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Representative

Desk

LSG Floor Report For Postponed Business- Tuesday, April 25, 2017

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
HB 2417 By: Frullo	Relating to the composition of the Texas Historical Commission.	Culture, Recreation, & Tourism	HB 2417 increases the number of members in the Texas Historical Commission (THC) from nine to fifteen. This bill requires that one member of the THC be a professional archeologist, one member be a professional historian, and one a professional architect. The architect must be licensed in Texas, proficient in architectural preservation, and architectural history. The remaining twelve members of THC must represent the general public. HB 2417 permits persons as detailed in current code to be ineligible for member appointment, to be eligible upon passage of this bill. Increasing the number of members on the THC expands its ability to be more effective in protecting and preserving the state's historic resources by increasing ethnic, gender, and geographical diversity.	Favorable Evaluated by: Fabeain Barkwell 214-659-3072 Fabeain@Texaslsg.org

LSG Floor Report For General Calendar- Tuesday, April 25, 2017

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
HB 240 By: Hernandez	Relating to evidence in a suit to abate certain common nuisances.	Judiciary & Civil Jurisprudence	Proof that services performed in a location in violation of Chapter 455, "Massage Therapy", Occupations Code, i.e., unlicensed massage businesses , is <i>prima facie</i> evidence in a nuisance and abatement (N&A) lawsuit that: 1) the defendant knowingly tolerated the activity and 2) the place is habitually used for that activity. This explicitly applies to defendants that are either a business or business owner, thus landowners and landlords would retain their current levels of liability in the Civil Practice and Remedies Code. Essentially, HB 240 only amends the frequency requirements for prima facie evidence in relation to unlicensed massage establishments, since operating as a massage business without being properly licensed and staffed is already included on the list of prohibited activities that can form the basis of an N&A suit. Furthermore, this bill states that parties bringing a N&A suit may request a landowner or landlord of the place where the nuisance is allegedly maintained to provide the contact information of the business in question should contact information prove difficult to obtain. The landowner or landlord shall provide this information within seven days of the request. Nuisance and abatement is a civil lawsuit brought to enjoin an activity occurring at a physical location, and is a primary tool used by local governments to stop illicit massage parlors ("IMEs"). Thousands of businesses across Texas that claim to offer massage services are actually fronts for human trafficking and compelling prostitution. In Harris County, these IMEs outnumber Starbucks, and in other	Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org

			<p>cities such as Dallas and San Antonio the number is not far behind. Local law enforcement agencies are forced to spend a disproportionate amount of time patrolling these establishments, and the surrounding communities suffer a decrease in the overall quality of life including heightened risks of violent crime. Additionally, in cities such as Houston without zoning, these establishments may be in closer proximity to homes and other neighborhood entities, thus making them even more of a serious problem for Texas families.</p> <p>Law enforcement, victims' rights advocates and legal experts have found that one of the most effective ways of capitalizing on the hard work of law enforcement to help bring a stop to underground sex trafficking are nuisance and abatement suits. However, currently these suits are often predicated on multiple arrests for prostitution, which require costly and time-consuming resources for sting operations, and result in the arrest of trafficking victims forced to work in these places. Basing N&A suits on licensing is better for victims and is much more efficient. So far, the courts have been uncertain on how to apply the unlicensed condition of an establishment to the elements of an N&A action. HB 240 provides clarity on this issue for courts, enforces the laws already in place and increases the efficacy of the N&A suits in combatting human trafficking.</p>	
<p>HB 655 By: Clardy/ Rodriguez, Justin</p>	<p>Relating to the filing of a degree plan by students at public junior colleges.</p>	<p>Higher Education</p>	<p>HB 655 establishes guidelines pertaining to the filing of degree plans by students that are enrolled at public junior colleges. HB 655 requires students at public junior colleges to file a degree plan at their college no later than the end of the regular semester or term in which the student earned a cumulative total of 30 or more semester credit hours. Students who begin their first semester at a college with 30 or more semester credit hours already, are not required to file their degree plan until the end of their second regular semester or term at the college. Community colleges serve as the entry point to higher education for numerous students. It's important that students at community colleges make vigilant decisions when enrolling in courses to make the most of their time and money. Per the Greater Texas Foundation, nearly 80% of Texas students completing bachelor's degrees were previously enrolled in a community college, yet two out of five students lose all their credits when transferring to 4-year universities. Furthermore, there is a negative impact on Bachelor degree completion, with only 42% of students finishing when universities accepted only some credits. HB 655 aims to solve this problem by motivating students to choose a pathway earlier than later to so they are enrolling in classes that will count toward their major. Thereby reducing the barriers to transfer.</p>	<p>Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org</p>
<p>HB 223 By: Howard / Burkett / Bernal / Morrison, Geanie W. / González, Mary</p>	<p>Relating to use of compensatory education allotment funding to provide assistance to students at risk of dropping out of school who are pregnant or who are parents.</p>	<p>Public Education</p>	<p>The purpose of the Compensatory Education Allotment (CEA) is to help school districts reduce disparities in rates of high school completion and assessment performance by offering programs and services designed to supplement the education of at-risk students. Pregnant and parenting students are an at-risk population that face a host of obstacles to academic success. Adding the responsibilities of parenthood to the normal pressures of adolescence can be overwhelming and ultimately lead many students to drop out of school.</p> <p>Currently, districts that want to provide assistance to their pregnant students and teen mothers cannot use their CEA funds to do so. When districts faced a \$5.4 billion cut to public schools in 2011, grants that were used to fund programs that help youth transition to adulthood and develop important life skills were zeroed out. Since then, many districts have had to discontinue programs and services that help ensure the educational success of pregnant and parenting students. HB 223 addresses this problem by allowing funds from the CEA to be used for child-care services, assistance with child-care expenses and life skills programs for students at risk of dropping out of school due to pregnancy or parenthood.</p>	<p>Favorable Evaluated by: Arielle Day 225-588-1221 Arielle@Texaslsg.org</p>
<p>HB 180 By: Lucio III</p>	<p>Relating to the review of groundwater conservation districts by the state auditor.</p>	<p>Natural Resources</p>	<p>HB 180 amends sections of the water code to allow that only financial auditing will be addressed by the State Auditor regarding Groundwater Conservation Districts (GCDs). The 75th Legislature in 1997, granted the Texas Commission on Environmental Quality</p>	<p>Favorable Evaluated by: Erin Eriksen</p>



			oversight of GCDs. Prior to 1997 the State Auditor had that oversight and now that role is duplicative when it comes to planning and management. This bill clarifies the role of the State Auditor for solely financial oversight.	210-382-4295 Erin@Texaslsg.org
HB 2948 By: Larson	Relating to the state and regional water planning process.	Natural Resources	<p>HB 2948 amends the Water Code for the creation of an Interregional Planning Council. In preparation for the State Water Plan this council, which will be comprised of appointed representatives from each regional water planning group, will convene to:</p> <ul style="list-style-type: none"> • Enhance coordination between regional planning groups • Facilitate dialogue for water management strategies for multiple planning areas • Share best practices for regional water planning processes <p>The council will be required to hold one public meeting and submit a report to the Texas Water Development Board on their work. This bill also expands the scope for each regional water planning group to identify:</p> <ul style="list-style-type: none"> • Unnecessary or counterproductive drought response efforts • Significant water needs and to provide an assessment for potential aquifer storage • How to meet specific goals on water usage per capita by decade • The progress of cooperation between each regional planning group and water users in the area to incentive plans that help the region as a whole <p>The Texas Water Development Board will appoint the initial council no later than September 1, 2018.</p>	Favorable Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org
HB 473 By: Moody	Relating to the employment of certain peace officers, detention officers, county jailers, or firefighters who are injured in the course and scope of duty.	Homeland Security & Public Safety	<p>This bill applies to peace officers, detention officers, county jailers, or firefighters who sustain a compensable injury. An employer may not discharge, indefinitely suspend, or terminate from employment the occupations mentioned earlier, based on the person's inability to perform the duties for which the person was elected, appointed or employed because of the person's injury before being certified as having reached maximum medical improvement. An exception to this provision would require a report from a designated doctor indicating that the person is unable to return to work. An employer who violates this proposed provision, is liable for reasonable damages incurred by the peace officer, detention officer, county jailer, or firefighter because of the violation in an amount not to exceed \$100,000 and the employee is entitled reinstatement in the former position of employment. The burden of proof in proceeding under this section is on the occupations mentioned above.</p> <p>Sovereign immunity to suit and from liability is waived and abolished to the extent of liability created by this legislation, and current or former public service occupations mentioned above may sue an employer for: damages and reinstatement authorized under this bill. This legislation exempts from its provisions an employer that is a municipality that has adopted the firefighters' and police officers' civil service law.</p> <p>It is assumed the costs associated with implementing the provisions of the bill could be absorbed within current appropriations. According to the Texas Association of Counties (TAC), the fiscal impact to counties is not anticipated to be significant because the number of damage awards statewide is anticipated to be relatively small. However, while a single damage award of \$100,000 would be significant in a smaller county, it is not possible to determine the number of claims filed by first responders for wrongful discharge.</p>	Favorable Evaluated by: Andrea Elizondo 210-382-4295 Andrea@Texaslsg.org



			Local governments have too great of an ability to discharge, terminate, or indefinitely suspend injured public safety employees. This bill seeks to address this concern by prohibiting a governmental entity from discharging, indefinitely suspending, or terminating certain peace officers, firefighters, detention officers, or county jailers based on their inability to perform job duties due to work-related injuries before the employees are certified as having reached maximum medical improvement. This legislation is promoting and advancing workers' rights for public servants who are serving their local communities. Local public servants are in the front lines of guarding and protecting quality of life for citizens and this bill seeks to protect those who protect us.	
HB 51 By: Guillen	Relating to the management of commercial oyster boats in this state.	Culture, Rec, & Tourism	Due to issues, such as prolonged flooding, rain, droughts, and overfishing the current state of Texas oyster fisheries are being depleted. Oysters play an important role in our ecosystem, thereby making their long-term viability critical. HB 51 creates provisions to ensure oyster fisheries stabilize, and sustain oysters for the viable future. Per HB 51, the Texas Parks and Wildlife Commission (TPWC), may create a vessel monitoring system for commercial oyster boats by proclamation. Prior to this, the Texas Parks and Wildlife Department (TPWD), must consult with commercial oyster boat license holders concerning guidelines for the vessel monitoring system. HB 51 requires TPWD to implement a voluntary license buyback program for licenses currently under provisions of the oyster license moratorium. TPWC is responsible for consulting with the oyster license moratorium review board to establish criteria for the buyback program. TPWD must retire every license purchased and consider input from the oyster license moratorium board regarding the reissue of bought licenses through auction or lottery. TPWD is required to set-aside at least 20% of fees from oyster license renewals to be deposited in the game, fish, and water safety account. Proclamations issued by TPWC have prevailing authority over any other conflicting provision in the parks and wildlife code. TPWD must report to the governor and legislature a summary of the status of the buyback program no later than November 1, 2020.	Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org
HB 2097 By: Geren	Relating to the sale of malt liquor, ale, and beer by the holder of a brewpub license.	Licensing & Administrative Procedures	This bill amends the Alcoholic Beverage Code to clarify that a brewpub licensee who holds a wine and beer retailer's permit is authorized to self-distribute beer, ale, or malt liquor manufactured on the brewpub's premises.	Favorable Evaluated by: Arielle Day 225-588-1221 Arielle@Texaslsg.org
HB 1492 By: Miller	Relating to the creation of the National Museum of the Pacific War museum fund.	Culture, Rec, & Tourism	HB 1492 creates new requirements for proceeds generated by the National Museum of The Pacific War. Presently, the Admiral Nimitz Foundation, and the Texas Historical Commission (THC) have a partnership for management of the museum. The foundation oversees the museum, while the state maintains ownership of the museum, and regulation of its funds. Revenue generated from museum tickets must be placed into a museum account, sent to THC for counting and reconciliation, and held in the Pacific War fund before being transferred back to the foundation for museum spending. Because this fund exists in the general revenue fund it is subject to certain state regulations limiting what the museum can use the funds for. HB 1492 removes the requirement that funds be sent to THC, and establishes a Pacific War Museum Fund outside of the state treasury. THC must administer the fund, but may contract with the foundation to administer it. The fund will consist of revenue from museum ticket sales, and donations made to THC for the museum. Money in this fund will be spent without appropriation only to support and manage museum operations. Interest and income from the funds' assets must be credited and deposited into the fund.	Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org



<p>HB 2071 By: Cook</p>	<p>Relating to a defendant's payment of costs associated with a court-appointed counsel.</p>	<p>Criminal Jurisprudence</p>	<p>HB 2071 allows judges to order previously indigent defendants with adequate financial resources, either confined or on probation, to pay any unpaid portion of costs associated with court-appointed counsel at any time during the defendant's sentence or period of community supervision. A judge must first provide written notice to the defendant along with an opportunity to present documentation regarding the defendant's ability to pay before ordering payment. This provision applies only to those defendants that a judge determined to be indigent at the time of sentencing to confinement or placement on community supervision, including deferred adjudication community supervision. When assessing a defendant's current financial resources, the judge may only consider information that a court or court's designee is authorized to consider, including:</p> <ul style="list-style-type: none"> • The defendant's income, source of income, assets, property owned; • The defendant's outstanding obligations, necessary expenses, and • The number and ages of dependents, and spousal income available to the defendant. <p>The court may not consider whether the defendant has posted or can post bail in determining a defendant's financial circumstances. The act has an effective date of September 1, 2017.</p> <p>Current statute regarding payment of court-appointed counsel mandates a schedule of fees based on reasonable fixed rates or minimum and maximum hourly attorney rates, including overhead costs and consideration of the availability of qualified attorneys willing to accept the stated rates. All payments are paid from the general fund of the county in which prosecution was instituted or in which a habeas corpus hearing was held and may be included as court costs. HB 2071 seeks to lighten taxpayers' burden by allowing judges to assess a defendant's current financial resources and subsequently use discretion when ordering the defendant to pay an unpaid portion, if they are able to. This provision would allow counties to utilize and allocate limited monetary resources to the best of their ability, including spending more on indigent defense, and serve as a first step for defendants in confinement or on community supervision to reintegrate as a contributing member of their community.</p> <p>Concerns: While this statute is aimed at providing financial relief for taxpayers and counties by holding financially capable defendants accountable to pay a portion of court-appointed attorney's fees, there is a concern for those defendants who had adequate financial resources at the time the court determined they were able to pay and later on suffered financial loss. Should an individual in confinement or on community supervision lose their job, assets, or any property owned, or experience any other type of vast change in financial resources, there needs to be a safeguard in place so that our courts are not unfairly ordering payment. As HB 2071 allows for determination of a defendant's financial resources at any time during the sentencing or placement on community supervision, an added provision protecting those individuals who experience financial hardships following the court's ruling would be vital and easily implemented.</p>	<p>Favorable w/Concerns Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>
<p>HB 3042 By: Meyer / Burkett / Button / Koop / Giddings /</p>	<p>Relating to designating July 7 as Fallen Law Enforcement Officer Day.</p>	<p>Culture, Rec, & Tourism</p>	<p>HB 3042 established July 7th as Fallen Law Enforcement Officer Day to recognize the ultimate sacrifices made by Texas Law enforcement officers that are killed in the line of duty. This day is to be observed regularly by appropriate ceremonies.</p>	<p>Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org</p>



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HB 2113 By: Goldman	Relating to the regulation of for-profit legal service contract companies.	Licensing & Administrative Procedures	This bill repeals the for profit legal service contract regulatory program at the Texas Department of Licensing and Regulation (TDLR). Texas is one of only 20 states that still regulate this industry. In their most recent strategic plan, TDLR recommended eliminating for-profit legal service contracts since the program has zero to little enforcement activity and minimal risk of consumer harm. This bill amends the Occupations Code to remove the requirement that a legal service contract be filed with the executive director before it is marketed, sold, offered for sale, administered or issued in Texas. This bill also establishes that a violation of provisions relating to the regulation of for-profit legal service contract companies is a deceptive trade practice actionable under the Deceptive Trade Practices-Consumer Protection Act.	Will of the House Evaluated by: Arielle Day 225-588-1221 Arielle@Texaslsg.org
HB 1978 By: Sheffield	Relating to physician assistant services performed as volunteer care.	Public Health	HB 1978 would allow physician assistants to offer volunteer medical services for charitable organizations or at public or private religious, sporting, community or health events and protects them from civil liability so long as they are acting within the scope of physician assistant licensure. Offering civil liability protections to physicians' assistants will encourage them to offer volunteer services at critical times, including in the aftermath of natural disasters. Additionally, their engagement in other community events will benefit their local communities by promoting public health and wellness.	Favorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org
HB 1698 By: Kuempel	Relating to the licensing and regulation of a journeyman industrial electrician.	Licensing & Administrative Procedures	Currently an individual who is not exempted from licensing law and works exclusively in industrial settings, must be licensed as an electrical apprentice. This means that a person who wants to become a journeyman electrician has to become proficient in items that are not relevant to that person's work in an industrial setting. HB 1698 creates a new license category allowing an individual to achieve journeyman status with a relevant license and restricting that individual to only working in an industrial setting. The bill provides for examination requirements and adds language requiring on-the-job training.	Favorable Evaluated by: Arielle Day 225-588-1221 Arielle@Texaslsg.org
HB 965 By: Springer	Relating to the authority of a retail public water utility to require an operator of a correctional facility to comply with water conservation measures.	Natural Resources	HB 965 seeks to allow a public utility to require the operator of a correctional facility with or contracted under the Texas Department of Criminal Justice(TDCJ) to comply with the utility's water conservation measures. If compliance with these measures would endanger the health and safety for those at the facility or increases the operating costs, the facility may send a written statement from the TDCJ to the utility for exemption. If a conservation measure is lifted but then reinstated the operator of the correctional facility must submit a new written statement from TDCJ to the public utility.	Favorable Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org
HB 561 By: Murphy	Relating to the operation of certain vehicles used for package delivery; authorizing a fee.	Transportation	Texas Department of Motor Vehicles (TxDMV) may issue distinguishing license plates for a vehicle operated by a motor carrier for picking up and delivering mail, parcels, and packages if the vehicle is: <ul style="list-style-type: none"> • An all-terrain vehicle • A golf cart • A neighborhood electric vehicle a recreational off-highway vehicle • A utility vehicle • Equipped with headlamps, taillamps, reflectors, a parking brake, and mirrors, in addition to any other equipment required by law. 	Favorable Evaluated by Andrea Elizondo 210-382-4295 Andrea@Texaslsg.org



			<p>TxDMV shall establish a procedure to issue the license plates to be used only for operation mentioned at the beginning of this analysis. The license plate must include the words “<i>Package Delivery</i>”. The agency may charge a license plate fee not to exceed \$25 annually to be deposited to the credit of the TxDMV fund.</p> <p>A motor carrier may operate for picking up or delivering mail, parcels, or packages, a vehicle bearing license plates on a public highway that is not an interstate or a limited-access or controlled-access highway and that has a speed limit of not more than 35 miles per hour. The agency may not require the registration of a vehicle mentioned above unless the registration is required by other law. A property owners’ association may adopt reasonable safety and use rules for the mail delivery vehicle bearing license plates issued on the property of a subdivision or condominium managed or regulated by the association. The motor carrier vehicle is subject to restrictions by the property of a subdivision or a condominium that has in place a declaration, in a manner that complies with any applicable rules adopted by a property owners’ association that manages or regulates the subdivision or condominium.</p> <p>The governing body of a municipality may allow a motor carrier for purposes mentioned above on all or part of a public highway that is in the corporate boundaries of the municipality and has a speed limit of not more than 35 miles per hour. A county commissioners court may allow a motor carrier for purposes mentioned above on all or part of a public highway that is in the unincorporated of the county and has a speed limit of not more than 35 miles per hour. A vehicle bearing the license plate mentioned above may cross intersections, including on or through a road or street that has a speed limit of more than 35 miles per hour. A vehicle bearing the license plate mentioned above may cross intersections, including on or through a road or street that has a speed limit of more than 35 miles per hour. In the cases of conflict between this proposed legislation and other law, this subchapter of the Transportation Code controls. This legislation will make it easier for delivery motor vehicles to have accountability since smaller vehicles will be required to have a license plate. Additionally, the use of small utility vehicles by delivery and logistics companies in residential communities will make operations more efficient while better serving customers and the environment.</p>	
<p>HB 877 By: Turner</p>	<p>Relating to prohibiting certain telemarketing calls by a credit access business.</p>	<p>Business & Industry</p>	<p>Prohibits credit access businesses (CABs) from making telemarketing calls to a consumer whose name and telephone number are on the Texas no-call list, unless it is to collect a debt or the person is a party to a contract with the CAB. The call must be made during the term of the contract. Once the contract has terminated, CABs may not call consumers a year after the termination of the business relationship or if consumers request the calls be stopped.</p> <p>There is currently nothing in Texas law prohibiting CABs from soliciting business in phone calls to consumers on the no-call list. Credit access businesses charge high interests on loans if not repaid in the full amount typically due in two weeks. Almost half of the borrowers cannot pay back the loan within this time causing a terrible cycle of debt. The average annual percentage rate (APR) is above 400%. Consumers on the no-call list should have their wishes respected and protected from receiving these telemarketing calls.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>HB 294 By: Walle</p>	<p>Relating to appointment of a receiver for a water or sewer utility.</p>	<p>Natural Resources</p>	<p>HB 294 amends the Water Code to create a new application to bring a suit for the appointment of a receiver for an Investor-Owned Utility(IOU). The Texas Commission on Environmental Quality(TCEQ) and the Public Utility Commission could now bring a suit of receivership by an IOU that violates a final judgement issued by a district court in a suit brought by the Attorney General, under this provision or Chapter 7 within the Water Code and Chapter 341 of the Health and Safety Code.</p>	<p>Favorable Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org</p>



			For people living in unincorporated communities where municipal utilities do not extend sometimes the only alternative is Investor-Owned Utility water and sewage companies. While TCEQ can find them in violation of safe drinking water laws there is still minimal recourse to rectify the negligence of some IOUs. HB 294 allows for communities to be able to hold IOUs accountable.	
HB 513 By: Davis, Sarah / Guillen / Burkett / Koop	Relating to the reappraisal for ad valorem tax purposes of property damaged in a disaster.	Ways & Means	HB 513 changes language within the Tax Code so that appraisal districts are required to conduct timely reevaluations of property affected by natural disasters. The affected areas must be designated by the Federal Emergency Management Agency as having suffered at least a 5% loss in value as a result, and property owners retain the right to refuse a reappraisal. The local governments are responsible for the cost of reappraisals. Depending on the time of year at which the disaster occurs, this change to statute may provide significant financial relief to individuals and businesses reeling from a crisis, such as a hurricane, flood, or wildfire. The potential loss in local revenue for the Foundation School Program depends on the number and severity of disaster events, but must be weighed against the overall impact of affected communities.	Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org
HB 682 By: Wu	Relating to the statute of limitations for aggravated assault.	Criminal Jurisprudence	HB 682 adds aggravated assault to the list of felonies with a statute of limitations of three years from the date the offense is committed. Further provisions clarify that the statute of limitations for any “aggravated” offense is the same as the primary crime if there is no specified limitation period provided. This bill has an effective date of September 1, 2017 and would not apply to those offenses in which the prosecution becomes barred by the statute of limitations before enactment. “Aggravated assault” in Texas is classified as a second-degree felony with a penalty of 2 to 20 years in prison, and/or a fine of up to \$10,000, and a first-degree felony for aggravated assault with a deadly weapon. However, there is confusion in current statute as the commission of solely “assault” is classified as a Class A misdemeanor, which is punishable by no more than 1 year in a county jail and/or a fine of no more than \$4,000. Creating clarifying statutes helps mitigate uncertainty regarding applicable statutes of limitations.	Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org
HB 1264 By: Burkett/ Button	Relating to the concurrent jurisdiction of certain municipal courts in certain criminal cases punishable by fine only.	Criminal Jurisprudence	HB 1264 would authorize municipalities with a population of 1.9 million or more and a contiguous municipality to enter an agreement providing concurrent jurisdiction for all criminal cases punishable by fine only. The current law only provides coverage for offenses committed within 200 yards of the municipalities’ boundary, which leaves outlying or less accessible areas within a municipality suspect to unsafe conditions and reduced mobility due to inadequate traffic enforcement. For cities, eligible for this agreement with a contiguous municipality, police department resources are wasted when needing to drive to more rural areas of jurisdiction to enforce traffic laws, which keeps officers away from patrolling more populous areas. The proposed provision would extend eligibility for concurrent jurisdiction to include segments of state highways crossing a major water supply reservoir within 2.25 miles of a municipality boundary.	Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org
HB 1570 By: Burns	Relating to the enforcement of commercial motor vehicle safety standards in certain municipalities.	Transportation	This bill amends the <i>Transportation Code</i> of expanding the municipality eligibility for police officers being able to apply for a certification in commercial motor vehicle safety standards. The eligibility is expanded to include a municipality with a population between 3,000 and 10,000 that is located entirely in a county that: <ul style="list-style-type: none"> located a county with a population between 150,000 and 155,000 contains a highway that is part of the national system of interstate and defense highways <p>There are no anticipated fiscal implications for state and local government.</p> <p>Having more police officers who will be able to apply for a certification in commercial motor vehicle safety will enable them to enforce</p>	Favorable Evaluated by Andrea Elizondo 210-382-4295 Andrea@Texaslsg.org



			these standards. Having more police officers certified in this will enhance public safety on our roads by reducing commercial motor vehicle accidents and protecting the state highways from unnecessary damage by securing compliance with state laws regulating weight of commercial vehicles.	
HB 1635 By: Smithee	Relating to the authority of the commissioner of insurance to request a state innovation waiver for certain small group health benefit plans of certain federal actuarial value and level of coverage requirements.	Insurance	<p>This bill would give the commissioner of insurance the ability to negotiate with the U.S. Secretary of Health and Human Services in order to obtain a waiver under 42 U.S.C. Section 18052 for small employer health benefit plans of the actuarial value requirements.</p> <p>This bill specifically targets small employers, and the actuarial value requirement it refers to concerning the percentage of health care costs that the insurance plan covers. The bill will authorize the commissioner to submit an application on this specific aspect so that small businesses could offer plans that cover less than half of their employee's costs. It would not affect the premium or deductible subsidies that individuals can receive in the Marketplace. While this would save companies money, it opens the door to massive financial burdens for their employees. This could essentially allow small employers to provide sub-par plans with higher deductibles.</p>	Will of the House w/Concerns Evaluated by: Elizabeth Hann 210-382-4295 Elizabeth@Texaslsg.org
HB 53 By: Romero, Jr. /Capriglione	Relating to certain limitations on settlement agreements with a governmental unit.	Judiciary & Civil Jurisprudence	<p>Governmental entities may not enter a settlement for claims that are against the governmental entity when: 1) the settlement is equal or greater to \$30,000, and 2) a condition of the settlement is that the party seeking affirmative relief against the governmental unit would have to agree not to disclose any fact, allegation, evidence, or other matter, to any person, including a journalist or any member of the media. If there is a non-disclosure provision in a settlement agreement equal or greater than \$30,000, this legislation states the non-disclosure would be void and unenforceable. This chapter does not affect information that is privileged or confidential under other law.</p> <p>Settlement agreements to which a governmental body is a party are one of the eighteen categories of information listed in Government Code, Section 552.022 that are public information and not excepted from required disclosure, unless made confidential under this chapter or other law. Thus, it is very clear in this Texas Public Information Act that settlements made with government entities should be public knowledge. Any government entity's budget is taxpayer money, and therefore these cases use taxpayer dollars in their investigation, prosecution and settlement agreements. Yet, about a third of the 3,000 legal settlements and judgments, totaling about \$30 million dollars, involving Texas state agencies from fiscal 2009 through the first quarter of 2015 were listed as confidential in comptroller records. These cases range from car wreck injuries where a driver of a state vehicle was at fault, through sexual harassment claims filed in governmental entities, to illegal beatings of a person who is incarcerated by state prison guards. It is not the right of a government entity to determine which information should be disclosed. This legislation protects the Texan commitment to open government and transparency which promotes the wellbeing of the courts, the lawyers, their clients and justice for Texas families at large.</p>	Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org
HB 1355 By: Wray	Relating to the enforcement of commercial motor vehicle safety standards in certain municipalities.	Transportation	<p>This bill amends the Transportation Code of expanding the municipality eligibility for the purpose of police officers being able to apply for a certification in commercial motor vehicle safety standards. The eligibility is expanded to include a municipality with a population between 18,000 and 18,500 that is located entirely in a county that:</p> <ul style="list-style-type: none"> • has a population of less than 200,000 • is adjacent to two counties that each have a population of more than 1.2 million • contains two highways that are part of the national system of interstate and defense highways <p>There is no anticipated fiscal implications for state and local government.</p>	Favorable Evaluated by Andrea Elizondo 210-382-4295 Andrea@Texaslsg.org



			<p>The expansion of eligibility will add Midlothian, which is a municipality that is growing economically. Additionally, this municipality, has companies that use trucking services to deliver their goods to counties across Texas especially Tarrant and Dallas County. For Midlothian to grow economically it will require truck traffic, which is why this municipality and other similar municipalities should be able to have police officers certified in commercial motor vehicle safety.</p> <p>Having more police officers who will be able to apply for a certification in commercial motor vehicle safety will enable them to enforce these standards. Having more police officers certified in this will enhance public safety on our roads by reducing commercial motor vehicle accidents and protecting the state highways from unnecessary damage by securing compliance with state laws regulating weight of commercial vehicles.</p>	
<p>HB 3027 By: Phelan</p>	<p>Relating to the applicability of open meetings and public information laws to regional water planning groups and their committees.</p>	<p>Government Transparency & Operation</p>	<p>HB 3027 amends Texas Water code to make regional water planning groups and committees of a regional water planning group participate in Chapters 551 and 552 of the Government Code. These chapters layout the provisions for open state meeting laws and state public information laws.</p>	<p>Favorable Evaluated by: Ana Ramon 210-382-4295 Ana@Texaslsg.org</p>
<p>HB 1428 By: Smithee</p>	<p>Relating to mediation of the settlement of certain out-of-network health benefit claims involving balance billing for members of the Teacher Retirement System of Texas.</p>	<p>Insurance</p>	<p>Relating to mediation of the settlement of certain out-of-network health benefit claims involving balanced billing for members of the Teacher Retirement System of Texas.</p> <p>Under the Texas Public School Retired Employees Group Benefits Act and the Texas School Employees Uniform Group Health Coverage Act, this bill would amend the Insurance Code to make statutory provisions for out-of-network claim dispute resolution related to an administrator of a health benefit plan, with the exception of an HMO. It seeks to provide a fair and efficient dispute resolutions process. Many have reported this out-of-network system provides fair resolutions and cost savings.</p>	<p>Favorable Evaluated by: Elizabeth Hann 210-382-4295 Elizabeth@Texaslsg.org</p>
<p>HB 1187 By: Capriglione</p>	<p>Relating to the authority of a captive insurance company to provide reinsurance.</p>	<p>Insurance</p>	<p>This bill would add captive insurance policies to the existing Insurance Code and would allow them to offer reinsurance services. Specifically, it would add credit life insurance and credit disability insurance to the operational risks of captive insurance. Many feel that clarification is needed in the current Insurance Code as it is vague about whether credit disability insurance and credit life insurance has the authority to provide reinsurance.</p>	<p>Will of the House Evaluated by: Elizabeth Hann 210-382-4295 Elizabeth@Texaslsg.org</p>

