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LSG Floor Report For Postponed Business- Wednesday, May 17, 2017

<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, Gegenheimer v. Stevenson, 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>
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LSG Floor Report For General Calendar- Wednesday, May 17, 2017

<p>SB 304 By: Taylor, Van SP: Raymond</p>	<p>Relating to the continuation and functions of the Texas Board of Chiropractic Examiners; authorizing a reduction in fees.</p>	<p>Public Health</p>	<p>SB 304 is the Sunset bill for the Texas Board of Chiropractic Examiners (TBCE) , the entity responsible for regulating and licensing the practice of chiropractic in the state. In addition to extending the agency’s abolishment date to September 2029, the bill makes substantive changes to various sections of the Occupations code as it relates to the practice of chiropractic. Major provisions of the bill include:</p> <ul style="list-style-type: none"> • Adds the word “diagnose” to the statutory definition of chiropractic to add clarity to the definition - in practice, chiropractors have been diagnosing for years, this change just reflects this in code. Additionally, all other states include “diagnose” in their statutory definitions of chiropractic • Requires the executive director of TBCE to develop a training manual to be distributed to board members annually • Eliminates the use of anonymous complaints to be made to the board - the bill outlines confidentiality of complainants and takes steps to protect patients and ancillary staff from disciplinary action 	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org</p>
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			<ul style="list-style-type: none"> • Instructs the board to establish an expert review process to assist with the investigation of complaints and ensure chiropractic expertise is considered during the investigatory process • Requires TBCE to utilize fingerprint-based background checks for all applicants and licensees • Authorizes TBCE to check for disciplinary actions made against out of state licensees in the National Practitioner Database and pursue any necessary enforcement actions • Discontinues registration of chiropractic facilities with TBCE - Sunset Commission recommended this action because the registration is an unnecessary regulation that does not serve a public health benefit. Chiropractors and other facility employees will continue to be required to obtain TBCE licensure to ensure patient safety <p>SB 304 clarifies the definition of chiropractic without expanding chiropractors' scope of practice and outlines clearer processes for the handling of complaints made against TBCE. Its provisions will improve oversight of the practice of chiropractic in Texas, ensuring patient safety and accessibility to chiropractic services.</p>	
<p>SB 313 By: Schwertner</p> <p>SP: Burkett /Thompson, Senfronia / Raymond</p>	<p>Relating to the continuation and functions of the State Board of Dental Examiners; imposing fees.</p>	<p>Public Health</p>	<p>SB 313 is the Sunset bill for the Texas State Board of Dental Examiners (TSBDE) , the entity responsible for regulating and licensing the practice of dentistry in the state. In addition to extending the agency's abolishment date to September 2029, the bill makes substantive changes to various sections of the Occupations code as it relates to the practice of dentistry.</p> <p>Many of the bill's provisions relate to the composition of the TSBDE and to eligibility requirements for licensure by the board. As it relates to the board, SB 313 reduces the number of board members from 15 to 11 and updates training requirements. Additionally, the bill changes the process by which complaints can be made against TSBDE licensees, including a new provision that prohibits the board from accepting anonymous complaints. The bill also strikes current minimum requirements for continuing education and allows the board to establish new requirements as they see fit; the bill does not include a specific number of continuing education hours that must be met, which is concerning. Additionally, the bill authorizes TSBDE to require a license holder to submit to a mental or physical examination by a doctor should they deem it appropriate; an avenue by which a licensee can contest this requirement is also outlined. It also allows the board to establish conditions under which a person can be appointed as custodian of a dentist's billing and patient records, which may include situations such as the death, mental incapacitation, or physical incapacitation of a dentist. Finally, this section updates procedures related to the investigation and settlement of complaints made against TSBDE licensees by requiring the use of informal settlement hearings and outlining the processes related to these hearings in detail.</p> <p>The bill also attempts to strengthen regulations that relate to the use of anesthesia during dental procedures. These regulations are meant to further ensure patient safety and will address concerns that have arisen due to instances of fatalities of patients in a dentist's care who are under anesthesia. To address these concerns, the bill would:</p> <ul style="list-style-type: none"> • Require TSBDE to establish minimum components required to be included in a checklist to be used before administering anesthesia to a patient • Create a new regulatory framework under which TSBDE must issue permits to licensees wishing to administer anesthesia and allows them to set a fee for permit applications. • Instruct the board to establish eligibility criteria and application procedures to licensees who wish to obtain permits to administer anesthesia. The permits must be accompanied by training that includes pre-procedural evaluation of a patient's airway, continuous monitoring of a patient's level of sedation during anesthesia, and management of emergency situations 	<p>Favorable w/concerns Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org</p>



			<ul style="list-style-type: none"> • Require TSBDE to establish and implement a jurisprudence exam to be taken every five years that demonstrates a permit holder’s knowledge of these requirements, board rules, and other laws related to administering anesthesia • Prohibiting licensees from administering anesthesia to patients who at level-2 (moderate sedation-enteral administration), level-3 (moderate sedation-parenteral administration), or level-4 (deep sedation or general anesthesia) to high risk patients unless the permit holder has demonstrated to TSBDE that they have advanced clinical and didactic training and has received approval from the board • Requiring all dentists administering level-4 anesthesia to utilize capnography (carbon dioxide monitoring) • Require the board to establish minimum safety standards for emergency situations related to the administration of anesthesia. These standards include provisions such as requiring permit holders to have an external defibrillator in their office, and requiring periodic inspections of their equipment to be recorded and maintained on an equipment readiness log • Requiring administrators of level-2, level-3, and level-4 anesthesia to institute cardiac life support rescue protocols, advanced airway management techniques, and pediatric life support rescue protocols • Requiring TSBDE to conduct inspections of a permit applicant’s equipment, facilities, and documents as they relate to the standards for administering anesthesia and to maintain records related to these inspections • Establishing an advisory committee on dental anesthesia to analyze data and report on trends associated with anesthesia-related deaths or incidents. The bill outlines the composition of the advisory committee, their duties, and their reporting requirements. It also addresses confidentiality of data used by the advisory committee <p>Finally, the bill would require dental assistants to register with TSBDE in order to be eligible to make dental x-rays or monitor the administration of nitrous oxide. The bill instructs the board to implement necessary rules, eligibility requirements, and implementation mechanisms to carry out this requirement. It also outlines registration and license renewal fees as they relate to dental assistants.</p> <p>Overall, the bill makes necessary changes related to the practice of dentistry that will improve patient safety and administrative efficiency of TSBDE. The bill does raise a couple of concerns, including the elimination of the option for making an anonymous complaint; this could deter ancillary staff, such as dental assistants, from filing complaints against their employer out of fear of retribution. Additionally, it is recommended that an anesthesiologist be added to TSBDE, especially during a time where the agency is implementing major provisions related to the administration of anesthesia. Finally, the repeal of a mandatory minimum amount of hours for continuing education could be detrimental should the board choose not to implement a new minimum standard; continuing education is critical for ensuring practitioner competency and patient safety.</p>	
<p>SB 1004 By: Hancock SP: Geren</p>	<p>Relating to the deployment of network nodes in public right-of-way; authorizing fees.</p>	<p>State Affairs</p>	<p>SB 1004 seeks to establish a regulatory framework to be used for the deployment of small-cell network nodes in a municipal public right-of-way. Small-cell nodes allow for increased wireless speeds and connectivity, and offer the infrastructure necessary to implement 5G technology in the future. Primarily, the bill:</p> <ul style="list-style-type: none"> • Sets physical requirements for eligible nodes (no larger than 28 cubic feet in volume), the maximum height at which they can be posted, allowable lengths for protruding from a pole, and physical requirements for attachment to a pole in the right-of-way • Prohibits municipalities from entering into exclusive arrangements with any entity for the use of the public-right-of way in the installation or operation of nodes 	<p>Favorable w/concerns Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org</p>



			<ul style="list-style-type: none"> ● Sets an annual fee for use of the public-right-of way of \$250 - this is the maximum annual rate per node that can be charged to network providers for use of space in the public right-of-way. This maximum fee amount does not include other fees described within the bill ● States that a network provider cannot install its own transport facilities (fiber optic cables used to connect the nodes to the rest of the network) in the public right-of-way unless they have a permit and pay the municipalities a monthly fee for transport facilities in the public right-of-way ● Allows municipalities to charge a maximum annual attachment fee of \$20 for collocation of nodes on poles in the right-of-way ● Prohibits municipalities for charging network providers any fees for the use of poles in the right-of-way that are not authorized within this bill ● Authorizes network providers to construct, modify, maintain, operate, or relocate a node, utility pole, or support pole without the need for a permit or authorization that exceeds what is described within the bill ● Requires network providers to construct and maintain nodes in a manner that does not obstruct or hinder travel, violate a municipality’s right-of-way design specifications, violate the ADA, or impede the use of the public right-of-way by other utility providers ● States that new utility poles and node support poles can only be installed with a permit and cannot exceed the lesser of 10 ft. higher than the tallest utility pole within 500 linear feet of the nearest pole or 55 ft. above ground level ● Specifies the process by which network companies can install nodes or new poles in municipal parks and residential areas. All installations in these areas must be approved by the municipality and must comply with the area’s private deed restrictions ● Requires municipal approval for installation of nodes in historic districts or on decorative poles. This section allows municipalities to require reasonable design measures before approving installation of nodes in these areas ● Requires network providers to comply with undergrounding requirements that prohibit the installation of aboveground structures without zoning approval. These requirements include municipal ordinances, zoning regulations, private deed restrictions, or state laws ● Allows municipalities to adopt design manuals related to the installation and construction of nodes in the public right-of-way that includes construction details, requirements for equipment placement, and requirements for pole-load-analysis. Specifications within the design manual cannot conflict with the requirements in this bill ● Requires municipalities to be competitively neutral with management of and access to the public right-of-way ● Outlines permit application requirements allowable under the bill including what specific application materials a municipality may require a network provider to submit ● Requires municipalities to process applications for permits to install nodes no later than the 30th day after the application is submitted and no later than 10 days after if the application is for a permit for a transport facility ● Requires municipalities to approve all applications that are complete and do not require additional zoning or land use approval under this bill. If a municipality denies an application, they must specify which sections of code would be violated by 	
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			<p>the project. Network providers have 30 days after being notified of the denial to remedy the identified issues and resubmit the application</p> <ul style="list-style-type: none"> • Requires network providers to begin installation of approved nodes within 6-months of application approval • Allows municipalities to charge application fees only if they charge fees for similar types of commercial development projects. Application fees may not exceed \$500 per application of up to 5 nodes, \$250 for each additional node, and \$1,000 per each new pole installation • Prohibits municipalities from requiring a network provider to obtain a permit for routine maintenance, replacing or upgrading node poles that are similar in size to existing poles, or installing micro nodes that are strung on cables between existing poles • States that no provisions of the bill apply to the attachments of nodes on poles owned and operated by investor-owned utilities, electric cooperatives, telephone cooperatives, telecommunications providers, or cable providers • Requires network providers to operate all nodes in accordance with regulations adopted by the Federal Communications Commission and must ensure that the operation does not interfere with the radio frequency of FCC authorized telecommunication technology <p>The regulatory framework established in the bill offers a number of benefits. It allows for an increased network of small-cell nodes, which will improve wireless accessibility for numerous individuals. This increased access may allow for better educational opportunities, increased connectedness for isolated individuals, and even better health outcomes. Additionally, it will allow for the implementation of infrastructure that supports evolving wireless technology, such as 5G; this ensures that Texas is competitive with other states in relation to wireless technology advancements. The bill’s provisions ensure that network providers are able to install infrastructure quickly and effectively.</p> <p>Despite its promise of contributing to increased wireless connectivity, SB 1004 does raise some concerns, particularly to municipalities. Firstly, adopting a state regulatory framework for the use of the public right-of-way (which municipalities have control over within their jurisdictions) is perceived by some as unnecessary state preemption of local control. Additionally, establishing a flat maximum annual rate of \$250 does not take varying geographic market rates into consideration. Major cities have asserted that this fee is not sufficient and does not meet market value; in some cities such as Houston, nodes have been installed for over \$2,000 under agreements between the city and network providers. Cities cite this discrepancy as a potential cause for loss of revenue and assert that they are already cooperating with network providers to facilitate the installation of nodes in the public right-of-way.</p>	
<p>SB 999 By: West SP: Giddings</p>	<p>Relating to procedures for taking possession of a child and for certain hearings in a suit affecting the parent-child relationship involving the Department of Family and Protective Services.</p>	<p>Human Services</p>	<p>This bill clarifies the laws through which courts can order the removal of a child. Currently, the removal of a child from their home in cases of abuse or neglect has been found to be inconsistent. This bill seeks to clean up language by which a petition to remove a child may be granted, as well as the clarify the grounds for which a temporary restraining order may be placed on the parent should the child be removed. Language is incorporated so that should a non-indigent parent appear in opposition of the case, the court within reason, can postpone the adversarial hearing while the parent obtains representation. SB 999 adds in new reasons for removal including possession of a controlled substance and use. These offenses could endanger the child; especially if a child has been on the premises during the manufacturing methamphetamines. SB 999 will help to reduce any inconsistencies surrounding the removal of the child and the court processes during such removal.</p>	<p>Favorable Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org</p>



<p>SB 1300 By: Perry SP: Darby</p>	<p>Relating to the designation of the San Angelo State Supported Living Center as a forensic state supported living center.</p>	<p>Human Services</p>	<p>SB 1300 moves to designate the San Angelo State Supported Living Center (SSLC) to a forensic SSLC. Forensic SSLCs has a majority that consists of alleged offenders of certain crimes and are found to be a danger to themselves or others. Many of the alleged offenders are met with moderate to profound behavior management needs. Currently there is one forensic SSLC, the Mexia SSLC, utilized for male alleged offenders. San Angelo has become the typical SSLC for sending female alleged offenders, accounting for 13.33% of their residents as of FY 2016. This bill both designates San Angelo as a forensic SSLC and designating the San Angelo SSLC as a forensic SSLC will promote transparency in the center’s objectives as well as ensure that residents are getting necessary and appropriate care.</p>	<p>Favorable Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org</p>
<p>SB 1476 By: Seliger SP: King, Ken</p>	<p>Relating to eligibility for support from the universal service fund.</p>	<p>State Affairs</p>	<p>SB 1476 amends the Utilities Code as it relates to the eligibility for incumbent local exchange telecommunications companies to receive funds from the Universal Service Fund (USF). Currently, companies that meet established eligibility criteria can receive funding to update infrastructure, allowing them to maintain competitiveness in the telecommunications market. This eligibility for funding is currently set to expire in December 2017; SB 1476 extends this time period to December 2023. It also instructs the Public Utilities Commission (PUC) to review per-line support amounts for telecommunications providers who receive USF funds if the number of access lines served by that provider declines by at least 50% of the number of lines served by providers in that exchange on December 31, 2016. SB 1476 does not increase the size of the USF or allow for more of its funds to go toward incumbent local exchange companies, it just extends the time period within which local incumbent exchange companies can receive USF funds. Extending this time period will allow for small telecommunications companies, often based in rural areas, to remain competitive in the market and continue providing service to their customers.</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org</p>
<p>SB 1758 By: Zaffirini SP: Turner</p>	<p>Relating to requirements for the court in permanency hearings for children in the conservatorship of the Department of Family and Protective Services who are receiving transitional living services.</p>	<p>Human Services</p>	<p>This bill amends the Family Code to incorporate further provisions for permanency hearings for youth over 14 in state conservatorship or permanent managing conservatorship (PMC) who receive transitional services. Many children who turn 18 while in state conservatorship under the Department of Family and Protective Services (DFPS), also known as “aging out,” do not receive the proper independent living skill necessary for adult living. As a result, most find themselves homeless, incarcerated or worse. Nationally it has been found that approximately 20-25% of youth who age out of foster care experience homelessness.</p> <p>SB 1758 create new policies for which the courts shall examine the transitional period of young people prior to reaching independence. The bill requires that at each permanency hearing the court inquires as to the child’s possible Native American heritage and if so any potential ability a child can become a member of a Native American tribe. During permanency hearings, the court would also be required to examine the child permanency progress report and would include whether a child 14 or over is meeting independent living skill goals, acquiring a housing plan. Should the child be 16 years or older all necessary documents for independent living must be acquired. Through this DFPS would be required to work with stakeholders to improve and standardize the Preparation for Adult Living (PAL) program and expand it to children 14 and older. SB 1758 will potentially mitigate the crisis many young people face aging out of state conservatorship or PMC and will assist in the reduction of youth homelessness.</p>	<p>Favorable Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org</p>
<p>SB 1343 By: Hughes SP: Parker</p>	<p>Relating to the prosecution of criminal offenses regarding unauthorized recordings.</p>	<p>Business & Industry</p>	<p>Clarifies that manufacturing and sales of hard-drives, flash drives, memory cards, and other digital storage devices filled with unauthorized sound recordings may not avoid criminal prosecution under state law. Musical piracy is harmful to the business of music retailers, artists, songwriters, record labels and other associated parties. It could also prove harmful to Texas families as there are no local, state or federal taxes collected on the sale on these unauthorized recordings. Thus, on the one hand, SB 1343 is beneficial in that it simply updates the code to include these new digital trends in the manufacture and sales of fraudulent music products, so that they are not exempt from criminal prosecution.</p> <p>On the other hand, SB 1343 also mandates that the court shall order a person convicted with an offense of music piracy to pay restitution to the owner or lawful producer of a master recording. This is on top of imprisonment sentences up to five years, fines not</p>	<p>Will of the House Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>



			exceeding \$250,000, or both. Requiring the court to order restitution payments to a person convicted with music piracy along with very high imprisonment sentences and fines may be hurting more than helping working families in Texas.	
SB 944 By: Hughes SP: Clardy	Relating to the adoption of the Uniform Foreign-Country Money Judgments Recognition Act.	Judiciary & Civil Jurisprudence	Repeals Chapter 36, the Texas Foreign-Country Money Judgment Recognition Act, in the Civil Practice and Remedies Code, and replaces it with a revised chapter, entitled "Uniform Foreign-Country Money Judgments Recognition Act". This has been adopted by more than 20 states. A recent federal court decision called into question whether the current Texas Act protects Texans' due process rights by foreign court systems. SB 944 simply updates this chapter to ensure Texans enjoy due process protection when defending against foreign country judgments in Texas courts. This is especially an important topic regarding increases in international trade in the United States where there is more litigation in foreign judicial systems, and more judgments to be enforced from country to country. Adopting this legislation simply provides for more uniformity between states with respect to the law governing foreign country money-judgments.	Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org
SB 1488 West SP: Landgraf	Relating to nonsubstantive additions to, revisions of, and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 84th Legislature to other Acts of that legislature.	State Affairs	SB 1488 is a revision bill that seeks to implement Legislative Council's recommended changes to statutes passed during the 84th Legislature, making them more accessible, understandable, and interpretable. The bill alters or repeals sections statutes within the following codes: Agriculture, Alcoholic Beverage, Business & Commerce, Business Organizations, Civil Practice and Remedies, Criminal Procedure, Education, Election, Family, Health and Safety, Insurance, Labor, Local Government, Natural Resources, Occupations, Parks and Wildlife, Penal, Property, Tax, Transportation, Water, and Vernon's Texas Civil Statutes. SB 1488's non-substantive changes do not alter the meaning or effect of any law; the bill simply makes necessary changes to statutory code to ensure it conforms with legislation passed last session and appropriately renumbers subsequent sections to ensure consistency within the code.	Favorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org
SB 46 By: Zaffirini SP: Davis, Yvonne	Relating to allowing judges to use juror identification numbers when polling the jury.	Judiciary & Civil Jurisprudence	Authorizes a judge to assign each juror an identification number to use in place of a juror's name for purposes of a polling the jury. Under current law, the state and the defendant in a court proceeding each have the right to poll the jury. When polling the jury, the judge calls the name of each juror in order to question the juror to establish the juror's verdict. If the juror's verdict is not in line with the jury's verdict, the jury must retire again to consider its verdict. Calling out the name of a juror openly in a court proceeding may pose a safety risk to a juror, especially in cases that are highly controversial or involve a violent crime. Currently, judges in some courts already practice assigning and using identification numbers instead of a juror's actual name to protect the safety of that individual. However, this is not clearly authorized in the law. SB 46 simply codifies this practice, clears any confusion, and allows a judge to use an identification number in place of the juror's name.	Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org
SB 2027 By: Rodríguez SP: Moody	Relating to a study to evaluate by region training and employment opportunities in this state for individuals with an intellectual disability.	Human Services	SB 2027 requires that the Health and Human Services Commission (HHSC) collaborate with the Texas Workforce Commission (TWC) to conduct a study on available employment training programs accessible to individuals with intellectual disabilities. The study would include looking into regions where such programs could be improved and implementing job placement strategies. Individuals with intellectual disabilities are capable and effective employees and deserve to have successful entry into the workforce, this bill will ensure that the state is doing all it can to increase employment opportunities of these members of our communities.	Favorable Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org
SB 2053 By: West SP: Murr	Relating to the distribution of the consolidated court cost.	Judiciary & Civil Jurisprudence	SB 2053 transfers the allotted percentages from two different accounts, "Abused Children's Counseling" and "Comprehensive Rehabilitation", to the Fair Defense Account. When a defendant is convicted in a criminal case, various statutes mandate the payment of fees as part of court costs. The purpose of Chapter 133, Local Government Code, is to consolidate and standardize the collection of fees in criminal and civil matters, then remit those fees to the comptroller, then the comptroller distributes those fees to the proper	Favorable Evaluated by: Serena Ahmed 210-382-4295



			<p>accounts and funds in the state treasury. A provision in the Subchapter “Criminal Fees”, assesses a consolidated fee in which the defendant pays a single fee, and the payment is divided between different state government accounts according to percentages.</p> <p>This bill is in response to a recent Court of Criminal Appeals decision, <i>Salinas v. Texas</i>, which found that dedicating percentages of criminal fees collected by the courts to these two accounts (abused children’s counseling and comprehensive rehabilitation) is unconstitutional. However, the court ruled the rest of this statute and its apportionments are constitutional, and thus were left intact.</p> <p>One of the current recipients of the funding of this consolidated court cost fee is the Fair Defense Account; the Texas Indigent Defense Commission (TIDC) manages the disbursement of these funds to counties for indigent defense. TIDC provides financial and technical support to counties to develop and maintain quality indigent defense systems to meet the needs of the community and the requirements of the law. Right to counsel in criminal cases is mandated by the U.S. Constitution, the Texas Constitution, and the Code of Criminal Procedure. Indigent defense is funded through a combination of state and local funding, but counties, i.e. local taxpayers, absorb the vast majority of these costs. In Fiscal Year 2011, 83% of indigent defense services were paid for by counties statewide, and this grew to 88.74% in Fiscal Year 2015. In rural counties, the weight that counties have had to carry grew from 78% in FY 2011 to 87% in FY 2015. In urban counties, counties funded 84% in FY 2011 and this grew to 88.8% in FY 2015.</p> <p>The Fair Defense Account is a combination of court costs, surety bond fees, juror pay collections and state bar membership fees; court costs are the largest revenue source for this account. SB 2053 is a tremendously vital bill needed for helping counties and local taxpayers fund indigent defense services. Placing the majority of the funding to come from counties means the most destitute communities who have the largest share of indigent cases are struggling the most to fund these extremely significant services. This also means lawyers in these communities have too many cases, and need to cut corners to handle the load, such as inability to meet with their client or the inability to research as much on a case. This may lead to an innocent being convicted or a person receiving a longer incarceration than they should have. All of these costs leads more to the courts, and more to working families and taxpayers. Right to counsel in criminal cases is a state and federal constitutional mandate that must be funded more adequately from the state. SB 2053 is a creative and efficient way that addresses this very important issue.</p>	<p>Serena@Texaslsg.org</p>
<p>SB 27 By: Campbell SP: Blanco</p>	<p>Relating to the mental health program for veterans.</p>	<p>Public Health</p>	<p>Countless veterans face daily challenges from living with mental illness. Per the Interim Report from the House Select Committee on Mental Health, approximately 2,400 Texas veterans were considered homeless in 2015 due to mental health issues, PTSD, depression, substance abuse and brain injury. Additionally, Texas veterans represent about 10% of the Texas population, but represented about 18% of suicides in Texas. The existing gap between mental health services and professional shortages adds to the challenges of providing sufficient mental health services for veterans. SB 27 seeks to increase access to mental health services, and ensure continuity of care for Texas veterans, by allowing the addition of licensed mental health professionals at local mental health authorities provide interventions exclusively for veterans and their families. SB 27 replaces the volunteer coordinator requirement with a peer service coordinator requirement in the mental health program for veterans. The bill requires the Texas Veterans Commission and the Department of State Health Services (DSHS) to identify, train, and communicate with community-based licensed mental health professionals, community-based organizations, and faith-based organizations. If enacted, SB 27 would repeal the requirement for DSHS to award grants for veteran’s mental health services to local and regional organizations to be reserved in the Funds for Veterans Assistance account for more efficient disbursement.</p>	<p>Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org</p>

