

Website Posting Requirements for Cities
Updated August 2021 (Highlighted Items are New for 2021 and On)

Code of Criminal Procedure Art. 62.056

Voluntary Posting of Sex Offenders

Cities may establish a local website containing information on high risk sex offenders required to register with a local law enforcement authority.

Election Code § 4.003

Debt Obligation Election

During the 21 days before a debt obligation election, a city that maintains a website and has ordered a debt obligation election must post the notice of election, the contents of the proposition, and any sample ballot prepared for the election.

Also, a city must provide the following information for the county to post on its website (if the county maintains a website) not later than the 60th day before the election day:

- (1) Notice of election
- (2) the name of the building in which the polling place is located, if available;
- (3) the street address and zip code of the polling place; and
- (4) the days and hours of voting at each location.

If the county does not maintain a website, the city must post a copy of a notice of the election on the bulletin board used for posting notices of city council meetings.

Election Code § 4.008

Notice of Election

This is a requirement for the county to post on its website certain information the city gives to the county. Not later than the 60th day before the election, the city shall provide the notice of the election, including the location of each polling place, to the county clerk and voter registrar of each county in which the city is located. The county will then post that information on its website. The information on the location of each polling place includes:

- (1) the name of the building in which the polling place is located, if available;
- (2) the street address and zip code of the polling place; and
- (3) the days and hours of voting at each location.

Election Code § 4.009(b)

Notice of Election

Effective September 1, 2021, not later than the 21st day before an election, a city that holds an election and maintains an internet website shall post on its public website:

- (1) the date of the next election;
- (2) the location of each polling place;
- (3) each candidate for an elected office on the ballot; and
- (4) each measure on the ballot.

Election Code § 31.016**Notice of Polling Places**

While this is not a posting requirement for cities, the city must provide the following information to the secretary of state to be posted on the secretary of state's website:

- (1) the name of the building in which the polling place is located, if available;
- (2) the street address and zip code of the polling place; and
- (3) the days and hours of voting at each location.

Election Code § 65.016(b)**Election Results**

Effective September 1, 2021, a city that holds an election and maintains a website must post on its website:

- (1) the results of each election;
- (2) the total number of votes cast;
- (3) the total number of votes cast for each candidate or for or against each measure;
- (4) the total number of votes cast by personal appearance on election day;
- (5) the total number of votes cast by personal appearance or mail during the early voting period; and
- (6) the total number of counted and uncounted provisional ballots cast.

This information must be posted as soon as practicable after the election, and must be accessible without having to make more than two selections or view more than two network locations after accessing the Internet website home page of the city.

Election Code § 85.007**Early Voting**

Notice of early voting for an election (which must be included in the election order and election notice) must be posted on the city's website, if the city maintains a website.

Election Code § 87.121**Early Voting**

When the county clerk is not the early voting clerk and the city clerk is the early voting clerk, information on the roster for a person who votes an early voting ballot by personal appearance or mail must be posted on the city's website, if the city maintains a website. If the city does not maintain a website, it must be posted on the bulletin board used for notice of meetings of the council.

Election Code § 254.0401**Regulating Political Funds & Campaigns**

The clerk of a city with a population of 500,000 or more shall make a report filed with the clerk by a candidate, officeholder, or specific-purpose committee under this subchapter in connection

with the office of mayor or member of the city council available to the public on the city's Internet website not later than the fifth business day after the date the report is received.

Government Code § 551.006

Online Message Board

A city that uses an online message board must prominently display a direct link to the online message board on the city's primary Internet web page, and no more than one click away from the governmental body's primary Internet web page.

Government Code § 551.056

Open Meeting Internet Posting

A city or an economic development corporation that maintains an Internet website must post meeting notices on its website. A city with a population of 48,000 or more, or an economic development corporation in a city with a population of 48,000 or more, must post the meeting agenda on its website.

Government Code § 551.128

Broadcasting Open Meetings over the Internet

Cities that choose to broadcast open meetings over the Internet must post a 72-hour open meetings notice on the city's website.

The council of a home rule city with a population of 50,000 or more must make an archived copy of the video and audio recording of each regularly scheduled open meeting available on the Internet, no later than 7 days after the recording is made. The archives must be posted conspicuously on the Internet, which includes a pre-existing website, a publicly accessible video-sharing site, or a social networking site. The recordings must be maintained at least 2 years after they are first made available.

Government Code § 552.235

Public Information Act Form

A city that decides to use the public information request form created by the attorney general shall post the form on its website.

Government Code § 802.2011

Public Retirement Systems

Effective September 1, 2021, a city that operates a public retirement system is required to develop and adopt a written funding policy that details a plan for achieving a funded ratio of the system that is equal to or greater than 100 percent, and to post a copy of that policy on a publicly available website.

Government Code § 1201.0245

Capital Appreciation Bonds

When issuing capital appreciation bonds for any purpose other than for transportation project financing, cities must post on its website various information regarding the issuance, including:

- (1) the total amount of the bonds to be voted on;

- (2) the length of maturity of the bonds;
- (3) the projects to be financed with the bond proceeds;
- (4) the intended use of bond proceeds not spent after completion of the projects financed with bond proceeds;
- (5) the total amount of the city's outstanding bonded indebtedness at the time of the election;
- (6) the total amount of the city's outstanding bonded indebtedness; and
- (7) a written estimate of the cost of the issuance and whether any personal or financial relationship exists between the members of the governing body and any professional associated with the bond issuance. The city must regularly update the debt information posted on its website to ensure its accuracy.

Government Code § 1251.052

Debt Obligation Election

A city that has at least 250 registered voters on the date the city adopts a debt obligation election order must prepare a voter information document for each proposition to be voted on at the election. If the city maintains an Internet website, it must post the voter information document on its website at least 21 days before the election through the day after the date of the debt obligation election.

Government Code § 2051.201

Taxing Entity Information

Any city that has the authority to impose a tax that has maintained a publicly accessible Internet website at any time on or after January 1, 2019, must post the following information on a publicly accessible Internet website:

- (1) the city's contact information, including a mailing address, telephone number, and e-mail address;
- (2) each elected officer of the city;
- (3) the date and location of the next election for officers of the city; and
- (4) the requirements and deadline for filing for candidacy of each elected office of the city, which shall be continuously posted for at least one year before the election day for the office;

In addition, any city in a county with 25,000 or more population, and a city with a population of 5,000 or more in a county with less than 25,000 population, must post the following additional information on a publicly accessible Internet website:

- (1) each notice of a meeting of the city's governing body under the Open Meetings Act; and
- (2) the minutes of a meeting of the city's governing body.

Government Code § 2254.030

Lobbying Expenditure Disclosures

A city that enters or has entered into a "contract for consulting services"* with a state agency, regardless of whether the term of the contract has expired, shall prominently display on its

website the following regarding contracts for services that would require a person to register as a lobbyist under state law:

- (1) the execution dates;
- (2) the contract duration terms, including any extension options;
- (3) the effective dates;
- (4) the final amount of money the political subdivision paid in the previous fiscal year; and
- (5) a list of all legislation advocated for, on, or against by all parties and subcontractors to the contract, including the position taken on each piece of legislation in the prior fiscal year.

In lieu of displaying the items described above, a city may post the contract for the lobby services on its website.

*A “consulting service” is defined to mean the service of studying or advising a state agency under a contract that does not involve the traditional relationship of employer and employee. “Consultant” is defined to mean a person that provides or proposes to provide a consulting service. The term includes a political subdivision but does not include the federal government, a state agency, or a state governmental entity. *See* Tex. Gov’t Code § 2254.021.

Government Code § 2265.001

Utility Usage

All cities that are responsible for paying electric, water, or natural gas utility services must record in an electronic repository the city’s metered amount of electricity, water, or natural gas consumed and the aggregate costs for those utility services. The city must report this information on its website.

Local Government Code § 41.001

Map of City and ETJ

If the city maintains an Internet website, it must post a map of the city’s boundaries and the extraterritorial jurisdiction on its website.

A home rule city is required to have a digital map of its boundaries and extraterritorial jurisdiction and, if the home-rule city has an Internet website, post that digital map on its website.

Local Government Code § 43.052

Annexation Plan

A city that has an Internet website must post the annexation plan and maintain the posting of the annexation plan with amendments and changes on its Internet website.

Local Government Code § 43.0561 & § 43.063

Annexation Hearings

If the city has a website, the city must post notice of annexation hearings on the city’s website. The notice for each hearing must be posted on the site on or after the 20th day but before the 10th day before the date of the hearing and must remain posted until the date of the hearing.

Local Government Code § 102.005(c)**Proposed Budget**

If the municipality maintains a website, the clerk shall ensure the proposed budget is posted on the website.

Local Government Code § 102.008**Approved Budget**

If a city maintains an Internet website: on final approval of the budget, the city must post a copy of the budget, including the cover page on the website and post the record vote for at least a year after the date the budget is adopted. The cover page must include the property tax rates.

Local Government Code § 140.008**Local Debt Reporting**

Cities must compile an annual financial report and must ensure that the report is made available on the city's website until the city posts the next annual report. The contact information for the main office of the city must also continuously posted on the website, including the physical address, the mailing address, the main telephone number, and an email address. As an alternative to preparing a report, the city may provide all required debt information to the comptroller and have the comptroller post the information on the comptroller's official website.

Local Government Code Ch. 176**Conflicts Disclosure**

Chapter 176 requires that certain officers (including mayors, councilmembers, city managers or administrators, and other city employees who exercise discretion in the planning, recommending, selecting, or contracting of a vendor) file a "conflicts disclosure statement" with a city's records administrator (usually the city secretary) within seven days of becoming aware of any of the following situations:

- The officer or the officer's family member has an employment or business relationship with a vendor that results in the officer or officer's family member receiving taxable income of more than \$2,500 in the preceding twelve months.
- The officer or the officer's family member accepts from a vendor one or more gifts with an aggregate value of \$100 in the preceding 12 months from a vendor.
- The officer has a family relationship with a vendor.

Chapter 176 also requires a "vendor" (a person who enters or seeks to enter into a contract with a city) to file a "conflict of interest questionnaire." The conflicts disclosure statement (FORM CIS) and the conflict of interest questionnaire (FORM CIQ) are created by the Texas Ethics Commission and are available online at www.ethics.state.tx.us. Completed forms must be filed on a city's Internet website. *See* Tex. Loc. Gov't Code § 176.009.

Local Government Code § 214.217**Model Code Adoption or Amendment**

This section applies only to a city with a population of more than 100,000.

“National model code” means a publication that is developed, promulgated, and periodically updated at a national level by organizations consisting of industry and government fire and building safety officials through a legislative or consensus process and that is intended for consideration by units of government as local law. National model codes include the International Residential Code, the National Electrical Code, and the International Building Code.

On or before the 21st day before the date the city council takes action to consider, review, and recommend the adoption of or amendment to a national model code governing the construction, renovation, use, or maintenance of buildings and building systems in the city, the city must publish notice of the proposed action on the city’s website.

Local Government Code § 271.049

Certificates of Obligation

If a city maintains an Internet website, it must continuously post notice of intention to issue a certificate of obligation on its website for at least 45 days before the passage of the CO issuance ordinance.

Local Government Code § 284.102(4)

Public Right-of-Way Design Specifications

If the city has public right-of-way design specifications that govern the construction and maintenance of a network provider’s network nodes and node support poles, some city attorneys advise that the safest course of action is to publicly display specifications by posting them on the city’s website.

Local Government Code § 380.004(c)

Chapter 380 Economic Development Agreements

Effective September 1, 2021, when a city enters into, amends, or renews an economic development agreement and submits the required information to the comptroller’s office, the city must post on its website a direct link to the location of the agreement information published on the comptroller’s website.

Tax Code § 26.04(e)

Tax Rate Posting

By August 7th or as soon thereafter as practicable, the designated officer or employee of a city other than a low-tax-levy city* must post notice on the city’s website, in the form prescribed by the comptroller, the following:

- (1) the no-new-revenue tax rate and the voter-approval tax rate, along with an explanation of how they were calculated;
- (2) the estimated amount of interest and sinking fund balances and the estimated amount of maintenance and operation or general fund balances remaining at the end of the current fiscal year that are not encumbered with or by corresponding existing debt obligations; and
- (3) a schedule of the city’s debt obligations.

* A “low tax levy” city is one that levies under \$500,000 in total property taxes and has a tax rate under \$.50 per \$100 of valuation. *See* Tex. Tax Code § 26.052(a).

Tax Code § 26.05

Property Taxes

Other than a low-tax levy city*, when a taxing unit adopts a tax rate for the current tax year that, if applied to the total taxable value, will impose an amount of taxes to fund maintenance and operation expenditures of the taxing unit that exceeds the amount of taxes imposed for that purpose in the preceding year, the taxing unit must include on the home page of the Internet website of the taxing unit:

- (1) the following statement: "(Insert name of taxing unit) ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE"; and
- (2) if the tax rate exceeds the no-new-revenue maintenance and operations rate, the following statement: "THE TAX RATE WILL EFFECTIVELY BE RAISED BY (INSERT PERCENTAGE BY WHICH THE TAX RATE EXCEEDS THE NO-NEW-REVENUE MAINTENANCE AND OPERATIONS RATE) PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$(Insert amount)."

* A “low tax levy” city is one that levies under \$500,000 in total property taxes and has a tax rate under \$.50 per \$100 of valuation. *See* Tex. Tax Code § 26.052(a).

Tax Code § 26.052

Property Taxes

For a low-tax levy city*, if the notice of the meeting to vote on the proposed tax rate that does not exceed the lower of the no-new-revenue or voter-approval rate is published in the newspaper, the city must also post the notice prominently on the home page of the city’s website from the date the notice is first published until the meeting is concluded. The simplified notice must specify:

- (1) the final amount the tax rate that the governing body proposes to adopt;
- (2) the date, time, and location of the meeting of the governing body of the taxing unit at which the governing body will consider adopting the proposed tax rate; and
- (3) if the proposed tax rate for the taxing unit exceeds the taxing unit's no-new-revenue tax rate, a statement substantially identical to the following: "The proposed tax rate would increase total taxes in (name of taxing unit) by (percentage by which the proposed tax rate exceeds the no-new-revenue tax rate)."

* A “low tax levy” city is one that levies under \$500,000 in total property taxes and has a tax rate under \$.50 per \$100 of valuation. *See* Tex. Tax Code § 26.052(a).

Tax Code § 26.06

Property Taxes

If the taxing unit publishes the notice of the tax rate hearing in a newspaper, the taxing unit must also post the notice prominently on the home page of the Internet website of the taxing unit from the date the notice is first published until the public hearing is concluded.

Tax Code § 26.065

Property Tax Hearings

If the city has a website, the city must post notice of the property tax public hearing on the website continuously for at least seven days immediately before the hearing on the proposed tax rate increase and at least seven days immediately before the date of the vote proposing the increase in the tax rate.

Tax Code § 26.18

Property Taxes

Every city that is a taxing unit is required to either maintain an internet website or have access to a generally accessible Internet website that may be used for the purposes of posting tax rate and budget information. The term “taxing unit” means a city that is authorized to impose and is imposing ad valorem taxes on property. Tex. Tax Code § 1.04(12). Thus, if a city is not imposing ad valorem taxes, the city does not need to maintain a website. The term “generally accessible Internet website” is not defined in the statute, but presumably refers to Facebook or some other website that is widely accessible and on which the city can post its information.

The information required to be posted on a city’s website, or generally accessible Internet website, includes:

- (1) the name of each member of the city council;
- (2) the mailing address, email address, and telephone number of the city;
- (3) the official contact information for each member of the city council;
- (4) the city’s budget for the previous two years;
- (5) the city’s proposed or adopted budget for the current year;
- (6) the change in the amount of the city’s budget from the preceding year to the current year, by dollar amount and percentage;
- (7) the amount of property tax revenue budgeted for maintenance and operations for the current year and previous two years;
- (8) the tax rate for maintenance and operations adopted by the city for the current year and previous two years;
- (9) the tax rate for debt service adopted by the city for the current year and previous two years; and
- (10) the most recent financial audit of the city.

Tax Code § 312.002

Tax Abatement

A city that is a taxing unit and maintains an internet website must post the current version of its adopted guidelines and criteria governing tax abatement agreements.

Tax Code § 351.1071

Hotel Occupancy Tax Revenue

This section applies only to a municipality: (1) that has a population of not more than 5,000; and (2) at least part of which is located less than one-eighth of one mile from a space center operated by an agency of the federal government.

A city that uses hotel occupancy tax revenue must publish annually, for the 15-year period following the completion of construction at the authorized facility for which the revenue was used, a report on the city's website that lists:

- (1) for the preceding year, the events held at the authorized facility with respect to which the tax revenue was used and the number of hotel room nights attributable to those events; and
- (2) the amount of hotel revenue and municipal hotel occupancy tax revenue attributable to events held at the authorized facility in that year.

Tax Code § 351.1078

Hotel Occupancy Tax Revenue

This section applies only to a municipality that either: (1) has a population of at least 75,000 but not more than 95,000 and that is located in a county that has a population of more than 160,000 but less than 200,000, or (2) has a population of not more than 10,000, contains an outdoor gear and sporting goods retailer with retail space larger than 175,000 square feet, and hosts an annual wiener dog race.

A city that spends hotel occupancy tax revenue to promote tourism and the convention and hotel industry by constructing, operating, or expanding a sporting related facility or sports field owned by the city must annually determine, prepare, and publish on the municipality's Internet website a report on:

- (1) the events held at the facility or field;
- (2) the number of hotel room nights attributable to events held at the facility or field; and
- (3) the amount of hotel revenue and municipal tax revenue attributable to the sports events and tournaments held at the facility or field for five years after the date the construction expenditures are completed.

Transportation Code § 545.356

Lowered Speed Limits

If the council declares a speed limit lower than the prima facie speed limit on a highway or part of a highway within the city, not later than February 1 of each year, the city must publish on its Internet website and submit to the Texas Department of Transportation a report that compares for each of the two previous calendar years:

- (1) The number of traffic citations issued by peace officers of the city for speed limit violations and the alleged speed of the vehicles on the affected highway;
- (2) The number of warning citations issued by the city's peace officers on the highway or part of the highway that is affected; and

(3) The number of vehicular accidents that resulted in injury or death, attributable to speed limit violations, on the affected highway.

Utilities Code § 182.052(c)

Disclosure of Personal Information

A municipally owned utility must either include with a bill sent to each customer or post on the utility's website:

- (1) notice of the customer's right to request disclosure of personal and utility usage information; and
- (2) a form by which the customer may request disclosure.