MEMORANDUM

TO: Mayor Craig Brown and Members of Council

CC: City Manager Office, Executive Leadership Team, City Attorney Office

FROM: Sally Bakko, Director of Policy and Governmental Relations

DATE: February 5, 2021

RE: Filed State Legislation Highlights Report, as of February 5, 2021

The following bills that may be of interest to the City of Galveston were filed as of February 5, 2021, for the 87th Texas Legislature.

PROPERTY TAX

H.B. 1360 (Landgraf) – Tax Information Notice: would require the designated officer or employee of a city to publish certain property tax information relating to the no-new-revenue tax rate, the voter-approval tax rate, and debt service tax rate in the newspaper.

H.B. 1395 (Middleton) – Property Taxes: would, among other things: (1) eliminate appraisal districts and instead require property tax appraisal through appraisal offices governed by the county assessor-collector; (2) eliminate property taxes on business personal property; and (3) provide that the appraised value of residential real property for a tax year may not exceed the lesser of: (a) the market value of the property; or (b) the sum of: (i) the purchase price paid by the property owner for the property; and (ii) the market value of each new improvement to the property as of January 1 of the first tax year in which the improvement was added to the appraisal roll. (The related constitutional amendment resolution is **H.J.R. 75**.)

H.B. 1421 (Cain) – Property Tax Exemption: would eliminate the ability of a local taxing unit to adopt the temporary exemption for qualified property damaged by a disaster following the date the taxing unit adopts a tax rate, making the property tax exemption mandatory regardless of when the disaster occurs.

S.B. 489 (Kolkhorst) – Appraisal Cap: would reduce the property tax appraisal cap on residence homesteads from ten to five percent. (The related constitutional amendment resolution is **S.J.R. 31**.)

SALES TAX

H.B. 1389 (Guillen) – Sales Tax Collection: would, among other things, authorize a taxpayer to deduct and withhold 2.5 percent of the amount of sales taxes due for purchases made by credit card as reimbursement for the cost of collecting sales taxes.

PUBLIC SAFETY

H.B. 1396 (White) – Police Misconduct: would provide that: (1) each law enforcement agency shall report to the Texas Commission on Law Enforcement (TCOLE) each incident of misconduct by a peace officer employed by the agency, including: (a) a conviction for a criminal offense committed in the course of performing the officer's duties; or (b) the use of excessive against a person suspected of

committing an offense; (2) a law enforcement agency shall also report, for each misconduct described in (1), above, whether the agency terminated or took disciplinary action against the officer or permitted the officer to retire or resign in lieu of termination for the misconduct; (3) TCOLE shall establish a database for information reported under (1) and (2), above, shall make such information accessible by all law enforcement agencies in the state, and may make said information regarding an incident of misconduct available to a federal law enforcement agency that is investigating the incident; (4) information maintained in the database described in (3), above, is confidential and not subject to disclosure under the Public Information Act; (5) no later than March 1 of each year, TCOLE shall make available on its internet website a report regarding incidents of misconduct reported during the preceding calendar year, including the total number of incidents reported to TCOLE, the most common types of misconduct reported, and the disciplinary action taken by the reporting law enforcement agency; (6) a report described in (5), above, may not include information identifying a specific peace officer; (7) TCOLE shall establish an advisory committee to advise TCOLE regarding law enforcement credentialing entities, and such committee shall include, among others, representatives of municipal agencies of varying sizes and from different areas of the state; (8) the advisory committee shall review entities that provide credentialing to law enforcement agencies and identify credentialing entities that, at a minimum, establish standards and processes for reviewing adherence to standards in the following aspects of a law enforcement agency's operations: (a) policies and training regarding use of force and de-escalation techniques; (b) performance management tools; (c) procedures to ensure prompt identification of peace officers requiring intervention; and (d) best practices regarding community engagement; (9) to be eligible for a grant or other discretionary funding by the governor, a law enforcement agency must: (a) consistently report incidents of misconduct as required by (1), above; and (b) maintain a current certification issued by a credentialing entity designated under (8), above, certifying that the agency's policies: (i) regarding use of force by peace officers comply with all applicable laws; and (ii) prohibit the use of choke holds or other physical maneuvers to restrict a person's ability to breath for purpose of incapacitation unless the officer is justified in using deadly force against the person; and (10) TCOLE, in consultation with the Health and Human Services Commission and state and local law enforcement agencies, shall develop and make available, to all law enforcement agencies, a model policy and associated training regarding a "coordinated response program" in which a peace officer and a mental health professional jointly respond to a report of an alleged offense or other incident involving a person with a mental impairment, suffering from homelessness, or experiencing similar circumstances.

H.B. 1407 (Schaefer) – Handguns: would except a handgun that is visible, in a holster, and in a motor vehicle (along with the holder of the gun) from the prohibition against displaying a handgun in plain view of another person in a public place.

H.B. 1442 (Lopez) -- Trauma Affected Veterans Training: would provide that not later than the last day of the first full continuing education training period that begins after the date a peace officer completes four cumulative years of service as a peace officer, the officer shall complete, in addition to the other required training, a training program established by the Texas Commission on Law Enforcement, in collaboration with the Texas Veterans Commission, that provides information on veterans with combat-related trauma, post-traumatic stress, post-traumatic stress disorder, or a traumatic brain injury.

H.B. 1499 (White) – First Responders Carrying Handguns: would: (1) require the public safety director of the Department of Public Safety to establish a handgun training course for first responders who hold a license to carry a handgun; (2) prohibit a governmental entity from adopting a rule or regulation that prohibits a first responder who holds a handgun license and has completed the course described in (1) from: (a) carrying a concealed or holstered handgun while on duty; or (b) storing a handgun on the premises of or in a vehicle owned or operated by the governmental entity if the gun is

properly secured; (3) provide that a first responder may discharge a handgun while on duty only in self-defense; (4) provide that a governmental entity that employs or supervises a first responder is not liable in a civil action arising from the discharge of a handgun by a first responder who is licensed to carry a handgun; (5) provide that the discharge of a handgun by a first responder who is licensed to carry a handgun is outside the course and scope of the first responder's duties; and (6) provide that the law authorizing the discharge of a firearm by a first responder may not be construed to waive, under any law, immunity from suit or liability of a governmental entity that employs or supervises first responders.

H.B. 1513 (Zwiener) – Crowd Control: would provide that each law enforcement agency shall adopt a policy on crowd control that prohibits its peace officer from using less lethal projectiles (ammunition commonly known as "rubber bullets," "wooden bullets," "sponge rounds," and "bean bag rounds") as a means to control the activity or movement of a gathering of people.

S.B. 463 (Lucio) and S.B. 527 (Springer) – Disease Presumption: would provide, among other things, that a firefighter, peace officer or emergency medical technician who contracts a disease that is the basis of a state declared disaster that results in death or total or partial disability is presumed to have contracted the disease during the course and scope of employment as a firefighter, peace officer or emergency medical technician.

S.B. 485 (Hinojosa) – TCOLE: would provide, among other things, that: (1) the Texas Commission on Law Enforcement (TCOLE) shall develop and implement policies specifying the circumstances in which conduct by a license holder is to be investigated by TCOLE staff for disciplinary action or investigated by peace officers commissioned by TCOLE for that purpose; (2) TCOLE shall suspend the license of a peace officer or a reserve law enforcement officer licensed by the Commission on notification that the officer has been dishonorably discharged if the discharge was in relation to allegations of criminal misconduct by the officer; (3) TCOLE shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder if the license holder has: (a) engaged in any improper or unlawful acts in connection with employment as peace officer or a reserve law enforcement officer that could result in a miscarriage of justice or discrimination, including: (i) being convicted of, placed on deferred adjudication for, or entering a plea of guilty or nolo contendere to a felony or a misdemeanor involving moral turpitude; (ii) falsifying a police report or evidence in a criminal investigation; (iii) destroying evidence in a criminal investigation; (iv) using excessive force on multiple occasions; (v) accepting a bribe; (vi) engaging in fraud; (vii) unlawfully using a controlled substance; (viii) engaging in an act for which the officer is liable under Section 1983; (ix) committing perjury; or (x) making a misrepresentation for the purpose of obtaining or renewing a license, including falsifying any educational requirements; (4) TCOLE shall temporarily suspend the license of a person if TCOLE determines from the evidence or information presented to it that continued practice by the person would constitute a continuing and imminent threat to the public welfare; (5) a license may be temporarily suspended as described in (4), above, without notice or hearing on the complaint if: (a) action is taken to initiate proceedings for a hearing before the State Office of Administrative Hearings (SOAH) simultaneously with the temporary suspension; and (b) a hearing is held as soon as practicable; (6) SOAH shall hold a preliminary hearing not later than the 10th day after the date of the temporary suspension to determine if there is probable cause to believe that a continuing and imminent threat to the public welfare still exists, and a final hearing on the matter shall be held not later than the 61st day after the date of the temporary suspension; (7) TCOLE, by rule, shall adopt a sanctions schedule that lists: (a) the most common violations; (b) the types of sanctions, including administrative penalties, that may be imposed for those violations; and (c) the factors used to determine the sanction that may be imposed for each violation, including: (i) the seriousness of the violation; (ii) any previous violation by the license holder; and (iii) any other factor TCOLE considers appropriate; (8) TCOLE may issue a subpoena, and may request, and, if necessary, compel by subpoena: (a) the

production for inspection and copying of records, documents, and other evidence relevant to the investigation of an alleged violation of the law or TCOLE rule, including any document prepared or maintained by a law enforcement agency in connection with disciplinary action taken by the agency against a license holder; and (b) attendance of a witness for examination under oath; (9) TCOLE, acting through the attorney general, may bring an action to enforce a subpoena issued against a person who fails to comply with the subpoena; and (10) the statutory provisions that limit TCOLE from reviewing disciplinary action taken by a law enforcement agency against a person licensed by TCOLE or to issue a subpoena to compel the production of a document prepared or maintained by the agency in connection with a disciplinary matter are repealed.

S.B. 499 (Kolkhorst) – Firearms Regulation: would: (1) prohibit a city council or an officer, employee, or other body that is part of a city (including a police department) from adopting a rule, order, ordinance, or policy under which the city enforces, or allows the enforcement of, a federal statute, order, rule, or regulation enacted on or after September 1, 2021, that purports to regulate a firearm, a firearm accessory, or firearm ammunition if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation, such as a capacity or size limitation, a registration requirement, or a background check, that does not exist under Texas law; and (2) provide that a violation of the prohibition in (1) may be enforced: (a) by denying state grant funds to the city; and (b) through court action by the attorney general. (Companion bill is H.B. 919 by Leman.)

S.B. 513 (Hall) – Firearms Regulation: would: (1) prohibit a city from adopting a rule, order, ordinance, or policy under which the city enforces certain federal provisions enacted after January 1, 2021, that regulate a firearm, a firearm accessory, or firearm ammunition; and (2) provide that a violation of the prohibition in (1) may be enforced: (a) by denying state grant funds to the city; (b) through court action by the attorney general; and (c) by imposing criminal penalties against officials, employees, and persons acting under control of the city. (Companion bill is H.B. 112 by Toth.)

S.B. 541 (Springer) – Firearms Regulation: would: (1) prohibit an agency of this state or a political subdivision of this state, and a law enforcement officer or other person employed by an agency of this state or a political subdivision of this state, from contracting with, or in any other manner providing assistance to, a federal agency or official with respect to the enforcement of a federal statute, order, rule, or regulation purporting to regulate a firearm, a firearm accessory, or firearm ammunition if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation, such as a capacity or size limitation or a registration requirement, that does not exist under Texas law; (2) except from the prohibition in (1) a contract or agreement to provide assistance in the enforcement of a federal statute, order, rule, or regulation in effect before January 19, 2021; and (3) provide that a violation of the prohibition in (1) may be enforced: (a) by denying certain state grant funds to the city; and (b) through court action by the attorney general.

S.B. 543 (Springer) – Firearms Regulation: would: (1) prohibit a city council or an officer, employee, or other body that is part of a city (including a police department) from adopting a rule, order, ordinance, or policy under which the city enforces, or allows the enforcement of, a federal statute, order, rule, or regulation that purports to regulate a firearm suppressor if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation that does not exist under Texas law; and (2) provide that a violation of the prohibition in (1) may be enforced: (a) by denying state grant funds to the city; and (b) through court action by the attorney general. (Companion bill is H.B. 957 by Oliverson.)

EMERGENCY MANAGEMENT

H.B. 1406 (Schaefer) – Judicial Review of Disaster Orders: would provide: (1) a person has standing to file suit in a Texas court to challenge a provision of an order issued by: (a) the governor or the presiding officer of the governing body of a political subdivision, including a city, that relates to a declared state of disaster if the provision in the order is alleged to cause injury to the person or burden a right of the person that is protected by the federal constitution or by a state or federal law; and (b) by the governor, the Health and Human Services Commissioner, the Department of State Health Services, or a health authority that relates to a declared public health disaster or is imposed as a control measure to prevent the spread of a communicable disease if the provision in the order is alleged to cause injury to the person or burden a right of the person that is protected by the state or federal constitution or by a state or federal law; and (2) the issuer of the order described in (1), above, has the burden of proving the challenged provision in the order: (a) mitigates a threat to the public caused by the disaster or communicable disease, as applicable; and (b) is the least restrictive means of mitigating the threat.

H.B. 1487 (Dean) – Religious Organizations: would provide that: (1) a religious organization is an essential business at all times, including during a declared state of disaster, and the organization's religious and other related activities are essential activities even if the activities are not listed as essential in an order issued during a disaster; (2) a governmental entity, including a city, may not: (a) at any time, including during a declared state of disaster, prohibit a religious organization from engaging in religious or other related activities or continuing to operate in the discharge of the organization's foundational faith-based mission and purpose; or (b) during a declared state of disaster order a religious organization to close or otherwise alter the organization's purposes or activities; (3) sovereign or governmental immunity from suit or liability, as applicable, are waived; (4) a person may assert an actual or threatened violation of the provisions described in (1) and (2), above, as a claim or defense in a judicial or administrative proceeding and obtain: (a) injunctive relief; (b) declaratory relief; and (c) court costs and reasonable attorney's fees; and (5) the attorney general may bring an action for injunctive or declaratory relief against a governmental entity or an officer or employee of a governmental entity to enforce compliance.

S.B. 435 (Blanco) – Pandemic Response Plan: would provide that: (1) the Texas Division of Emergency Management (TDEM) shall prepare and keep current a pandemic response plan that may include provisions for: (a) consulting infectious disease experts; (b) preventing and minimizing injury and damage caused by a pandemic; (c) prompt and effective response to a pandemic; (d) emergency relief; (e) identifying areas and populations particularly vulnerable to the occurrence of a pandemic; (f) communicating with governmental and private entities to facilitate coordination and collaboration for the efficient and effective planning and execution of a pandemic response plan; (g) organizing federal, state, and local pandemic response activities; (h) assisting local officials in designing local pandemic response plans; and (i) preparing and distributing to appropriate state and local officials catalogs of federal, state, and private assistance programs; and other necessary matters relating to pandemics; and (2) in preparing and revising the pandemic response plan, TDEM shall seek the assistance of, among others, necessary federal, state, or local governmental entities.

COMMUNITY AND ECONOMIC DEVELOPMENT

H.B. 1446 (Ashby) – Broadband Development Office: would, among other things:

1. establish a broadband development office within the comptroller's office;
2. require the broadband development office to: (a) serve as a resource for information regarding broadband service in the state; and (b) engage in outreach to communities regarding the expansion and adoption of broadband service and the programs administered by the office;

3. require the broadband development office to create, update annually, and publish on the comptroller's website a map designating each census block in the state as: (a) an eligible area, if fewer than 80 percent of the addresses in the block have access to broadband service; or (b) an ineligible area, if 80 percent or more of the addresses in the block have access to broadband service;
4. require the map described in (3), above, to display: (a) the number of broadband service providers that serve each census block; and (b) for each eligible area, an indication of whether the area has access to Internet service that is not broadband service, regardless of the technology used to provide the service;
5. provide that if information available from the Federal Communications Commission is not sufficient for the broadband development office to create or update the map, the office may request the necessary information from a political subdivision or broadband service provider, and the subdivision or provider must report the information to the office;
6. establish a petition process, under which a political subdivision or broadband service provider may petition the broadband development office to re-designate a census block on the map as an eligible area or ineligible area;
7. require the broadband development office to establish a program to award grants, low-interest loans, and other financial incentives to applicants for the purpose of expanding access to, and adoption of, broadband service in census blocks determined to be eligible areas;
8. require the broadband development office to establish and publish eligibility criteria for award recipients under (7), above, limiting grants, loans, and other financial incentives awarded to the program for use on capital expenses, purchase or lease of property, and other expenses, including backhaul and transport that will facilitate the provision or adoption of broadband service;
9. provide that the office may not award a grant, loan, or other financial incentive to a noncommercial provider of broadband service for an eligible area if a commercial provider of broadband service has submitted an application for the eligible area;
10. provide that an award granted under the broadband development program does not affect distributions received by a broadband provider from the state universal service fund; and
11. establish the broadband development account in the state's general revenue fund consisting of: (a) appropriations of money to the account by the legislature; (b) gifts, donations, and grants, including federal grants; and (c) interest earned on the investment of the money in the account.
(Companion is S.B. 506 by Nichols.)

H.B. 1475 (Cyrier) – Board of Adjustment: would provide that, in exercising its authority to grant or deny a variance, a board of adjustment may consider the following as grounds to determine whether compliance with the zoning ordinance as applied to a structure would result in an unnecessary hardship: (1) whether the financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent certified appraisal roll; (2) whether compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur; (3) whether compliance would result in the structure not being in compliance with a requirement of a city ordinance, building code, or other requirement; (4) whether compliance would result in the unreasonable encroachment on an adjacent property or easement; or (5) whether the city considers the structure to be a nonconforming structure.

H.B. 1511 (Button) – Broadband Connectivity Office: would: (1) establish the connectivity office within the office of the governor; (2) require the connectivity office to collaborate with the governor's broadband development council and any interested parties to develop a statewide connectivity plan to expand access to high-speed Internet service; (3) require the connectivity office to create, update annually, and publish a broadband development map that displays: (i) areas of the state that have sufficient infrastructure to support high-speed Internet service; (ii) areas of the state that do not have sufficient infrastructure to support high-speed Internet service; and (iii) planned Internet service

infrastructure projects; and (4) authorize the connectivity office to consult with the governor's broadband development council and any interested parties for the purpose of creating and updating the broadband development map.

S.B. 507 (Nichols) – Broadband in State Rights-of-Way: would require the Texas Transportation Commission to promulgate rules: (1) establishing an accommodation process that authorizes broadband-only providers to use state highway rights-of-way, subject to highway purposes, for: (a) new broadband facility installations; (b) additions to or maintenance of existing broadband facility installations; (c) adjustments or relocations of broadband facilities; and (d) existing broadband facilities retained within the rights-of-way; and (2) prescribing minimum requirements for the accommodation, method, materials, and location for the installation, adjustment, and maintenance of broadband facilities under the accommodation process.

OPEN GOVERNMENT

H.B. 1416 (Capriglione) – Public Information: would define the term "business day" as used in the Public Information Act to exclude a Saturday, Sunday, and certain national and state holidays (under current law, a closure for bad weather or skeleton crew day would also be excluded from the term "business day").

H.B. 1440 (Schaefer) – Public Information: would add certain honorably retired law enforcement positions to the personal information exceptions of the Public Information Act and the confidentiality of home address section in the tax appraisal statute.

S.B. 508 (West) – Public Information Act: would, among other things: (1) provide that the following information is confidential and not considered public information under the Public Information Act: (a) information received, made, or kept by an agency or program with the primary purpose of protecting, securing, or relocating witnesses; or (b) information in the possession of the state and relating to the protecting, securing, or relocating of a witness by an agency or program described by (1)(a), above; and (2) create a Class A misdemeanor offense when a person knowingly discloses any record, claim, writing, document, information, or other material in response to a Public Information Act request when the record, claim, writing, document, information, or other material is confidential and excepted from disclosure under (1), above.

OTHER FINANCE AND ADMINISTRATION

H.B. 1381 (Longoria) – Library Construction Grants: would: (1) add construction grants for the establishment of new public libraries or the improvement of existing libraries to the list of possible grants programs that may be established by the Texas State Library and Archives Commission; and (2) allow libraries and library systems to use state grants for new construction, rehabilitation, or renovation of a library or the infrastructure of a library.

H.B. 1495 (Dutton) – Attorney's Fees: would provide that: (1) if a court determines that an order, ordinance, or similar measure of a political subdivision is unenforceable because it is preempted by the state constitution or a state statute, the court shall award the person prevailing in the action challenging the order, ordinance, or measure on that basis court costs and reasonable and necessary attorney's fees to be paid by the political subdivision; (2) if a court determines that an officer of a political subdivision has failed to perform an act of the office required by the state constitution or a state statute, the court shall award the person prevailing in the action challenging the officer for failure to perform that act court costs and reasonable and necessary attorney's fees to be paid by the political

subdivision for which the officer served at the time of the failure to perform the act; and (3) the provisions in (1) and (2), above, do not apply to a city or county with a population of less than 45,000.

H.B. 1626 (Lucio III) – Insurance premiums and credit scoring: prohibits an insurer from increasing insurance premiums or taking action that results in an adverse effect on a consumer's credit report or credit score for the time period: 1) a disaster declaration is in effect for the area in which the consumer's residence is located; or 2) for the two-year period following the date the disaster declaration expires or is terminated.

PURCHASING

H.B. 1418 (Leach) – Professional Services: would: (1) prohibit a governmental entity from requiring, in a contract for architectural or engineering services for the construction or repair to real property, that architectural or engineering service must be performed at a level of professional skill and care beyond that which would be provided by an ordinarily prudent architect or engineer; and (2) provide that a contractor is not responsible for the consequences of defects in and may not warranty plans, specifications, or other design or bid documents provided to the contractor by: (a) the person with whom the contractor entered into the contract; or (b) another person on behalf of the person with whom the contractor entered into the contract. (Companion bill is S.B. 219 by Hughes.)

H.B. 1428 (Huberty) – Contingent Fee Contracts: would except the following types of contingent fee contracts from certain Professional Services Procurement Act requirements: (1) a contract entered into by a political subdivision for the collection of certain delinquent obligations; and (2) a contract entered into by a political subdivision for certain public security services. (Companion bill is S.B. 515 by Huffman.)

H.B. 1476 (K. Bell) – Goods/Services Contracts: would: (1) require a governmental entity to notify a vendor of a disputed amount in an invoice submitted for payment by the vendor not later than the 21st day after the date the entity receives the invoice, and include in the notice a detailed statement of the amount of the invoice which is disputed; and (2) provide that a governmental entity may withhold from payments required no more than 110 percent of the disputed amount.

H.B. 1477 (K. Bell) – Public Work Contracts: would, among other things: (1) define: (a) "public work contract" to include work performed on public property leased by a governmental entity to a nongovernmental entity; and (b) "prime contractor" to include a person that makes a public work contract with a person who leases any public property; and (2) require a performance and payment bond when a governmental entity authorizes a nongovernmental entity leasing public property from the governmental entity to contract with a prime contractor.

H.B. 1649 (Middleton) – Insurance and Risk Pool Contracts: requires school districts, municipalities, and counties to obtain at least two bids or proposals from different persons for insurance or risk pool contracts. In the case of school districts counties, the requirement does not apply if only once source is available for the type of coverage in the contract. School districts, municipalities and counties must file such contracts with the Texas Department of Insurance.

S.B. 515 (Huffman) – Contingent Fee Contracts: would except the following types of contingent fee contracts from certain Professional Services Procurement Act requirements: (1) a contract entered into by a political subdivision for the collection of certain delinquent obligations; and (2) a contract entered into by a political subdivision for certain public security services. (Companion bill is H.B. 1428 by Huberty.)

UTILITIES AND ENVIRONMENT

H.B. 1435 (Lucio III) – Certificates of Convenience and Necessity: would provide that: (1) when an area is newly annexed to a municipality and the municipally owned utility petitions the Public Utility Commission for a certificate of convenience and necessity to serve the newly annexed area, the PUC: (a) shall make an express finding of whether the retail public utility is capable of providing continuous and adequate service to the incorporated or annexed area based solely on information provided by the municipality and the retail public utility; and (b) may grant single certification to the municipality only if the PUC makes a finding under the bill that the municipality demonstrated that the retail public utility is not capable of providing continuous and adequate service to the incorporated or annexed area; (2) if the PUC grants single certification to the municipality under (1), above, the PUC shall determine in its order the monetary amount that is adequate and just to compensate the retail public utility for any of the retail public utility's property that is affected by the single certification; and (3) before an aggrieved party files an appeal with the district court in Travis County, the party may appeal to the PUC in a separate hearing before the PUC issues a final order under (1) and (2), above.

H.B. 1484 (Metcalf) – Water and Sewer Rates: would: (1) provide that a person who files an application for the purchase or acquisition of a water or sewer system may request that the regulatory authority—including a city—with original jurisdiction over the rates for water or sewer service provided by the person to the customers of the system authorize the person to charge initial rates for the service that are: (a) shown in a tariff filed with a regulatory authority by the person for another water or sewer system; and (b) in force for the other water or sewer system on the date the application is filed; and (2) prohibit the regulatory authority from requiring a person making a request under (1), above, to initiate a new rate proceeding to establish the initial rates for service the person will provide to the customers of the purchased or acquired system.

H.B. 1501 (Dean) – Natural Gas and Propane: would: (1) preempt a governmental entity from adopting or enforcing a rule, charter provision, ordinance, order, or other regulation that prohibits or restricts, directly or indirectly, the use of natural gas or propane or the connection to any utility provider lawfully operating in Texas in the construction, renovation, maintenance, or alteration of a residential or commercial structure; and (2) provide that a rule, charter provision, ordinance, order, or other regulation adopted by a governmental entity that conflicts with (1), above, is void.