



Representative «Name»

Desk «Address»

**LSG Floor Report For General Calendar- Tuesday, April 11, 2017**

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 1351</b> By: Wray	Relating to the prohibition of local motor fuel taxes on compressed natural gas and liquefied natural gas.	Ways & Means	<p>HB 1351 adds compressed natural gas (CNG) and liquefied natural gas (LNG) to the definition of motor fuels protected from additional sale, use, or distribution taxes imposed by a political subdivision.</p> <p>Current tax law protects gasoline, diesel fuel, and liquefied gas from additional excise or occupational taxes imposed by local municipalities. CNG and LNG were included in the definition of liquefied gas prior to legislation enacted in 2013, which created a new method of tax collection and dealer license requirements that effectively removed both CNG and LNGs from the definition of liquefied gas. HB 1351 would close a loophole that allows local entities to impose their own motor fuel taxes on CNG and LNG fuels, and would extend equal protections to all types of motor fuels.</p> <p>Currently, CNG and LNG is taxed at a \$0.15 per gallon and applies to the use of liquefied gas for powering motor vehicles on state highways. After deductions are made from diesel and liquefied gas taxes for the purposes of refunds and administrative costs, 1/4 of these taxes are deposited to the Available School Fund and the remaining 3/4 are deposited to the State Highway Fund. As more people move to our state and drive on Texas highways, the gradual increase of the motor fuel tax revenue directly translates to the State fuel tax deposits to the State Highway Fund (SHF). However, with the simultaneous highway construction costs rising, the State's purchasing power for road construction projects is reduced. While trucks carrying natural gases tend to weigh roughly 2,000 lbs. more than trucks carrying other types of fuel and 38% of major Texas roads in fair or poor condition, adequate funding for Texas roads is necessary to preserve state infrastructure and competitive commerce.</p>	<p><b>Favorable</b>                      Evaluated by:                      Katherine Kirages                      210-382-4295  <a href="mailto:Katherine@Texaslsg.org">Katherine@Texaslsg.org</a></p>

<p><b>HB 280</b> By: Howard/ Klick/ Coleman</p>	<p>Relating to a grant program for reducing workplace violence against nurses.</p>	<p>Public Health</p>	<p>Workplace violence is a common and persistent occupational hazard for nurses; an average of 17 nurses are killed while on duty each year, and over half of all nurses report experiencing violence in the workplace. This violence can range anywhere from verbal threats to physical assault, and most often is perpetrated by a patient under the nurse’s care.</p> <p>HB 280 establishes a grant program to prevent violence against nurses by providing funds to be used by medical care, nursing, and home health facilities to implement innovative preventative safety measures for nurses. The grants would be funded through the nursing resource section’s budget and funds drawn from the Texas Board of Nursing. The bill also outlines reporting requirements and desired outcome measures for grant recipients and the grant program as a whole. Under the bill, grant recipients will be expected to report on changes in the severity and frequency of violence against nurses as a result of implementing strategies with the grant funds. This bill will provide medical facilities with the funds necessary to address a critical issue, ensuring the safety of nurses and patients alike.</p>	<p><b>Favorable</b> Evaluated by: Tyler Anderson 210-382-4295 <a href="mailto:Tyler@Texaslsg.org">Tyler@Texaslsg.org</a></p>
<p><b>HB 322</b> By: Canales/ Blanco</p>	<p>Relating to the automatic expunction of arrest records and files for certain veterans and the waiver of fees and costs charged for the expunction.</p>	<p>Defense &amp; Veterans’ Affairs</p>	<p>HB 322 amends the Code of Criminal Procedure to include veterans who are facing a criminal charge and entitle them to have their records related to a felony or misdemeanor charge expunged from their record as well as the fees for the expunction waived. The following stipulations need to be met before the expunction can be requested:</p> <ul style="list-style-type: none"> <li>• If the person has been released and any charge has not resulted in a final conviction not pending</li> <li>• There was no court-ordered community supervision for the offense, unless the offense is a Class C misdemeanor</li> <li>• After the arrest, the court finds that the indictment or information charging was dismissed or reversed because the person completed a certain veterans treatment court program.</li> </ul> <p>The expunction would be granted upon completion of the program the veterans are entitled to all records being wiped within 30 days. The judge will order the expunction if they have the jurisdiction to do so or forward the dismissal and expunction to a district court with the capability to fulfill the order.</p> <p>Veterans treatment court were created because of the growing knowledge of PTSD, Traumatic Brain Injuries (TBI) and co-occurring substance abuse issues that may be a catalyst of combat. Participation requires that a veteran attend regular bi-weekly court appearances, treatment classes, and substance screenings. Beyond this it also provides the ability to be linked to the necessary benefits earned through their services such as disability income, education and training. According to a 2009 study, on average 150 veterans are arrested in Travis County each month.</p> <p>There are currently twenty Veterans Court programs reporting to the Criminal Justice Division of the Office of the Governor. It’s been estimated that there are over 40 Veteran Court programs operating in the state of Texas and several more in the developmental stages. These courts offer an alternative to jail or prison for veterans who enter the criminal justice system often stemming from drug or substance abuse. As we move to give those who served our country the necessary treatments and benefits, there is a need to allow those affected negatively by their service a second chance.</p>	<p><b>Favorable</b> Evaluated by: Kylie McNaught 210-382-4295 <a href="mailto:Kylie@Texaslsg.org">Kylie@Texaslsg.org</a></p>



<p><b>HB 257</b> By: Hernandez/ Flynn/ Blanco/ Bernal</p>	<p>Relating to a report by the Texas Workforce Commission regarding the transition from military service to employment.</p>	<p>Defense &amp; Veterans' Affairs</p>	<p>HB 257 directs the Texas Workforce Commission to conduct a report regarding veterans transitioning into the workforce. In the fight to end veteran joblessness, understanding the transferable skills veterans learn in service and how to transition those to civilian employment is a key aspect to increasing employment, and better utilizing existing workforce pipeline programs in the public and private sector.</p> <p>The bill mandates the following be included in the report:</p> <ul style="list-style-type: none"> <li>• The top 5 most common occupational skills in services.</li> <li>• The top 5 occupations in service with the best military capacity.</li> <li>• Certifications that align with the skills.</li> <li>• Any other data useful for supporting work transition.</li> </ul> <p>Texas has the 2nd largest veteran population and the largest women's veteran population in the United States. Understanding and accommodating the transition from service to civilian life will help us support the men and women who make this difficult transition.</p>	<p><b>Favorable</b> Evaluated by: Kylie McNaught 210-382-4295 <a href="mailto:Kylie@Texaslsg.org">Kylie@Texaslsg.org</a></p>
<p><b>HB 2007</b> By: Cospser/ Oliverson/ Blanco/ Cortez</p>	<p>Relating to the licensing and regulation of certain military dentists and dental hygienists who provide voluntary charity dental or dental hygiene care.</p>	<p>Defense &amp; Veterans' Affairs</p>	<p>HB 2007 allows active military dentists and dental hygienists to obtain a volunteer license to practice volunteer or charity work on homeless or indigent veterans. For those who are uninsured can only receive proper dental care on a charity basis or in emergency rooms. This would allow active duty dentists to serve these patients in volunteer based clinics. This would include military dentists and hygienists who are not able to practice due to a license obtained from another state. This bill would serve to keep dental patients out of the ER saving the state millions of dollars each year.</p>	<p><b>Favorable</b> Evaluated by: Kylie McNaught 210-382-4295 <a href="mailto:Kylie@Texaslsg.org">Kylie@Texaslsg.org</a></p>
<p><b>HB 1862</b> By: Lucio III</p>	<p>Relating to the designation of certain river or stream segments as being of unique ecological value.</p>	<p>Natural Resources</p>	<p>HB 1862, under Section 16.051 of the Water Code, would designate segments of the following rivers or streams as having unique ecological value for protection:</p> <ol style="list-style-type: none"> <li>1. Alamito Creek</li> <li>2. Black Cypress Bayou</li> <li>3. Black Cypress Creek</li> <li>4. Terlingua Creek</li> </ol>	<p><b>Favorable</b> Evaluated by: Erin Eriksen 210-382-4295 <a href="mailto:Erin@Texaslsg.org">Erin@Texaslsg.org</a></p>



			<p>Determination that these segments qualify under, unique ecological value, were based on the Regional Water Planning groups' recommendations to the Texas Water Development Board.</p> <p>This designation solely affects the funding through public dollars by a state agency or political subdivision of the state for the purposes of building a reservoir. Both private and public entities may still construct reservoirs under this designation if private money is used. This designation would not alter existing property rights for any affected landowner. Unique ecological value is determined by the following factors: biological function, hydrological function, riparian conservation areas, high water a quality, exceptional aquatic life, high aesthetic value, or threatened, endangered or unique communities.</p>	
<p><b>HB 281</b> By: Howard/ Guillen/ Canales</p>	<p>Relating to establishing a statewide electronic tracking system for evidence of a sex offense.</p>	<p>Criminal Jurisprudence</p>	<p>HB 281 would require the Department of Public Safety (DPS) to develop and implement a statewide electronic tracking system for evidence collected in relation to a sexual assault or other sex offense. Provisions outlined in the bill require:</p> <ul style="list-style-type: none"> <li>• Location and status tracking for each piece of evidence submitted throughout the criminal justice process, from initial evidence collection to receipt, storage, analysis, and subsequent destruction of evidence;</li> <li>• Participation from any entity that collects evidence, investigates, or prosecutes a sexual assault/sex offense and the ability to update and track location and status of items; and</li> <li>• Ability for survivors to anonymously track or receive updates on the location and status of each evidence item collected.</li> </ul> <p>The database and records would remain confidential and only accessible by survivors' evidence was collected from and employees of entities required to update or track the collected evidence. There are benefits to creating a centralized tracking program for both survivors seeking more control and autonomy in following their case as well as entities required to participate and update the system, as data would be compiled in a single platform versus different systems between different agencies. This bill would end common occurrences of hospitals or law enforcement agencies losing items between transporting and logging evidence through each step of the criminal justice process. Furthermore, there is an important provision prohibiting an employee of an entity required to participate in the tracking system from disclosing evidence information that would aid a parent or legal guardian of a survivor in accessing evidence records if the employee believes the parent/legal guardian is a suspect or accomplice in the related sexual assault or sex offense.</p> <p>Although HB 281 makes no appropriation to fund this statewide tracking system, the Legislative Budget Board estimates a negative impact of \$1,561,534 through the 2019 fiscal biennium, \$1,323,349 of which is related to development and implementation in 2018. The remaining \$238,185 would be related to maintenance costs for the Track Kit system, online portals for survivors, prosecutors, and private labs, and technical support. While there are efforts across the country and Texas to eliminate the rape kit backlog, this bill does not change the current statutes regarding the testing of sexual assault evidence kits or address the issue of evidence backlogged, but would instead create a system for survivors to track</p>	<p><b>Favorable</b> Evaluated by: Katherine Kirages 210-382-4295 <a href="mailto:Katherine@texaslsg.org">Katherine@texaslsg.org</a></p>



			<p>new evidence of their cases moving forward. For counties and cities currently experiencing a backlog, crime labs already lack resources to deal with updating crime victims or prosecutors about the status of sexual assault cases. HB 281 provides an empowering channel of information for victims seeking justice, and can encourage more survivors to report their sexual assaults when there is accountability and transparency in the already traumatizing criminal justice process.</p>	
<p><b>HB 486</b> By: VanDeaver/ Howard</p>	<p>Relating to school district ad valorem tax rates.</p>	<p>Ways &amp; Means</p>	<p>HB 486 would revise the rollback tax calculation procedure for certain school districts by removing the requirement to hold a second election to adopt a tax rate exceeding the district’s rollback tax rate. This legislation would impact school districts whose:</p> <ul style="list-style-type: none"> <li>• 2005 maintenance and operations (M&amp;O) tax rate was \$1.50 or less per \$100 of taxable value,</li> <li>• Adopted tax rate was approved in a 2006 election or any subsequent tax year, and</li> <li>• Adopted tax rate has been equal to or higher than the rate provided by the new procedure for any tax year in the preceding 10 tax years.</li> </ul> <p>This bill would establish that for the purposes of an election to ratify school taxes, the rollback tax rate for an affected public school district is either higher than the amount provided by state contributions or the sum of the district’s current debt rate and the highest M&amp;O tax rate adopted in 2007 or any subsequent tax year in which the adopted tax rate was approved by an election. HB 486 further requires the Comptroller to conduct a study on school district adopted tax rates and report the results to the Legislature no later than December 1, 2019.</p> <p>The Legislative Budget Board estimates that the proposed rollback tax rate calculation procedure may have a fiscal impact resulting in higher tax rates, and effectively a gain, in some districts. However, the exact impact cannot be determined as the number of instances that the calculation would result in higher district tax rates cannot be determined, nor can the probability that a district would utilize the additional flexibility to lower or raise a tax rate in the future.</p> <p>Currently, districts wishing to lower their M&amp;O tax rates are required to hold an election to raise the tax rate to a previously-approved voter level. School districts would still have to satisfy the effective tax rate calculation, preventing a large increase in the tax rate in one year. Without the provisions in HB 486, districts wishing to provide tax relief to taxpayers would face undue financial burden and uncertainty, as they would need to increase the tax rate the next year to meet the state recapture obligation. The school district would then have to make significant programmatic cuts in order to adjust to the budget hole as a result of an unsuccessful election. The provisions in HB 486 would allow districts discretion through local control and the flexibility to adopt a budget and tax rate reflective of current instructional philosophy and economic needs.</p>	<p><b>Favorable</b> Evaluated by: Katherine Kirages 210-382-4295 <a href="mailto:Katherine@Texaslsg.org">Katherine@Texaslsg.org</a></p>



<p><b>HB 1178</b> By: Kuemple/ Moody/ Zerwas/ Sheffield/ Holland</p>	<p>Relating to the punishment for burglary and theft of controlled substances.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1178 would increase the punishment for theft of a controlled substance, regardless of its monetary value, to a state jail felony. The statute of this offense would extend to buildings where controlled substances are stored, including pharmacies, clinics, hospitals, and nursing facilities. This legislation would apply only to offenses committed on or after the effective date of September 1, 2017, and would not retroactively increase punishment penalties for offenders currently serving sentences for this crime.</p> <p>The LBB reports an indeterminate fiscal impact due to the unavailability of reliable data regarding the type of facility in which a burglary of a controlled substance would be committed, as well as citing an increase in use of State correctional resources due to increasing the penalty for this offense.</p> <p>This bill seeks to address the issue of increased pharmacy thefts, both for break-ins and employee theft, because of rising opioid abuse. The CDC reports that deaths involving prescription opioids have quadrupled since 1999 and outnumber deaths from all other illicit drugs combined by a 2-1 margin, as more than 60 Americans die each day from a prescription drug overdose. Texas currently ranks first nationally in pharmacy burglaries, accounting for 30% of the past 5 years' national total.</p> <p>While opioid abuse has been an ongoing trend in both the United States, HB 1178 would serve as an immediate response on the front end of deterring future theft of controlled substances in Texas. However, simply increasing the punishment for crimes related to substance abuse will not eliminate the root of the issue: Advocating for comprehensive and accessible substance abuse treatment programs would create a long-term solution to reducing the number of pharmacy burglaries as well as the number of opioid overdose-related deaths.</p>	<p><b>Favorable</b> Evaluated by: Katherine Kirages 210-382-4295 <a href="mailto:Katherine@Texaslsg.org">Katherine@Texaslsg.org</a></p>
<p><b>HB 878</b> By: King, Ken</p>	<p>Relating to the extension and modification of a public-school district depository contract.</p>	<p>Public Education</p>	<p>HB 878 allows a school district and the district's depository bank to agree to extend a depository contract for three additional two-year terms, up from the current two-year extension limitation. This bill also allows them to modify the contract for any extension. HB 878 does not require a school district or depository bank to extend or make changes to their depository contract; it gives them the ability to do so in situations where both parties agree</p>	<p><b>Favorable</b> Evaluated by: Arielle Day 210-382-4295 <a href="mailto:Arielle@Texaslsg.org">Arielle@Texaslsg.org</a></p>
<p><b>HB 2005</b> By: Larson</p>	<p>Relating to the duty of the Texas Water Development Board to conduct studies of and prepare and submit reports on aquifer storage and recovery.</p>	<p>Natural Resources</p>	<p>HB 2005 requires the Texas Water Development Board(TWDB), along with appropriate stakeholders, to conduct studies of Aquifer Storage and Recovery (ASR) currently identified in the state's water plan and report findings to regional water planning groups and stakeholders. Appropriate stakeholders include: groundwater conservation districts, regional water planning groups, and potential sponsors of ASRs. The TWDB will also conduct a statewide survey for favorable areas for ASRs and prepare a report that will submitted to the Governor, Lt. Governor, and the Speakers of the House no later than December 15th, 2018.</p>	<p><b>Favorable</b> Evaluated by: Erin Eriksen 210-382-4295 <a href="mailto:Erin@Texaslsg.org">Erin@Texaslsg.org</a></p>



			<p>Aquifer Storage and Recovery programs are being utilized throughout the United States. During wet periods, excess water is captured and injected into aquifers to be used at a later date. As demands for water continue to grow in Texas the implementation of ASRs would be more beneficial than surface level reservoirs that take up land resources and are subject to evaporation. This study would give Texas an overall view of potential aquifer sites and the findings can be used on both the state level and local levels.</p>	
<p><b>HB 271</b> By: Miller/ Zerwas/ Sheffield/ Blanco</p>	<p>Relating to the establishment of the Veterans Recovery Pilot Program to provide certain veterans with hyperbaric oxygen treatment.</p>	<p>Public Health</p>	<p>CSHB 271 instructs HHSC to establish and operate the Veterans Recovery Pilot Program to provide diagnostic services, hyperbaric oxygen treatment, and support services to eligible veterans who have post-traumatic stress disorder (PTSD) or traumatic brain injury (TBI). Hyperbaric oxygen treatment (HBOT), an FDA approved medical treatment, has proven to effectively help veterans recover from PTSD and TBI by enhancing the body’s natural healing processes through the inhalation of 100% oxygen in controlled amounts, which promotes tissue healing. TBI and PTSD are commonly treated with psychotropic medications that may address symptoms, but do not heal the root cause. HBOT can be used in conjunction with other medical treatments or mental health services, depending on what the individual veteran needs. Implementing this pilot program will increase access to alternative treatments for PTSD and TBI for the approximately 169,000 veterans living with PTSD or TBI in Texas.</p> <p>CSHB 271 authorizes the Executive Commissioner to establish an advisory board to assist with developing and implementing the pilot program. It also instructs the Executive Commissioner to develop implementation rules and eligibility requirements for the program. Additionally, the bill requires a healthcare facility administering HBOT under this program to submit a treatment program to be approved by HHSC before administering the treatment. The bill outlines treatment reimbursement requirements for facilities and veterans participating in the program, and outlines a process for HHSC to notify individuals who fail to apply for reimbursement within the required 90-day post-treatment window. This bill has no fiscal note, as funds for maintaining and administering the program will be drawn from the already existing veterans recovery account established under HHSC; the bill stipulates that if there are not sufficient funds in the veterans recovery account, HHSC will not operate the pilot program</p>	<p><b>Favorable</b> Evaluated by: Kylie McNaught 210-382-4295 <a href="mailto:Kylie@Texaslsg.org">Kylie@Texaslsg.org</a></p>

