



Austin Landline Report February 2021

The state legislature gaveled into session on January 12th. The House immediately elected Rep. Dade Phelan as Speaker, with only a handful of dissenting votes. Rep. J.M. Lozano of Sinton was selected by Phelan to make one of three nominating speeches on his behalf. I am hopeful that JM's and his staff's relationship with the Speaker and his staff will stand us in good stead this session. They know all of his key staff and we personally know Marissa Patton, whom some of you may also know from her work with the Farm Bureau and the Texas and Southwestern Cattle Raisers Association. Natural resources, including water, land use and agriculture, will be some of Marissa's policy assignments. We also personally know Ross Geisenger, former general counsel and legislative director for Sen. Kolkhorst, whom herself will remain on the Senate Water, Agriculture and Rural Affairs Committee. Ross has been assigned to oversee all state affairs. After passing its rules for the session, the House went into recess to allow the Speaker time to set committee membership and chairmanship appointments, which should be announced next week.

In the Senate, the Lt. Governor has already made his committee assignments. Unfortunately, the South Texas delegation did not fare too well. Senators Hinojosa and Zaffirini no longer have their seats on the very powerful Finance Committee. Sen. Lucio was assigned Vice-Chair of the Finance Committee, but he was stripped of his chairmanship of the Intergovernmental Relations Committee, which is now named the Local Government Committee. On a somewhat brighter note, Senators Hinojosa and Lucio were assigned to the Special Committee on Redistricting. The Senate Water, Ag, and Rural Affairs Committee will again be chaired by Sen. Charles Perry of Lubbock. As stated, Sen. Kolkhorst remains on that committee, which will also have new members that include Sarah Eckhardt, newly elected to represent Travis and Bastrop Counties and a new senator from San Antonio who will represent some border regions, former State Rep. Roland Gutierrez.

Legislation

This session will inevitably be dominated by budget concerns and the COVID response, so the usual flood of 6,000-plus bills filed is not expected, though the pace of bill filing already exceeds the number filed at this point last session. (Bill filing deadline is March 11th.) In his State of the State address on Monday, Gov. Abbott added a few other items to his list of emergencies that will also take priority.

As mentioned last month, Rep. Dwayne Burns, who filed a similar bill last session, has filed H.B. 902, which would be a comprehensive reform of eminent domain procedures. Rep. J.M. Lozano has filed two bills, H.B. 687 and H.B. 341, which would enhance local prosecution of human and drug smuggling. Rep. Richard Raymond has filed H.B. 952 which would make it easier for landowners to achieve ag valuation. Rep. Erin Zwiener has filed a bill that would delay the transfer of property still in dispute to condemners. Sen. Perry and Rep. Cody Harris have filed companion bills, S.B. 152 and H.B. 668, ostensibly to benefit landowners in groundwater

district proceedings. They have softened the language related to the awarding of “loser-pays” legal fees that may be acceptable to groundwater conservation districts.