

Briefing

89th Texas Legislative Session Update



Ryan Skrobarczyk
Director, Intergovernmental Relations
April 8, 2025



89th Session Dates of Interest

- **April 10** Budget Consideration on House Floor
- **April 15** First Day Senators Can Place 5 Bills on Intent
- **May 12** Last Day to Report House Bills from Committee
- **May 15** Last Day for House to Consider House Bills on 2nd Reading
- **May 23** Last Day for House to Consider Local Bills
- **May 27** Last Day House to Consider Senate Bills on 2nd Reading
- **June 1** Last Day to Adopt Conference Committee Reports
- **June 2** Last Day of the 89th Regular Session



Land Use Mandates & Preemption

- **SB 15** - Relating to size and density requirements for residential lots in certain municipalities; authorizing a fee.
 - **HB 3919** - Relating to size and density requirements for residential lots in certain municipalities; authorizing a fee.
 - **SB 854**- Relating to municipal regulation of multifamily and mixed-use development on religious land.
 - **HB 3172** - Relating to municipal regulation of multifamily and mixed-use development on religious land.
 - **Amendment Update: House author accepted amendments exempting military installations Clear Zones, APZs, and further limited scope**
-



Land Use Mandates & Preemption

- **HB 2494** - Relating to disannexation of certain areas of a municipality for failure to provide services. **HEARD IN COMMITTEE**
 - Permits a disannexation petition for any area of a property since the beginning of the city that has not received “full municipal services” as defined by Local Government Code 463.056 (b)
- **HB 3275** - Relating to the authority of a municipality to require a minimum amount of parking spaces for certain commercial buildings. **HEARD IN COMMITTEE**
 - Eliminates parking minimums for any type of property not zoned as a single-family residence
- **HB 2149** - Relating to nonconforming land uses after the adoption of or change to a zoning regulation or boundary. **VOTED OUT OF COMMITTEE**
 - Allows a nonconforming use to resume 5 years after it was stopped and allows the owner to expand the nonconforming use.



Land Use Mandates & Preemption

- **HB 23** - Relating to the authority of certain persons to obtain third-party review of plats and property development plans, permits, and similar documents, and the inspection of an improvement related to such a document. **VOTED OUT OF COMMITTEE**
 - Allows for 3rd party review and approval of plats, inspections, and building permits in accordance with city ordinances. Cities can still collect the fees associated with the review.
 - Liability shifted to the 3rd party reviewer, and insurance is required. Requested future amendments to protect floodplain management.
- **HB 24** - Relating to procedures for changes to a zoning regulation or district boundary. **VOTED OUT OF COMMITTEE**
 - Increases the protest threshold for zoning changes that do not include an increase in residential housing.



Compensatory Damages

- **SB 776** - Relating to the award of compensatory damages caused by certain delays under governmental construction contracts. **HEARD IN COMMITTEE**
 - Eliminates the “No Damages for Delay” provision in construction contracts, making the city liable for monetary damages for delays caused by the city.
 - Current city contracts allow for additional time as the sole remedy for delays.
 - The legislation also makes the city liable for damages due to delays caused by a third party like an engineer or other professional service.
 - The bill does not protect the city during concurrent delays between the owner and the contractor.
 - Ultimately, Legal has concerns this legislation expands the City’s liability, thereby leading to increased lawsuits against local governments, costing taxpayer dollars.



Property Tax Revenue

- **HB 3093** - Relating to the calculation of certain ad valorem tax rates of a taxing unit for a year in which a property owner provides notice that the owner intends to appeal an order of an appraisal review board. **HEARD IN COMMITTEE**
 - Bracketed to coastal counties with a population of less than 500,000.
 - The bill will remove the portion of the aggregate taxable value included in anticipated substantial litigation that consists of contested taxable value from the “current total value” for tax rate calculations.
 - The bill requires notice to be given to the top 20 owners of taxable property within the jurisdiction that they must comply with the statute. The bill requires the property owner to submit the uncontested value to the taxing jurisdiction.



Preemption Legislation

- **HB 2464** – Relating to the authority of a municipality to regulate a home-based business. **HEARD IN COMMITTEE**
 - No municipal regulation of home-based businesses that do not generate on-street parking, traffic, exceedance of occupancy limits, and not visible from the street. Will be amended to clarify it does not apply to Short Term Rentals.
- **HB 41** - Relating to the acquisition or use of certain foreign equipment or services by a governmental entity. **HEARD IN COMMITTEE.**
 - Eliminates the use of drone and telecommunication technology from companies based in certain countries, including China. Working with the author to mitigate negative impacts on existing first-responder drone fleets.
- **HB 2156** - Relating to state and local authorities to regulate the food service industry. **HEARD IN COMMITTEE**
 - Requires local food establishment permits from public health districts to mirror state permits.



Texas Windstorm Legislation

- **HB 1576** – Relating to a grant program for hurricane and windstorm loss mitigation for single-family residential property. **HEARD IN COMMITTEE**
 - Creation of a state grant program for residential property owners to retrofit a homestead to the fortified home hurricane standard adopted by the Institute for Business and Home Safety.
- **HB 3689** - Relating to funding of excess losses and operating expenses of the Texas Windstorm Insurance Association; authorizing an assessment; authorizing a surcharge. **HEARD IN COMMITTEE**
 - Mitigates excess losses by allowing TWIA to borrow up to \$1 billion from the state’s Rainy Day Fund following a disaster as opposed to private securities as is current practice.



Water Supply Funding

- **SB 7 by Sen. Perry** –Proposing a constitutional amendment dedicating a portion of the revenue derived from state sales and use taxes and insurance premium taxes to the Texas water fund.
RECEIVED FROM THE SENATE
- **HJR 7 by Rep. Harris-** Proposing a constitutional amendment to dedicate a portion of the revenue derived from state sales and use taxes to the Texas water fund. **CALENDARS COMMITTEE**



Culture, Recreation, & Tourism

- **HB 3274** - Relating to the placement of a cultivated oyster in a natural oyster bed, a private oyster bed, or coastal waters. **HEARD IN COMMITTEE**
 - Allows the placement of cultivated oyster beds as authorized by the Parks and Wildlife Department.
- **HB 3556** - relating to certain structures located near a National Wildlife Refuge. **HEARD IN COMMITTEE**
 - Bracketed bill to apply to certain counties under 500,000 in population. Requires Texas Parks and Wildlife to be notified of intent to construct a structure over 500 feet tall and allows the Parks and Wildlife to enjoin construction of such a structure.

