

Memorandum



CITY OF DALLAS

DATE March 20, 2009

TO Members of the City Council Legislative Ad Hoc Committee: Vonciel Jones Hill, Dr. Elba Garcia, Linda Koop, Pauline Medrano, Ron Natinsky, Dave Neumann, Mitchell Rasansky, and Steve Salazar

SUBJECT State Legislative Update

On Monday March 23, 2009, Assistant City Attorney, Larry Casto will provide you with a state legislative update. Attached are the briefing materials for you to review prior to Monday's discussion.

Please contact me if you have any questions.

A handwritten signature in cursive script, appearing to read 'Mary K. Suhm'.

Mary K. Suhm
City Manager

2009 STATE LEGISLATIVE PROPOSALS

	LEGISLATIVE PROPOSAL	Bill Number and Sponsor	Status	Notes
1	Regional Transportation	HB 9-Truitt	Introduced and referred to Committee on Transportation	
		SB 855- Carona	Bill heard, pending in Committee on Transportation and Homeland Security	• CM Koop gave testimony at hearing
2	Dallas Water Initiatives	SB 913: Williams - Relating to the authority of the Lower Neches River Authority to acquire the Devers Canal System.	Introduced and referred to Committee on Natural Resources	OPPOSE
		HB 722: Howard, Donna -Relating to the authority of certain municipalities to regulate the location of facilities to supply drinking water.	Introduced and referred to Committee on Urban Affairs	OPPOSE
		HB 3366:Rose - Relating to the rates charged by a water and sewer utility	Introduced and referred to Committee on Natural Resources	OPPOSE
		SB 361: Patrick, Dan - Relating to the requirement that water and sewer service providers ensure operations during an extended power outage	Would require the City of Dallas to buy back up generators. Approx. Fiscal Cost: \$150 Million	OPPOSE
		HB 1385: Davis, Y- Relating to the assessment of damages to a property owner from condemnation	Introduced and referred to Committee on Land and Resource Management	
		HJR65: Davis, Y- Requiring compensation for certain property taken where the use is public and necessary.	Introduced and referred to Committee on Land and Resource Management	
3	Public Recording of Real Property Sales Prices	HB 133- Villarreal	Introduced and referred to Committee on Ways and Means	
		HB 2257- Giddings	Introduced and referred to Committee on Business and Industry	
		SB 444- Wentworth	Introduced and referred to Committee on Intergovernmental Relations	Set for hearing on Tuesday, March 24th

2009 STATE LEGISLATIVE PROPOSALS

	LEGISLATIVE PROPOSAL	Bill Number and Sponsor	Status	Notes
4	Institutions of Higher Education- Law School	HB 59- Branch	Bill heard, pending in Committee on Higher Education	<ul style="list-style-type: none"> • Mayor Tom Leppert gave testimony • CM Vonciel Jones Hill attended hearing
		SB 956- West	Bill heard, pending in Committee on Education	
5	Trinity River Corridor Project-Relocation of Dawson State Jail	HB 3438- Hodge	Introduced and referred to Committee on Land and Resource Management	
6	Regulation of Sexually Oriented Businesses and Alcoholic Beverage Establishments	HB 960- Anchia	Introduced and referred to Committee on Criminal Jurisprudence	
		HB 961- Anchia	Introduced and referred to Committee on Licensing and Administrative Procedures	
7	Homelessness/Mental Health Issues	HB 1	\$13 million appropriated in Article 11	
		SB 1	\$50 million appropriated in Article 11	
8	Regional Transportation Council	HB 15: Leibowitz-Relating to the participation of certain metropolitan planning organization policy board members in votes of the board related to certain toll projects.	Bill heard, pending in Committee on Transportation	OPPOSE
9	Municipal Management Districts (MMDs)	Alonzo (To be filed)	North Oak Cliff Management District	SUPPORT
		West (To be filed)	Trinity River West Management District	SUPPORT
		Jackson, J (To be filed)	Cypress Waters Management District	SUPPORT
10	Plastic Bags	HB 1867- Anchia	Introduced and referred to Committee on Environmental Regulations	
		SB 338- Van de Putte	Introduced and referred to Committee on Business and Commerce	

2009 STATE LEGISLATIVE PROPOSALS

	LEGISLATIVE PROPOSAL	Bill Number and Sponsor	Status	Notes
11	Cement Kilns	HB 2174- Truitt	Introduced and referred to Committee on Environmental Regulations	
		HB 2355- Kent	Introduced and referred to Committee on Environmental Regulations	
		SB 1467-Davis, W	Introduced and referred to Committee on Government Organization	
12	TxDOT Road Maintenance	HB 14- Leibowitz	Bill heard, pending in Committee on Transportation	
13	Solar Incentives	HB 25- Leibowitz	Bill heard, pending in Committee on Business and Industry	
		SB 236- West	Bill heard, pending in Committee on Intergovernmental Relations	
		SB 134- Ellis	Introduced and referred to Committee on Finance	
14	Housing Trust Fund Dedicated Revenue Source	SB 950- West	Bill heard, pending in Committee on Intergovernmental Relations	
15	Strengthen Statutes that Regulate Group Facilities	HB 216- Menendez	Introduced and referred to Committee on Human Services	
		HB 510- Riddle	Introduced and referred to Committee on Human Services	
		HB 4271-Davis, Y		
16	Anti-idling Ordinances	HB 1909- Button	Introduced and referred to Committee on Environmental Regulations	
		HB 1920- Kent	Introduced and referred to Committee on Environmental Regulations	

2009 STATE LEGISLATIVE PROPOSALS

	LEGISLATIVE PROPOSAL	Bill Number and Sponsor	Status	Notes
17	State Land Bank	HB 2334- Giddings	Introduced and referred to Committee on Urban Affairs	
		HB 3160- Davis, Y	Introduced and referred to Committee on Urban Affairs	Set for hearing on Tuesday, March 26th
18	Film Incentives	HB 1052- Mallory Caraway	Bill heard, pending in Committee on Urban Affairs	
		HB 1142- Anchia	Introduced and referred to Committee on Urban Affairs	
		SB 605- Deuell	Introduced and referred to Committee on Economic Development	
		HB 873- Dukes	Substitute to SB 605	Successfully amended to add city of Dallas
19	Additional Building and Funding for the University of North Texas (UNT) Dallas Campus	HB 1774- Giddings	Introduced and referred to House committee on Higher Education	
20	Institutions of Higher Education- National Research Universities	HB 51- Branch	Bill heard, pending in Committee on Higher Education	
21	Institutions of Higher Education-Pharmacy School	HB 519- Giddings	Bill heard, pending in Committee on Higher Education	
22	Fair Park		Dependant on any available funds in the stimulus package	
23	Urban Search And Rescue Program (USAR)	Rider to HB 1	Currently appropriated in Article 11	
24	Regulation of Towing Companies		Looking to amend currently filed bills if necessary	
25	Sunset Commission on Fire Protection and State Fire Marshall's Office	HB 2298- Davis, Y	Introduced and referred to House committee on Higher Education	

Dallas Police Department Status Report for 2009 Legislative Proposals

Bill Number, Author, Latest Action	Unit	Document	Issue
HB1188 Truitt; HB1532 Bolton; HB1612 B. Brown action pending Environmental Regulation Committee; HB1717 Pierson action pending Environmental Regulation Committee; HB2769 Anderson; HB3681 Riddle; SB1203 West; SB1863 Ellis. (other bills referred to committee)	Metal Theft Unit	Occupations Code Chapter 1956	This would mirror our latest changes to the city ordinance which would include: 1) Prohibit walk ups. 2) Prohibit cash transactions, with an exception of a specific transaction card. 3) Require a digital photo of the seller. 4) Classify catalytic converters as regulated metal. 5) S/J Felony to operate w/out state registration.
HB2839 by Riddle, referred to Public Safety	Patrol	Transportation Code 545.420	Changes would increase punishment options for those involved in illegal street racing as participants. Punishment options include drivers' license suspension, community services, driver safety course, and provide authority to temporarily or permanently confiscate participating vehicles, depending on prior convictions.
SB89 by Van de Putte, Referred to Criminal Justice. HB639 by Thompson, set for 3-23-09 in Judiciary & Civil Jurisprudence	Crimes Against Children	Penal Code 20A Trafficking of Persons	This would change the definition of forced labor to include any forced criminal conduct, not just forced prostitution. This definition is specific to the trafficking of persons. An additional change would make serious bodily injury to a person who is being trafficked be punishable as a First Degree Felony. Currently, a First Degree Felony punishment is allowed only if death is a result of trafficking.
HB1614 by B. Brown, set for 3-23-09 in Criminal Jurisprudence subcommittee	Metal Theft Unit	Penal Code 28.03 Criminal Mischief	This would increase the penalty for criminal mischief if the damage interrupts public communication, public transportation, gas or power supply or other public service. The penalty would be a State Jail Felony regardless of financial loss if the damage amount is less than \$1,500. Damage above \$1,500 would follow the current process that escalates the penalty based on financial damage.

Bill Number, Author, Latest Action	Unit	Document	Issue
HB1614 by B. Brown, set for 3-23-09 in Criminal Jurisprudence subcommittee	Metal Theft Unit	Penal Code 28.03 Criminal Mischief	This would increase the penalty for criminal mischief if the damage interrupts public communication, public transportation, gas or power supply or other public service. The penalty would be a State Jail Felony regardless of financial loss if the damage amount is less than \$1,500. Damage above \$1,500 would follow the current process that escalates the penalty based on financial damage.
SB369 by Carona, referred to Transportation & Homeland Security	Gang Unit	Code of Criminal Procedure	Current retention time for state level gang database is two years for juveniles and three years for adults. The federal law allows for a five year retention period. This change would cause state law to mirror federal law.
HB1558 by Martinez-Fischer, 3-16-09, heard in Criminal Jurisprudence subcommittee (action pending)	Gang Unit	Penal Code 28.08 Graffiti	Recommended changes to graffiti laws include 1) Enhance to S/J Felony after second Graffiti conviction of any penalty grade. 2) An alternative option of drivers' license suspension or delay in issuance of a drivers' license. 3) Complete restitution for damages.