

**89th Texas Legislative
Session**

A photograph of the City of El Paso skyline at sunset. The sky is a mix of blue and orange. In the foreground, there's a large, ornate building with a flat roof and many windows. In the background, there's a tall building with a green dome and the word 'PLAZA' on top. The text 'CITY OF EL PASO STATE LEGISLATIVE AGENDA' is overlaid in white on a dark blue rectangular background.

CITY OF EL PASO STATE LEGISLATIVE AGENDA



Strategic and Legislative Affairs



INTRODUCTION

The City of El Paso's State Legislative Agenda reflects the City's policy priorities that enable us to continue our mission of delivering exceptional services to support a high quality of life for our community.

This State Legislative Agenda serves as a guiding document for the Strategic and Legislative Affairs Team as they work with our State Delegation to secure resources and support for the El Paso community. City staff and authorized representatives will work together to secure legislators to author bills, provide testimony, and advocate for the passage of the priorities within this State Legislative Agenda throughout the 89th Texas Legislative Session. The Mayor, as the City's intra- and intergovernmental representative, will provide additional direction to the Strategic and Legislative Affairs Team on the City's position regarding specific legislation.



GENERAL LEGISLATIVE PRIORITIES

The City of El Paso supports legislation that enhances the City's ability to solve problems and improve our community's quality of life. We will also support the legislative initiatives of the Texas Municipal League and our community partners that enhance the educational, cultural, and infrastructural resources in our region. The City works with other Texas municipalities to enhance and protect municipal authority and ensure that taxpayers are not burdened by unfunded mandates.

The City of El Paso opposes legislation that reduces the City's authority, increases the cost of providing public services, undermines the home rule principle, results in the loss of revenue, diminishes the authority of cities to regulate development, imposes unfunded mandates, or reduces municipal ordinance-making authority.

PRIORITIES FOR THE 89TH TEXAS LEGISLATIVE SESSION



Citywide Priorities

Support legislation that:

- a. Expands workforce development programs to allow municipalities to access funding for upskilling and other development opportunities for city staff.
- b. Authorizes property tax exemptions at a specified dollar amount in lieu of a percentage of taxable value.
- c. Improves the Central Appraisal District's (CAD) appeal process and/or requires CAD staff and appraisal boards to receive additional training and/or certifications that will improve the accuracy of the appraisals of property.
- d. Allows municipalities to publish certain notices on the Internet.
- e. Provides local option tools, including legislation allowing municipalities to submit for voter approval an increase in sales tax, the amount of the sales tax increase, the sunset date of the increase, and how the additional revenue will be used.
- f. Increases accessibility of public facilities and transit systems for persons with disabilities.

Oppose legislation that:

- a. Increases the cost to the City for acquiring property or restricts the City's ability to acquire property.
- b. Imposes general preemption and/or unfunded mandates upon municipalities.

Animal Services

Support legislation that:

- a. Allows for the flexibility of municipal-owned shelters to provide veterinary services including spaying and neutering, vaccinations, and minor surgeries.
- b. Allows municipally-owned shelters to provide veterinary services to low-income and indigent pet owners and fosters.
- c. Allows shelter animals to be spayed or neutered by a veterinarian authorized to perform such procedures in Texas and neighboring states.
- d. Allows veterinarians to make medical exemptions for spaying and neutering surgeries due to the health and condition of a dog or cat.



Oppose legislation that:

- a. Imposes stringent requirements or regulations upon municipally-owned shelters or clinics that provide low-cost spaying and neutering procedures and vaccinations.

Community and Human Development

Support legislation that:

- a. Prioritizes viable and feasible transactions for 4% LITHTC tax credit applications.
- b. Would repeal the two mile/same year rule for low-income housing tax credits or would allow municipalities to approve a waiver of the rule.
- c. Provides funding and support for housing and homelessness programs.
- d. Prohibits predatory practices that harm affordable housing stock and removes or expands the 12-month limit on the Rapid Rehousing program.
- e. Would limit Housing Finance Corporations to operate only within a municipality's city limits.

Office of Climate and Sustainability

Support legislation that:

- a. Requires or enhances the use of renewable energy “buy back” programs in Texas.
- b. Creates renewable energy tax credits that complement federal tax credits for renewable energy and battery storage.
- c. Advances clean energy solutions by creating incentives and rebates to encourage the use of solar panels and energy efficiencies.
- d. Allocates funding to projects identified by municipalities or provides economic incentives and support for solar and renewable energy initiatives.
- e. Deploys EVs and EV charging infrastructure throughout our community.
- f. Increases the net-metering cap for distributed energy systems and the dollars per kilowatts per hour value for electricity exported to the grid.
- g. Supports Distributed Energy Resources (DERs), including Community Solar initiatives.
- h. Increases energy efficiency goals and standards for utilities to create more energy efficiency programs for residential and commercial customers.
- i. Provides new ways to repurpose electric car batteries and solar panels after they reach the end of their useful life.
- j. Directly addresses air quality monitoring and analysis to assess emissions levels and other air pollutants.

Economic Development

Support legislation that:

- a. Streamlines and expands the Skills Development Fund Program to allow municipalities to access funding for training programs and provides for the reimbursement of companies relocating to Texas for training.
- b. Expands Chapters 311, 312, and 313 of the Texas Economic Development Act and expands eligibility to include back office and large-scale warehouse distribution companies.



- c. Appropriates money for the Defense Economic Adjustment Assistance Grant (DEAAG) program to fund military value projects that strengthen Texas military installations.
- d. Preserves the full funding of Texas tourism, including the expansion or increase of the hotel occupancy tax rate for municipalities.
- e. Allows more transparency and clarity in the manner in which Texas Enterprise Funds are reviewed and awarded.
- f. Provides incentives to attract and retain medical professionals in this region.
- g. Shortens the Jobs, Energy, Technology, and Innovation Act (JETI) process at the Texas Comptroller's Office to less than 60 days.
- h. Restores gaming rights on tribal lands.
- i. Requires the General Land Office comply with local zoning and other regulations governing development and land use when the state retains ownership in a private company.
- j. Expands the City's zoning authority in extraterritorial jurisdictions (ETJs).
- k. Provides for administrative approvals of 30-day subdivision approval waivers.
- l. Will incentivize new housing development.

Oppose legislation that:

- a. Reduces or eliminates the current Event Trust Fund Program.
- b. Harms the City's viability to compete for conventions, sporting events, and corporate relocations.
- c. Negatively affects the City's ability to use existing economic development tools, including property tax abatement, reinvestment zones, and Chapter 380 Agreements.



El Paso International Airport

Support legislation that:

- a. Enhances the economic opportunities and development of municipal airports.
- b. Enhances airport safety and security through responsible police policies and training to prevent human trafficking activity.
- c. Regulates the safe use of drones and unmanned aircraft systems devices and electric vertical takeoff and landing (eVTOL) aircrafts in and around secure airspace.
- d. Creates new incentive programs and strategies that encourage new air service and retain existing air service through intrastate and domestic regional travel.
- e. Positions El Paso and the State of Texas as a global aerospace hub to attract aerospace and aviation-related economic development and job creation.
- f. Appropriates state funds raised under existing dedicated state taxes for marketing purposes and promotes Texas as an aviation-related business and leisure destination.
- g. Encourages the growth of commercial passenger and cargo air service in Texas, including current, longstanding state policies that exempt aviation fuel from sales taxation.
- h. Supports workforce development through flight training, aerospace, aviation, defense, maintenance, and manufacturing programs.



- i. Increases funding to the Texas Workforce Commission's Skills Development Fund for the development of aviation resources.
- j. Facilitates grant funding for the development and maintenance of airport infrastructure.
- k. Integrates the use of emerging air technologies such as air mobility products in and around commercial airspaces.

- l. Implements the recommendations delivered by the U.S. Department of Transportation's Urban Advisory Committee's Final Report (published October 2022).

- j. Identifies opportunities to leverage the Space Exploration and Aeronautics Research Trust Fund as administered by the Texas Space Commission.

Oppose legislation that:

- a. Limits municipalities' ability to regulate peer-to-peer car sharing companies and provides an unfair competitive advantage to "gig economy," peer-to-peer, or shared economy (rental platform) services operating in the airport environment.
- b. Adversely impacts Texas airports' financial and investment operations.
- c. Adversely affects the ability of airports and owner cities to impact future legislation by disallowing certain political subdivisions from advocating before the legislature.
- d. Requires tenants provide a 90-day notice to governmental entities for the construction, alteration, or repair of a leased property under the lease terms of the Texas Government Code.

Information Technology

Support legislation that:

- a. Addresses the digital divide disparity and expands broadband access.

Oppose legislation that:

- a. Restricts the City's ability to regulate the telecommunications industry and the ways fees are charged for the use of city rights of way.



International Bridges

Support legislation that:

- a. Funds the installation of and updates to Intelligence Transportation System (ITS) technology and traffic control improvements and measures at the Paso del Norte and Stanton Street bridges.

- b. Enhances and complements the use of ITS technology at our international bridges by completing the Texas Transportation Institute’s Border Crossing Information System and includes exploration of scope expansion into Mexico via the Camino Real Regional Mobility Authority.
- c. Increases funding for cross-border infrastructure projects identified in the Texas Department of Transportation’s (TxDOT) Texas-Mexico Border Transportation Master Plan (BTMP), provides for dedicated funding sources, and extends current state transportation funding sources.
- d. Funds a defined trade corridor study by TxDOT of the El Paso region.
- e. Expands state funding for land ports of entry; improves connectivity between and access in and out of international bridges; and provides additional funding for Texas Department of Public Safety (TxDPS) bridge staff and infrastructure, procedures, and opportunities to improve bridges and ports of entry wait times without increasing costs to the City.

Libraries

Support legislation that:

- a. Increases state aid for public libraries.
- b. Prohibits firearm license holders from carrying firearms into libraries.

Military and Veteran Affairs

Support legislation that:

- a. Assists active duty military personnel, veterans, and their dependents in addressing long wait times at Department of Veteran Affairs (VA) clinics and medical centers in Texas.



- b. Improves workforce development programs for military personnel and veterans.
- c. Fully funds the allocation of the Local Government Veterans Exemption Relief awards given to qualified cities and counties identified as Local Governments Disproportionately Affected by Disabled Veterans (LGDADV).
- d. Enacts licensing compacts and ensures state licensing agencies make their application processes more accessible to licensed military spouses seeking licensure in Texas.
- e. Creates a statewide risk mitigation fund that local governments can access to offset financial losses encountered by property owners who participate in the program and serve at-risk and low-income veterans and their families.
- f. Adds 'Military Family' as a protected class in state education, housing, public utilities, and civil rights law.

Museums and Cultural Affairs

Support legislation that:

- a. Funds the Texas Commission on the Arts including the Cultural District Program.
- b. Prohibits firearm license holders from carrying firearms into museums, cultural centers, and performing arts facilities.



Parks and Recreation

Support legislation that:

- a. Provides funding for the Texas State Park System and the Texas Recreation & Parks Account Local Park Grant Program.
- b. Provides for the passthrough of federal funds for parks, recreation, open space, trails, tourism, health, and wellness; creates a fair distribution of the sporting goods sales tax revenue for local and state parks; and requires projects be subjected to a competitive scoring system established by the Texas Parks and Wildlife Department.

- c. Expands the Texas Water Development Board's Clean Water State Revolving Fund eligibility and prioritization criteria to include water projects for green spaces.

Planning and Development

Support legislation that:

- a. Allows municipalities to initiate the annexation of expedient Department of Defense (DOD) land if it is adjacent to a municipality's city limits at the time in which the DOD issues a declaration of expediency regarding the land.
- b. Increases the construction of missing middle housing in all zoning districts.
- c. Allows municipalities to regulate certain building aesthetics including color and materials, when related to special variance requests.
- d. Removes parking minimums.
- e. Allows municipalities to require certain approved studies or conditions related to zoning and subdivisions.
- f. Increases the zoning opposition threshold that triggers City Council supermajority action.
- g. Allows counties to impose land use controls on land outside of a municipality's boundaries.

Oppose legislation that:

- a. Further restricts municipal authority to annex land or imposes more stringent requirements on a municipality's ability to annex land.
- b. Limits municipalities' ability to collect fees based on the cost of service.



- c. Allows the construction by right of certain items including solar panels that violate a municipality's zoning or building requirements.
- d. Amends, abolishes, or repeals Section 26.03 of the Texas Tax Code related to the treatment of captured appraised value and tax increment in the calculation of ad valorem tax rates for a taxing unit.

Public Health and Welfare

Support legislation that:

- a. Simplifies the Supplemental Nutrition Assistance Program (SNAP) application process.
- b. Expands funding for state and local mental health programs.
- c. Expands funding for health care programs including women's preventative health and family planning services, chronic disease prevention, veteran health, pediatric health, behavioral health, and substance abuse programs to support the uninsured and underinsured residents of our region.
- d. Funds efforts to address public health disparities due to racial inequalities.
- e. Funds and ensures appropriate oversight and enforcement of infection disease protocols and epidemiological responses and provides widespread testing and associated personal protective equipment for residents and staff of healthcare and testing facilities.

Public Safety Police

Support legislation that:

- a. Expands funding for municipalities' acquisition of police body cameras and data storage.
- b. Establishes and funds statewide minimum standards and guidelines for school safety.
- c. Provides a dedicated funding source for specialized training through the School Marshal program or other existing programs available to school districts for the hiring of law enforcement or peace officers and for mental health services and community mental health programs.



- d. Increases existing or creates new grant programs to provide financial assistance to local government law enforcement agencies for public safety resources, particularly for border communities.
- e. Allows cities to recover costs associated with addressing blighted or abandoned properties.

Oppose legislation that:

- a. Negatively affects the City's ability to maintain public confidence, trust, and support in the fairness and integrity of the El Paso Police Department.

Fire

Support legislation that:

- a. Exempts fire trucks and apparatuses from requiring Diesel Emissions Filter (DEF) sensors to protect the useful life of emergency vehicles.
- b. Funds the gear and equipment changes required by the U.S. Environmental Protection Agency's (EPA) PFAS-chemical bans and establishes clear guidelines for the safe disposal of PFAS-containing materials.



Office of Emergency Management

Support legislation that:

- a. Increases and identifies funding earmarked for local government and emergency management agencies located at the border.
- b. Protects the City's ability to enforce basic health and safety standards for the public and provides frontline workers with health and safety protections, support, and education related to pandemic, natural, or other emergency responses.
- c. Provides necessary funding to respond to migrants who come through El Paso and other Texas border communities.
- d. Provides funding to Border Zone Fire Departments for specialized equipment, maintenance, and medical supplies to support emergency services associated with the execution of border security activities.

- e. Gives continued jurisdiction to local health authorities to issue emergency orders.
- f. Funds the State Homeland Security Program to support the preparation and response to threats and hazards to public safety; ensures funds are equitably distributed among regional recipients; and gives special consideration to the risks and needs of border communities.

Oppose legislation that:

- a. Restricts the City's flexibility to effectively mitigate, prepare for, respond to, and recover from emergencies and disasters including flooding, wildfires, extreme temperatures, immigration, and public health disasters.

Streets

Support legislation that:

- a. Creates sustainable and predictable funding sources for roads and transit projects.
- b. Allows municipalities to reduce the prima facie speed limit on residential streets to 25 miles per hour without performing an engineering or traffic study.

Transportation

Support legislation that:

- a. Eliminates the diversions of state transportation revenue to non-transportation uses.
- b. Specifically allocates funds to increase TxDOT financial contributions for landscaping maintenance of state highways located within municipalities.



- c. Amends TxDOT funding formulas to ensure El Paso receives additional, equitable funding from all department sources.
- d. Expands the uses of the State Highway Fund to support multimodal transportation projects for urban communities.
- e. Ensures increased and equitable Metropolitan Planning Organization funding for Sun Metro transit projects.

Utilities

Support legislation that:

- a. Increases the proportion of renewable energies in the state's renewable generation requirements.
- b. Reauthorizes the Economically Distressed Area Program for the Texas Water Development Board's Colonias project.
- c. Enhances flood prevention and stormwater management efforts.
- d. Eliminates or reduces reimbursements accessible through the Energy Efficiency Cost Recovery Factor.

Oppose legislation that:

- a. Removes municipalities' "original jurisdiction" in the rate setting process for gas and electric services or removes municipalities' ability to recover expenses associated with conducting or intervening in gas and electric rate cases.

Workforce

Support legislation that:

- a. Invests in educational and job placement programs to provide support for the City's growing workforce.
- b. Improves the financial stability of the City's employee retirement plans.

Oppose legislation that:

- a. Adversely affects the financial stability of employee retirement plans.





CITY OF EL PASO

