



**STRATEGIC  
PUBLIC AFFAIRS®**

**Legislative Wrap Up  
87<sup>th</sup> Texas Legislature  
Texas NGV Alliance  
June 24, 2021**

# Presenters



Andrew Biar  
President



Ricardo Lopez-Guerra  
Vice President

# **SESSION WITH DIFFERENT AND USNIQUE DIYNAMICS**

## **Pandemic**

**Never seen before requirements for a very open culture**

**Limited access**

**Testing**

**Masks**

**“Hall Passes”**

## **Winter storm Uri**

**Lost two weeks of work**

**Changed legislative priorities**

# **SESSION WITH DIFFERENT AND UNIQUE DYNAMICS**

## **New Speaker**

**Very hands off approach**

**Committee chairs tremendous influence/ability to direct legislation**

## **Senate rule for blocking a bill changed**

**From 13 to 14 due to Democrats gaining a seat**

## **Sine Die**

**Democrats break quorum to stop voter integrity legislation**

**Came to a close quietly/very little last minute torrent of activity**

# Legislation Filed, Passed and Vetoed

## 87<sup>th</sup> Regular Session

**House Bills 4671 filed/587 passed**  
**Senate Bills 2256 filed/486 passed**

**Bills vetoed 21**  
**Including Article X of Budget**

## 86<sup>th</sup> Regular Session

**4765 filed/969 passed**  
**2559 filed/460 passed**

**Bills vetoed 58**

# State Budget

## Budget SB 1

\$248 billion for biennium 2022 – 2023

\$116.4 billion for general revenue spending

Didn't tap into the rainy day fund

Governor vetoes Article X

Funding for legislators and staff

Response to voter integrity bill failing

# Business Legislation

**Priorities quickly changed after Uri**

## **ERCOT/Weatherization SB 2**

Restructured ERCOT, more power to legislative leaders

Board composition from 16 to 11

Selection committee will appoint 8 of the 11

Committee make up one appointee each

Governor

Lt. Governor

Speaker

# Business Legislation

## Utility Hardening/Weatherization SB 3

Requires utility and certain natural gas companies to weatherize

Requires utility regulators to develop emergency alert system for power outages and severe weather

Creates Texas Electricity Supply Chain Security and Mapping Committee

Will develop a map of

- Critical gas supply chain assets

- List of priority electricity supply needs/infrastructure



# Business Legislation

## Pandemic Liability Act SB 6

Provides liability protection to employers acting in good faith

Limits set for death, injury or property damage

Liability protection during pandemics or disasters

# Business Legislation

## Eminent Domain

6 years of negotiations

Industry and landowner compromise

Coalition for Critical Infrastructure

E&P

Midstream

Utilities

Chemicals

Manufacturing

Water Authorities

Government such as municipals

Carol Sims and Lisa Kaufman (TCJL)

# Business Legislation

## Eminent Domain HB 2730

Property owners right to file written complaint TREC ROW/easement agent AKA landmen misconduct

Requires AG do biennial review, public input, LOBOR

Requires ROW agents take required courses every two years to obtain and maintain their certificate allowing them to work as a ROW agent

# Business Legislation

## Eminent Domain SB 721

Requires condemning entity to divulge to property owner current and existing appraisal reports for the property and intended use at commissioners hearings

## Eminent Domain SB 725

Requires penalty for change of use of ag land resulting from condemnation be the obligation of condemnor

## Eminent Domain HB 4107

Common carrier prior to accessing property for preliminary survey

For land that will be used as part of eminent domain process

Must give property owner, in writing, notice of intent to access the land

Indemnification provision for damages during survey

# Business Legislation

## Chemical Storage Tanks SB 900

Addresses safety issues related to fires and explosions for chemical storage tanks response to ITC tank fire in Houston in 2019

Sets standards and design integrity for bulk storage tanks of 21,000 gallons or more  
TCEQ will develop the rules by September 2023

## Natural Gas Bans HB 17

Prevents cities and counties from banning natural gas use

## Wine, Beer and Mixed Beverage Delivery HB 1024

Allows pickup and delivery of beer, wine and mixed beverages

Provides for pick-up and delivery by third-parties

Makes permanent the waiver Gov Abbott implemented during the pandemic

Allowing restaurants with a mixed beverage permit and food and beverage certificate to sell beer, wine, and mixed beverages along with orders for food

# Freedoms and Social Issues That Passed

## Guns SB 19

Starting Sept 1 Texans can carry a handgun in the open without a permit

Must be legally permitted to carry a gun, no convictions of certain crimes

## Critical Race Theory HB 3979

Passed, but many want a tougher bill

Ban teaching of CRT

Look for this in special session

## Church Closure During Disasters HB 1279

Prevents churches/places of worship from being shut down during a pandemic

# **Freedoms & Social Issues Failed Some Will Drive Special Session(s)**

## **Governors Pandemic Powers HB 3**

Legislators would have had more power over the emergency powers of the governor during a pandemic

Would have required the legislature to convene if a governor's orders go past 90 days

## **Social Media Expression SB 12**

Prevent social media companies from banning or discriminating against users with other viewpoints or their location in Texas

# **Freedoms & Social Issues Failed Some Will Drive Special Session(s)**

## **Bail Reform HB 20 (failed when Democrats broke quorum)**

Limited which defendants could post a cash payment to be released from jail

Stop PR bonds for violent or sexual charges

Non religious groups could not post bail for people accused of previous violent crime

## **Voter Integrity SB 7 (failed when Democrats broke quorum)**

Allow for more access by poll watchers to observe polling places

Prohibit drive-through voting and voting "drop boxes"

## **Governor Vetoes Article X of the Budget**

Funding for legislators budgets, including staff salary

Response to Democrats breaking quorum which killed HB 7 and HB 20



# What's Next Special Session(s)

## They Get to Celebrate Independence Day

First Called Special Session July 8

30 Days

## Limiting Legislative Issues

Gov. Abbott limiting issues to one at a time

Move to next issue after current issue completed and passed

# What's next Special Session(s)

## Issues

Governor has not announced issues

## Likely Issues

Voter Integrity

Bail Reform

CRT

Social Media Regulation

## Issues for Special Session in the Fall

Redistricting

How to spend \$16 billion in federal funds



**STRATEGIC**  
**PUBLIC AFFAIRS®**

**THANK YOU!**