

TX Neighborhood Coalition Update, 5/25/2023

Dear All,

What a major-league set of achievements by you and all the Texas Neighborhood Coalition members the past two days – and the past three months!

Here's what your efforts have helped achieve during this extremely challenging legislative session (see more details after the signature line):

1. The ADU and mini-lot bills died as of 12:01am Wed morning. **See our final ask below.**
2. The party house bill died in committee.
3. The state-wide STR preemption bill was converted to a study and then died in committee.
4. The Airbnb/VRBO immunity bill did not get a hearing.
5. The STR preemption bill targeting the small town of Volente was withdrawn.
6. An STR state-wide preemption amendment on a fast-track bill was defeated.

**Hopefully Our Final Ask for this TX Legislative session:** We've attached the voting list for the ADU bill. Please contact your representative (and preferably 1-2 other reps) if they voted "No" and thank them for supporting neighborhoods. If your representative voted "Yes," call and express your disappointment.

We are so proud to have fought shoulder-to-shoulder with so many dedicated, energetic, and competent colleagues.

Texas Neighborhood Coalition

Stephanie Ashworth

Jessica Black

Andrew Muras

Dave Schwarte

***Additional Notes:***

ADU and Mini-Lot Bills

As you know, both last two remaining, severe threats to the fabric and character of residential neighborhoods died in the legislature at 1201am Wednesday. Specifically, the ADU bill (SB1412), filed by Hughes in the Senate, with a companion bill filed by Holland in the House (HB2789), was not presented again following its defeat on Monday night. That bill would have forced all cities to accept two dwellings on every lot zoned as single family residential. The mini-lot bill (SB1787), filed by Bettencourt in the Senate with a companion bill filed by Representative Goldman in the House (HB3921), would have compelled cities and citizens to accept an even greater number of dwellings on single family lots. It failed to be considered by the midnight deadline and thus died.

Just to be clear, the TNC is not "anti-housing," but rather "pro-community input" that includes sensible housing policy that takes local conditions and concerns into account. A "one size fits all"

solution to local land use should not be dictated by far-away state legislators in Austin. Here's Dave Schwarte in TNC's Wednesday press statement

*"While we understand the need for additional housing, we firmly believe all residential zoning decisions are best made at the local level by elected representatives who know the needs of their community and answer to local voters."*

### Party House Bill

Of course, these two last remaining bills were far from the only assaults in this legislature on the fabric and character of residential neighborhoods. Because of our joint efforts, we first beat back the dreadful party house bill, which would have turned any home in any neighborhood into a disruptive potential party venue. These bills were filed in the House by Representative Lozano (HB2367), and in the Senate by Senator Hancock (SB1466), and did not make it out of committee.

### State-wide STR preemption bill

Next, we collectively defeated a short-term rental preemption bill (HB2665, filed by Representative Gates). That bill was designed specifically to void all short-term rental regulations – present and future -- by all cities across the state. Due to our strong opposition, that STR preemption bill eventually morphed into a short-term rental "study," which was itself totally unnecessary. There is a mountain of evidence demonstrating the problems STRs spawn when they invade residential neighborhoods. And with any "STR study," as you well know, there is a huge risk it will be hijacked by the STR deep pockets and their professional lobbyist. That STR study bill too has died.

### Airbnb/VRBO immunity bill

There was separate bill that would have granted legal immunity to Airbnb and VRBO (SB1461, filed by Senator Springer, and HB 4643, filed by Representative Longoria). If passed, that bill would have shielded these STR platforms from ever having to cooperate with cities enforcing their short-term rental regulations. That misguided bill never even made it to committee.

### STR preemption bill targeting the small town of Volente

This bill, filed by Representative Landgraf (HB3169) was a shameful and completely unjustified attempt to strip from the City of Volente Texas, which is on Lake Travis, its power to adopt or enforce short-term rental ordinances. This bill was introduced by a representative from the Midland-Odessa area (Landgraf), hundreds of miles away, who is a lawyer, on behalf of one of his clients. That client operates a short-term rental in Volente and has had a number of complaints lodged against her by neighbors.

### Summary

We must all be proud of the magnitude of our accomplishments in this legislative session. It is a shining example of what ordinary citizens can achieve to protect their neighborhoods and their rights against the onslaught of self-interested, multi-billion-dollar companies. Our collective efforts in this session should be a case study of what everyday citizens can attain when they band together and raise their voices.

While we can and should all breathe a collective sigh of relief -- and take time to celebrate - we should also keep in mind that the legislature is not yet out of session. It would be odd for some

funky anti-neighborhood bill to emerge at this stage, especially against the backdrop of a tsunami of voter outreach, but we would be remiss if we did not say we must all be vigilant until the legislature fully adjourns.