

Purchasing /Procurement

SB 1733: Competitive Bidding Threshold

- This bill increased the threshold for “competitive sealed bids” or “competitive sealed proposals” under Section 252.021 of the Tex. Local Gov’t Code from \$50,000 to \$100,000

Land Use Regulations

HB 24: Notices/Protests

- This bill increases the threshold for property owners by requiring that their properties account for 60% of the rezoned area. However, it lowers the threshold for the city council to approve the change to a simple majority vote.
- *Super-majority is still required if the protest includes 20%.

HB 2464: Home Occupations

- Defines a “no-impact-home-based-business”
 - Has at any time on the property where the business is operated a total number of employees and clients or patrons of the business that does not exceed the city’s occupancy limit for the property;
 - Does not generate on-street parking or a substantial increase in traffic through the area;
 - Operates in a manner in which none of its activities are visible from the street; and
 - Does not substantially increase noise in the area or violate a municipal noise ordinance, regulation, or rule.
- Cities are significantly prohibited from regulating these (and other home home-based businesses)

Land Use Regulations

HB 2844: Food Trucks

- Preempts a city's authority to prohibit or regulate mobile food vendors in a manner that conflicts with state law.
- Requires that the Department of State Health Services and Health and Human Services Commission to adopt new rules to regulate mobile food vendors.

SB 1883: Land Use Assumptions/Impact Fees

- Not less than 50% of the impact fee advisory committee must be representatives of the real estate, development, or building industries (who are not employees or officials of the city).
- Cities must make land use assumptions and capital improvement plans available to the public at least 60 days before the first notice of a public hearing.
- Approval of an impact fee requires a two-thirds affirmative vote from the City Council. It also prohibits any increase in impact fees for three years from the date they were adopted or last increased, while allowing for a phased collection schedule.
- An independent financial audit is required before any increase in existing impact fees or the adoption of new collected fees. The audit must be by a CPA with no previous contractual relationship with the city. The results must be discussed at a public hearing before adoption.

Land Use Regulations

SB 785/ SB 1341: Manufactured Homes

- This bill amends the definition of “manufactured home” to mirror federal law.
- Prohibits cities from requiring a Specific Use Permit for manufactured homes if compliant with federal/state requirements.
- Requires cities to allow manufactured homes by right in at least one residential zoning classification.
- However, the new changes do not limit a city’s historic preservation authority or impact deed restrictions in place before January 2, 2025.

SB 1567: Occupancy Controls

- This bill restricts “university cities” from enforcing relation-based occupancy rules (otherwise known as the “Frat House” bill). Cities with a population of less than 250,000 that “contain or are adjacent to” an institution of higher education with enrollment of 20,000+ are prohibited from regulating occupancy based on familial/relationship status. However, cities may limit occupancy to one occupant per sleeping room with a minimum floor area of 70 sq. ft. and allows an additional occupant for each additional 50 sq. ft. in the same sleeping room.

Texas Open Meetings Act

HB 1522: Notice of Meeting

- This bill revises the 72-hour posting requirement for public meetings. Governmental entities must now post the notice for public meetings at least “three business days” before the date of the meeting.

HB 5238: Disrupting a Meeting (now applicable to virtual/hybrid meetings)

- This bill makes it a criminal offense to obstruct or interfere with a public meeting, including by electronic disturbance/hacking of any virtual component of the meeting. Under current state law, it's illegal to obstruct/interfere a meeting by physical action or verbal utterance.

Municipal Court

HB 1950: Court Security/Technology Fund

- This bill consolidates the municipal court building security and technology funds into a single consolidated municipal court fund for cities with a population less than 100,000. The changes aim to allow municipalities to efficiently allocate funds to improve security and technology in their courts.

Regulatory Compliance

SB 541: Cottage Food Production Deregulation

- Defines “cottage food production operation” as: a nonprofit or individual (operating out of their home) with an annual gross income of \$150,000 or less from the sale of food.
- This includes any food other than production of meat, seafood products, raw milk products, ice products, low-acid canned goods, and products that contain CBD.
- This bill prohibits cities from requiring any type of license or permit related to the same.

SB 1008: Regulating Food Industry

- This bill caps the amount that a city may charge vendors for permits or inspection fees. The fees may not exceed those imposed by the State.

SB 617: Homelessness

- This bill relates to the conversion of city property to provide housing to homeless individuals. Cities are now required to (a) hold a public hearing at least 90 days prior to the proposed conversion begins; (b) the hearing must be held within one-mile of the property; and (c) must mail notice to each residence/business within one-mile radius of the property.

Regulatory Compliance

HB 519: Honey Deregulation

- This bill establishes that honey/honeycomb are raw agricultural commodities and prohibits cities from regulating the “production” of the same. This would not prevent a city from responding to health/safety concerns related to the same.

HB 3611: Regulations of Signs in ROW

- This bill amends the Texas Transportation Code Section 393.007 imposing a civil penalty for commercial signs placed on the right-of-way of a public road, not authorized by law or ordinance. City may file a civil suit against the sign owner to recover (not more than) \$1,000 (1st Violation); \$2,500 (2nd Violation); and \$5,000 (3rd Violation).

Regulatory Compliance

HB 5057: Notice Required for Exclusive Solid Waste Franchise Agreements

- This bill requires a city to provide notice in a newspaper and on the city's website, if applicable, when it enters into an exclusive contract with a privately owned solid waste management service provider. This includes an amendment or renewal of an existing contract that grants exclusive status.
- The bill allows solid waste service providers that are already providing services within the city to continue providing services if the solid waste service provider already has an existing contract with a person in the city's jurisdiction, until the earlier of (1) the date the existing nonexclusive contract expires or (2) the first anniversary of the date the city provided the required notice in a newspaper.
- Providers that are operating without a contract may continue providing services until the 60th day after the city provides the required notice in a newspaper.