

SUBJECT: Modifying timeline of response to, applicability of federal census results

COMMITTEE: State Affairs — favorable, without amendment

VOTE: 12 ayes — Paddie, Hernandez, Deshotel, Harless, Howard, Hunter, P. King, Metcalf, Raymond, Shaheen, Slawson, Smithee

0 nays

1 absent — Lucio

WITNESSES: For — (*Registered, but did not testify:* Brie Franco, City of Austin; Greg Porter, City of Cedar Hill; Tammy Embrey, City of Corpus Christi; Guadalupe Cuellar, City of El Paso; Andrew Fortune, City of Grand Prairie; Jon Weist, City of Irving; Scott Campbell, City of Roanoke; Jeff Coyle, City of San Antonio; Rick Ramirez, City of Sugar Land; Justin Bragiel, Texas Hotel and Lodging Association; Monty Wynn, Texas Municipal League; Tom Glass)

Against — None

BACKGROUND: Interested parties suggest that with a delay in the reporting of the 2020 federal census results, the Legislature will be unable to update population brackets limiting the applicability of certain statutes in current law during the regular session of the 87th Legislature. Governmental entities also will have insufficient time to take certain required actions in response to census results unless the timeline is extended.

DIGEST: HB 2025 would specify that a government entity had to recognize and act on a published report or count relating to a federal decennial census and released by the director of the Bureau of the Census of the U.S. Department of Commerce on the later of:

- September 1 of the year after the calendar year during which the census was taken; or
- the first day of the first calendar month occurring after the 150th

day after the date of the publication of the report or count.

The bill also would specify that a statute that applied to a political subdivision having a certain population according to the most recent federal census:

- would continue to apply to the same political subdivisions to which the statute applied under the 2010 federal census, regardless of whether the subdivisions continued to have the population prescribed by the statute according to the 2020 federal census; and
- would not apply to a political subdivision to which the statute did not apply under the 2010 federal census, regardless of whether the subdivision had the population prescribed by the statute according to the 2020 federal census.

Provisions related to the applicability of population figures to a political subdivision according to the most recent census would expire September 1, 2023.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.