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LSG Floor Report For Postponed Business- Monday, May 15, 2017

<p>SB 500 Taylor, Van SP: Geren / Davis, Sarah / Howard / King, Phil / Johnson, Eric / et al.</p>	<p>Relating to the effect of certain felony convictions of public elected officers.</p>	<p>General Investigating & Ethics</p>	<p>SB 500 seeks to protect the integrity of elected office and public trust by prohibiting a retired public official from receiving payments from a public retirement system once convicted of “qualifying felonies”. The elected official must also vacate the office after final conviction of the aforementioned felonies. A “qualifying felony” includes any felony involving bribery; the embezzlement, extortion, or other theft of public money; perjury; coercion of public servant or voter; tampering with governmental record; misuse of official information; conspiracy or the attempt to commit any of those foregoing offenses; or abuse of official capacity. This bill applies to all elected officials from statewide to local municipalities. The pension payments include any public system which includes but not limited to: ERS, TRS, etc.</p> <p>As stated before, once the conviction of the felony becomes final the elected official must be removed from office. Currently, a conviction of a felony makes an elected ineligible to run for office again but there are no clear rules for those convicted in regard to the remainder of their current term. This bill would provide the process and help protect the public’s trust in state government and elected office. The expulsion of office requirement does not in the following scenarios: under indictment, those who are appealing a conviction, or those undergoing deferred adjudication.</p>	<p>Favorable Evaluated by: Ana Ramon 210-382-4295 Ana@Texaslsg.org</p>
<p>SB 1467 By: West SP: Lozano/ Guillen</p>	<p>Relating to the Texas college work-study program and to establishing a program for the off-campus employment of certain students at public or private institutions of higher education.</p>	<p>Higher Education</p>	<p>SB 1467 helps alleviate the financial burden for students in higher education by establishing work-study, and internship opportunities to eligible students who express financial need. SB 1467 requires the Higher Education Coordinating Board to collaborate with eligible institutions and employers to administer the Texas Works Internship Program. The purposes of this program are to help students attend school by providing them with part-time employment funded in part by the state. A student is considered eligible for this program only if they are a Texas resident, are enrolled full time in an undergraduate program, establishes financial need, and meets eligibility criteria established by the coordinating board. SB 1467 states that the coordinating board must develop and adopt the necessary rules for the program’s implementation, compliance with nondiscriminatory practices, and to disburse each eligible institution with copies of these rules. The bill prohibits state support for the Texas WORKS internship program from exceeding the amount specified by appropriation SB 1467 states that if funding for the Texas WORKS internship program is insufficient to cover the cost of all eligible students, priority for funding is based on the order of application. SB 1467 removes the authority of an eligible institution of higher education to enter agreements with employers participating in the Texas college work-study program. These institutions now will be authorized to employ eligible students in the work-study program. Funds received by eligible students are not considered as financial aid for the academic year in which they were earned.</p>	<p>Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org</p>

LSG Floor Report For General Calendar- Monday, May 15, 2017

<p>SB 28 By: Creighton SP: Deshotel</p>	<p>Relating to the financing of ports in the state.</p>	<p>Texas Ports, Innovation & Infrastructure, Select</p>	<p>SB 28 establishes the Ship Channel Improvement Revolving Fund to provide loans for ship channel improvement projects. Projects funded from the account will make necessary improvements to critical port infrastructure and may include dredging, deepening, and widening of ship channels. All projects funded by the fund must be to deepen or widen a ship channel, approved by the United States Congress (verified by the Army Corps of Engineers), and meet all other standards deemed necessary by the Transportation Commission. Maintenance dredging projects do not qualify for loan funds under this bill. The fund will be established as an account in the general revenue fund and will be operated and administered by the Texas Department of Transportation (TXDOT). It will consist of funds appropriated by the legislature, gifts, grants, donations, interest earned on deposits and investments made by the fund, and money received for repayment of loans made under the fund. SB 28 also adds two members to the Port Authority Advisory Board: one appointed by the Speaker of the House and one appointed by the Lieutenant Governor.</p> <p>The Ship Channel Improvement Revolving Fund will be especially impactful for localities that have previously been unable to conduct critical ship channel improvement projects by providing money for them to use as local matching funds for available federal grants. Additionally, the projects funded by this program will provide thousands of jobs for local communities, spurring economic development. It is essential that Texas' ports and infrastructure are up-to-date and well maintained, as they are critical to maintaining our position as one of the top states for imports and exports. SB 28 will provide a sophisticated funding mechanism for these valuable public improvement projects, which ensure Texas infrastructure is up to day and contribute to economic growth.</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org</p>
<p>SB 303 By: Watson SP: Thompson, Senfronia</p>	<p>Relating to the continuation and functions of the Board of Law Examiners.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Sunset bill for the Texas Board of Law Examiners: a small judicial agency that administers the Texas Bar Examination and assesses whether an applicant's qualifications to practice law meet the requirements of the Texas Supreme Court. The Texas Supreme Court appoints members to the board. SB 303 moves the agency's Sunset expiration date until September 1, 2029, and overall, updates the statute so that the board carries out its duties in a more efficient and beneficial manner.</p> <p>The larger clarifications that this bill makes include: 1) if an applicant may suffer from a chemical dependency, the applicant may be required to submit to evaluation by a licensed mental health professional designated by the board instead of a treatment facility, 2) removes the requirement that applicants submit a verified affidavit and instead requires a statement certifying certain information regarding any past legal violation history, 3) removes the outdated provision that requires applicants to attest that they are not "mentally ill", which ensures licensing decisions comply with the Americans with Disabilities Act, 4) requires the board to develop specific guidelines to help make consistent and fair determinations regarding moral character and fitness of applications, probationary license holders, and granting waiver requests, and 5) removes specific licensing and examination deadlines from statute and instead requires the supreme court to adopt deadlines and a schedule of late fees, which will allow for more flexibility for all parties involved.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>SB 286 By: Nichols SP: Gooden</p>	<p>Relating to the governing board of the Trinity Valley Community College District.</p>	<p>Higher Education</p>	<p>SB 286 gives the governing board of Trinity Valley Community College District the authority by resolution, or order to increase their number of board trustees from nine to eleven. At the time the board expands, the eleven trustees must draw lots to determine the length of their terms. Five trustees serving two year terms, three trustees serving four year terms, and three trustees serving six year terms. In addition, the governing board is required to establish transitions of office terms to correspond with election cycles. Trinity Valley has a service area across five counties. Currently there are also school districts within those counties who want to be annexed</p>	<p>Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org</p>



			into Trinity Valley’s tax paying district. Expanding the number of trustees on the board provides greater representation for students within these districts which could lead to opportunities such as dual credit classes, and lower in-district tuition.	
<p>SB 302 By: Watson SP: Thompson, Senfronia</p>	<p>Relating to the continuation and functions of the state bar.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Sunset bill for the State Bar of Texas. The State Bar supports the administration of the judicial system; it’s mission statement includes assuring citizens equal access to justice and fostering high standards of ethical conduct for lawyers. It is self-funded with no use of tax dollars. It is governed by Chapter 81, Government Code. The Texas Supreme Court has administrative control, and the State Bar Board of Directors is the governing body. SB 302 moves the agency’s Sunset expiration date until September 1, 2029, and overall, improves the training procedures for the Board, the procedure for increasing membership fees, and improves the rule making processes and disciplinary system such that its mission is carried out more properly and fairly to its members and the public.</p> <p>The main improvements are as follows. One, this bill amends the training program requirements for board members. Currently, the training program must include topics related to the roles and functions, the rules with emphasis on those relating to disciplinary and investigatory authority, the current budget and so on. SB 302 simply adds that this program must also address the scope and limitations on the rulemaking authority of the Bar. Additionally, it adds that the Executive Director must create a training manual that includes all this information required for the training program. Two, this bill clarifies how any membership or other fee changes must be clearly described in the proposed budget, and considered by the Supreme Court. It also adds that the only time the board may increase a membership fee without distributing the proposal for a vote is on or after the 6th anniversary of the preceding fee’s increase, provided the increase is not more than 10%. <i>Otherwise</i>, the Supreme Court must distribute a proposed fee change in ballot form to each member for a vote. Three, the State Bar shall require each member to submit fingerprints for purposes of obtaining criminal history record information. This is the standard for most other occupational, professional agencies. Currently, only attorneys who undergo a disciplinary investigation by the Bar must complete a criminal background check. While, the Board of Law Examiners issues initial licenses for lawyers, any future enforcement is administered by the State Bar, and it is important that the Bar is notified of an arrest of a member, of which they do not presently receive. The first two years, up to 100,000 licensed attorneys would need to submit fingerprints to the Bar, but subsequently, the bill allows the forwarding of fingerprint information from the Board of Law Examiners to the Bar. Four, adds a number of small sections to the “Discipline” subchapter, of which the biggest include a reinstatement of the Chief Disciplinary Counsel’s subpoena power, and the requirement of the Chief to create and maintain a grievance tracking system for grievances filed and disciplinary decisions issued. Additionally, under this subchapter, this bill establishes the Committee on Disciplinary Rules and Referenda, whose duty is to regularly review the Texas Disciplinary Rules of Professional Conduct and Rules of Disciplinary Procedure, and issue a report on the adequacy of the rules at least annually to the Supreme Court and the Board. This new section exhaustively lays out the procedure by which new disciplinary rules are proposed, which includes the holding of a public hearing, and eventually a referendum for each State Bar member to vote The Supreme Court may approve or reject a rule in its entirety by majority vote. Five, creates a requirement for the State Bar to fund a full-time equivalent position of an ombudsman for the attorney discipline system (selected by the Supreme Court) to review grievances and determine whether the Bar has followed proper procedures.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>SB 586 Perry SP: Geren</p>	<p>Relating to the distribution of universal service funds to certain small and rural incumbent local exchange companies.</p>	<p>State Affairs</p>	<p>The Small and Rural Incumbent Local Exchange Company Service Plan, administered out of the Texas Universal Service Fund (TUSF) by the Public Utility Commission (PUC), offers funding assistance to telephone companies that service 31,000 lines or less in rural areas of Texas. Without this funding assistance, many of these companies would be unable to maintain the critical infrastructure necessary to provide telecommunications services to rural Texans. Many statutory provisions of this program are set to expire in September 2017; this would result in rural telephone companies losing millions of dollars of financial support, and could likely lead to thousands of Texans losing their telephone service.</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org</p>



			<p>SB 586 makes necessary changes and updates to the Small and Rural Incumbent Local Exchange Company Service Plan and continues the program until 2023. The bill primarily:</p> <ul style="list-style-type: none"> • Instructs PUC to determine funding support amounts to be provided to small telephone companies each month, and to adjust the funding rate based on certain criteria • Instructs PUC to develop and implement a mechanism to determine annual funding amounts to be provided to small telephone companies by January 1, 2018. The bill outlines the specifics of this mechanism, including information to be provided to PUC by telephone companies to determine eligibility and funding support levels • Offers guidelines for PUC proceedings to determine a company’s continuing eligibility to receive funds under this program should their customer base or profit returns increase • Requires PUC to review the provisions of this program and whether or not they should be continued by July 1, 2022. PUC would also be required to submit a report detailing its findings to the Legislature by September 1, 2022 <p>SB 586 ensures that small telephone companies are able to continue providing critical phone service to Texans in rural areas. Many of these areas do not have wireless service, and therefore local landline service is these individuals’ lifeline in case of emergencies. The bill provides an efficient and effective avenue by which small telephone companies can apply to receive TUSF funds, allowing them to update their infrastructure and remain operational to provide services to their customers.</p>	
<p>SB 416 By: Watson SP: Smithee</p>	<p>Relating to the composition of the board of directors of the State Bar of Texas.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>In regard to the composition of the Board of Directors for the State Bar of Texas, this bill replaces the requirement of “four minority member directors” with “four outreach directors.”</p> <p>Every person licensed to practice law must be a member of the State Bar. It is governed by a 46-person Board of Directors. In 1991, the Sunset bill for the State Bar enacted the requirement of four minority member directors into statute, with the intention that these positions are essential to maintaining diversity on the board. “Minority member” is defined in Chapter 81, Government Code, as a member who is female, African-American, Hispanic-American, Native American or Asian-American.</p> <p>In December 2016, a lawsuit filed in Austin federal court, <i>Gegenheimer v. Stevenson</i>, claims that this provision violates the equal protection clause of the U.S. Constitution. SB 416 alleviates the constitutional concerns of this lawsuit, while ensuring the protection of diversity of the Board of Directors is maintained. The bill specifies that the outreach directors appointed must demonstrate the sensitivity and knowledge gained from experiences in the legal profession and community, which is necessary to ensuring the Board represents the interests of attorneys from varied backgrounds, including members of historically underrepresented groups. This new provision would allow the opportunity to address a wide range of diversity needs, including ethnic diversity, gender, geographic and field of practice.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>SB 1782 By: West SP: Clardy / Murphy</p>	<p>Relating to the elimination of certain formula funding and dropped course restrictions for returning adult students at public</p>	<p>Higher Education</p>	<p>SB 1782 seeks to encourage students wishing to return to higher education by, eliminating certain statutory restrictions, and prohibiting an institution from charging higher tuition rates for repeated or excessive semester credit hours for undergraduate students. Current restrictions in the Education Code are present to encourage timely degree completion. However, these same limitations are also barriers to students who want to go back to higher education and finish their degree. SB 1782 requires the Higher Education Coordinating Board to implement rules for institutions to permit students to drop one additional course if the has had a break in enrollment for at least 24 months, and has completed at least 50 semester credit hours before the break in enrollment. The</p>	<p>Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org</p>



	institutions of higher education and to the tuition rate that may be charged to those students for certain excessive undergraduate hours.		bill also requires that for formula funding the coordinating board must include 15 additional semester credit hours for students. In order to achieve the 60x30 goals Texas must take every step to increase degree completion. SB 1782 grants the flexibility required for this purpose, and provides the help student returning to school need.	
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