



Representative «Name»

Desk «Address»

**LSG Floor Report For Postponed Business- Wednesday, April 12, 2017**

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 486</b> By: VanDeaver/ Howard	Relating to school district ad valorem tax rates.	Ways & Means	<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</p>	<p><b>Favorable</b>                      Evaluated by:                      Katherine Kirages                      210-382-4295  <a href="mailto:Katherine@Texaslsg.org">Katherine@Texaslsg.org</a></p>

			discretion through local control and the flexibility to adopt a budget and tax rate reflective of current instructional philosophy and economic needs.	
<b><u>LSG Floor Report For General Calendar- Wednesday, April 12, 2017</u></b>				
<b>HB 915</b> By: Thompson, Ed/ Munoz, Jr./ Anderson/ Bonnen, Greg	Relating to named driver insurance policies and certain related exclusions.	Insurance	<p>This bill seeks to clarify and empower policy holders on their name-driver insurance policy by prohibiting the issuance or delivery of certain named driver policies. Many Texans are not aware of the limitations of their auto insurance coverage as it relates to who is and isn't covered. Currently, named-driver policies do not cover household members for damage unless they are specifically named on the auto policy. Those not specifically named on the policy, who are members of the policyholder's household, are forced to use their own limited uninsured/underinsured motorist protection coverage or pay out-of-pocket to cover the damage.</p> <p>This bill will give policyholders the choice to exempt household members from their policy, giving them the ability to decide who is and is not covered. It authorizes an insurer to use a named driver exclusion if it specifically names each excluded driver and does not exclude a class of drivers and must be accepted in writing.</p> <p>Many policyholders and drivers are unaware of these limitations in coverage or that their policy could leave third parties vulnerable with little recourse to recover damages. Many times, drivers are left owing financially devastating amounts of money. This bill would allow drivers in Texas to greater understand their coverage while also creating a mechanism to hold insurance companies accountable while maintaining transparency.</p>	<b>Favorable</b> Evaluated By: Elizabeth Hann 210-382-4295 <a href="mailto:Elizabeth@Texaslsg.org">Elizabeth@Texaslsg.org</a>
<b>HB 13</b> By: Price/ White/ Clardy/ Moody	Relating to the creation of a matching grant program to support community mental health programs for individuals experiencing mental illness.	Public Health	<p>The need for resourceful mental health services in Texas grows larger every day. In the Interim Report of the House Select Committee on Mental Health, evidence showed that one in five adults experiences a mental health condition every year, adults with untreated mental health conditions are eight times more likely to be incarcerated than the general population, and some regions and counties of the state have innovative and effective programs for mental healthcare while other areas are lacking in available services. Each of the 254 counties within Texas faces their own individual challenges when dealing with mental illness, and there is no one size fits all approach to handle these issues. HB 13 recognizes that local challenges are best solved by local stakeholders, and while the state has a role to play in the mental health of all Texans, it is the local communities that are best equipped to determine how to effectively provide mental health services and treatment.</p> <p><b>Sec. 531.0999, Government Code- Grant Program for Mental Health Services</b> HB 13 requires the Health and Human Services Commission (HHSC) to establish a matching grant program to support community mental health programs that provide treatment, and services for people experiencing mental illness. The number of grants awarded by this program will be based on the funds appropriated to HHSC to. HHSC is required to enter an agreement with a qualified non-profit, or private entity to serve as the administrator for the grant program. This</p>	<b>Favorable</b> Evaluated by: Fabeain Barkwell 210-382-4295 <a href="mailto:Fabeain@Texaslsg.org">Fabeain@Texaslsg.org</a>



administrator is charged with supporting, assisting, and advising HHSC in satisfying their responsibilities for the grant program. Topics the administrator may advise the HHSC on include:

- Program design, development, and implementation;
- Determination of criteria for local community collaboration and, the type of services that are eligible for grants; eligibility requirements for grant recipients;
- Designing and managing competitive bidding processes for grant applications, grant proposals, and the evaluation and selection of grant recipients.

**Program Requirements**

The grant program administrator is responsible for ensuring that each grant recipient acquires contributions that match awarded grants amounts. The match funds acquired may include cash, or in-kind contribution, but may not include state or federal funds. Funds that are awarded must be disbursed directly to grant recipients by HHSC, as authorized by the executive commissioner. Grant money awarded under the program must be used strictly for supporting community programs that provide mental healthcare services, and treatment to individuals with a mental illness and that coordinate mental health care services for individuals with a mental illness.

**Award Criteria**

The grant program administrator must receive approval from HHSC on the eligibility requirements prior to HHSC awarding a grant. The executive commissioner must also develop criteria for the evaluation of an application or proposal. The criteria must consider fiscal controls for the project, project effectiveness, project costs, the previous grant or contract experiences of an applicant, and the possibility of, and strategy for granting multiple awards. Prior to awarding a grant to a community mental health program, the commission must inform the local mental health authority of the proposed services that will be funded by the grant. The LMHA has the optional choice to submit a written document detailing their beliefs of the necessity of the services, if the services are likely to be effective, and if they strengthen or undermine services already available. The input of the LMHA must be considered before yielding awards. The commission guarantee that the funds acquired by the recipient are all composed from non-state sources. A community that receives a grant awarded is required to leverage funds. Some counties across Texas face more challenges with matching funds than larger more affluent counties. Because of this HB 13 institutes different requirements on funds that must be leveraged based on community size:

County Population number	Leveraged funds	\$ of State matched funds
Less than 125,000	100%	100%
125,000 but not greater than 250,000	115%	100%



			<table border="1"> <tr> <td>250,000 but not greater than 500,00</td> <td>125%</td> <td>100%</td> </tr> <tr> <td>5000,000 but not greater than 1 million</td> <td>150%</td> <td>100%</td> </tr> <tr> <td>Greater than 1 million</td> <td>167%</td> <td>100%</td> </tr> </table> <p>Finally, HB 13 requires from the money appropriated to HHSC to implement the grant program, 25% of the total appropriation must be awarded only to community mental health programs located in counties with a population less than 250,000. Of that 25%, five percent will be withheld for grants in counties with a population less than 125,000. HB 13 does not call for specific appropriation because funds dispersed could be different. The executive commissioner must submit a report evaluating the success of the matching grant program created to the governor, lieutenant governor, and each member of the legislature. HB 13 encourages the importance of local buy in to solving mental health challenges to ensure the sustainability of programs by matching state funds with local funds. It provides the opportunity for regions and communities to collaborate, and access resources when dealing with mental health to decrease the number of mentally ill individuals who are caught in circles of repeat utilization such as jails and emergency rooms.</p>	250,000 but not greater than 500,00	125%	100%	5000,000 but not greater than 1 million	150%	100%	Greater than 1 million	167%	100%	
250,000 but not greater than 500,00	125%	100%											
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<b>HB 1495</b> By: Thompson, Senfronia	Relating to the rendition of certain temporary orders during the pendency of a suit for modification of an order that provides for the conservatorship, support, or possession of or access to a child.	Juvenile Justice & Family Issues	This bill amends the Family Code to clarify the intent of current statute as it relates to the rendering of temporary orders in custody suits. Under current law, a judge may not issue a temporary order that changes which parent has the exclusive right to designate the child’s primary residence while a suit for modification is pending. Effectively, this law helps maintain stability for a child whose residency could otherwise be dictated by temporary orders. HB 1495 further clarifies the intent of this provision by adding that a judge may not issue a temporary order that creates, changes or eliminates a geographical area within which a conservator must maintain the child’s primary residence. This further creates stability for the child by ensuring that temporary orders issued while a suit for modification is pending do not have the effect of moving a child around unnecessarily.	<b>Favorable</b> Evaluated by: Arielle Day 225-588-1221 <a href="mailto:Arielle@Texaslsg.org">Arielle@Texaslsg.org</a>									
<b>HB 66</b> By: Guillen/ Blanco	Relating to determining eligibility for a Texas Armed Services Scholarship and to the appointment by certain elected officials of students to receive that scholarship.	Defense & Veterans’ Affairs	<p>HB 66 amends previous legislation for the Texas Armed Forces Scholarship to allow an elected official to appoint a new student, upon ineligibility of the existing student. The Texas Armed Forces Scholarship is meant for students who are both dedicated to academics as well as armed services, they are encouraged after school to participate in armed services with officer status.</p> <p>This bill simply allows for the same elected official to appoint a new student, who meets eligibility criteria to be the new recipient of the scholarship, following the year of the appointment. The student would receive the available funds that were designated to the previous student. Supporting education of students, as well as allowing more opportunity to students who may have initially been overlooked for the scholarship is an effective way to support and encourage students in enter the armed forces.</p>	<b>Favorable</b> Evaluated by: Kylie McNaught 210-382-4295 <a href="mailto:Kylie@Texaslsg.org">Kylie@Texaslsg.org</a>									



<p><b>HB 9</b> By: Capriglione / Elkins / Blanco / et al.</p>	<p>Relating to cybercrime; creating criminal offenses.</p>	<p>Government Transparency &amp; Operation</p>	<p>By January 2017 there have been a total of 2.46 Billion cyber-attacks by bad actors on known state agencies in Texas. Their targets include anything ranging from passwords to vacation schedules. Despite consensus around the seriousness of these attacks, our current law provides inadequate tools for prosecutions since the criminal offenses focus on outdated technology, rather than the underlying offensive conduct. The state can no longer fight 21st century crime with 20th century tools.</p> <p>HB 9 amends Chapter 33 of the Penal Code (Computer Crimes) to prosecute cyberattacks.</p> <p><b>Section 2 Definitions</b> HB 9 amends Section 33.01 of the Penal Code to add and amend definitions for terms included in the bill. This includes amending the definition of “Aggregate Amount” to include data appropriation and costs to the victim as a result of the appropriation as losses incurred. “Aggregate amount” is relevant to determine the level of the crime (i.e. whether it is a second or third degree felony).</p> <p>The bill also adds Subsection (11-a) to define what Decryption, decrypt, or decrypted. This definition was based on current industry standards and detail what may occur during the act of decryption. This includes the decoding of encrypted communication or information. It then outlines how this may take place as currently known to industry professionals.</p> <p><b>Subsection (13-a)</b> of the bill it defines “Encrypted private information” to mean encrypted data, documents, wire or electronic communications, or other information that maybe liable to a cyber-attack.</p> <p><b>Subsection (13-b)</b> defines the different variations of “Encryption” to mean any encoding or way of preserving the confidentiality, integrity, or authenticity of information not meant for public consumption.</p> <p><b>Subsection (13-c)</b> defines “Encryption Service” to mean any actor that provides the services to encrypt and update the encryption of the data.</p> <p><b>Section 3 Electronic Access Interference.</b> This section outlines what constitutes an Electronic Access Interference to include anyone who acts intentionally against a person’s computer system or network against their consent. This offense would be categorized as a 3<sup>rd</sup> degree felony. This section includes a defense to prosecution for people acting with a legitimate law enforcement purpose.</p> <p><b>Sec.33.023 Electronic Data Tampering.</b> This section defines “Malware” as computer software used to gather data or access a computer, computer network, computer system, or disrupt the operation of a computer system without the consent of the owner.</p>	<p><b>Favorable</b> Evaluated by: Ana Ramon 210-382-4295 <a href="mailto:Ana@Texaslsg.org">Ana@Texaslsg.org</a></p>
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<p><b>HB 827</b> By: Blanco / Minjarez / Cortez / Gutierrez / Miller / et al.</p>	<p>Relating to a database for prospective employers to qualify veterans' military service experience and employment qualifications.</p>	<p>Defense &amp; Veterans' Affairs</p>	<p>CSHB 827 would require that the Texas Workforce Commission (TWC) create an online portal for employers to translate Military Occupational Specialties (MOS) in to the language of their concurrent civilian job skills. In recent years' awareness has risen regarding the lack of transparency between employers required job skills and those transferrable skills military members gain in service. This knowledge has slowly led to the decrease in veteran unemployment. In the United States, veteran unemployment was down to 4.6% in 2016. While this rate has been decreasing over the years, efforts still need to be made to combat the issue. At this time, the TWC has an existing database called "Texas Skills to Work," in which veterans can enter their MOS code and be provided with their civilian employment equivalent.</p> <p>The database would allow employers to qualify veterans' military experiences when they review veterans' employment applications. Simply allowing the language between military specialties and employment job skills, will open more doors for veteran hires. Along with this, no identifying information of the veteran would be collected or stored in the portal.</p> <p>With Texas having the 2nd highest veteran population, it is the state's duty to continue supporting the transition from military life. Employers often seek out veterans as ideal employees for their learned work ethic, apt for teamwork and self-discipline. This bill will be beneficial for both small businesses and veterans alike.</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 3451</b> By: Stucky / González, Mary / Ashby / Springer / Cyrier / et al.</p>	<p>Relating to the study and approval of lethal pesticides for feral hog control.</p>	<p>Public Health</p>	<p>In February 2017, the Texas Department of Agriculture approved an emergency rule allowing for the use of Warfarin in the feral hog abatement program. There are legitimate concerns about the lack of publicly available studies that assess the public health and environmental impacts of Warfarin use for feral hog control. CSHB 3451 amends the Agriculture Cody by stipulating that the department may not approve or allow for use of a lethal pesticide, including Warfarin, for feral hog abatement unless a scientific study is conducted to evaluate the potential risks associated with use of that pesticide. This bill has no significant fiscal impact, as the study will be conducted using existing resources within the department. The bill stipulates that this study must:</p> <ul style="list-style-type: none"> <li>• Include controlled field trials</li> <li>• Examine the potential of Warfarin or the legal pesticide in question for successful feral hog abatement</li> <li>• Assess negative impacts to wildlife, agriculture, or property owners because of Warfarin use</li> <li>• Assess environmental consequences associated with Warfarin use</li> <li>• Solicit both public and stakeholder input in relation to the study as appropriate</li> <li>• Be conducted by a state agency in conjunction with an institution of higher education to ensure study validity</li> </ul> <p>According to the Sierra Club, risks associated with Warfarin use include human poisoning should someone unintentionally eat Warfarin laced meat, pain and suffering for the hogs who ingest Warfarin, risk of death to animals who feed on carcasses of hogs who have ingested Warfarin, and negative bioaccumulation effects. Hastily implementing the use of this pesticide could result in adverse environmental and health impacts that carry a significant fiscal and human cost. It is critical that the State fully evaluate the risks associated with Warfarin and other pesticide use before utilizing them as part of the feral hog abatement program to ensure public safety.</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 394</b> By: Howard/ Workman/ Alonzo</p>	<p>Relating to the designation of the Lady Bird Johnson Wildflower Center at The University of Texas at Austin as the state botanical garden and arboretum.</p>	<p>Culture, Recreation, &amp; Tourism</p>	<p>HB 394 would name the Lady Bird Johnson Wildflower Center at the University of Texas at Austin as the State Botanical Garden &amp; Arboretum of Texas. This would acknowledge the contribution to history the Lady Bird Johnson Wildflower Center has given to the state of Texas.</p>	<p><b>Favorable</b> Evaluated By: Fabeain Barkwell 210-382-4295 <a href="mailto:Fabeain@Texaslsg.org">Fabeain@Texaslsg.org</a></p>
<p><b>HB 1699</b> By: Geren</p>	<p>Relating to the participation by qualified persons in the Department of Public Safety's driver record monitoring pilot program.</p>	<p>Homeland Security &amp; Public Safety</p>	<p>This legislation would require the Department of Public Safety (DPS) to enter into a contract with any person qualified to provide driver record monitoring services. Additionally, this bill will not allow DPS to limit the number of qualified persons participating in the driver record monitoring pilot program. Driver record monitoring pilot programs serves as an external observation for drivers with bad behaviors.</p> <p>This type of pilot program is available in 11 other states, and it already exists within DPS except, it hasn't started yet due to the current application process. Currently, DPS limits the number of qualified applicants to three vendors to provide driver record monitoring services on driver records purchased from the department. In doing so, the agency left out qualified vendors during its Request for Applications process. This bill seeks to address this issue so the pilot program can initiate.</p> <p>There is no significant fiscal impact for the state and local government. DPS anticipates on being able to absorb any costs associated with implementing the provisions of the bill. The external observation will benefit insurers and employers that provide jobs that consist on driving duties. Additionally, the pilot program will enhance public and highway safety by providing entities with driving information in a more efficient and timely manner.</p>	<p><b>Favorable</b> Evaluated By: Andrea Elizondo 210-382-4295 <a href="mailto:Andrea@Texaslsg.org">Andrea@Texaslsg.org</a></p>
<p><b>HB 791</b> By: Lozano</p>	<p>Relating to allowing certain individuals appointed by the governor to state office to file required financial statements by certified mail.</p>	<p>General Investigating &amp; Ethics</p>	<p>HB 791 gives individuals appointed to statewide office before December 31, 2016 the option to submit their financial statements by certified mail instead of filing electronically if they do not have a personal computer or Internet access in their home. Certified mail provides a higher level of protection to the information enclosed, and the individual retains the option to submit electronically if they are concerned about the security of their personal information. There is no fiscal note associated with providing this option.</p>	<p><b>Favorable</b> Evaluated by: Joel Kissell 210-382-4295 <a href="mailto:Joel@Texaslsg.org">Joel@Texaslsg.org</a></p>
<p><b>HB 1559</b> By Frullo</p>	<p>Relating to the provision of surplus lines insurance to certain commercial insureds.</p>	<p>Insurance</p>	<p>This bill further expands the surplus lines insurance market in Texas. It adds language to define "Industrial Insured" as any person who purchases commercial insurance, who at that time also employs a risk manager to negotiate coverage, has paid aggregate nationwide commercial property and casualty insurance premiums over \$25,000 in the immediately preceding 12 months, and retains at least 25 full-time employees. This amends the current language, which requires that surplus lines insurance may only be purchased after a diligent effort is made to obtain the full amount of required insurance, to NOT apply to insurance secured for an industrial insured if:</p>	<p><b>Favorable with Concerns</b> Evaluated By: Elizabeth Hann 210-382-4295 <a href="mailto:Elizabeth@Texaslsg.org">Elizabeth@Texaslsg.org</a></p>





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<b>HB 970</b> By: Cortez	Relating to the establishment of a state plan for Streptococcus pneumonia education and prevention	Public Health	HB 970 instructs DSHS to utilize existing resources to develop a state plan for prevention and treatment of Streptococcus pneumoniae, a bacterial infection that can lead to serious complications including meningitis, pneumonia, bacteremia, sinus infection, and ear infection. Streptococcus pneumoniae infection disproportionately impacts adults ages 65+ and children younger than 2 years; if left untreated, it can lead to hearing loss, brain damage, or death. The goal of the prevention plan would be to raise awareness and enhance knowledge and understanding of the illness, especially among populations who have a high risk of infection. The bill requires DSHS to consider input from the public, state health agencies, advisory bodies, health advocates, and physicians when developing and implementing the plan. The plan must include public education and awareness about risk factors, available screening, and available treatments for Streptococcus pneumoniae. This bill would effectively raise awareness about a dangerous, preventable disease and will improve the health and safety of all Texans.	<b>Favorable</b> Evaluated By: Tyler Anderson 210-382-4295 <a href="mailto:Tyler@Texaslsg.org">Tyler@Texaslsg.org</a>
<b>HB 1731</b> By: King, Ken	Relating to the inclusion of students receiving treatment in a residential facility in the determination of dropout rates for purposes of public school accountability.	Public Education	Under current law, a school district's dropout rate is not negatively impacted by a student who fails to re-enroll in school after receiving treatment at a residential treatment center for fewer than 85 days. Thereby, current statute acknowledges that a student's or a parent's failure to re-enroll their student in school after leaving a residential treatment center is beyond the school district's control. HB 1731 aims to exclude such students from the dropout rate entirely by removing the 85-day benchmark. Regardless of how long a student receives treatment in a residential treatment center or facility, a student's subsequent enrollment in school is beyond a school district's control. This bill helps to prevent the unfair penalization of school districts as it relates to determining the district's dropout rate for public school accountability purposes.	<b>Favorable</b> Evaluated by: Arielle Day 225-588-1221 <a href="mailto:Arielle@Texaslsg.org">Arielle@Texaslsg.org</a>



