
REPORT

TO: Paige Mims, President, TCAA
FROM: Alan Bojorquez, President-Elect, TCAA
DATE: June 17, 2020
RE: Legislative Advocacy

SUMMARY: It is often difficult (and sometimes unwise) for a city attorney to take on an advocacy role in dealing with the Texas Legislature because of conflicting political positions on the city council(s) the attorney serves, limited resources, or an ill-defined role in the process at city hall. Some cities have an IGR department separate and apart from the City Attorney's Office with little (or no) coordination. When a lawyer represents more than one city (or other local governments), there might be conflicting positions on particular bills.

SUBCOMMITTEE: Alan Bojorquez, Slater Elza, and Marcus Norris (with input from Sylvia B. Firth and Frank Garza).

QUESTION #1: What role (*if any*) does a city attorney have in regards to the legislature?

1. Explain to city staff and council how the legislative process works (if they're interested).
2. Help the council develop its own legislative agenda (priorities) if there's a desire to do so, which may mirror TML's or might include special / local bills.
3. Assist in the drafting of bills the council wants to propose.
4. Help clients monitor bills the council cares about.
5. Evaluate draft bills and explain to council / staff. Explain the implications of bills.
6. Ghostwrite (or proof) correspondence from council/staff to legislators (upon request).
7. Be a resource to council/staff /TML when meeting with legislators (with client consent).
8. Comment or testify on bills if asked or approved by the client.
9. Help council/staff cope with legislative implications afterward (e.g., implementation). Sometimes, this involves helping clients challenge the legislation in court.

QUESTION #2: What role (*if any*) should TCAA have? TML should continue to take the lead with TCAA being a supportive affiliate that is available as a resource. TCAA should have neither a legislative agenda nor advocacy program independent of TML's. We continue to help educate our members.