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LSG Floor Report For Constitutional Amendment Calendar-Senate Joint Resolutions- Thursday, May 4, 2017

<p>SJR 2 By: Birdwell SP: Miller</p>	<p>Applying to the Congress of the United States to call a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.</p>	<p>State & Federal Power & Responsibility, Select</p>	<p>For a Convention of States to occur, two-thirds of the states (34 state legislatures) must pass and send to Congress legislation that applies for a calling of the Convention. All applications must indicate the same subject matter in their request to convene. Congress is then required to call the Convention, and announce the date and location. Each state selects the delegation to represent the state at the Convention. Each state has one vote, and a three-fourths majority (38 states) is required to ratify any proposed amendments.</p> <p>Applying for a Convention of States is a top priority for Governor Greg Abbott in the 85th Legislature. In his "Texas Plan," Gov. Abbott offers nine constitutional amendments to restore the balance of power between the states and the federal government. These include: 1) prohibit Congress from regulating activity that occurs wholly within one State; 2) require Congress to balance its budget; 3) prohibit administrative agencies—and the unelected bureaucrats that staff them—from creating federal law; 4) prohibit administrative agencies—and the unelected bureaucrats that staff them—from preempting state law; 5) allow a two-thirds majority of the States to override a U.S. Supreme Court decision; 6) require a seven-justice supermajority vote for U.S. Supreme Court decisions that invalidate a democratically enacted law; 7) restore the balance of power between the federal and state governments by limiting the former to the powers expressly delegated to it in the Constitution; 8) give state officials the power to sue in federal court when federal officials overstep their bounds; and 9) allow a two-thirds majority of the States to override a federal law or regulation.</p> <p>Senate Joint Resolution 2 is an application to Congress from the Texas Legislature calling for a Convention of States. SJR 2 specifies amendments to discuss, including fiscal restraints on the federal government, limiting the power and jurisdiction of the federal government, and limiting the terms of office of federal officials and members of Congress. The resolution designates the Texas Secretary of State in charge of forwarding the resolution to other state legislatures, and requesting that states join Texas in applying for a Convention of States.</p>	<p>Unfavorable Evaluated by: Ana Ramon 210-382-4295 Ana@Texaslsg.org</p>
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LSG Floor Report For Postponed Business- Thursday, May 4, 2017

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<p>HB 4237 By: Moody /</p>	<p>Relating to mental health first aid training for university employees.</p>	<p>Public Health</p>	<p>HB 4237 expands the list of individuals eligible to participate in free mental health first aid training to include university employees at public and private higher education institutions. Mental health first aid training is grant funded and delivered by local mental health authorities; it teaches participants to identify, understand, and respond to signs of mental illness and substance abuse in a safe manner. The training also decreases stigma and improves overall awareness of the mental health and substance abuse issues that</p>	<p>Favorable Evaluated by: Tyler Anderson</p>

Coleman / Price / Lozano / Turner			<p>individuals (and college students) are often faced with. The bill does not expand grant funding or mandate university employees to complete this training, but rather expands their access to the training by adding them to the list of persons eligible to have the training costs waived. Mental health and substance abuse issues are prevalent among college students; 75% of mental illnesses present by the age of 24, and students are under mounting educational and emotional stress daily. University employees are interfacing with students regularly; it is critical that they are able to identify students experiencing mental health crises so they can help these students access necessary resources.</p>	<p>210-382-4295 Tyler@Texaslsg.org</p>
<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 2770 By: Smithee</p>	<p>Relating to the declaration of a common nuisance involving a computer network or web address.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Expands the definition of “place” in the Civil Practice and Remedies Code, Chapter 125, to include web addresses or computer networks that engage in specific prohibited activities already classified as a “common nuisance”, including sex trafficking and sexual abuse of a child, for the purposes of allowing such websites to be declared a common nuisance under Texas law. This provides additional deterrents for bad actors and sexual predators, as HB 2770 authorizes a suit to declare that such persons operating a web address or computer network is maintaining a common nuisance. This suit may be brought by the Attorney General, or by the district, county or city attorney. Furthermore, if the lawsuit is successful, the Attorney General may notify applicable Internet service providers, search engine operators, browsing or hosting companies, or device manufacturers on which the activities are hosted of the judicial finding in the suit, or the AG may post it on their website.</p> <p>It is commonly known that much of the activity involving sex trafficking occurs online, instead of physical locations. Sex trafficking thrives on the Internet because it is highly profitable, and authorities have a more difficult time investigating. The National Center for Missing and Exploited Children (NCMEC) reported an 846% increase from 2010 to 2015 in reports of suspected child sex trafficking and this increase is directly correlated to the use of the Internet as a hub. HB 2770 would help to identify Internet sites profiting off of human trafficking and bring them into the light of day.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>HB 3218 By: Phillips</p>	<p>Relating to health maintenance organization contracts with certain entities to provide health care services.</p>	<p>Insurance</p>	<p>This bill amends the Insurance Code so that Health Maintenance Organizations may enter contracts with providers that are part of service networks already under contract with the HMO. Expanding the scope of providers available to the organizations may allow them to develop more comprehensive networks for their clients. Any contract between these organizations must continue to hold the HMO ultimately responsible for meeting statutory requirements, and the providers are treated as delegated entities under Chapter 1278 of the Code. HB 3218 helps ensure that contractual definitions, which can be complicated in a field as interconnected as medicine, do not impede the delivery of health care services.</p>	<p>Favorable Evaluated by: Elizabeth Hann 210-382-4295 Elizabeth@Texaslsg.org</p>



<p>HB 2335 By: Miller</p>	<p>Relating to requiring evidence-based trauma training for certain attorneys, court-appointed volunteer advocates, child-care workers, and child protective services employees.</p>	<p>Human Services</p>	<p>This bill would require that certain attorneys, child advocates, child care facilities workers, and CPS case workers be required to receive evidenced-based trauma training. In recent years, behavioral health professions have become increasingly aware of the effects of trauma on the development of children. 100% of children who have entered into CPS or foster care have experienced multiple traumas, including being taken away from their families and communities. If left untreated trauma can have long term effects on a child’s behavior and relationships. Evidence based trauma trainings can help a person involved with a child’s case understand their behavioral actions and world view. Children who have experienced intense trauma often have difficulty in expressing and understanding their emotions. Some internalize stress while others express it outwardly with anger, anxiety and the like. This can lead to multiple relocations as some foster parents and CASA volunteers may think of this as acting out, rather than understanding that their ability to regulate their needs have been diminished by the effects of trauma.</p> <p>Currently, DFPS does require that CPS workers take a 2-hour online training course in Trauma Informed Care (TIC), this is also offered to foster parents, therapists and shelter staff. This bill would make those who work with the children required to undergo a more extensive evidence-base trauma training. Requirement would be expanded from just caseworkers, to attorney ad litem and child care workers. The bill lays out the stipulations for which the trauma training is to uphold. It also ensures that it must provide practical application when working with the children. As the legislature makes strides in redesigning the foster care system it is critical to try and understand the children who are in this environment. Expanding the requirements for trauma training is an important step in the healing process for children and helping them to achieve permanency.</p> <p>While Trust-Based Relational Intervention (TBRI) is a copyrighted therapeutic framework, it is not issued exclusively by a single company. Rather, training must be conducted by an individual who is certified to ensure both quality and limit those who may assert they are trained in TBRI when they are actually not.</p>	<p>Favorable Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org</p>
<p>HB 3013 By: Martinez, "Mando" / Canales / Guillen</p>	<p>Relating to incentives to encourage landowners to destroy, remove, or treat citrus trees located in a pest management zone.</p>	<p>Agriculture & Livestock</p>	<p>Allows for the continuation of agricultural land appraisals even when the land ceases to be used to the degree of intensity in agricultural use generally accepted in the area, when: the land is located in a pest management zone, meaning the citrus producers are participating in a citrus pest control program, and the appraisal basis is primarily for the production of citrus. Additionally, the owner of the land must have executed an agreement with the Texas Citrus Pest and Disease Management Corporation, the Commissioner of Agriculture and the USDA to destroy, remove or treat all the citrus trees located on the land that are or could become infected with pests. The owner must notify the chief appraiser of the agreement within 30 days.</p> <p>HB 3013 protects the Texas citrus industry that is valued over \$200 million per year and employs over 3,000 people, while simultaneously addressing the concern of abandoned citrus groves harboring pests and diseases. The industry is comprised of almost 27,000 acres and grows more than 9 million cartons of fresh oranges and grapefruits per year and another 5 million cartons of juice. Pest and disease outbreaks have cost growers millions of dollars as the care costs per acre have increased. Currently there is an estimated 800 acres of abandoned and untreated infected land. The bill offers a creative solution to combat the spread of this outbreak by giving citrus grove landowners a 5-year window to treat and replace the plants--if they choose--with the incentive of maintaining their agricultural valuation even after the trees are removed.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>HB 500 By: Geren / Johnson, Eric /</p>	<p>Relating to the effect of certain felony convictions of public elected officers.</p>	<p>General Investigating & Ethics</p>	<p>HB 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 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</p>	<p>Favorable Evaluated by: Ana Ramon 210-382-4295</p>



Howard / King, Phil / Davis, Sarah / et al.			<p>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 regarding the remainder of their current term. This bill would provide a process and help protect the public's trust in state government and elected office. The expulsion from office requirement would not take effect in the following scenarios: under indictment, those who are appealing a conviction, or those undergoing deferred adjudication.</p> <p>I court has the capability of awarding a member's spouse all or part of the retirement annuity if it's forfeited by the bill. The provision is void if the spouse is also found a party of the felony along with their spouse. In the case of felony being overturned the individual and alternative payees would again be eligible for the annuity and any accrued totally payments.</p>	Ana@Texaslsg.org
HB 446 By: Bell	Relating to refunds of certain bingo licensing and registration fees.	Licensing & Administrative Procedures	This bill would require the Texas Lottery Commission (TLC) to issue a refund of licensing and registration fees associated with bingo operations upon request by an applicant, including non-profits and commercial organizations. This refund provision applies to unused temporary licenses, which authorize an organization to conduct bingo for no more than four hours in a single day, and permanent licenses that have not been fully processed at the time of the request. Applications for licensure by bingo supply manufacturers, distributors, and individuals signing up for the Registry of Approved Bingo Workers are also entitled to these refunds. There are many reasons that an individual could request that their application be withdrawn, and HB 446 provides a mechanism to make sure that those requests are honored.	Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org
HB 3903 By: Burkett	Relating to certain political contributions by judicial candidates and officeholders and certain political committees.	General Investigating & Ethics	This bill removes some of the restrictions surrounding judicial candidates and officeholders and their ability to engage in the political process. HB 3903 gives members of the judiciary the same ability to participate in local party-affiliated organizations as other elected officials without giving them permission to officially endorse candidates or lobby. Judicial candidates and officeholders would be permitted to make contributions to specific-purpose committees in primaries and general elections. The Texas Democratic and Republican Parties both endorse the measure.	Favorable Evaluated by: Joel Kissell 210-382-4295 Joel@Texaslsg.org

LSG Floor Report For General Calendar- Thursday, May 4, 2017

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
HB 1774 By: Bonnen, Greg / Lucio III / Parker / Frullo / Phillips / et al.	Relating to actions on and liability associated with certain insurance claims.	Insurance	<p>This bill amends the Insurance Code by defining an agent as an employee, agent, representative, or adjuster who performs any act on behalf of an insurer. A claim is explained to be any first-party claim that is made by an insured under an insurance policy that covers real property or improvements to real property, is paid by the insurer directly to the insured, and arises from damage to or loss of covered property caused, partly or wholly, by forces of nature. Forces of nature include an earthquake or earth tremor, a wildfire, a flood, a tornado, lightning, a hurricane, hail, wind, a snowstorm, or a rainstorm. The code creates a separate category of claims as either "wholly or partly" arising from forces of nature. This change will tangle up many categories of claims which were never intended to fall under this regulation. Claims that are only "partly" related to a property loss will be affected. The bill gives no direction is given and no limitation is placed on this tangential relationship test.</p> <p>It reduces the penalty for insurance companies who violate the law and act in bad faith. Currently, the penalty is 18% interest on the claim in damages to the consumer. However, CSHB 1774 rewards insurance companies who act in bad faith by lowering their</p>	Unfavorable Evaluated by: Elizabeth Hann 210-382-4295 elizabeth@texaslsg.org



			<p>penalty to 5% plus the fluctuating rate established by the Finance Code Section 304.003. This causes greater injustice by rewarding the companies against whom claims for bad faith are justified and should be brought. Reducing this penalty does nothing to address the touted problem that there is a rise in “frivolous” lawsuits brought against insurers.</p> <p>It also limits the affected claims to those that “must be paid by the insurer directly to the insured.” This section greatly changes the scope of cases that will be governed by the amended Chapter of 542A. This clause will significantly limit the affected claims and in most cases, divide the claims of a single individual or business. This opens the door for half of the claim to be governed by the prior law and half by the amended statute, causing confusion and conflicting outcomes within a single property damage claim.</p> <p>It obligates a claimant, no later than the 61st day before the date the action is filed to give written notice to the individual or company, as a prerequisite to filing the action. This is in addition to any other notice required by law or by the insurance policy. The bill necessitates a court to ensure that a claimant is not prejudiced by having given the required pre-suit notice. A claimant who provides notice, in the manner stipulated by the bill, is still obligated to deliver notice under any other applicable law and may be combined with another applicable notice. This notice is admissible as evidence in a civil action or alternative dispute resolution proceeding pertaining to the claim for which the notice was given. This language attempts to create a safe harbor during the notice period, to prevent the insurance company from filing a declaratory judgment in federal court or a distant forum for a tactical advantage over its customer. However, the provision lacks enforcement mechanisms. The bill also stipulates that a person who receives notice may make a settlement offer during the stipulated timeframe. It authorizes a person to send a written request to the claimant in order to inspect, photograph, or evaluate the property on which the claim was made.</p> <p>The bill authorizes a person against whom an applicable action is pending, to file a plea in abatement no later than the 30th day after the date the person files in court if the action is pending because the person.</p>	
<p>HB 2262 By: Gooden / Muñoz, Jr.</p>	<p>Relating to health benefit plan coverage for accelerated refills of certain prescription eye drops.</p>	<p>Insurance</p>	<p>This bill would require that a health benefit plan that covers eyedrops prescribed for a chronic eye condition cannot deny coverage for a refill before the date set by the plans general prescription guidelines as long as the original script states additional refills are needed and the refill does not exceed the dosage authorized.</p> <p>The health benefit plan is required to cover the eyedrop refill that is dispensed on or before the last day of the dosage period not earlier than:</p> <ul style="list-style-type: none"> • the 21st day after the date a 30-day supply is dispensed • the 42nd day after the date a 60-day supply is dispensed • the 63rd day after the date a 90-day supply is dispensed <p>Eyedrops are prescribed in a manner similar to other medications in which they only dispense the exact amount to be filled. Many who use prescription eyedrops have difficulty administering the exact amount each time they use their medication. There is little uniformity in the dosage of each drop used by the patient and therefore they are likely to run out of eyedrops early. This bill seeks to require that early refills, within the stipulated timeframe, are covered by the patients’ health plan so they may have affordable access to necessary medication.</p>	<p>Favorable Evaluated by: Elizabeth Hann 210-382-4295 elizabeth@texaslsg.org</p>
<p>HB 2463 By: Price</p>	<p>Relating to requiring state agencies to develop written succession plans.</p>	<p>State Affairs</p>	<p>State agencies that do not have written succession plans are at risk of losing valuable institutional knowledge when tenured staff retire. HB 2463 would require state agencies to develop written succession plans that identify and develop mechanisms to ensure transfer of institutional knowledge from experienced, retiring employees to incoming employees. The bill would require each agency’s biennial legislative appropriations request to include a provision confirming that the agency has developed its succession plan. The</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295</p>



			<p>succession plan must be submitted to the state auditor annually, and should be posted and maintained on the agency’s website. Development of written succession plans will allow for agency maintenance and utilization of institutional knowledge in addition to optimizing the efficiency of new-hire training by allowing the agency to pass that knowledge on.</p>	<p>tyler@texaslsg.org</p>
<p>HB 1944 By: Murphy / Capriglione</p>	<p>Relating to captive insurance companies.</p>	<p>Insurance</p>	<p>HB 1944 amends the Insurance Code by increasing regulatory oversight of captive exchanges. It allows captive insurance companies to mitigate risks and take credit for reserves on risks to nonaffiliated reinsurers under provisions such as holding a certificate of authority to transact insurance or reinsurance, maintaining minimum capital at the equivalent of \$250 million, and registering with the Securities and Exchange Commission. The bill also requires an attorney in fact to maintain the captive exchange's power of attorney with all subscribers of the captive exchange, to have a principal office in Texas, and have at minimum three members in the governing body. The bill stipulates the attorney in fact of a captive exchange is to supervise the finances of the captive exchange, and the operations of the exchange to ensure conformity with the captive exchange's subscriber declaration and power of attorney.</p> <p>HB 1944 mandates an audit of the attorney in fact’s accounts and records at the expense of the captive exchange. Under the bill, captive exchanges are exempt from formation requirements of a captive insurance company. It also allows bonds of Texas counties or municipalities to count as alternative authorized forms of the capital and surplus for captive insurance company to be eligible for a certificate of authority. The bill permits the National Association of Insurance Commissioner to waive the requirements for captive insurance companies to file an actuarial report if the commissioner determines the company has less than \$1 million of net. HB 1944 requires captive insurance companies to use licensed insurance adjusters to for claims of unaffiliated persons.</p>	<p>Favorable Evaluated by: Elizabeth Hann 210-382-4295 elizabeth@texaslsg.org</p>
<p>HB 715 By: Wu / Davis, Sarah / Thierry / Thompson, Senfronia</p>	<p>Relating to the occurrence on certain premises of certain activities that may constitute a common nuisance.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Requires a law enforcement agency related to certain prostitution-related activities that occur at a property leased to a person operating a massage establishment to provide notice no later than 7 days of the arrest to the property owner by certified mail. Furthermore, proof that certain prostitution-related activities occur at the massage establishment after the landowner receives notice of the arrest is prima facie evidence that the defendant knowingly tolerated the activity in Nuisance and Abatement (N&A) suits.</p> <p>A N&A suit 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 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, the landowners can argue that they did not know that compelling prostitution was occurring, and simply continue profiting off of these establishments. HB 715 simply ensures that property owners cannot claim ignorance of their lessee’s activities thereby avoiding certain legal consequences. By providing a notice to the landowner of an arrest for certain prostitution-related activities at an establishment on their property, if another arrest occurs at the establishment after receipt of the notice, this serves as prima facie evidence in a N&A suit that the defendant knowingly tolerated the activity. This would aid in deterring landowners from renting to these types of businesses in the first place, and help landowners to be more active in the knowledge of the type of business operating on their property.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org</p>



<p>HB 3772 By: Button / Parker / Capriglione / Springer / Martinez, "Mando" / et al.</p>	<p>Relating to operation of the Texas leverage fund program administered by the Texas Economic Development Bank.</p>	<p>Economic & Small Business Development</p>	<p>CSHB 3772 extends the expiration of the Texas Leverage Fund (TLF) past the September 1, 2022 end date. The TLF was established in 1992 to allow local Economic Development Corporations (EDCs) to leverage economic sales and usage taxes for local economic development projects. Through the years, the TLF has been moved between departments, in 2003 it was moved into the Office of the Governor. Movements were made with no underlying changes in statute, leaving some statute to be shut off while assuming each office would operate under the master resolution. While no loans have been provided since Governor Abbott office, there were loans that were provided in FY 2013-14 which allowed for 17 out of 22 of the active loans to have a maturity date past the 2022 dates.</p> <p>This bill allows the TLF to extend past its original expiration date while clarifying operational language. CSHB 3772 codifies statute that was previously streamlined out of the program guidelines through the departments jurisdictional moves. While the bill has been given a negative fiscal note of over \$4 million dollars, this reflects the one-time movement of the fund outside of the treasury to correlate with the legislation. Beyond this one-time movement, the program is self-sustaining.</p> <p>This bill is a means of protecting a loan program which serves mostly small towns and rural communities averaging at 5000-6000 in population. It assists these towns with necessary projects that would take decades to fund from accumulating sales tax. Some projects covered include main street rehabilitations to improve business development, sewer projects and land development projects.</p>	<p>Favorable Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org</p>
<p>HB 557 By: Collier / Minjarez</p>	<p>Relating to the procedure for expunction of arrest records and files for certain persons who are tried for an offense and subsequently acquitted.</p>	<p>Criminal Jurisprudence</p>	<p>HB 557 allows a lawyer of the state the ability to file for an expunction of records for an offense for which the person was acquitted. The acquitted individual would need to give consent to the lawyer prior to the motion being filed. The party that requested the order of expunction will provide all the necessary information required for a petition of expunction for the court. If a trial begins before the date this bill is enacted the former law is in effect.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 katherine@texasleg.org</p>
<p>HB 590 By: Bohac</p>	<p>Relating to the liability of first responders who provide roadside assistance.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Provides that a first responder is not liable for civil damages in an act or omission that occurs while the responder is in good faith providing roadside assistance, but causes damage to the motor vehicle. This exemption does not apply if the act or omission constitutes gross negligence, recklessness or intentional misconduct. Roadside assistance can include jump starting, replacing a battery, lockout assistance, replacing a flat tire, and so on. Some governmental employers of first responders are reluctant to allow their employees or volunteers to offer roadside assistance for fear of liability that may arise from such assistance. HB 590 simply relieves some of that fear by providing immunity from civil damages for first responders if a motor vehicle is damaged in the process with exceptions related to misconduct</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org</p>
<p>HB 639 By: Anderson, Charles "Doc" / Huberty / Kacal / Stephenson</p>	<p>Relating to authorizing the purchase of certain insurance coverage by public schools for the benefit of businesses and students participating in career and technology programs and providing for immunity from liability of certain public school students participating</p>	<p>Public Education</p>	<p>The expansion of career and technology programs have created more opportunities for students to gain workplace experience and to get a head start on preparing for college and careers. While CTE partnerships have steadily increased over the last several years, the lack of insurance coverage for students causes some businesses not to partner with CTE programs. HB 639 seeks to address this concern by allowing public schools to obtain accident, liability, and automobile insurance coverage for students and businesses participating in a CTE program. The bill specifies that a school may not charge a student or a student's parent for the cost of the insurance coverage. The intent of this bill is to protect students, protect partnering businesses, and to lower barriers that prevent some businesses from offering workplace opportunities to students.</p> <p>Concerns: HB 639 grants students who participate in a CTE program immunity from civil liability in the same manner that a professional employee of the school would have. Some CTE placements could involve the use of dangerous tools around coworkers, other students, and the public. It may not be in the best interest of everyone to grant teenagers, who have varying ranges of</p>	<p>Favorable w/ concerns Evaluated by: Arielle Day 210-382-4295 arielle@texaslsg.org</p>



	in career and technology programs.		discretion, immunity from liability in these settings. Granting immunity from liability to students could have the unintended consequence of incentivizing employers to place students in a situation they would not normally put a regular employee in, simple because the student is immune from liability.	
HB 785 By: Raney / Zerwas / Sheffield / Burkett / Klick / et al.	Relating to the provision of embryo donation information.	Public Health	As the use of fertility therapy treatment increases, more couples will be faced with the decision of what to do with their leftover embryos. HB 785 would require doctors that provide fertility therapy to provide their patient with information regarding embryo donation. Additionally, it would require DFPS to post information about embryo donation on their internet website. While it is reasonable to make patients aware of their ability to donate their embryos, it is critical that they are made fully aware of all their options, including cryopreservation or a proper method for disposal.	Favorable w/ Concerns Evaluated by: Tyler Anderson 210-382-4295 tyler@texaslsg.org
HB 1036 By: Thompson, Senfronia / Hernandez /Laubenberg / Collier / Sheffield / et al.	Relating to coverage for certain breast cancer screening procedures under certain health benefit plans.	Insurance	This bill amends the Insurance Code to define “breast tomosynthesis” as a radiologic mammography procedure that involves the acquisition of projection images over a stationary breast to produce cross-sectional digital three-dimensional images of the breast from which applicable breast cancer screening diagnosis may be determined. It also adds digital mammography and breast tomosynthesis to the definition of “low-dose mammography”. These definitions are to be added to the vast majority of health plans with the exception of: <ul style="list-style-type: none"> • A child health plan operated under Chapters 62 and 63 of the Health and Safety Code • The state Medicaid program • The Medicaid managed care program <p>Breast cancer is the most common cancer diagnosed in women and is the second leading cause of cancer deaths in Texas. By expanding the forms of low-dose mammography in health plans, there is a higher chance of early detection which can drastically change a woman’s outcome after diagnosis.</p>	Favorable Evaluated by: Elizabeth Hann 210-382-4295 elizabeth@texaslsg.org
HB 1142 By: Davis, Sarah	Relating to prohibiting governmental contracts with a company doing business with Iran, Sudan, or a foreign terrorist organization	State Affairs	HB 1142 prohibits any governmental entity from entering into a governmental contract with Iran, Sudan or foreign terrorist organizations. This bill also requires that the Comptroller collect and maintain a list of all companies who have contracts with or provide supplies to a foreign terrorist organization. This will help to prevent the state and local entities from unintentionally funneling money into and thus supporting foreign terrorist organizations.	Favorable Evaluated by: Tyler Anderson 210-382-4295 tyler@texaslsg.org
HB 1183 By: Roberts / Gutierrez / et al.	Relating to the prohibition by counties of the use of fireworks during certain hours; creating a criminal offense.	County Affairs	H.B. 1183 amends the Local Government Code to authorize a commissioner’s court to prohibit the use of fireworks in the unincorporated area of the county during specified hours indicated on the order. <p>The bill includes an exemption for holidays, including New Year’s Eve and July 4, and a process by which a person may apply to the county for a permit to use fireworks during a time prohibited by the order.</p> <p>The bill creates a Class C misdemeanor offense for a person who intentionally or knowingly violates a prohibition adopted under the bill’s provisions by the commissioners court. This will give law enforcement the tools to enforce violation of this code.</p>	Favorable Evaluated by: Tiffany Williams 210-382-4295 Tiffany@Texalsg.org



<p>HB 1290 By: Roberts / Button / Parker / Kacal / et al.</p>	<p>Relating to the required repeal of a state agency rule before adoption of a new state agency rule.</p>	<p>State Affairs</p>	<p>HB 1290 amends the Government Code to require state agencies to repeal at least one rule before implementing any new rules. The bill makes two exceptions for rules specifically required by the legislature or rules that are necessary to protect the health and safety of the public. This type of “one for one” legislation is meant to target unnecessary regulatory provisions by maintaining or decreasing the number of regulations made by state agencies. During 2015 and 2016, state agencies adopted 9,184 new regulations; at times, over regulation can lead to duplicitous or contradictory rules that make it difficult for individuals to navigate and understand state agency processes. “One on one” legislation is not widely used, but has been implemented successfully in Canada and the United Kingdom and has shown to decrease administrative burdens for specific subsets of people, such as business owners.</p> <p>While it is important that state agencies are prudent when passing regulatory provisions, this bill’s rigid “one in one out” approach could impose too significant a burden on agencies who are intimately familiar with the types of regulations they need to function effectively. The bill fails to outline criteria for how agencies should determine which rules to eliminate; this lack of clarity leaves significant room for politically or ideologically motivated individuals to strike legitimate, necessary agency rules they may disagree with. The Legislature should certainly offer critical oversight to state agencies, however regulating the amount of rules agencies propose is a stringent, blanket approach to decreasing regulations. This bill may discourage agencies from adopting rules that are reflective of current practices out of their hesitation toward repeal a separate rule. Additionally, insufficient regulatory measures could lead to certain agency functions and programs being under regulated and inefficiently managed.</p>	<p>Unfavorable Evaluated by: Tyler Anderson 210-382-4295 tyler@texaslsg.org</p>
<p>HB 1693 By: Dean / Larson / Paddie / Wray / Thompson, Senfronia / et al.</p>	<p>Relating to documentation for the transfer of a motor vehicle title.</p>	<p>Transportation</p>	<p>This bill changes language concerning disclosures related to the transfer or sale of a motor vehicle to conform with federal statute, by replacing “buyer and seller” with “transferor and transferee” in statute. This updated language could be more broadly interpreted to include donations and other title transfers that do not constitute a sale. In addition to the language updates, HB 1693 requires the Department of Motor Vehicles to make electronic versions of the forms necessary to complete a transfer of ownership available. However, the Department is not required for the creation of an electronic submission system at this time.</p>	<p>Favorable Evaluated by: Andrea Elizondo 210-382-4295 andrea@texaslsg.org</p>
<p>HB 1730 By: Cyrier</p>	<p>Relating to certification of the state's primary standards of weights and measures.</p>	<p>Agriculture & Livestock</p>	<p>Changes the requirements that the Texas Department of Agriculture submit the standards of weights and measures to the National Institute of Standards and Technology (NIST) from at least once each 10 years to instead “as required to maintain recognition of the department’s metrology laboratory.” A substantial financial impact would result if the NIST renounced recognition of the state’s metrology laboratory. HB 1730 simply avoids any potential financial fallout by ensuring the metrology lab maintains recognition.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org</p>
<p>HB 1766 By: Alvarado / Dale</p>	<p>Relating to involuntary termination of parental rights based on sexual assault of the child's other parent and the child support obligations of the parent whose rights were terminated.</p>	<p>Juvenile Justice & Family Issues</p>	<p>HB 1766 grants the court the ability to terminate the parental rights of a parent who has committed sexual assault against the child’s other parent. Sexual assault victims who continuously interact with their perpetrator often experience re-traumatization. HB 1766 aims to prevent that.</p>	<p>Favorable Evaluated by: Ana Ramon 210-382-4295 ana@texaslsg.org</p>



<p>HB 1784 By: Faircloth</p>	<p>Relating to the period during which an action alleging a violation of the open meetings law may be brought.</p>	<p>Government Transparency & Operation</p>	<p>Currently, there is no codified statute of limitation for the Texas Open Meeting Act. When interested parties wish to bring forth allegations of a violation, the current statute of limitation is four years. This is based on general limitations but not specific to the Open Meeting Act. There are 25 states have a statute of limitations on these types of violations within a time frame of 6 months and 13 others state with limitations of 2 years. This bill will amend the statute of limitations to 2 years upon the date of the meeting or when the meeting violation could've been reasonably discovered.</p> <p>While parties should file against those who have allegedly violated the Open Meeting Act within an appropriate amount of time. It's also important to ensure the public's capability to first discover a possibly hidden violation or equip themselves to contest an alleged violation. This bill seeks to address the issue of bad actors who seek to use the current statute of limitation requirements but could inadvertently harm the public's ability to seek retribution for violations of the open meeting act.</p>	<p>Favorable w/ Concerns Evaluated by: Ana Ramon 210-382-4295 ana@texaslsg.org</p>
<p>HB 1819 By: Springer / Dale / Canales / Moody / Capriglione / et al.</p>	<p>Relating to the criminal consequences of engaging in certain conduct with respect to a firearm silencer.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1819 removes provisions relating to intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling a firearm silencer. This revision effectively removes the requirement for an exempt firearm silencer to be registered in the National Firearms Registration and Transfer Record maintained by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. Under HB 1819, classification as a curio or relic by the US Department of Justice or use by an actor who possesses, manufactures, transports, repairs, or sells the firearm silencer in compliance with federal law would exempt these instances from a conviction of a third-degree felony. Provisions in the bill apply only to an offense committed on or after the effective date of September 1, 2017.</p> <p>HB 1819 acts as a preemptive change in statute should a federal government revision in legislation relating to conduct with firearm silencers violate Texas law. In this way, provisions set in this bill allow a toggle-switch that essentially switches Texas into compliance with any change made to federal law.</p>	<p>Favorable w/ Concerns Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org</p>
<p>HB 1891 By: Nevárez</p>	<p>Relating to a documented member of the Kickapoo Traditional Tribe of Texas hunting certain deer.</p>	<p>Culture, Recreation & Tourism</p>	<p>HB 1891 establishes deer hunting guidelines for members of the Kickapoo Traditional Tribe of Texas. HB 1891 amends the Parks and Wildlife Code, by including members of the Kickapoo Tribe who possess sanctioned membership documents, in the definition of a resident. The bill allows licensed members of the Kickapoo Tribe to hunt antlerless white-tailed deer for religious ceremonial purposes, and requires Tribe hunters to provide the local warden with a 24-hour notice before going to hunt. Additionally, people who are not documented members of the Kickapoo Traditional may not hunt antlerless white-tailed deer. Of the 4.5 million deer in Texas, the Kickapoo tribe would only be harvesting 50 per year, strictly for ceremonial and religious purposes. HB 1891 seeks to remove regulations that limit the Kickapoo Tribe from fully performing practices and rituals that are sacred to their heritage.</p>	<p>Favorable Evaluated by: Fabeain Barkwell 210-382-4295 fabeain@texasleg.org</p>
<p>HB 1946 By: Parker</p>	<p>Relating to the incontestability of certain contracts or leases submitted to the attorney general by certain water districts.</p>	<p>Natural Resources</p>	<p>HB 1946 seeks to align the approval of contracts and leases that are submitted during the bond approval process from water districts by the Attorney General. If proceeds of a contract or lease filed with the bond go toward the payment of the bond, the Attorney General's approval of the bond also approves the contracts and leases.</p>	<p>Favorable Evaluated by: Erin Eriksen 210-382-4295 erin@texaslsg.org</p>
<p>HB 1957 By: Laubenberg</p>	<p>Relating to the treatment of political contributions by a person's spouse under the Judicial Campaign Fairness Act.</p>	<p>General Investigating & Ethics</p>	<p>HB 1957 amends the Election Code to exclude the provision that a spouse is not a separate individual for the purposes of making a judicial campaign contribution. Under HB 1957 both the person and their spouse can donate the maximum amount allocated to the office the judicial candidate is running for in an election. This bill fails however to take into consideration the financial benefits and incentives that a spousal relationship offers under community property rights law. If assets are to be equally distributed under law then it would stand to reason the contributions should be treated as one unit instead of two.</p>	<p>Will of the House Evaluated by: Erin Eriksen 210-382-4295 erin@texaslsg.org</p>



<p>HB 1986 By: Martinez, "Mando"</p>	<p>Relating to the creation of regional transit authorities; granting the power of eminent domain; providing authority to issue bonds and charge fees; creating a criminal offense.</p>	<p>Transportation</p>	<p>HB 1986 creates Chapter 463 of the Transportation Code to address potential regional transit systems within Texas.</p> <p>This chapter would apply to coastal counties that border Mexico and also the counties adjacent to these counties. However, this chapter is not prohibitive to other municipalities. The chapter defines a transit authority and grants the power of eminent domain and the ability to issue bonds. Through the adoption of a resolution and a proposition by an affirmative vote by qualified persons within a county the transit authority is established. Management of the authority would be overseen by an executive committee. HB 1986 also grants the ability for the transit authority to work with the municipality to undergo the implementation of the transit system.</p> <p>If the authority exercises the power of eminent domain and reroutes certain structures, the authority is required to pay for the rerouting. An executive committee will be established to oversee the eminent domain proceedings. Certain sections related to eminent domain within the bill can only be enacted if two-thirds of both chambers of the legislature vote in favor. This bill creates the criminal offense of a misdemeanor with fines up to \$100 for passengers who don't pay their fair.</p>	<p>Favorable Evaluated by: Andrea Elizondo 210-382-2495 andrea@texaslsg.org</p>
<p>HB 1988 By: Larson</p>	<p>Relating to the use of emergency engine cutoff switches on motorboats.</p>	<p>Culture, Recreation & Tourism</p>	<p>HB 1988 amends Parks and Wildlife Code by establishing safety guidelines for motorboat operators. HB 1988 prohibits motorboat operators from using a motorboat under 26ft without verification of an operational engine cutoff switch. HB 1988 states if the operator is utilizing a lanyard attachment, it must be appropriately attached to the operator's body. The bill also includes provisions for wireless attachments that are activated by a man-overboard submerging. There have been fatal incidents of people being propelled from boats that could have potentially survived had a cut-off switch been installed. HB 1988 seeks to create methods of protection for operators of these vessels.</p>	<p>Favorable Evaluated by: Fabeain Barkwell 210-382-4295 fabeain@texaslsg.org</p>
<p>HB 2004 By: Anderson, Charles "Doc"</p>	<p>Relating to the Texas economic development fund for the Department of Agriculture.</p>	<p>Economic & Small Business Development</p>	<p>HB 2004 clarifies the use of the Texas Economic Development Fund (TEDF), and the focus of this program for rural economic development. In 2011, the U.S. Treasury granted the state \$46.5 million from the State Small Business Credit Initiative (SSBCI) to increase small business access to both capital and business expertise, in order to allow private entrepreneurs to expand companies in Texas. With this money, the Texas Department of Agriculture created the Jobs for Texas (J4T) venture capital and Capital for Texas Loan Participations (C4T) programs. J4T is a program that works to establish fund managers who raise additional private capital for investment into Texas small businesses, while C4T provides additional lending capital to Texas small businesses, primarily located in rural areas of the state, but also in other underserved communities throughout Texas. The intent of both of these programs is for the core funding to be returned and recycled through additional investments and loans. Thus, in 2013, the TEDF was created in the State Treasury to account for these "recycled" funds, and allow continued economic development use.</p> <p>In September 2017, the contractual agreement between the TDA and the U.S. Treasury will expire. HB 2004 ensures the continuation of the TEDF and these two programs, J4T and C4T. Additionally, it will allow for the creation of a program to encourage the export of Texas agricultural products, or products manufactured in rural Texas. Lastly, the bill requires no additional funding since the funds included in the TEDF are the same recycled funds that were a result of the U.S. Treasury grant.</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 tyler@texaslsg.org</p>
<p>HB 2277 By: Darby</p>	<p>Relating to the temporary exemption or tax reduction for certain high-cost gas.</p>	<p>Ways & Means</p>	<p>This bill tries to simplify the process of calculating the median cost of drilling and completion for high-cost gas wells by requiring to Comptroller's office to fix the median calculation for the year as soon as possible beginning March 1st. This fixed cost can then be used to calculate the percentage of reduction to applicable oil and gas taxes for each individual well based on their actual production. Because the Comptroller's determination does not occur until midway through the fiscal year, HB 2277 includes a requirement that taxpayers shall have any taxes they pay more than what they owe under the fixed median calculation remitted to them. The bill also</p>	<p>Will of the House Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org</p>



			removes numerous references to tax exemptions that are no longer relevant because of the median calculations. The new processes established by HB 2277 provide well operators with clear, predictable guidelines on how their tax burden will be determined.	
HB 2285 By: Thompson, Ed / Raney / Paul / Alvarado / Bonnen, Dennis	Relating to the establishment of the Texas Institute for Coastal Prairie Research and Education at the University of Houston.	Higher Education	HB 2285 seeks to establish the Texas Institute for Coastal Prairie Research and Education at the University of Houston. The University of Houston plays a vital role in coastal prairie conservation, and researching methodologies that ensure coastal prairie preservation. HB 2855 creates the institute to further the understanding of the native coastal prairie, and heighten the public, academic and governmental awareness of the leading research being conducted about this subject at the University of Houston. The institute is responsible for conducting research on coastal prairie restoration, and provide a setting for other groups to conduct their research, and best methods for restoration. The University of Houston must encourage both public and private entities to participate and support the institute, and may enter an agreement with a public or private entity.	Favorable Evaluated by: Fabeain Barkwell 210-382-4295 fabeain@texaslsg.org
HB 2305 By: Guillen	Relating to the operations, communications, and notice procedures of state agencies.	Government Transparency & Operation	<p>HB 2305 amends code to require the Texas State Library and Archives Commission (TSLAC) to put together a list of all statutorily mandated reports. The start date for this is 2021 and would be updated every four years. With the assistance of other state agencies, this bill would require an assessment on the report and if it's still fulfil its intended purpose. This report will be submitted to the Governor and the Legislative Budget Board.</p> <p>This bill would codify the Texas Digital Archive which will be maintained by the TSLAC to allow for the preservation and access to electronic copies of information provided by different state agencies. This will allow agencies to share information appropriately and with little fiscal impact. During the next Legislative Appropriation Request they must report any savings or efficiencies this bill created.</p> <p>To allow for the electronic sharing of documents this bill amends the following section of code: Government, Health and Safety, Labor, Natural Resources, Occupations, and Transportation. If a report is required by statute, rule, or rider it shall be posted in the Texas Digital Archive once the archive is able to receive the reports. The TSLAC will also develop a framework for report submission and monitor the usage of the digital archive.</p>	Favorable Evaluated by: Ana Ramon 210-382-4295 ana@texaslsg.org
HB 2306 By: Guillen / Longoria	Relating to the use of auction proceeds from the sale of certain abandoned motor vehicles to reimburse law enforcement agencies for compensation paid to certain property owners.	Homeland Security & Public Safety	This bill authorizes law enforcement agencies to designate funds from the auction of abandoned vehicles to recoup certain costs associated with pursuits. Agencies currently reimburse members of the public for damages to their personal property in the course of a pursuit by law enforcement, but those reimbursements must come out of the agency's operating budget. Under HB 2306, the auctions of abandoned vehicles that happen as a matter of course can be used to offset the pursuit-related costs.	Favorable Evaluated by: Andrea Elizondo 210-382-4295 andrea@texaslsg.org
HB 2491 By: Frullo	Relating to authorized reinsurance and financial statement credit and accounting for reinsurance.	Insurance	This bill amends the Insurance Code to loosen restrictions around reinsurance providers within the state so they conform with industry standards and National Association of Insurance Commissioner recommendations. Reinsurance refers to insurance taken out by insurance providers to cover their own liabilities, and out-of-country companies that offer reinsurance policies are required to maintain enough collateral to pay out 100% of their outstanding liability under current state law; companies headquartered in the United States are not subject to the same level of collateral obligation. This standard is unreasonable considering that these policies are typically offered by the largest, most stable insurance companies in the field.	Favorable Evaluated by: Elizabeth Hann 210-382-4295 elizabeth@texaslsg.org



			<p>HB 2491 gives the Texas Department of Insurance permission to evaluate each company on its own merits to determine an acceptable level of collateral. Texas is one of only nine states that have not considered or adopted these recommendations at this time. Federal discussions with the European Union at the end of 2016 left an agreement pending for the current administration’s consideration. Even if the administration makes a decision regarding the EU agreement, HB 2491 is more expansive and encourages competitiveness within the market.</p>	
<p>HB 2665 By: Paul</p>	<p>Relating to notification by an insurer of certain disciplinary actions imposed on the insurer for a violation of the insurance laws of another state.</p>	<p>Insurance</p>	<p>This bill amends the Insurance Code by striking language which stipulates that an insurer must notify the commissioner of an order or judgement no later than the 30th day after the date the imposition of a penalty, forfeiture, or sanction on an insurer for a violation of the insurance laws of another state. Stakeholders feel that this reporting requirement for insurers who have violated insurance laws is redundant as state insurance regulators already participate in a regulatory enforcement database. Insurers are required to report these violations to the National Association of Insurance Commissioners (NAIC) and they are distributed to the respective states. Therefore, this type of reporting is duplicative as TDI reports receiving two sets of reports.</p>	<p>Favorable Evaluated by: Elizabeth Hann 210-382-4295 elizabeth@texaslsg.org</p>
<p>HB 2993 By: Phillips</p>	<p>Relating to the public transportation advisory committee.</p>	<p>Transportation</p>	<p>This bill changes the appointing authority for members of the Public Transportation Advisory Committee so that the Texas Transportation Commission would select members instead of the governor, lieutenant governor, and speaker of the house. The nine-member board’s composition is also amended so that the membership includes at least two representatives from each of the following groups:</p> <ul style="list-style-type: none"> • A diverse cross-section of public transportation providers, • A diverse cross-section of transportation users, and • The general public. <p>While the Commission, which governs the Department of Transportation, would be able to identify potential board members with expertise in the field, these changes would violate the principles of checks and balances in state government by removing legislative oversight.</p>	<p>Unfavorable Evaluated by: Andrea Elizondo 210-382-4295 andrea@texaslsg.org</p>
<p>HB 3124 By: Gooden</p>	<p>Relating to certain physician-specific comparison data compiled by a health benefit plan issuer, including the release of that data to physicians participating in certain physician-led organizations.</p>	<p>Insurance</p>	<p>HB 3124 permits agencies that issue health benefit plans to provide their comparison data to participating physicians, and health care providers. Cost comparison data is compiled information that displays health care costs of one physician or provider against another. Upon request, a health benefit insurer has 15 days to disclose cost comparison data associated with the physician or provider, the methodology and measures used to compare costs, and any other information considered in making the comparison. This bill requires health benefit plan issuers to give physicians or providers associated with the cost comparison, a fair chance to dispute the data at least once each quarter, or when a benefit insurers changes the measures the use to calculate their information.</p> <p>After a dispute statement is received, or a reconsideration process is taking place, the health benefit plan provider must provide a cost comparison dispute proceeding. The health benefit insurer must provide a written communication of the outcome of the proceeding to the physician or provider within 60 days after the dispute process. Upon determination that the cost comparison data is inaccurate, the health benefit plan insurer must promptly make the necessary corrections to this information. HB 3124 sets specific confidentiality guidelines about physicians sharing cost comparison data of other physicians.</p>	<p>Favorable Evaluated by: Elizabeth Hann 210-382-4295 elizabeth@texaslsg.org</p>
<p>HB 3223 By: Goldman / Raney / et</p>	<p>Relating to liability for the sale or transfer of law enforcement vehicles before removal of certain</p>	<p>Homeland Security & Public Safety</p>	<p>This bill prohibits the sale or transfer of any vehicle with features marking it as a law enforcement vehicle, including lights, sirens, and emergency equipment. The sale of these vehicles is still authorized once identifying features are removed. Political subdivisions and individuals who violate this statute are liable for any damages associated with the vehicle during the commission of a crime, and they</p>	<p>Favorable Evaluated by: Andrea Elizondo 210-382-4295</p>



al.	equipment and insignia; providing civil penalties.		face a civil penalty of \$1,000. HB 3223 codifies these measures to prevent individuals from misrepresenting themselves in furtherance of criminal acts.	andrea@texaslsg.org
HB 3227 By: King, Tracy O.	Relating to the administration and enforcement of produce safety standards by the Department of Agriculture; authorizing an administrative penalty.	Agriculture & Livestock	Provides the Texas Department of Agriculture (TDA) with the authority to administer produce safety under the Food Safety Modernization Act (FSMA). The FSMA was enacted in 2011 to authorize the U.S. Food and Drug Administration (FDA) to take a preventative approach to food safety and contamination, as opposed to a responsive approach. It does this by incorporating grower education and enforcement actions designed to achieve higher rates of compliance with preventative safety standards. Currently, this Produce Safety program is not administered by any agency in Texas, including the Department of Health and Human Services. HB 3227 simply gives this authority to the TDA, and establishes a maximum penalty of not more than \$5,000 for enforcement of produce safety activities. The FDA will provide the TDA with the necessary funding to administer this program.	Favorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org
HB 3232 By: Darby	Relating to the penalty imposed on certain delinquent oil and gas severance taxes.	Ways & Means	This bill provides a mechanism for oil and gas producers to avoid penalties relating to delinquent filing of their severance taxes. In order to qualify for the exemption from penalty, companies must meet all of the following requirements: <ul style="list-style-type: none"> • Owe the delinquent taxes due to an amended report; • Have paid the total due upon initial filing of the taxes; • Owe no more than 25% of the initial filing in delinquent taxes; • Correct any errors in their filed report within 60 days of filing; and • File the amended report within 730 days (two years) of the initial filing. If the conditions outlined above are not met, companies are still subject to a penalty totaling 5% of their reported tax with an additional 5% if the delinquent amount is not paid within 30 days of the amended report's filing. Current practice among oil and gas producers is to delay amendments for the maximum allowable time period, even when they know their initial reports were inaccurate. These accounting and reporting tricks keep funds out of the state's available revenue for up to four years and should not be encouraged, especially in light of the current fiscal outlook of the state.	Unfavorable Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org
HB 3304 By: King, Ken	Relating to health benefit plan coverage for ovarian cancer testing and screening.	Insurance	This bill amends the Insurance Code to include in the minimum standard for insurance coverage the testing or screening to detect ovarian cancer as approved by the FDA. Currently, ovarian cancer is the ninth most common cancer in women, and ranks fifth in cancer deaths. The American Cancer Society reports that when ovarian cancer is found early, approximately 94% of patients live longer than 5 years after being diagnosed. Adding coverage for ovarian cancer screening will increase early detection and contribute to better life and treatment outcomes for patients who are diagnosed.	Favorable Evaluated by: Elizabeth Hann 210-382-4295 elizabeth@texaslsg.org
HB 3868 By: Smithee	Relating to the vote to authorize background and criminal history checks on tenant applicants by a property owners' association.	Business & Industry	If there is approval in an affirmative vote from a majority of owners, a property owners' association (POA) may require background and criminal history checks in applications for long term or short term tenancy for a property in the subdivision. This would have serious negative effects this has on a person's ability to find housing when they have a criminal record. The only way that someone with a criminal history can often times find rental housing is through a direct relationship with the owner, as opposed to filing an application with a leasing company. For example, Texans with a criminal history may use "Craigslist" or "Austin Home Search", find properties for lease and then speak directly with the owner. They present evidence of rehabilitation and good standing, such as gainful employment. If that owner is part of an owners' association, and wants to exercise their right to lease their property, and it so happens the lessee has a criminal history, then HB 3868 may prevent them from doing so. Additionally, this bill potentially allows checking of anything in a person's background, which might include work history, salary, being a victim of domestic violence, and so on. It is a huge invasion of privacy.	Unfavorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org



			<p>It is imperative to public safety and to breaking cycles of poverty and incarceration that housing is provided to persons with a criminal history. Working class people and people of color are disproportionately affected by our criminal justice system. In order to stop this vicious cycle, there needs to be policies that promote their advancement. People deserve to be seen as individuals with specific life histories and circumstances, rather than solely as a person with convictions. Furthermore, HUD last year expressed that landlords and home sellers who turn down tenants or buyers based on their criminal records may violate the Fair Housing Act.</p> <p>From the perspective of homeowners, it interferes with property rights to chose what tenant to rent to. Property owners have been renting homes in subdivisions without this sort of regulation for decades. From the perspective of tenants, there are potential fair housing violations. There is no demonstrative need for this legislation. This bill is simply not a step in the right direction for Texas and for working families.</p>	
<p>HB 4052 By: Murphy</p>	<p>Relating to the exemption of certain services performed by certain employees from the sales and use tax.</p>	<p>Ways & Means</p>	<p>This bill introduces language to the Tax Code exempting employers from sales tax applicable to services rendered by temporary employees contracted to perform duties usually assigned to full employees. In order to qualify for this exemption, the employer must otherwise treat the temporary employee as a full employee with regards to their duties, supervision, and provision of supplies necessary to perform those duties. HB 4052 allows staffing agencies and the companies that contract with them to continue practices that will now be codified in statute, with a layer of protection in place that requires agencies to prove they conform to the standards if challenged. With over 1.1 million Texans employed in the temporary work industry in 2015, the effect of HB 4052 on sales tax revenue to the state cannot be predicted at this time. The LBB notes that creating clearer state guidelines on this issue may prevent future litigation as an offsetting feature to the loss of revenue</p>	<p>Will of the House Evaluated by: Joel Kissell 210-382-4295 katherine@Texaslsg.org</p>
<p>HB 4086 By: Wray</p>	<p>Relating to expunction of a notice of lis pendens.</p>	<p>Business & Industry</p>	<p>Clarifies that expunctions of a lis pendens can be relied upon and simply ensures the functionality of this statute. A “lis pendens” is a legal notice filed into the property records to give notice that a given piece of property is subject to a lawsuit. This effectively means one cannot sell a property that has a lis pendens. In 2009, the Texas Legislature enacted an expungement process of a lis pendens. This was in response to abuse of the lis pendens process by attorneys simply filing them without merit and unnecessarily clouding title, or frustrating individual's’ ability to dispose of their property as they please. Currently, this expunction statute is needing clarity because some argue that if one learns of the claim through means other than a legal notice, such as word of mouth, then the expunction is not reliable. Thus, a loan officer or title company would have to establish the facts in every instance, which only a jury or judge could determine. HB 4086 avoids this potential loophole in the statute, and ensures the reliability of an expunction in these circumstances.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org</p>
<p>HB 3442 By: Cook</p>	<p>Relating to the Fairfield Hospital District.</p>	<p>County Affairs</p>	<p>Currently, the average hospital tax rate in Texas is 25 cents and the Fairfield Hospital District is 10 cents. HB 3442 would amend Special Districts Local Laws Code to authorize the district's board of directors to order an election to increase the maximum tax rate of the district to a rate capped at 25 cents on each \$100 valuation of the taxable property in the district.</p> <p>This tax rate increase must be presented and approved by local tax payers of the Fairfield Hospital District. The presentation of a petition that requests the election, must state the maximum tax rate to be voted on at the election, and contain 100 signatures of registered voters of the district. This bill prohibits the tax rate for all purposes from exceeding the maximum tax rate approved by the voters at an election to increase the district's maximum tax rate.</p>	<p>Favorable Evaluated by: Tiffany Williams 210-382-4295 Tiffany@Texaslsg.org</p>
<p>HB 168 By: Lucio III</p>	<p>Relating to creating a voluntary program to recognize licensed before-school and after-school</p>	<p>Public Education</p>	<p>HB 168 creates a voluntary, distinguished health recognition program for recognizing licensed before-school and after-school programs that promote healthy eating and physical activity above and beyond minimum state standards. Before-school and after-school programs would be evaluated and assigned tiered recognition based on their incorporation of several standards including whether or not the program serves healthy snacks, provides opportunities for moderate to vigorous physical activity, or whether clean drinking water is available and accessible to program attendees at all times. The bill provides for a gold, silver, and bronze tier of</p>	<p>Favorable Evaluated by: Arielle Day 210-382-4295</p>



	programs that promote healthy eating and physical activity.		recognition to be determined based on the number of standards the program satisfies. HB 168 would incentive before-school and after-school programs to enhance their quality of care, and it would empower parents to make informed decisions regarding the quality of care their children receive.	arielle@texaslsg.org
HB 1066 By: Thompson, Senfronia	Relating to the collection of certain judgments through court proceeding.	Judiciary & Civil Jurisprudence	Removes a condition affecting property that can be reached through a court injunction, or other means, from a judgment debtor to obtain satisfaction on a judgment for a judgment creditor. Striking this one condition that the property “cannot readily attached or levied on by ordinary legal process” will allow courts to enforce their own judgments, effectively reducing court caseloads. HB 1066 simply allows a judgment creditor to more easily receive a court’s assistance in reaching property to obtain satisfaction on the judgment.	Favorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org
HB 1055 By: Burkett	Relating to a limitation on the amount of certain licensing fees charged by state agencies.	Licensing & Administrative Procedures	Prohibits a state agency from increasing the amount of a fee for the issuance or renewal of an occupational license to amounts greater than those established on January 1, 2017. Texas law requires mandatory occupational licensing fees for various professions, such as barbers, athletic trainers, dieticians, realtors, and a multitude of others. For some occupations, there is little to no stability in the rates for these licensing fees. HB 1055 returns the authority of setting these fees from the state agencies to the legislature, so that in order for a state agency to increase this fee, the agency would have to go through the legislative process and defend any proposed increase. This is similar to a proposal for a tax increase. This legislation ensures that the legislature asserts its duty to make sure occupational licensing fees are fair and stable.	Favorable Evaluated by: Arielle Day 210-382-4295 arielle@texaslsg.org
HB 1143 By: Davis, Sarah	Relating to investment prohibitions and divestment requirements for certain investments of public money.	State Affairs	CSHB 1143 seeks to revise and reorganize current law that prohibits state investment in companies engaged in business with Sudan and Iran. It consolidates provisions related to prohibited investments in Sudan and Iran and moves them within the Government Code to the section relating to state and local government contracts and funds management. Additionally, it expands these provisions to include investments in any organization designated as a foreign terrorist organization by the US Department of State. This bill essentially seeks to ensure that State money is not being invested in or contributing to the economic prosperity of foreign terrorist organizations. This bill primarily: Prohibits state agency investment or contracts with Sudan, Iran, or a designated foreign terrorist organization Requires the comptroller to establish and maintain a list of designated foreign terrorist organizations and to post the list on its website. This list must be categorized according to companies that engage in scrutinized business with Sudan, Iran or another foreign terrorist organization. The comptroller must complete an initial list no later than September 1, 2017 Provides exemptions for ERS and TRS from prohibitions related to investments if the entity determines that the requirement would be inconsistent with their fiduciary responsibility established under the Texas Constitution	Favorable Evaluated by: Tyler Anderson 210-328-4295 tyler@texaslsg.org
HB 1217 By: Parker	Relating to appointment of and performance of notarial acts by an online notary public and online acknowledgment and proof of written instruments; authorizing a fee and creating a criminal offense.	Investments & Financial Services	HB 1217 provides a regulatory framework for online notaries public by requiring the Secretary of State to develop and maintain standards for online notarization in collaboration with the Department of Information Resources or other appropriate state agencies. The Secretary of State is also responsible for credential analysis and identity proofing standards for online notary public. The bill outlines provisions relating to the application, qualifications, and performance of an online notary public, and electronic records, fees of up to \$25, and use of online notarization. Furthermore, the bill outlines the instances of authority in which an online notary public may perform, including: real estate in Texas, An agreement relating to a transaction in which one party is a resident of Texas and authorized to conduct business in the state, An agreement securing a debt that is payable at a location in Texas,	Favorable w/ Concerns Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org



			<p>A document, including an affidavit, intended to be filed in state public records, including those related to a proceeding in a local, state, or federal court located in Texas, An acknowledgment made by a person while physically located in Texas, or A document signed by a resident of the state at the time of signing, evidenced by a valid government-issued identification credential and includes a photo and current address within the state.</p> <p>An online notary public is required to keep public electronic records of all online notarizations, and destroy the coding, disk, certificate, card, software, or password enabling electronic affixation of the online notary public’s official electronic signature or seal upon commission termination. Should an online notary public’s commission terminate for any reason other than revocation or a denial of renewal, they are not required to destroy the electronic affixation data if the individual is recommissioned with the same electronic signature and seal within 3 months. A person knowingly and wrongfully possessing software or hardware enabling an online notary public to affix an official electronic signature or seal commits a Class A misdemeanor. The bill takes effect July 1, 2018.</p> <p>The Legislative Budget Board does not anticipate a fiscal impact to state appropriations, and assesses that the online notary public application fees charged will be deposited into the General Revenue Fund. As legislation introduced and implemented in the 84th Legislature authorized electronic notarization, HB 1217 provides the regulatory framework. Currently, notary law in Texas allows for any notary at any time; the authorized use of online notarization criteria listed within the bill can create complexity with current statute. Furthermore, identification issues may arise as electronic verification is based on a knowledge-based system, which is easy to infiltrate due to user manipulation. Implementing a federated system of digital certificates and authentication of those certificates will ensure a safer system.</p>	
HB 1249 By: Goldman	Relating to a prohibition of certain motor vehicles resembling emergency medical services vehicles; creating a criminal offense.	Transportation	This bill creates a criminal offense for individuals who display insignias that mistakenly identify their vehicle as an emergency medical service or governmental vehicle. These insignias include the words or commonly identifiable symbols associated with ambulances, fire departments, and emergency medical services, as well as the flashing light bars commonly found on emergency response and police vehicles. In an emergency situation, individuals look for this type of information to seek assistance and having non-authorized vehicles displaying them can cause unnecessary confusion. Removal of these identifying features is in the public’s best interest. HB 1249 explicitly exempts classic and exhibition vehicles with specialty license plates. Violation of this prohibition is classified as a Class C misdemeanor.	Favorable Evaluated by: Andrea Elizondo 210-382-4295 andrea@texaslsg.org
HB 2008 By: Cospers	Relating to deferred presentment transactions made to military borrowers.	Investments & Financial Services	HB 2008 seeks bolster the compliance of payday lenders who engages in a transaction with a member of the United States Military or their dependent under federal law. This bill does not create any new regulations for payday lending, but further ensures these already codified regulations are enforced.	Favorable Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org
HB 1298 By: Frullo	Relating to the definition of commercial property insurance for purposes of certain provisions governing insurance rates and policy forms.	Insurance	This bill amends the Insurance Code to define “commercial property insurance” as coverage against loss caused by or resulting from loss, damage, or destruction of real or personal property provided through a commercial property insurance policy. This includes commercial fire or allied lines, commercial inland marine insurance, commercial crime coverage, boiler and machinery insurance other than explosion, glass insurance, and any other policies authorized by the commissioner. This bill clarifies the code to stipulate more specifically what commercial property coverage may be included by insurers.	Favorable Evaluated by: Elizabeth Hann 210-382-4295 elizabeth@texaslsg.org



<p>HB 1472 By: Capriglione / Goldman / Darby / King, Phil / Turner</p>	<p>Relating to investment by a public junior college district of public funds received from the management and development of mineral rights.</p>	<p>Higher Education</p>	<p>HB 1472 authorizes the governing board of public junior college districts to invest funds from land development leases pertaining to oil, gas, and other mineral development. The funds invested by the governing board must be disbursed and accounted for separately from other district funds.</p>	<p>Favorable Evaluated by: Fabelain Barkwell 210-382-2495 fabelain@texaslsg.org</p>
<p>HB 2021 By: Hunter / Herrero</p>	<p>Relating to the duration of certain protective orders against family violence.</p>	<p>Juvenile Justice & Family Issues</p>	<p>Current law only allows long-term protective orders for victims who have suffered serious bodily injury and for victims who have already obtained two or more protective orders against their abuser. HB 2021 amends the Family Code to also allow long-term protective orders for victims of felony level family violence offenses, regardless of whether the person has been charged with or convicted the offense. This bill seeks to provide protection for victims of felony level family violence that exceeds the usual two-year cap.</p>	<p>Favorable Evaluated by: Arielle Day 210-382-4295 arielle@texaslsg.org</p>
<p>HB 2119 By: Kacal / et al.</p>	<p>Relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.</p>	<p>Business & Industry</p>	<p>Mandates that surviving spouses who remarry on or after the effective date of this act receive death benefits for life if their spouse was a first responder killed in the line of duty regardless of when the date of the death occurred. It intends to ensure that a surviving spouse of a first responder who paid the ultimate sacrifice in the line of duty is not penalized for remarrying due to the date that the death occurred.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org</p>
<p>HB 3078 By: Thompson, Senfronia</p>	<p>Relating to transfer of the regulation of podiatry to the Texas Department of Licensing and Regulation; authorizing a reduction in fees.</p>	<p>Public Health</p>	<p>CSHB 3078 is the Sunset bill for the Texas State Board of Podiatric Medical Examiners (TBPME), which is the entity responsible for regulating the practice of podiatry. During the review process, the Sunset Commission found that this agency has been struggling to carry out many of its critical functions; in addition to being insufficiently staffed and not meeting key performance measures, its average complaint resolution time was upward of 500 days. To address these issues, CSHB 3078 abolishes the current independent Podiatry Board and reconstitutes it as a Governor Appointed Advisory Board within the Texas Department of Licensing and Regulation (TDLR). The transfer is to take place on September 1, 2017, and is amenable to both the Podiatry Board and TDLR.</p> <p>In addition to transferring the Board to TDLR, CSHB 3078 makes various statutory changes related to podiatric practice. Major provisions of the bill include: Updated rulemaking authority for the TBPME under TDLR Eligibility requirements for individuals to be appointed to the Board and terms for service as a Board member Powers and duties of TBPME members Provisions instructing the creation of a training manual for TBPME board members Development of a complaint prioritization process to reduce the average complaint resolution time Development of a process to notify a TBPME licensee of a complaint made against them that provides anonymity for the complainant (unless the complainant is an insurance agent, insurer, pharmaceutical company, or third-party administrator) Updated licensing enforcement processes including allowing fingerprinting, criminal background checks, and biennial licensing renewal requirements for all licensure applicants Updated specifications for what conduct is grounds for denial of a licensure application</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 tyler@texaslsg.org</p>



			<p>Updated examination requirements for TBPME licensure A requirement that the Board develop continuing education requirements for TBPME licensees Establishment of a standardized penalty schedule, including recommended penalty amounts for each category of punishable conducted listed in the schedule</p> <p>Additionally, CSHB 3078 would require both TBPME licensees and the board itself to utilize the prescription monitoring system (operated within the Pharmacy Board) to periodically assess patient’s prescription histories to identify potentially harmful prescribing patterns or practices. It instructs TBPME in conjunction with the Pharmacy Board to develop conduct that constitutes a potentially harmful prescribing practice as it relates to TBPME licensees. The bill also authorizes the board to initiate a complaint against a podiatrist based on their harmful prescribing practices.</p>	
<p>HB 2486 By: Stucky / Darby / Raney / Frank / Lambert</p>	<p>Relating to restoration of the position of public employees when relieved of duty from the Texas military forces or a similar unit.</p>	<p>Defense & Veterans' Affairs</p>	<p>HB 2486 adds to existing statute that requires that state employees who serve in the military ordered to duty be able to return to their employment position. This bill includes that individuals who serve in a political subdivision of the state, is a municipal worker or county employee. Those able to return work would include military, reserve member or a member of a state or federal search and rescue team. This will open doors for more service members to feel secure in their civilian employment positions when being called to active duty.</p>	<p>Favorable Evaluated by: Kylie McNaught 210-382-4295 kylie@texaslsg.org</p>
<p>HB 45 By: Flynn / Leach / Burkett / Parker / Laubenberg / et al.</p>	<p>Relating to requiring the Texas Supreme Court to adopt rules and provide judicial instruction regarding the application of foreign laws in certain family law cases.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Requires the Texas Supreme Court to adopt specific rules of evidence and procedure in regards to limitations on the granting of comity to a foreign judgment or arbitration award as it relates to marriage and parent-child relationships in the Family Code. The purpose of requiring these procedures is to protect against violations of constitutional rights and public policy. However, the Family Code already contains several provisions providing guidance to Texas courts regarding the proper application of foreign law in these contexts. These provisions include: 1) foreign child custody law need not be applied if the child custody law of the foreign country violates fundamental principles of human rights in Chapter 152, 2) orders from a foreign country need not be enforced if the adoption law or process of the foreign country violates the fundamental principles of human rights or the laws or public policy of this state in Chapter 162, and 3) a Texas tribunal may refuse enforcement of a foreign child support order if doing so would be incompatible with public policy in Chapter 159.</p> <p>HB 45 places unnecessary burdens on the courts to develop procedures and rules of evidence when it is already clear that under Texas law a court is not required in family law disputes to enforce a foreign law if enforcement would be contrary to the Texas constitutional rights or public policy. Understanding this, HB 45 thus sends a negative message that Texas is suspicious and unreceptive to foreign countries, laws, businesses and groups. It has the potential to negatively impact minority faiths and their civil rights, by preventing minority religious groups from practicing their faith in areas such as marriage, divorce and funeral procedures.</p>	<p>Unfavorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org</p>
<p>HB 1515 By: Elkins</p>	<p>Relating to the expiration of the dry cleaner environmental response program.</p>	<p>Environmental Regulation</p>	<p>HB 1515 lengthens the the Dry Cleaner Environmental Response Program (DCRP) which was set to expire in 2021 until 2050. This allows for any corrective action, including administrative, that has begun before September 1, 2050 for the remediation of a dry cleaner site to be paid for using the DCRP funds. A program that has only been implemented administratively after September 1, 2050 can still have corrective action taken if money is still in the fund. This time extension is important because waste from dry cleaning sites is damaging to the environment and this bill allow for continued mitigation.</p>	<p>Favorable Evaluated by: Erin Eriksen 210-382-4295 erin@texaslsg.org</p>



<p>HB 1866 By: Geren</p>	<p>Relating to compensation and restitution to crime victims and the disposition of unclaimed restitution payments; providing for an administrative penalty; authorizing a fee.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1866 adds Chapter 77 (“Report, Delivery, and Claims Process for Unclaimed Restitution Payments”) to the Property Code, outlining the applicability and procedures for unclaimed restitution payments presumed abandoned (URPPA) to victims of crime. The bill also repeals 56.54 (“Funds”) (c) from the Code of Criminal Procedure, which states that the compensation to victims of crime auxiliary fund may be used by the Attorney General only for compensation payments to victims, and 76.013 (“Restitution”) (d), Government Code that specifies a community supervision and corrections department must pay a victim claiming payment during a 5-year period in which the payment is held in the interest-bearing account for the original payment amount, less any interest earned. The revisions in 76.013 clarify restitution payment and cleans up the language, instituting a procedure that is more focused on incentivizing any URPPA. If a victim doesn’t make a claim before 5 years of the date the department receive the initial restitution payment, any unclaimed payments held by the department are presumed abandoned; in this case, the department must report and deliver the unclaimed payments to the comptroller, less a collection fee of 1.5%.</p> <p>Chapter 77 (“Report, Delivery, and Claims Process for Unclaimed Restitution Payments”) outlines provisions relating to advertising URPPA with other unclaimed property. Within the required property report, provisions regarding confidentiality exempt victims of sex offenses, stalking, family violence, and trafficking of persons from public information reported by counties regarding unclaimed property. Statutes outlining notice by holder of any URPPA requirements specify that if they are holding any URPPA on or before May 1, the holder must mail the payments to the victim’s last known address, and notify the victim that the holder may be required to deliver the payments to the Comptroller on or before the following July 1 if left unclaimed. Further provisions outline parties the Comptroller cannot approve a claim to, including a creditor, receiver, a person attempting to make a claim on behalf of a previously-dissolved trust if the person appears to have revived the trust or corporation solely to make a claim under this statute and was not an authorized representative at the time of termination, or a person holding a power of attorney that the Comptroller is not authorized to pay.</p> <p>A penalty equal to 5% of the value of the unclaimed restitution payment is imposed on a holder failing to deliver payment. The bill requires the Office of the Attorney General and the Comptroller of Public Accounts to establish a plan for the identification and transfer of records, property, and unspent appropriations of the Attorney General used for the purpose of managing the compensation to victims of crime auxiliary fund. The bill further requires a department that previously transferred payments to the Comptroller to provide the Comptroller with the property report information for each victim the department transferred a payment to under previous statute.</p> <p>Counties’ current statute regarding locating crime victims does not require substantial effort and creates an incentive to keep it that way; entities are permitted to keep 5% of the unclaimed payments ultimately sent to the Comptroller. Decreasing the percentage of unclaimed restitution local entities can retain encourages counties to locate crime victims and ensure they receive restitution payments.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org</p>
<p>HB 1522 By: White</p>	<p>Relating to a task force to coordinate and make recommendations on parent engagement and education programs provided by state</p>	<p>State Affairs</p>	<p>Experts agree that parent engagement is vital to the well being and success of Texas children. Many state agencies offer parent engagement or education activities, but there is little understanding of how these various programs intersect to impact Texas Children. HB 1522 establishes a task force on parent engagement and education programs to enhance coordination of parent engagement and evidence-based parent education programs across state agencies. The task force will aim to improve coordination and communication between state agencies and will serve as a valuable tool in identifying and implementing methods to better engage parents to ensure positive outcomes for Texas children.</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 tyler@texaslsg.org</p>



	agencies.		<p>The task force will meet quarterly and will be composed of representatives from the Department of Family and Protective Services, Texas Workforce Commission, Texas Department of Criminal Justice, Texas Juvenile Justice Department, county juvenile probation departments, faith-based organizations, and a parent who has experienced challenges meant to be addressed by parent education programs. It is authorized to accept gifts, grants, and donations and its abolishment date is September 1, 2019. Its major duties include:</p> <ul style="list-style-type: none"> • Receiving reports and testimony from individuals, community organizations, and state agencies regarding parent engagement and evidence-based parent education programs • Identifying evidence-based parent education programs that are being implemented in Texas • Identifying opportunities for improved coordination among those programs to maximize their effectiveness and funding • Developing policies and recommendations for expanding access to parent-education and engagement programs and establishing statewide guidelines for these programs • Establishing methods for using existing administrative and program data to identify and target programs to communities with the greatest need for services and families exhibiting high levels of risk factors such as poverty, poor maternal health, or unemployment • Preparing a report to include a description of the activities of the taskforce, its findings and recommendations, and any proposed legislation or relevant matters deemed appropriate by the task force. The report should be reported to the Governor, Lieutenant Governor, Speaker, and and presiding officers of relevant standing committees of the Legislature that have primary jurisdiction over parent engagement and education issues no later than December 1, 2018 	
<p>HB 1536 By: Farrar</p>	<p>Relating to a biennial report on stormwater infrastructure in this state.</p>	<p>Natural Resources</p>	<p>HB 1536 creates a group that will report on green stormwater infrastructure and low impact development per biennium. The Texas Commission on Environmental Quality (TCEQ) will appoint a 10 member reporting group comprised of a wide-variety of stakeholders. The group will compile data of municipalities, counties, and special districts with land development authority that utilize green stormwater infrastructure and low impact development regarding: the number of private/public projects, amount of stormwater managed, and money invested in the project. Assessments on financing projects, typical impediments, law and policy impediments, and recommendations to increase use will be conducted. Public input will be essential to the reports by requiring both TCEQ and the appointed group will solicit information at multiple times during the preparation of the report. The report must be submitted by January 1st of the second year of the fiscal biennium to the governor, lieutenant governor, speaker of the house, and the members of the legislature.</p> <p>Green stormwater infrastructure and low impact development projects such as porous roadways and green roofs are proven to be successful at mitigating the issues cities have with stormwater runoff both financially and environmentally.</p>	<p>Favorable Evaluated by: Erin Eriksen 210-382-4295 erin@texaslsg.org</p>
<p>HB 1884 By: Anderson, Charles "Doc"</p>	<p>Relating to the penalties for certain littering offenses.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1884 expands the types of littering offenses subject to community service by requiring courts to sentence persons convicted of these offenses to performing, at the court's discretion, no more than 60 hours of community service in addition to any fine or other penalty. The types of littering covered within the bill's provisions include illegal dumping, discarding lighted materials, violating the Texas Natural Resource Conservation Commission rules and standards regarding processing and treating litter, and disposal of litter in a cave. The community service sentence must consist of picking up litter in the person's residing county or working at a recycling facility if a program is available within the sentencing court's community.</p>	<p>Will of the House Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org</p>



			While illegal dumping costs Texas each year- Houston has spent over \$13 million on litter abatement alone, and Lufkin has spent \$139 million- there is a strong possibility that the added community service requirement for an offense that can simply be paid with a fine will disproportionately impact vulnerable Texas families. Single parents, families, and individuals who suddenly face up to 60 hours of community service can face difficulties when their time and resources are strained and are not able to miss work. These persons can subsequently lose their license for failing to comply with court-ordered requirements for one of the lowest-level offenses and can easily get caught up in spiraling collateral consequences when the Texas criminal justice system places inordinate punishment on low-level crimes.	
HB 1605 By: Blanco / Elkins / Capriglione / Gonzales, Larry / Lucio III	Relating to the powers and duties of the Department of Information Resources regarding cybersecurity.	Government Transparency & Operation	At this point in time there is no statewide place in place if our security systems were subject to a cyber-attack. With ever changing technology and the sensitive information held by the state's there is an ever-increasing concern about the harmful effects a successful cyber-attack can have on our State's vital infrastructure. This should be an increasing concern for our legislature and take the proper actions to address this problem. This bill requires that the Department of Information Resources, no later than August 31 of each even numbered year, submit a report identifying efforts that can be taken by the state to improve cybersecurity. This report will include assessments of the resources available to respond to a possible cyber-attack. It will also review the existing law regarding information resources technologies and make suggestions on how to increase cybersecurity and decrease operational and financial impacts of a cyber-attack. DIR may withhold or redact information that is confidential under Chapter 552, or other state or federal law. This bill also allows DIR to request funding to manage operational and financial impacts in the case of a cyber-attack.	Favorable Evaluated by: Ana Ramon 210-382-4295 ana@texaslsg.org
HB 1630 By: Dale	Relating to the approval of expenditures for the Texas Military Department.	Defense & Veterans' Affairs	This bill allows the Adjutant General to delegate to authorization of Texas Military Department expenditures to the executive director. Currently statutes lacks clarity regarding the Adjutant General's ability to grant authorizing power of expenses to the executive director. This bill allows for more clarity as to the duties and authority of each.	Favorable Evaluated by: Kylie McNaught 210-382-4295 kylie@texaslsg.org
HB 1999 By: Israel	Relating to a violation regarding the purchase, possession, or consumption of alcoholic beverages by a minor or the misrepresentation of age by a minor; authorizing a civil penalty; creating a criminal offense.	Licensing & Administrative Procedures	Amends the Alcoholic Beverage Code, Code of Criminal Procedure, Penal Code, and Transportation Code as they relate to the purchase, possession, or consumption of alcohol by a minor. These offenses otherwise punished as a Class C misdemeanor would become civil violations punished by a civil penalty not to exceed \$500, and would be credit collected and transferred to the general revenue fund. The minor charged may discharge the civil penalty by performing community service for not less than 20 but not more than 40 hours. The minor would only commit a criminal offense, Class C misdemeanor, after being previously assessed a civil penalty for such violations on multiple occasions. Criminal penalties imposed on a minor who purchases, possesses or consumes alcohol can result in barriers to college acceptance or entry into the workforce, creating vicious cycles of poverty and incarceration. These criminal penalties also strain the Texas' criminal justice system. HB 1999 reduces these strains, and is estimated to positively increase general revenue related funds by \$2,950,350 through the biennium ending August 31, 2019.	Favorable Evaluated by: Arielle Day 210-382-4295 arielle@texaslsg.org
HB 2068 By: Phillips / Wilson / White	Relating to the repeal of the driver responsibility program and the amount and allocation of state traffic fine	Homeland Security & Public Safety	The Driver Responsibility Program was first created by the Texas Legislature in 2003. This Program allows for The Department of Public Safety to place surcharges on the driver's licenses on people with convicted on certain traffic offenses. These funds are sent to help trauma hospitals with uncompensated care costs. Many of which absorb hundreds of millions of dollars in uncompensated health care costs. Unfortunately, some would argue that the program has not fulfilled its promise and provides less than half the revenue it was	Favorable Evaluated by: Andrea Elizondo 210-382-4295



	funds; authorizing and increasing criminal fines.		<p>estimated to produce. There are also concerns that with 60% of the surcharges being left unpaid this program is more harmful to Texas families. When an individual can't afford to pay off the surcharges their license are no longer valid. Without a valid license, the individual would no longer be able to purchase insurance.</p> <p>This bill repeals the Driver Responsibility Program within the Transportation Code and creates a higher set of fines associated with moving violations to maintain the DRP's original intent. References to the DRP are similarly amended in other state codes as it relates to authorized instructors for parent-taught driver education, and to criminal history checks for various applicants relating to HHSC agencies. To compensate for the removal of a significant portion of the penalties associated with DWI offense within the DRPs, HB 2068 includes a series of financial penalties in addition to those already in statute.</p> <p>The second purpose of HB 2068 is to reallocate funds formerly associated with the Driver Responsibility Program. Under current statute, 67% of traffic fines collected as part of the DRP are directed to General Revenue and 33% to a dedicated fund for trauma facilities and emergency medical services; the updated allocation represents a 45/55% division between these two sources. The LBB's fiscal analysis of the bill indicate a net increase to GR and the trauma fund as a result of increased fine receipts.</p>	Andrea@Texaslsg.org
HB 2359 By: Ortega / Uresti, Tomas / Roberts / Neave	Relating to common nuisances.	County Affairs	<p>Vacant buildings have recently been used for criminal activities and the majority of them are potential fire hazards. Municipalities have ordinances in place to address this problem however counties do not. Under current law, unless specific crimes are committed in an occupied building, counties lack authority to effectively address this issue.</p> <p>H.B. 2359 creates uniformity in the Civil Practice and Remedies Code by adding the crimes listed under the "public nuisance" section into the "common nuisance section." Offenses added are: criminal trespass, disorderly conduct, arson, criminal mischief that causes a pecuniary loss of \$500 or more, and a graffiti offense in violation of applicable Penal Code provisions. The purpose is to make the two sections more consistent, address blight properties, and encourage cooperation among owners and law enforcement.</p>	Favorable Evaluated by: Tiffany Williams 210-382-4295 tiffany@texaslsg.org
HB 2409 By: Raney / González, Mary / Simmons / Shine / Romero, Jr. / et al.	Relating to wage requirements for community rehabilitation programs participating in the purchasing from people with disabilities program.	Business & Industry	<p>Requires all community rehabilitation programs to pay no less than the federal minimum wage under the Federal Labor Standards Act (FLSA). Community rehabilitation programs (CRPs) are community-based government entities or nonprofit private organizations established in 1978 by the Texas Legislature as part of the Texas Purchasing from People with Disabilities program. The program provides products or services through CRPs that are purchased, on a noncompetitive basis, by state or federal agencies, schools and political subdivisions. The products include office supplies, food items, and medical test kits, and the services include landscaping, park maintenance, janitorial services, copying, and temporary employment. The goal is to promote employment opportunities for Texans with disabilities, and assist such persons in achieving maximum independence through useful and productive employment activities. Currently, there are 8 out of 116 CRPs that pay their employees with disabilities less than the minimum wage, amounting to 410 workers out of the 6,064 employed by the program earning subminimum wages. For more than 70 years, employers holding special "certificates" issued by the Department of Labor (DOL) have been allowed to pay less than the minimum wage to workers with disabilities, in some cases just a penny an hour. Most receive a dollar or less for each hour they work. These certificates are issued in accordance with Section 14(c) of the FLSA enacted in 1938--an era in which people with disabilities were routinely segregated and excluded from the job market. A CRP can pay subminimum wages by applying for this waiver, by just simply "justifying" why an individual cannot earn minimum wage or higher through a time study (time studies compare the work of a person with a disability to the work of someone without a disability, but does not ensure the job matches their natural skills, desires and employment goals).</p>	Favorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org



			<p>Putting someone in a job who has limited mobility that requires full mobility does not help them increase their work skills. It sets them up for failure.</p> <p>By and large, the program is successful at employing Texans with disabilities at minimum wage or higher: 94% of Texans with disabilities employed by the program already earn the federal minimum wage or higher. HB 2409 simply directs the Texas Workforce Commission to assist the 8 CRPs that pay subminimum wages to phase out this practice within 2 years, with the possibility of an extension of an additional year. The bill mandates the TWC to also assist with the following: ensuring that an increase in wages does not affect the worker’s eligibility for federal benefits that they were receiving or were eligible for, ensuring that to the maximum extent possible that each worker with a disability remains employed and provides job training for other employment. Paying subminimum wages is a severe injustice to persons with disabilities. Taxpayer funding should not go to CRPs that pay below the minimum wage because it is discriminatory, and is not efficient with taxpayer dollars as paying subminimum wages only increases the reliance on state services. HB 2409 is a necessary step forward towards breaking the cycle of poverty for Texans with disabilities.</p>	
<p>HB 2373 By: Miller</p>	<p>Relating to the period for filing a claim for reimbursement for certain ancillary services under the Medicaid program.</p>	<p>Human Services</p>	<p>CSHB 2373 extends the time period for which patients who have received ancillary services under Medicaid to file a claim. Many nursing homes and other long term care facilities contract with ancillary service providers to bring in supplemental services such as portable X-rays and lab tests. Current statute requires that those who receive ancillary services while homebound or in a nursing home and receives an ancillary service has 95 days to file a claim to be reimbursed for the funds. Most nursing homes when filing claims are used to at 365 day time line, this results in filing claims for ancillary services later than the 95th day. This can cause some nursing homes to losing reimbursements for approximately 30% of the work that they do.</p> <p>This bill extends the filing deadline from 95 days to 270 days. This will allow for nursing homes to have more time to file claims for reimbursement without losing money on necessary services. Nursing homes and homebound patient care, provides healthcare to our most vulnerable and increasingly health deficient population. Many nursing homes are often underfunded and find difficulty being reimbursed for the important services, this will help to offset some of the costs lost each year.</p>	<p>Favorable Evaluated by: Kylie McNaught 210-382-4295 kylie@texaslsg.org</p>
<p>HB 2492 By: Frullo</p>	<p>Relating to domestic surplus lines insurers; authorizing and imposing a tax.</p>	<p>Insurance</p>	<p>This bill authorizes domestic surplus lines insurance providers to offer policies within Texas. Current statute prohibits these policies from being sold by companies headquartered in the state, causing more than \$5 billion in insurance premiums to leave Texas each year. Surplus lines insurance policies cover unorthodox situations not covered by traditional insurance policies, either because they are inherently too risky or uncommon to be worth providing. Individuals and organizations seeking a surplus line must demonstrate that their efforts to find a traditional policy were unsuccessful. Even though the surplus lines market is less restricted due to its non-standard structure, all other applicable restrictions on the insurance providers remain in place. HB 2492 simply removes unnecessary barriers that prevent Texans from obtaining the insurance coverage they deem appropriate.</p>	<p>Favorable Evaluated by: Elizabeth Hann 210-382-4295 elizabeth@texaslsg.org</p>
<p>HB 3356 By: King, Tracy O.</p>	<p>Relating to privacy of certain structured settlement information.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Requires courts to permit the full redaction of name, address, and other information that could reasonably be used to determine the identity or address of a payee if they request for such redaction in an application for a transfer of structured settlement payment rights. In this context, a payee refers to an individual receiving tax-free payments under a structured settlement and proposes to transfer payment rights under the structured settlement. A structured settlement is the arrangement for periodic payment of damages for personal injuries or sickness established by a settlement or judgment in resolution of a tort claim or workers’ compensation.</p> <p>HB 3356 simply allows a payee to have their personally identifiable information redaction if they submit a written request to the court in a transfer of structured settlement payment rights. Some people have been subject to identity fraud, and others have had to procure temporary restraining orders. Some people may not even want to accept their right to a structured settlement payment</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org</p>



			because they were a victim of domestic violence and are afraid of being identified by their abuser. This bill clarifies for the courts that written requests for redaction of personal information must be met in certain structured settlement related applications.	
HB 2425 By: Price / Rose / Larson / Thompson, Senfronia / Oliverson	Relating to a requirement that a hospital allow a patient to designate a caregiver to receive aftercare instruction regarding the patient.	Public Health	<p>Evidence shows that patients who have a designated caregiver to provide aftercare assistance after being discharged from the hospital have better overall health outcomes. CSHB 2425 would require hospitals to provide patients (or their legal guardian) with the option to designate a caregiver before the patient is discharged from the hospital. If the patient chooses to designate a caregiver, the hospital is responsible for documenting that in their file and request written authorization from the patient allowing the hospital to disclose relevant healthcare information to the caregiver. The hospital is also required to notate in a patient’s file if they decline to designate a caregiver. The bill outlines requirements for the hospital to notify a designated caregiver before the patient’s discharge date and provide them with the patient’s discharge plan. Additionally, the hospital is responsible for providing any necessary instruction or training the caregiver might need to carry out the aftercare instructions contained in the discharge plan.</p> <p>The bill clearly states that a person designated as a caregiver is not obligated to serve as the patient’s caregiver or to provide aftercare to the patient. Additionally, it asserts that the bill does not create a private right of action or liability against a hospital, its employees, or any designated caregiver. Finally, it states that this bill should not in any way affect the time at which a patient may be discharged or transferred from a hospital. This bill will ensure that patients have the opportunity to designate someone they trust to assist them in their at-home recovery, resulting in better overall health outcomes.</p>	Favorable Evaluated by: Tyler Anderson 210-382-4295 tyler@texaslsg.org
HB 3781 By: Phelan	Relating to the uses of the lifetime license endowment account by the Parks and Wildlife Department.	Culture, Recreation & Tourism	HB 3781 authorizes the use of money and accrued interest from the lifetime license endowment fund solely for fish and wildlife resource management to the extent allowed by federal law. HB 3781 prohibits expenditures that would lower the unencumbered balance of the principal of the account below \$20 million. The bill states that the interest and principal earned from the account cannot pay any employee salaries or benefits. Per the bill, interest earnings and principal on the lifetime licenses endowment can be used for public hunting and fishing, or the development and repair of fishing areas.	Favorable Evaluated by: Fabeain Barkwell 210-382-4295 fabeain@texaslsg.org
HB 2508 By: Kuempel	Relating to the licensing and regulation of tow truck companies, tow truck operators, vehicle storage facilities, and vehicle storage facility employees, the regulation of parking facilities and parking facility owners, and the elimination of required state licensing for vehicle booting companies and operators.	Licensing & Administrative Procedures	<p>Streamlines and modernizes the statutes in relation to the regulation of the towing and booting of vehicles, and vehicle storage facilities. Current towing, vehicle storage and booting statutes are very extensive and result in licenses being subject to an inordinate amount of laws. These related statutes can also be disorganized and inconsistent with a number of licenses that exist that are neither necessary for public safety or consumer protection. HB 2508 resolves inconsistencies such as between the occupations and transportation statutes regarding notification of lienholders, so that all lienholders receive notices and not just the primary lienholders. Additionally, this legislation makes the Towing Act more user-friendly, and clears up different types of towing definitions.</p> <p>The average towing company is three tow trucks and less than ten employees, so unnecessary amounts regulations are particularly burdensome for these companies. HB 2508 cleans-up and clarifies these related codes.</p>	Favorable Evaluated by: Arielle Day 210-382-4295 arielle@texaslsg.org
HB 2664 By: Miller / Thompson, Senfronia /	Relating to nutrition and fitness standards for certain child-care facilities and training for employees at	Human Services	HB 2664 requires the commissioner of DFPS to establish nutritional and recreational standards for licensed child care facilities in an effort to establish healthy habits during childhood. The nutritional standards must comply with federal Department of Agriculture guidelines, while the recreational standards must follow recommendations by the American Academy of Pediatrics. Training standards relating to food allergies, choking hazards, and healthy meal planning provide child care workers with an appropriate framework to	Favorable Evaluated by: Kylie McNaught 210-382-4295



Villalba	those facilities.		model healthy behaviors to the children in their care. The requirements laid out in HB 2664 will help reinforce the importance of diet and exercise in an effort to alleviate the increase to childhood obesity rates in recent years.	kylie@texaslsg.org
HB 2697 By: Price / Coleman / et al.	Relating to telemedicine and telehealth services.	Public Health	<p>Telemedicine and telehealth services are health care services provided by a physician using telecommunications or information technology; there are many benefits to utilizing telemedicine, including increased accessibility and cost-savings. Currently, a practitioner has to have established a patient-practitioner relationship in person to utilize telehealth; establishing this relationship is critical to ensure that there is adequate communication and cooperation between the practitioner and the patient, however, evidence shows the relationship can be effectively established through telecommunication. CSHB 2697 strikes language requiring the in-person establishment of this relationship and provides a clear regulatory structure for the establishment of a valid practitioner-patient relationship via other telecommunications methods.</p> <p>In order for the practitioner-patient relationship to be valid under HB 2697, the practitioner must provide a standard of care that is equal to that of the same health care service if it were being provided in person. Additionally, all communication with the patient should be pursuant to a call coverage agreement that is in accordance with established Texas Medical Board rules. The bill outlines acceptable forms of telecommunication technology to be utilized for the provision of telehealth services. It also instructs the practitioner providing the service to provide the patient with guidance on follow-up care and to provide relevant information to the patient’s primary care provider about the telemedicine services rendered, should the patient consent to the information transfer.</p> <p>The bill also instructs the Texas Medical Board, Texas Board of Pharmacy, Texas Board of Nursing, and Texas Physician Assistant Board to jointly adopt rules that establish valid prescribing practices to be utilized via telemedicine and to publish these rules in a “frequently asked questions” section on each respective Board’s website. HB 2697 explicitly prohibits a practitioner from utilizing telemedicine to prescribe an abortifacient or any other drug or device that would result in termination of a pregnancy. It also specifies that the provisions of this bill are not applicable for the delivery of mental health services.</p> <p>Lastly, HB 2697 states that a health benefit/insurance plan may not exclude telemedicine services from coverage of a health service or procedure delivered by a preferred health professional to a covered patient solely because the service is not provided through an in-person consultation. Health benefit plans may still require a deductible or a copay for a covered telemedicine healthcare service. The bill does not require health benefit plans to provide coverage for telemedicine and telehealth services, but offers provisions to clarify the manner in which telemedicine services can be covered. To ensure coverage transparency, each issuer of a health benefit plan is required to adopt and display the issuer’s policies and payment practices for telemedicine services in a conspicuous location on the plan’s website.</p>	Favorable Evaluated by: Tyler Anderson 210-382-4295 tyler@texaslsg.org
HB 2776 By: Smithee	Relating to the right of certain appellants to supersede a judgment or order on appeal.	Judiciary & Civil Jurisprudence	Requires the Supreme Court of Texas to adopt rules where the right of the state to supersede a judgment on appeal is not subject to being counter-superseded. Currently, when a plaintiff sues the state, the Texas Rules of Appellate Procedure (TRAP) allows the state to supersede a judgment or order in a civil suit on appeal. Some courts will allow a plaintiff to counter-supersede. This can result in substantial costs to the state, even when it prevails in the suit. HB 2776 clarifies that the state’s right to supersede a judgment or order cannot be counter-superseded under any rule in the TRAP.	Favorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org



<p>HB 2861 By: Phillips / Martinez, "Mando" / Israel</p>	<p>Relating to Texas Department of Transportation and regional mobility authority comprehensive development agreements.</p>	<p>Transportation</p>	<p>This bill amends the list of authorized projects that the Department of Transportation may enter into comprehensive development agreements in order to complete. These agreements between TxDOT and the applicable regional mobility authorities are for specific construction projects with the jurisdictions of the authorities. The additional permissions granted by HB 2861 have an expiration date of August 31, 2021 and include two classifications of projects. Existing projects include:</p> <ul style="list-style-type: none"> • The expansion of I-35 from Bexar to Comal Counties, • The South Padre Island Second Access Causeway in Cameron County, • The International Bridge Trade Corridor in Hidalgo County, and • The expansion of U.S. Highway 290 West in Travis County, among others detailed in the bill. <p>New projects that must be designed and implemented affecting:</p> <ul style="list-style-type: none"> • I-45 North in Harris County, • I-35 East in Dallas and Denton Counties between I-635 and Hwy 380, and • I-30 in Tarrant County between I-35 West and Fielder Road, among others detailed in the bill. <p>These projects have been identified as priority projects by the Department of Transportation.</p>	<p>Favorable Evaluated by: Andrea Elizondo 210-382-4295 andrea@texaslsg.org</p>
<p>HB 2888 By: Romero, Jr.</p>	<p>Relating to an inmate's completion of classes or programs before being released on parole.</p>	<p>Corrections</p>	<p>HB 2888 requires the Board of Pardons and Paroles (BPP) to identify any classes or programs intended for an individual eligible for parole to complete prior to release on parole as part of a person's initial review within 180 days of admission to the institutional division, and would require the board to provide the individual with a list of the intended classes. The bill further requires the Texas Department of Criminal Justice (TDCJ) to make reasonable efforts to provide an individual an opportunity to complete any required classes or programs included in the person's individual treatment plan other than those classes to be completed immediately before release on parole. The provisions within the bill prevent the delay of an individual's contingent release on parole due to incomplete classes per treatment plan requirements.</p> <p>HB 2888 will align Texas criminal justice and corrections statutes with the evidence-based process asserting that reentry begins the first day an individual is incarcerated. Current reporting requirements for individuals eligible for parole can cause delays in the completion of classes for parole release as some individuals, particularly non-violent, first-time offenders, may hear about required classes only once they attend their parole hearing. HB 2888 will save time as taxpayer dollars, as these required programs may take weeks to complete, and the individual is subsequently still confined within the institutional division. Should an individual be denied parole, the treatment resources will be given up front; this creates a possibility that TDCJ will need to guarantee there are enough placement slots in treatment programs due to limited availability.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org</p>
<p>HB 3019 By: Burkett</p>	<p>Relating to the prosecution for the offense of injury to a child, elderly individual, or disabled individual.</p>	<p>Criminal Jurisprudence</p>	<p>HB 3019 would allow for the owner or operator of a boarding home facility to be charged with a criminal offense for causing bodily injury to a child, elderly person, or person with a disability. This aligns boarding home operators with other professionals who own or operate nursing homes, assisted living facilities, and other congregate care settings. The owner commits the offense if he or she knowingly, recklessly, or with criminal negligence causes serious bodily injury including mental injury to an elderly person, person with a disability, or child within their care. Boarding homes are not licensed and regulated by the state, therefore they lack the critical oversight necessary to protect the vulnerable individuals residing in them. Boarding home residents are at significant risk of abuse, neglect, and exploitation; this bill protects vulnerable individuals by holding boarding home operators accountable to the same standards that apply to other comparable professionals.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org</p>



<p>HB 3131 By: Martinez, "Mando"</p>	<p>Relating to the disposal of certain motor vehicles to a motor vehicle demolisher; increasing a fee.</p>	<p>Licensing & Administrative Procedures</p>	<p>HB 3131 aims to clarify language and processes in regards to the application for authorization for demolishing and disposing of motor vehicles. During the interim the Texas Department of Motor Vehicles (TxDMV) heard from consumers and stakeholders, and it was found that language in the current statute for the application and process of disposing or demolishing a motor vehicle is redundant and confusing. This bill clarifies which owners and lienholders are eligible for selling, giving away or disposing of a motor vehicle.</p> <p>HB 3131 streamlines the process for which TxDMV must report the removal of an abandoned vehicle. This also adds in stipulation for notification to any owner or lienholders of a vehicle found abandoned to have a claim cutoff date of the 21st day of notification. Along with cleaning up the language around applications for selling motor vehicles for use of scrap metal, HB 3131 would require all registered owners and lienholders to be notified if an application is submitted to TxDMV. This bill increases the application fee from \$2.00 to \$10.00.</p> <p>This bill helps to streamline the process for individuals who wish to submit applications to sell, dispose of or give away a motor vehicle. Provision are set to both help the consumers and stakeholders understand the process. Effectively, this bill will help to prevent fraud and protect consumers.</p>	<p>Favorable Evaluated by: Arielle Day 210-382-4295 arielle@texaslsg.org</p>
<p>HB 3294 By: Parker</p>	<p>Relating to the eligibility of certain NASCAR events to receive funding through the Major Events Reimbursement Program.</p>	<p>Economic & Small Business Development</p>	<p>This bill expands events that are eligible for the Major Events Reimbursement Program (MERP); under this bill, two additional NASCAR events would now be eligible for the MERP. Major events such as NASCAR events are an important inclusion in the Texas economy, any incentive to bring these major sporting events to the state would be beneficial to all Texans.</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 tyler@texaslsg.org</p>
<p>HB 3166 By: Lucio III</p>	<p>Relating to the consideration of modeled sustainable groundwater pumping in the adoption of desired future conditions in groundwater conservation districts.</p>	<p>Natural Resources</p>	<p>HB 3166 amends the Water Code to expand the considerations a Groundwater Conservation District must factor when deciding the desired future conditions to include modeled sustainable groundwater pumping. The Executive Administrator of the Texas Water Development Board would take into consideration the maximum amount of groundwater that may be produced annually in perpetuity. This consideration incorporates the best available data when a groundwater conservation district is making decisions regarding aquifer levels that would serve in the best interest in the health of the aquifer. This calculation will not be made in management area which wholly or partially overlies an aquifer where a landowner is qualified for cost depletion deduction for water withdrawn for irrigation purposes under federal tax law.</p>	<p>Favorable Evaluated by: Erin Eriksen 210-382-4295 erin@texaslsg.org</p>
<p>HB 117 By: White / Anderson, Rodney</p>	<p>Relating to ethyl alcohol monitoring as a condition of community supervision for certain intoxication offenses; authorizing the imposition of costs.</p>	<p>Corrections</p>	<p>CSHB 117 amends the Code of Criminal Procedure to include ethyl alcohol monitoring as a condition of community supervision. Ethyl alcohol monitoring devices either are worn by a defendant to detect ethyl alcohol through perspiration or requires them to carry and provide breath samples. Certain individuals who have been convicted of a DWI are at a high risk of reoffending. Those who had detected a blood alcohol content (BAC) of .15 are at the highest risk of reoffending. Some believe that more individuals who pose this risk should receive an ethyl alcohol monitoring device as part of their community supervision.</p> <p>Under this bill, the device could be required in congruence with an ignition interlock device. This could also be provided to those who can show that they neither have a care nor access to one. Those on community supervision may be required to pay for the device as a condition of the sentence. The device could be around \$75 to install or place on the defendant and approximately \$360 per month. Those who can provide an affidavit proving they are indigent may be eligible to have the fee waived or create a payment plan. The bill lays out provisions those who tamper with the device or falsify information regarding the access to a vehicle or their income. This bill</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org</p>



			could serve to keep Texans on the roadways safer by reducing the number of DWI re-offenses. Along with this the bill would have little to no financial impact to low-income Texans who may be required to use this device.	
HB 3151 By: Sheffield	Relating to demonstration projects to coordinate eligibility renewal and eligibility recertification for certain children in the Medicaid and child health plan programs.	Human Services	<p>CSHB 3151 requires that the Health and Human Services Commission (HHSC) establish a demonstration project under the child health plan program (CHIP), allowing for renewal of eligibility or recertification for multiple children in a household. The bill also requires HHSC establish a similar demonstration project under Medicaid. At this time, families who have multiple children who are enrolled in CHIP or Medicaid are required to renew each child at different times throughout the year.</p> <p>This bill allows HHSC to create provisions for establishing the demonstration projects. HHSC will be prohibited from increasing the frequency on the renewal process. For the Medicaid demonstration project the bill lays out specific eligibility requirements for those who can participate in the program. The Medicaid demonstration project will also verify income eligibility twice per year under this program. A report of the program would be provide to legislature no later than December 1, 2020.</p> <p>Due to the current renewal and recertification structure of CHIP and Medicaid, children are at risk of facing a gap in coverage for up to one year, due to their parents having to keep up with multiple dates, documents and criteria. CSHB 3151 will all coverage to be streamlined and ensure that low-income families with multiple children will not go without health insurance.</p>	Favorable Evaluated by: Kylie McNaught 210-382-4295 kylie@texaslsg.org
HB 337 By: Collier / Anderson, Charles "Doc" / Coleman / Longoria / Phelan	Relating to the continuation of certain public benefits, including medical assistance benefits, for individuals after release from confinement in a county jail.	Public Health	<p>It is common for individuals who become incarcerated in county jails to suffer from mental illness or other critical health conditions; many of these individuals are recipients of Medicaid, Supplemental Security Income, or Social Security Disability benefits. Currently, an individual's Medicaid/SSI eligibility is automatically terminated 30-days post incarceration; upon release, these individuals are left to navigate the complex process of benefit reapplication, interrupting their continuity of care and leaving them uninsured for an extended period of time. This leads to increased ER visits and uncompensated care costs absorbed by counties; in 2015, both Harris County and Dallas County paid upward of \$1 billion in uncompensated care costs.</p> <p>To combat this issue, HB 337 provides an avenue for individuals who receive Medicaid to have their benefits suspended instead of terminated should they become confined in a county jail. The provisions of the bill outline the process by which HHSC will determine an individual's Medicaid eligibility, and whether to suspend or terminate those benefits. The provisions of the bill require HHSC to:</p> <ul style="list-style-type: none"> Suspend the Medicaid eligibility of an individual who has been confined in a county jail and charged, but not convicted of an offense as soon as they are made aware of the individual's confinement Determine whether to terminate or suspend an individual's Medicaid eligibility if the individual has been convicted of an confined for an offense Reinstate an individual's Medicaid eligibility that has been suspended due to confinement no later than 48 hours after the commission is notified of that individual's release, provided that the individual's eligibility certification period has not elapsed <p>The bill provides an avenue for sheriff's, county jails, and employees of these entities to report the aforementioned information to HHSC via electronic communication. The bill doesn't require that these entities report to HHSC, but if they do, they are also required to report to the US Social Security Administration prior to the individual's release within 48 hours of that release. It would also allow sheriff's and counties to enter into an agreement with a third party to assist with providing reintegration resources or services to individuals who are released from jail. Finally, the bill would require entities that choose to opt into this reporting system to also</p>	Favorable Evaluated by: Tyler Anderson 210-382-4295 tyler@texaslsg.org



			<p>provide the incarcerated individual with a written copy of applicable records and the contact information for HHSC prior to the individual's release.</p> <p>HB 337 does not expand Medicaid eligibility or benefits, it simply reconnects already-eligible individuals to their benefits more efficiently. The reinstatement of individual's Medicaid and SSI benefits will allow them to continue receiving essential healthcare without interruption, and will likely have a significant financial benefit to counties. Additionally, this continuity of care will contribute to reduced recidivism rates by making it easier for formerly incarcerated individuals to reintegrate into society.</p>	
<p>HB 374 By: Johnson, Jarvis / Arévalo / Bell / Thierry / Giddings / et al.</p>	<p>Relating to the requirement that the Texas Workforce Commission provide certain employment information for secondary school students.</p>	<p>Economic & Small Business Development</p>	<p>Currently, high schools are primarily focused on developing their students' college readiness; while this is important, not all students will attend four-year institutions after high school. Additionally, 55% of all jobs in Texas are middle skilled jobs that require continuing education that is not a bachelor's degree. It is critical that high school students are made aware of internships, apprenticeships, and technical programs that can provide them with the vital skills necessary to obtain a middle skilled, good paying job.</p> <p>CSHB 374 would require the Texas Workforce Commission to provide information to the Texas Education Agency quarterly regarding career and technical education partnerships with businesses and industry. This information will be made available to secondary school students to increase their knowledge and interest in available post-secondary education and career paths. CSHB 734 increases high school student's career options and offers an alternative route for those students who do not intend to attend a four-year university.</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 tyler@texaslsg.org</p>
<p>HB 362 By: Moody</p>	<p>Relating to the procedure for rearrest and adjustment of the bond amount in certain criminal cases.</p>	<p>Criminal Jurisprudence</p>	<p>HB 362 prohibits a judge or magistrate from re-arresting an individual accused of a criminal conviction or giving an increased bail bond if the person is formally charged with the same offense for which they were originally arrested, unless they provide notice and, on request, an opportunity for a hearing. Currently when a person is indicted, a judge can change the bond amount without notice. HB 362 would promote fundamental fairness in the Texas criminal justice system.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org</p>
<p>HB 3969 By: King, Ken</p>	<p>Relating to a study regarding the feasibility of implementing a central filing system for the filing of financing statements for agricultural liens.</p>	<p>Agriculture & Livestock</p>	<p>Requires the secretary of state to conduct a study on the feasibility of developing and implementing a central filing system. This system would be used for filing all financial statements covering farm products that are sold and purchased in this state and subject to an agricultural lien. HB 3969 also specifies that this study must evaluate a system that allows a secured party to file a financing statement that covers farm products in the system, and that allows a buyer, commission merchant, selling agent or other person to search the system for determining whether the farm product is subject to an agricultural lien. A central filing system relating to agricultural liens could be beneficial towards clearing confusion for parties on agricultural liens. This study must be completed no later than January 8, 2019, and shall report the results, any recommendations and related proposals for legislation to the Texas Legislature.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org</p>
<p>HB 553 By: White / Johnson, Jarvis</p>	<p>Relating to the creation of a task force to identify opportunities for academic credit and industry recognition for inmates of the Texas Department of Criminal Justice.</p>	<p>Corrections</p>	<p>HB 553 seeks to create a task force for the purposes of a collaborative effort between The Windham School District, the Texas Department of Justice, and other important stakeholders to review the work and other activities of those confined or imprisoned engage as to increase access to high school and college credit and industry certifications. The bill lays out the composition of the 9-person task force, with the governor appointing designated member as the presiding officer. Gifts and grants may be accepted for the purposes of fulfilling the mission of the task force.</p> <p>Task force will not be compensated, but may be reimbursed for actual and necessary costs incurred. The task force must meet quarterly and at another other time when requested by the presiding officer and will: conduct ongoing reviews of the work or other productive activities and identity opportunities to receive high school or college level credit or an industry recognized credential or certificate.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org</p>



			Once every four years, the task force is required to submit a report to the governor, lieutenant governor, the speaker of the house, and the standing committee within the legislature with jurisdiction over the department including a review of the task force and steps taken to award academic credit or credentials. The chapter of the Government Code regarding advisory committees does not apply to this task force. The task force must submit its first report not later than December 31st, 2020.	
HB 891 By: Raymond	Relating to the creation of the offense of theft of petroleum product.	Energy Resources	HB 891 relates to the creation of a new offense for unauthorized transactions involving crude oil, natural gas, or condensate. Currently there are multiple occurrences of oil and gas related theft and vandalism in the, particularly in the Permian Basin. HB 891 seeks to provide a deterrent for criminals to minimize effect on the industry by creating a penalty ladder ranging from a state jail felony to a first-degree felony depending on the total value of the petroleum product appropriated.	Favorable Evaluated by: Fabeain Barkwell 210-382-4295 fabeain@texaslsg.org
HB 4032 By: Phillips	Relating to annual limitations on the reimbursement of expenses incurred by district court reporters.	Judiciary & Civil Jurisprudence	Allows a court reporter to receive more than the maximum reimbursement set for a court report's judicial district upon approval by the commissioner's court of the county. The annual maximum reimbursement amount for judicial districts needs to be more flexible in order to account for actual and necessary expenses entitled to reimbursement for court reporters engaged in their official duties.	Favorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org
HB 1583 By: Cortez / Uresti, Tomas / et al.	Relating to the use of epinephrine auto-injectors on private school campuses and at or in transit to or from off-campus school events.	Public Education	Public schools and open enrollment charter schools are required to have epinephrine auto-injectors available to treat individuals suffering from anaphylaxis who may have an undiagnosed food allergy. HB 1583 enhances the safety of private school students by extending this requirement to private schools in the same manner that it exist under current law for public schools and open enrollment charter schools.	Favorable Evaluated by: Arielle Day 210-382-4295 arielle@texaslsg.org
HB 1075 By: Thompson, Ed	Relating to the frequency of criminal background checks for sports officials registered with the University Interscholastic League.	Public Education	The intent of this bill is to ensure the safety and accountability of all student athletes. HB 1775 requires University Interscholastic League sports officials to undergo an initial criminal background check when registering with the league. The bill also requires them to undergo a subsequent criminal background check once every three years.	Favorable Evaluated by: Arielle Day 210-382-4295 arielle@texaslsg.org
HB 1744 By: Murr	Relating to the payment of certain costs associated with certain assignments of a statutory probate court judge.	Judiciary & Civil Jurisprudence	If a party to a probate proceeding files a motion for the assignment of a statutory probate court judge in circumstances involving counties where there is no statutory probate court or county court at law exercising original probate jurisdiction, HB 1744 mandates that counties be reimbursed either out of the estate or from one or more of the parties of the probate proceeding. On the one hand, the cost of some of these probate cases may be an unreasonable burden on some counties. On the other hand, placing the burden of these cases onto the parties involved in the probate proceeding may also be an unreasonable burden to require.	Will of the House Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org
HB 4102 By: Neave / González, Mary / Villalba	Relating to establishing and funding a grant program for testing evidence collected in relation to sexual assaults or other sex offenses; authorizing voluntary	Criminal Jurisprudence	This bill established and creates a voluntary donation fund to go towards testing evidence regarding sexual offenses. This allows for individuals who are renewing or registering a motor vehicle to contribute a donation of any size to the evidence testing grant program. The program would be designed to assist law agencies or counties in testing evidence for sexual assaults or other sexual offences.	Favorable Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org



	contributions.		<p>In 2011 legislation was passed to ensure rape kits get turned over to labs for testing regardless of whether the perpetrator is in jail. Due to that, appropriations of \$11 million were made in 2013 to test all rape kits from 1996-2011, reported at a 20,000-kit backlog as of August 2011 from the Texas Department of Public Safety. Unfortunately, previous grant funding will not address future backlogs. This bill will provide a temporary solution in addressing the remaining backlog of untested rape kits, each of which can cost \$500 to \$2,000 per test depending on the contained DNA evidence.</p> <p>CSHB 4102 would create an evidence testing account that would be held under the General Revenue Fund of the state treasury. Allowing for money in this account to only be appropriated for the purpose of distributing the evidence testing grant program. This bill will create a positive impact on the backlog of rape kits that remain untested. CSHB 4102 will allow victims of sexual assault to come a step closer to justice.</p>	
HB 1877 By: Murr	Relating to a penalty for independent executors who misrepresent in an affidavit in lieu of the inventory, appraisement, and list of claims that certain beneficiaries received the inventory and appraisement.	Judiciary & Civil Jurisprudence	<p>Courts may fine up to \$1,000 for independent executors who have been found to misrepresent in an affidavit that beneficiaries received a full and detailed report on inventory, appraisement and list of claims. There are no damage fee structures currently in place for courts, yet there have been reports that some independent executors of estates fail to provide these full reports and lists of claims to beneficiaries and file per-jurious affidavits that misrepresent this detail. Independent executors have a stake in wills and might be tempted to hold cost down of the appraisement that they make. This bill makes the independent executor and the executor's sureties, if any, liable for any such fine and damages and costs sustained by their misrepresentation. HB 1877 also authorizes the recovery of the fine, damages and costs in any court of competent jurisdiction.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 serena@texaslsg.org</p>

