medical Examiners, Examiners of Psychologists, Examiners of Marriage and Family Therapists, Examiners of Professional Counselors and Social Worker Examiners

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PROPERTY TAX _____

- _____ = Caps, Limits, Rollbacks, Reform...
- “Rollback elections” are triggered if city and county increases the RATE by more than 8% and a petition is gathered with a certain number of signatures
- SB 1 (Bettencourt) / HB 4 (Bonnen, D.)

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PROPERTY TAX _____

- Senate wanted to lower it to 4%
- House wanted 6%
- Local officials didn't want anything
- It's a referendum on tax rates = referendum on budgets

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PROPERTY TAX _____

- It doesn't lower taxes
- It doesn't address the real issue which is school districts taxes that account for the majority of Texans' property tax bills
- It hurts local budgets
- It diminishes local control

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THE TRUTH ABOUT IT

- Even if the House and Senate agreed on SB 1, Texans wouldn't have seen their property tax bills automatically decrease.
- That's in large part because senators weren't willing — as the House was — to add \$1.8 billion to what the state spends on public schools.
- Plus, the automatic election trigger would do nothing to decrease individual property tax bills.
- The elections would only happen if property tax revenues increase.

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LOCAL SPENDING CAPS

- SB 18 (Estes) – did not pass
- This bill would have instituted a cap on municipal and county spending (all spending)
- Exemption for cities that spend less than \$25M
- Did not have enough support in the Senate or the House – neither took action.

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LAND USE PREEMPTION

- SB 12 (Buckingham) and HB 188 (Bell) – did not pass
- Due to strong opposition from lawmakers and organizations, this issue was never heard on the House or the Senate floor
- Lawmakers were concerned it could undo years of fire and safety codes
- Opponents voiced concerns that it could lead to a patchwork of zoning and land use regulations

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EXPEDITED PERMITTING

- SB 13 (Burton) – did not pass
- Would speed up permitting process for new construction
- Would require local governments to approve or deny building permits within 30 days. The permit would automatically be approved if the local government failed to make a decision by the deadline.
- House Committee on State Affairs left it pending

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HANDS FREE

- HB 62 (Craddick) was passed during the regular session. Although signed by the Governor, it did address talking on a hand-held phone while driving or preempt stricter local ordinances
- 40+ cities have passed ordinances stricter than the new state law
- HB 171 (Goldman) and SB 15 (Huffines) – did not pass
- Preempts local ordinances regulating the use of cell phones while driving
- Did not pass

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ANNEXATION

- SB 6 (Campbell) – signed by the Governor. Effective 12/1/17
- During the regular session, Sen. José Menéndez killed a similar measure with a filibuster and the bill died
- New bill requires cities in larger counties to get voter approval before annexing new areas but a 5-mile buffer to prevent military base encroachment was included.
- Petition to opt-in also added

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TREES

- SB 744 (Kolkhorst) was passed during regular session but vetoed by the Governor.
- Abbott said he wanted lawmakers to prohibit local jurisdictions from restricting tree removal on private property
- 90+ Texas cities and counties regulate trees on private property
- Passed the same bill with minor preemption language
- HB 7 (Phelan) – signed by the Governor. Effective 12/1/17

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MAIL-IN BALLOT FRAUD

- SB 5 (Hancock) – signed by the Governor. Effective 12/1/17
- Requires a signature verification process for early ballots, notification of rejected ones within a month after an election and a process for correcting errors
- Prohibits electronic signatures on mail-in ballot applications and repeals HB 658 — passed during the regular session earlier this year — which would have given voting priority to people with mobility issues and makes it easier for people in residential care facilities to vote by bringing ballots and an election official to their location — if at least five voters living there request a ballot.

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THE SCORE CARD

1. Sunset ✓
2. Property Tax _____ ✗
3. Spending Caps on Local Govt ✗
4. Annexation ✓
5. Preemption of Ordinance on Property ✗
6. Preemption of Tree Ordinances ✓
7. Preemption of Hands Free Ordinances ✗
8. Expedited Permitting ✗
9. Bathrooms / Privacy ✗

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THE SCORE CARD

- 10. Reforming Health Insurance funded Abortions ✓
- 11. Prohibiting Taxpayer Funded Abortions ✗
- 12. Abortion Complication Reporting ✓
- 13. Commission for School Finance ✓
- 14. Teacher Pay & Benefits (and Band Aid School Finance) ✗ ✓
- 15. School Choice (Special Needs Student) ✗
- 16. Mail-in Ballot Fraud ✓
- 17. Union Dues ✗
- 18. Spending Caps on State ✗
- 19. Do-Not-Resuscitate Orders ✓
- 20. Maternal Mortality Task Force ✓

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THE BLAME GAME

- "We missed some major opportunities, but what I'm most upset about is the House quit tonight," Patrick said at a press conference Tuesday evening." With 27 hours to go, they walked off the job," he added.
- Yet the Senate's all-or-nothing approach ended up killing several other provisions, including ones that would have made the property tax system more transparent and lowered payments for the elderly, the disabled and some military members.

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THE BLAME GAME

- Gov. Greg Abbott put blame on the House — particularly Speaker Joe Straus — for the shortcomings of the special session and left the door open to calling another one.
- Asked if he assigned blame to Straus, a San Antonio Republican, Abbott replied, "Well, of course."

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THE BLAME GAME

- "I'm disappointed that all 20 items that I put on the agenda did not receive the up-or-down vote that I wanted but more importantly that the constituents of these members deserved," Abbott said
- "They had plenty of time to consider all of these items, and the voters of the state of Texas deserved to know where their legislators stood on these issues" nothing that the House started the special session by "dilly-dallying" and focused on issues that had "nothing to do whatsoever" with his call.

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THE BLAME GAME

- "There is a deep divide between the House and Senate on these important issues," Abbott said.
- "So I'm going to be making decisions later on about whether we call another special session, but in the meantime, what we must do is we need to all work to get more support for these priorities and to eliminate or try to dissolve the difference between the House and the Senate on these issues so we can get at a minimum an up-or-down vote on these issues or to pass it."

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THANK YOU



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