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LSG Floor Report For Postponed Business- Monday, May 8, 2017

<p>HB 2381 By: Frullo</p>	<p>Relating to the applicability of the sales and use tax to certain insurance services.</p>	<p>Ways & Means</p>	<p>This bill exempts certain insurance-related services performed by a certified public accountant from the sales tax. Taxable insurance services currently include</p> <ul style="list-style-type: none"> • loss or damage appraisal, • inspection and investigation, • actuarial analysis or research, • claims adjustment or processing, and • loss prevention services. <p>Under HB 2381, any services performed by a CPA firm relating to one of the services listed above would not be taxable as long as the total cost of those services does not exceed 1% of the firm’s revenue for the calendar year. This clarifies some confusion around how to apply the sales tax at this intersection of insurance and accounting services, as accounting services are not currently subject to the sales tax.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>
<p>HB 446 By: Bell</p>	<p>Relating to refunds of certain bingo licensing and registration fees.</p>	<p>Licensing & Administrative Procedures</p>	<p>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 There are many reasons that an individual could request that their application be withdrawn, and HB 446 provides a mechanism to make sure that those requests are honored.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>
<p>HB 1242 By: Schofield</p>	<p>Relating to requirements relating to an application for a place on the ballot.</p>	<p>Elections</p>	<p>HB 1242 amends the Elections Code to alleviate challenges on judicial candidates and adds a provision for required signatures to a petition to preclude those without a reasonable investment in candidacy. This bill applies to candidates for: chief justice or justice of a court of appeals that serves a court of appeals district in which a county with a population of more than one million is wholly or partly situated; district or criminal district judge of a court in a judicial district wholly contained in a county with a population of more than 1.5 million; and, a judge of a statutory county court in a county with a population of more than 1.5 million. HB 1242 moves the day when a petition can be challenged from the first day of early voting to the first day when ballots are mailed out to an address in the jurisdiction. The authority is only required to review the petition if a challenge is made. When a challenge on a petition occurs, the</p>	<p>Unfavorable Evaluated by: Erin Eriksen 210-382-4295 erin@texaslsg.org</p>

			authority may only review what the challenger identified as noncompliant to the requirements as to form, content, and procedure. To be placed on the primary ballot a candidate who chooses to pay a filing fee is also required to get 250 signatures on the petition. If a filing fee is not paid then the signature requirement increases to 500. Signatures obtained may not be on the grounds of a county courthouse or courthouse annex. A candidate for chief justice or justice, supreme court, or presiding judge or court of criminal appeals who chooses to pay a filing fee must also obtain 50 from each court of appeals district.	
HB 2780 By: Paddie / Darby / Ashby / Geren / Phelan / et al.	Relating to the purchase of iron and steel products made in the United States for certain governmental entity projects.	State Affairs	<p>In recent years, many iron and steel manufacturing facilities in Texas have been forced to close due to foreign countries that violate trade laws and subsidize their iron and steel products to sell at rates significantly lower than the US market value. Over 1.5 million tons of foreign steel were imported and sold in Texas last year at below market rates; with foreign products available at such low prices, it is almost impossible for US iron and steel manufacturers to compete. This has not only negatively impacted the Texas economy, but has created significant job loss within the manufacturing industry.</p> <p>CSHB 2780 would require state contracts for remodeling, constructing, or altering any buildings or infrastructure to include in the documents provided to contract bidders a provision that any iron or steel product used in the project must be produced in the United States. The bill outlines exemptions for certain projects where the entity determines that use of US iron and steel products will increase the total cost of the project by more than 20%, there is inadequate availability of these products, or complying with this law does not serve the public interest. These type of domestic preference laws are widely utilized on major projects, such as the federal aid highway program, to promote domestic purchasing. This “buy America” bill ensures that Texas is investing its money in products that promote both economic prosperity and job growth for the US and Texas. Additionally, it will put many iron and steelworkers who have been laid off back to work, which can restore devastating effects on families and communities.</p>	Favorable Evaluated by: Tyler Anderson 210-382-4295 tyler@texaslsg.org
HB 2021 By: Hunter / Herrero	Relating to the duration of certain protective orders against family violence.	Juvenile Justice & Family Issues	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.	Favorable Evaluated by: Arielle Day 210-382-4295 arielle@texaslsg.org
HB 1985 By: Flynn	Relating to debt cancellation agreements offered in connection with certain retail installment contracts and leases for vehicles.	Investments & Financial Services	<p>HB 1985 allows consumers to purchase a debt cancellation agreement (DCA) in connection with a retail installment contract in the case that insurance coverage is required for a vehicle as part of the retail buyer’s responsibility to the holder. The bill re-designates Subchapter G (“Certain Debt Cancellation Agreements”), Chapter 348 (“Motor Vehicle Installment Sales”) as Chapter 354 (“Debt Cancellation Agreements for Certain Retail Vehicle Installment Sales”); this change clarifies language referring to retail installment contracts and expands eligibility for all “covered vehicles”, which is defined as a self-propelled or towed vehicle designed for personal use and includes an automobile, truck, motorcycle, recreational vehicle, all-terrain vehicle, snowmobile, camper, boat, personal watercraft, and personal watercraft trailer. A DCA refers to a contractual arrangement modifying a contract term under which a retail seller agrees to cancel all or part of an obligation of the retail buyer to repay an extension of credit from the retail seller on occurrence of the total loss or theft of the covered vehicle, but does not offer to pay a specified amount. Notable statutes amended within the bill outline required language for DCAs and procedures regarding refunds for DCAs.</p> <p>The bill further adds Chapter 397 (“Debt Cancellation Agreements for Certain Vehicle Leases”) to Title 5 (“Protection of Consumers of Financial Services”), Finance Code. Provisions within this section exempt leases that are retail installment transactions under bailment, and expressly clarifies that a DCA is not a substitute for insurance. Further provisions outline limitations on certain DCAs, required and exclusion language, additional requirements, and refund requirements. Should the Attorney General believe a person is or is about to</p>	Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org



			<p>violate these provisions, they may bring an action in the name of the state against the person to restrain or enjoin them from violation. The bill has an effective date of September 1, 2017.</p> <p>In 2011, the Texas Legislature passed statutes that allowed for consumer protection as well as a predictable regulatory framework as a result of negotiating with the debt cancellation industry and the Office of Consumer Credit Commissioner. Adding these provisions allows consumer choices within this framework.</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 3746 By: Phelan</p>	<p>Relating to the permissible uses of the floodplain management account.</p>	<p>Natural Resources</p>	<p>HB 3746 amends the Water Code to allow the Texas Water Development Board (TWDB) to allow the floodplain management account to be used for: the collection and analysis of floodplain information; flood planning, protection, mitigation, or adaption; and, public outreach education.</p>	<p>Favorable Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org</p>
<p>HB 1480 By: Thompson, Senfronia</p>	<p>Relating to a writ of mandamus by a court of appeals against an associate judge in certain cases</p>	<p>Judiciary and Civil Jurisprudence</p>	<p>Authorizes writs of mandamus against associate judges appointed under certain provisions of the Family Code. Currently, the courts of appeals are not authorized to issue writs of mandamus against associate judges who may commit an abuse of discretion, even though a writ of mandamus may be issued against a judge of a district or county court. In larger counties, the bulk of family law practice is often in front of associate judges. Having to go through a different process, such as a de novo appeal, to rectify situations of an abuse of discretion is a costly and timely process for clients. HB 1480 simply clarifies this inconsistency so that associate judges appointed under the Family Code can be issued a writ of mandamus just as district or county judges.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>HB 3026 By: Phelan / Rodriguez, Justin / Dean / Walle</p>	<p>Relating to the abolishment of the used oil recycling account, deposits of used oil recycling fees, and use of the water resource management account.</p>	<p>Appropriations</p>	<p>This bill transfers funds and responsibilities from the Used Oil Recycling Account to the Water Resource Management Account and abolishes the UORA. The influx of the UORA's existing balance, estimated at \$21.3 million by the end of FY 2017, as well as the \$2.2 million in annual collections, would allow the Texas Commission on Environmental Quality to avoid raising its fees associated with the WRMA. Local governments are primarily responsible for the WRMA's fees, so HB 3026 would avoid increasing their expenditures. The programs funded by both accounts would continue after the consolidation.</p>	<p>Favorable Evaluated by: Joel Kissell 210-382-4295 Joel@Texaslsg.org</p>
<p>HB 1583 By: Cortez / Uresti, Tomas / et al.</p>	<p>Relating to the use of epinephrine auto-injectors on private school campuses and at or in transit to or from off-campus school events.</p>	<p>Public Education</p>	<p>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.</p>	<p>Favorable Evaluated by: Arielle Day 210-382-4295 arielle@texaslsg.org</p>
<p>HB 500 By: Geren / Johnson, Eric / Howard / King, Phil / Davis, Sarah / et al.</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 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>Favorable Evaluated by: Ana Ramon 210-382-4295 Ana@Texaslsg.org</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.	
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 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 1935 Frullo / Dutton / Kuempel / Moody / Springer / et al.	Relating to the carrying of certain knives.	Criminal Jurisprudence	HB 1935 removes certain knives from classes of prohibited weapons, subsequently repealing criminal sanctions and amending school punishment for the use or possession of an illegal knife. Under the bill, a student may be expelled for using, exhibiting, or possessing the following knives while on school property or while attending a school-sponsored or school-related activity on or off school property: <ul style="list-style-type: none"> • A knife with a blade over 5.5 inches, • A hand instrument designed to cut or stab another by being thrown, • A dagger, including a dirk, stiletto, and poniard, • A bowie knife, • A sword, or • A spear. Effectively under this bill, the use or possession of previously mentioned knives no longer constitutes a state jail felony or misdemeanor, and removes these weapons from places prohibiting illegal weapons. As there is not a consistent definition for what constitutes an “illegal knife” in statute, confusion exists between citizens, law enforcement, and courts. HB 1935 seeks to provide school districts with more discretion relating to punishment for students possessing or using the aforementioned types of knives on campus or at school-related events. This legislation does not impact criminal offenses for individuals utilizing an illegal knife to harm others, and most crimes are committed with kitchen knives. State jail felony and misdemeanor convictions are disproportionately	Favorable Evaluated by: Katherine Kirages 210-382-4295 katherine@texaslsg.org



enforced against younger people of color; HB 1935 would ensure young people are not faced with premature legal obstacles that can have a detrimental impact on their educational and career futures.

LSG Floor Report For Emergency Calendar Monday, May 8, 2017

<p>HB 7 By: Wu / Raymond / Davis, Sarah / Rose / Zerwas / et al.</p>	<p>Relating to child protective services suits, motions, and services by the Department of Family and Protective Services.</p>	<p>Human Services</p>	<p>HB 7 seeks to create regulation around the court processes regarding Child Protective Services (CPS) cases. It has been found that an important problem within CPS and foster care services is the collaboration issues between the courts and the Department of Family and Protective Services (DFPS). HB 7 takes on many tasks performed by both DFPS and the family court system to ensure there are clear standards for which cases may be handled. The bill requires for DFPS to collaborate with the Texas Department of Juvenile Justice in coordinating services and ensure there will not be any duplicate services. DFPS will also be required to review jury questions for any necessary inquiries that should be added during a parent-child case. The bill also adds provisions around periodic support payments for a child in conservatorship to DFPS by a parent, and does not require payments to be made if a case is pending.</p> <p>Parental Termination This bill prevents a parent-child relationship from being terminated on the basis that:</p> <ul style="list-style-type: none"> • A child is homeschooled. • The family is economically disadvantaged. • The parents reasonably disciplined their child. • The parent has been charged with a nonviolent misdemeanor. <p>HB 7 amends the Family Code to add that termination can only be ordered by the court upon clear and convincing evidence. The bill also adds a new subchapter into the Family Code, Subchapter F, which is regarding a protective order in certain cases of abuse or neglect. It also adds provisions for which the court can enter an ex parte order, without a hearing in order to protect the child. Under this bill, parents would be afforded the opportunity to oppose the suit, allowing for the court to postpone the adversary hearing for seven days while the parents obtain an attorney.</p> <p>Review of Placement Should a child be placed in temporary or permanent managing conservatorship (PMC), each hearing will require the court to review the placement. The court will continuously inquire about the availability of a relative or designated caregiver. This is particularly important as research has shown, that kinship caregivers provide the best outcome for a child, should that child need to be removed. Allowing a child to live with relatives or designated caregivers such as godparents helps to reduce the trauma of removal. HB 7 also allows for a parent to enter a child into voluntary temporary managing conservatorship. This would not be construed as an admission to actions that may have harmed the child. This may take place in a scenario where a parent may not feel it is in the best interest of the child to stay with them, due to monetary issues or feels the child needs to temporarily live in another home.</p> <p>Service Plans The bill adds more provisions to the service plans provided to the parents by the court. This will allow the judge to modify the service plan as necessary. DFPS would be required to make any referrals for services ordered to the parents and provide any necessary information on service providers within five days of the parent obtaining the service plan.</p>	<p>Favorable Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org</p>
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<p>HB 6 By: Frank / Raymond / Klick / Dale / et al.</p>	<p>Relating to the administration of services provided by the Department of Family and Protective Services, including foster care, child protective services, and prevention and early intervention services.</p>	<p>Human Services</p>	<p>HB 6 aims to take on the difficult task of redesigning foster care in Texas, by creating a community-based foster care program, through which a single source continuum contractor (SSCC) can contract with the Department of Family and Protective Services (DFPS) to provide child placement and case management. On Thursday December 17, 2015, United States District Judge Janis Jack of Corpus Christi ruled that Texas’ foster care system was violating the constitutional rights of children. She sighted years of neglect and inappropriate placements that left children to have multiple placements. In some Texas counties, the average number of placements can be up to 15 per child. At any time, there are roughly 30,000 children in conservatorship care in Texas. These children are trapped in a broken system that can lead to further abuse and neglect they may have already been subjected to. The issue of foster care is a decades long problem, past attempts have been made to overhaul the system but to no avail. What remains is a shortage of foster care capacity, leaving foster parents overwhelmed with little support due to continuously high turnover rates of CPS case workers. HB 6 is the legislatures newest attempt to mend the wounds of Texas foster care.</p> <p>Community-Based Foster Care The bill seeks to redesign foster care requiring DFPS to contract with community-based, nonprofits, including faith based organizations, to provide child placement and case management services. The nonprofits work through the SSCC to meet the goals and requirements laid out by the bill. The bill requires that an organization place children in the least-restrictive environment with an emphasis on a family home environment if possible, being kinship or foster care. The ultimate goal would remain family reunification whenever possible for the child.</p> <p>Different from other proposals of foster care redesign, HB 6 privatizes case management by taking this service from DFPS and placing them into nonprofits contracting with the SSCC. The bill lays out the duties that would be required of the case workers under the SSCC. Little department oversight would be required of DFPS. However, before a catchment area can implemented, case management services within DFPS must conduct a readiness review of an SSCC. Qualifications of an SSCC are laid out in the bill and they would be required to hold a license from the DFPS. The bill also offers a contingency plan for the termination of contracts.</p> <p>Program Expansion HB 6 provides a roll out plan for both community based foster care and transfer of case management services.</p> <ul style="list-style-type: none"> • The bill give a deadline of December 21, 2019 for DFPS to identify no more than eight catchment areas they find will best implement community-based foster care. • Provisions of expanding case management services will be slower, allowing DFPS to identify only two catchment areas to initially transfer services too. • Case management may not be transferred to an SSCC until foster care services are successfully transferred. • Annually DFPS shall report to the legislature the readiness of remaining catchment areas • Based on availability of funds and readiness of remaining catchment areas DFPS would create a timeline for the continued roll out of services. <p>Oversight A community engagement group will be implemented in each catchment area by utilizing community stakeholders. The group will be responsible for reporting feedback of the program implementation to DFPS. They will also be responsible for helping an SSCC to facilitate the use of local prevention and early intervention resources as well as other community resources.</p> <p>The Child Protective Services Legislative Oversight Committee would be comprised of members of both legislative chambers and members of the public appointed by the governor. The duties of the committee are outlined in the bill and rely mostly on the facilitation of transferring services and the reorganization of DFPS administrative structure.</p> <p>Medical and Mental Health Screenings</p>	<p>Favorable w/ Concerns Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org</p>
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The bill provides new provisions for medical and mental health screenings. Currently DFPS policies for medical and mental health screenings of a child that has been taken into conservatorship is within 30 days. This requires that screenings be conducted within three days for urban and suburban communities and five days for rural communities. It would also be required that any movement of placement of a child who is enrolled in the STAR Health Program notify the Managed Care Organization (MCO) within 24 hours.

Foster Capacity Needs Plan

One of the major issues facing children in the child welfare system is the limited number of foster parents. The causes of this include both the overwhelming nature of taking in a child with little support from the department and the financial burden it can put upon a family. HB 6 would require DFPS to provide monetary assistance for day care to foster parents who work full or part-time. This will help to incentivize more foster care parents to take on this important responsibility and assist those who have already done so. DFPS would also be required to develop a plan to mitigate the foster care capacity crisis. This would be done in collaboration with advocacy groups, faith-based entities and nonprofits through the collection of data on the need and availability per region. It requires both short-term and long-term goals.

Concerns

- This bill transfers for the first time, case management away from the state with minimal government oversight. Some agencies who take on this great responsibility lack the decades of experience with foster children and case management that many DFPS workers have.
- While a pilot program for placement has already been implemented in the Ft. Worth area and has shown success, rural areas may not have the same resources.
- Privatization of foster care has been attempted in three states, and has been found to be no more successful than the current system Texas has now.
- Initial roll out for the program expansion is only a maximum two years and reconsidered annually thereafter, such a monumental project should be allowed more time to be thoughtfully implementing.
- While the bill does not expressly state provisions for it, many have concerns that faith-based organizations may be at liberty institute discriminatory practices. The bill does not expressly protect children who may be denied services if they are LGBTQI+ or protect same-sex couples seeking to adopt. Some are concerned that religious entities may deny abortion access to teens in the system who have been sexually assaulted or are victims of sex-trafficking. Though protections for these seem implied, there are many loopholes in state and federal law that allow faith-based organizations to hold discriminatory practices.
- The bill does not address high turnover rates of case workers, nor does it address the limited amount of available services and resources to the children.

Currently, 30% of children who remain in foster care more than two-years lower their likelihood of permanency. The goal of CPS is family reunification yet when this does not work the child is placed in Permanent Managing Conservatorship (PMC), or foster care, at this point children are essentially the ward of the state. Adoption in Texas remains a long, tedious and expensive process. Leaving many children to be bounced from home to home. HB 6 is certainly a step in the right direction. Prioritizing the need for a child to remain within their community and thus disrupt normalcy as little as possible will help many children cope with the trauma of entering conservatorship. There is no doubt that the system as is in dire straits, as children continue to run away, sleep in caseworker offices or worse. Regardless of this, there should be thoughtful consideration in the capacity private entities have to carry out a such a huge project, especially as it affects the lives of our most vulnerable citizens.



LSG Floor Report For Constitutional Amendments Calendar- Monday, May 8, 2017

<p>HJR 21 By: Bell / Metcalf / Guillen / Shine / Blanco</p>	<p>Proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related provisions of the Texas Constitution.</p>	<p>Ways & Means</p>	<p>HJR 21 proposes a constitutional amendment authorizing the Legislature to expand the circumstances in which a charitable organization donates a residence homestead to a partially disabled veteran or their spouse that would be eligible for ad valorem exemptions of part of the market value of the residence homestead. The bill expands ad valorem exemptions to include any residence homestead donated by a charitable organization for less than the market value of the residence homestead. HJR 21 would ensure disabled veterans and surviving spouses of disabled veterans do not face serious financial strains or tax burdens, regardless of how the property was donated.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>
<p>HJR 52 By: Turner</p>	<p>Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation a portion of the assessed value of certain real property used to provide housing to certain individuals with disabilities.</p>	<p>Ways & Means</p>	<p>HJR 52 proposes a constitutional amendment authorizing the Legislature to exempt properties which provide housing to persons with disabilities from a portion of the appraisal value for property taxes. The bill specifies that the portion exempted would be an amount equal to the costs incurred to maintain, operate, and make improvements to the property. The bill further allows the Legislature to create eligibility requirements and formulas to determine the amount of exemption a property is entitled to in a tax year.</p> <p>Medicaid homes and community-based service providers are already partially funded with public money, but for the 2,500 intermediate care facilities and home & community-based services in Texas, this public tax money is going towards local ad valorem taxes. HJR 52 will ensure that Medicaid and state-funded money goes towards its intended use to serve clients, and that money from the tax exemption would be used to address infrastructure needs that providers have been struggling with throughout the state.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>
<p>HJR 36 By: González, Mary / Sheffield / Thompson, Senfronia / Walle / Murr</p>	<p>Proposing a constitutional amendment providing for the issuance of additional general obligation bonds by the Texas Water Development Board to provide assistance to economically distressed areas.</p>	<p>Natural Resources</p>	<p>HJR 36 is seeking to add a proposition to the November 7th, 2017 ballot regarding the issuance of a general obligation bond not to exceed \$200 million for the Economically Distressed Areas Program (EDAP) under the Texas Water Development Board(TWDB) Water Development Fund II. EDAP is an extremely important program that offers financial assistance for first time and improvements for water and wastewater infrastructures. This will help ensure that all Texans have access to safe drinking water and working wastewater components which is vital for their well-being</p>	<p>Favorable Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org</p>

LSG Floor Report For General Calendar- Monday, May 8, 2017

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
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<p>HB 1856 By: King, Ken</p>	<p>Relating to the creation of a defense under the Solid Waste Disposal Act for persons engaged in certain scrap metal recycling transactions.</p>	<p>Environmental Regulation</p>	<p>HB 1856 would allow a Metal Recycling Entity (MRE) a defense to prosecution of pollution if the company that was contracted with to dispose of the material commits violations under the Solid Waste Disposal Act and subsequently goes out of business. This would relieve the MRE of undue prosecution for violations committed by another company.</p>	<p>Will of the House Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org</p>
<p>HB 2052 By: Phelan</p>	<p>Relating to a tree planting credit to offset tree mitigation fees imposed by a municipality.</p>	<p>Urban Affairs</p>	<p>This bill implements a tax credit for a tree mitigation fee. Municipalities with tree ordinances may require permit with a corresponding fee, for the removal of protected size trees. CSHB 2052 allows a person who has to pay a tree mitigation fee for the removal of a tree due to development or construction can apply for a credit. In order to receive the credit a tree has to be planted either on the property which the mitigation fee was assessed or a place mutually agreed upon by the person and the municipality. The rates of the credit are laid out in the bill. CSHB 2052 will help to neutralize the loss of trees due to construction and development.</p>	<p>Favorable Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org</p>
<p>HB 1810 By: Dale</p>	<p>Relating to the creation of the offense of possession or promotion of lewd visual material depicting a child.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1810 creates a criminal offense for possession or promotion of any lewd visual material depicting a child, regardless of whether the depicted child consented to creation of the visual material. The bill outlines prohibited visual material as depicting the lewd exhibition of the genitals or pubic area of an unclothed, partially clothed, clothed child under the age of 18 at the time the material was created; appealing to the prurient interest in sex; and has no serious literary, artistic, political, or scientific value. Under HB 1810, an offense for possession on promotion of lewd visual material of a child is a state jail felony, except in the case that an individual has been previously convicted one time of an offense under this law or for possession/promotion of child pornography as a third-degree felony, and in which the offense is a second-degree felony if an individual has previous convictions of possession/promotion of lewd visual material and child pornography two or more times.</p> <p>The Austin Child Exploitation Unit of the Office of the Attorney General has reported 88 cases of either possession or promotion of lewd visual material depicting a child since January 2015. There are no current statutes criminalizing the possession of child erotica images, which are often precursory to the possession or promotion of child pornography; therefore, charges in the state of Texas cannot be pursued solely for lewd visual material of a child. HB 1810 would serve to de-incentivize actions regarding lewd visual materials of a child.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>
<p>HB 183 By: Dutton</p>	<p>Relating to the consequences of successfully completing a period of deferred adjudication community supervision.</p>	<p>Corrections</p>	<p>HB 183 prohibits the completion of deferred adjudication community supervision as grounds for denying a professional license to a person who is otherwise qualified. The provisions would relate to a dismissal and discharge of an individual on or before the expiration date of the person's deferred adjudication community supervision period and restricts the use of a dismissal and discharge to determining punishment for repeat and habitual felony offenders of sexual performance by a child, possession or promotion of child pornography, or certain obscenity convictions. The bill further provides that the fact that an individual has successfully completed a period of deferred adjudication community supervision is admissible before the court or jury for consideration on the issue of penalty, but not admissible if the individual is an applicant or holder of a license under the Department of Family and Protective Services or the Council on Sex Offender Treatment. HB 183 applies only to individuals placed on deferred adjudication community supervision for an offense committed on or after September 1, 2017.</p> <p>If an individual successfully completes a period of deferred adjudication community supervision, it is almost as if the conviction never occurred. However, this statute is not reflected as individuals are denied employment based on a criminal conviction on their arrest record. Persons who receive a dismissal and discharge should be able to carry on with their lives, yet there is merely a 40%</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>



			employment rate in some Texas counties. HB 183 would provide an actual second chance for individuals wishing to move forward with their lives.	
HB 2612 By: Meyer	Relating to civil liability of a person who produces, distributes, sells, or provides or aids in the production, distribution, sale, or provision of certain synthetic substances to another person for damages caused by the other person.	Judiciary & Civil Jurisprudence	HB 2612 mandates that a person who produced, distributed, sold, or provided is liable for civil damages as it relates to consumption or ingestion of a synthetic substance by another person. If the consumption or ingestion of the synthetic substance is by a minor, then the person who produced, distributed or sold the substance is strictly liable. This legislation is vitally important to protecting minors and working Texas families from abusing these unregulated substances that can have very serious and dangerous effects.	Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org
HB 2122 By: Clardy	Relating to the adoption of the Uniform Foreign-Country Money Judgments Recognition Act.	Judiciary & Civil Jurisprudence	HB 2122 repeals Chapter 36, the Texas Foreign-Country Money Judgment Recognition Act, in the Civil Practice and Remedies Code, and replaces it with a revised chapter, entitled "Uniform Foreign-Country Money Judgments Recognition Act". This has been adopted by more than 20 states. A recent federal court decision called into question whether the current Texas Act protects Texans' due process rights by foreign court systems. HB 2122 simply updates this chapter to ensure Texans enjoy due process protection when defending against foreign country judgments in Texas courts. This is especially an important topic in regards to increases in international trade in the United States where there is more litigation in foreign judicial systems, and more judgments to be enforced from country to country. Adopting this legislation simply provides for more uniformity between states with respect to the law governing foreign country money-judgments.	Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org
HB 2009 By: Bonnen, Greg/ Bonnen, Dennis	Relating to an exemption for certain law enforcement and military personnel from the requirement to complete a hunter education program.	Culture, Recreation, & Tourism	HB 2009 amends the Parks and Wildlife Code by exempting specific military, state guard, and law enforcement personnel from completing a hunter education course. The Texas Parks & Wildlife Department has offered hunter education courses since 1972. The current course structure offers courses in classroom, field, and internet only settings. The courses on average last 4-6 hours, and range in price from \$15 to \$29. In addition to firearm use, hunter education courses teach the law and ethics of hunting, best practices to collect and manage game, and how to locate vital zoning points on animals. While military, state guard, and law enforcement personnel have experience in utilizing firearms, the use of a firearm for the purposes of combat is different than its use for hunting animals. Obtaining knowledge on the appropriate behavior and ethics of hunting would preserve the safety and responsibility for the sport and the hunting education law.	Will of the House Evaluated by: Fabeain Barkwell 281-382-4295 Fabeain@Texaslsg.org
HB 3103 By: Darby	Relating to the jurisdiction of this state to tax tangible personal property that is used continually in this state.	Ways & Means	This bill seeks to clarify the definition of "continual use" as it relates to real property for property tax calculations. A recent shift in how the Dallas County Appraisal District interprets the statute has led to certain transportation companies facing a significantly higher property tax bill; the appraisal district began including any vehicles that crossed state lines en route to the company's maintenance facility as real property, instead of equipment used in the support of routine corporate activities. HB 3103 sets the standard for continual use at three distinct utilizations, eliminating the source of the irregularities in interpretation. HB 3103 explicitly states that it is clarifying existing statute. The situation that sparked the filing of the bill only affects one county at this time, and the company described above is currently in litigation with the appraisal district. The legislature should exercise caution	Will of the House w/ Concerns Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org



			in exerting undue influence on the court’s process as the interested parties resolve the case. It would be more appropriate to wait for the case to run its course and then reevaluate if legislation is necessary.	
HB 3150 By: Burns/ Leach/ Canales/ et al.	Relating to a merchant allowing a person suspected of committing or attempting to commit theft to complete a theft education program.	Business & Industry	<p>This bill allows a merchant to offer a person, who is suspected of stealing or attempting to steal property, the opportunity to complete a theft education program, instead of reporting the suspected offense to a law enforcement agency. If the merchant offers this program, they must notify the suspected person of the opportunity in writing, and explain that they retain the right to report the suspected offense to a law enforcement agency if the person does not successfully complete the program. The bill specifies that a theft education program provider may not charge more than \$500 for participation, and that if a person is indigent, the provider shall develop a plan to offer discounts, alternative payment schedules, or scholarship funds, and may reduce or waive the fee. A person is not eligible to participate in the program if they have already in the preceding 5 years of the offense, unless there is authorization from the court.</p> <p>Theft education or diversion programs mitigate time and costly resources for the criminal justice system and for retailers. They also conserve necessary resources to deal with more serious crimes. Additionally, such programs serve as alternative methods for rehabilitation of offenders, and reduce rates of recidivism. For low-level theft, this sort of opportunity is vital in reducing the likelihood that a person’s entire life is impeded by the petty crime, ranging from ability to procure employment to education to securing housing.</p>	Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org
HB 3376 By: Holland	Relating to forms of notice that may be provided by the Department of Public Safety during certain enforcement proceedings and actions.	Homeland Security & Public Safety	This bill amends a wide variety of sections within the Transportation Code to include electronic notifications for offenses, hearings, and other administrative purposes in addition to traditional mail. No substantive changes are made to the programs covered in the amended sections. In each case, where communication by standard mail was permitted, a corresponding permission is added for electronic mail. In the digital age, electronic communication is integrated in every facet of society and should be an option for interactions with governmental agencies. This change may even result in an increase to response rates to summons due to its immediate nature.	Favorable Evaluated by: Andrea Elizondo 210-382-4295 Andrea@Texaslsg.org
HB 2051 By: Huberty	Relating to the new instructional facility allotment under the foundation school program.	Public Education	HB 2051 increases the allotment under the New Instructional Facilities Allotment (NIFA) of the Foundation School Program from \$250 to \$1,000 for each student in average daily attendance. A new instructional facility, as defined by this bill, includes: a newly constructed facility, a repurposed instructional facility, and a leased facility operating for the first time as an instructional facility with a minimum lease term of not less than 10 years. HB 2051 simply increases this allotment to address the increased costs to school districts of operating new facilities. Existing Education Code caps NIFA appropriations at \$25 million annually, and the bill does not adjust this statutory cap.	Favorable Evaluated by: Arielle Day 210-382-4295 Arielle@Texaslsg.org
HB 3548 By: Parker	Relating to the applicability of certain immunity and liability laws to the nonprofit corporation established by the Texas Public Finance Authority to issue revenue bonds to open-enrollment	Public Education	HB 3548 grants immunity from liability for a director, officer, or employee of a nonprofit established by the Texas Public Finance Authority (TPFA). Charter School Finance Cooperation (CSFC), a non-profit corporation established by TPFA, is mandated by the state to act on behalf of the state to issue revenue bonds to finance facilities to open enrollment charter schools. CSFC qualifies as the corporation rather than a state agency, so the CFFC board of directors are not granted the same protection against liability and risk that state officials have. HB 3548 amends the Education Code to give CSFC board members the same status as state officials for purposes of indemnification for both state and federal causes of action in lawsuits arising from actions taken in the courts that lie within the scope of a board member’s official duties.	Will of the House Evaluated by: Arielle Day 210-382-4295 Arielle@Texaslsg.org



	charter schools for those schools to provide educational facilities.			
HB 4011 By: Burrows	Relating to prohibited reporting of information regarding debt incurred for nonemergency medical care	Business & Industry	<p>HB 4011 prohibits health care providers from transmitting to consumer reporting agencies information regarding a consumer’s unpaid amounts if the provider did not obtain a signed disclosure in the form prescribed by the executive commission of the Health and Human Services Commission prior to billing, and waits at least 180 days after the consumer receives a bill for medical charges. The disclosure form must include an itemized statement of the amounts to be billed for the nonemergency medical care.</p> <p>HB 4011 protects Texans who struggle with nonemergency health care debt by affording them relief from negative credit reporting on unpaid, nonemergency health care services unless the provider gives the patient information on how much the care would cost and obtains the patient’s signature. In the Commonwealth Fund survey, one fifth of Texans said they were contacted by a collection agency in 2014 because of an unpaid medical bill, and 4 of 10 adults reported that they had trouble paying their medical bills. 43% of Texans said that they did not see a doctor when sick, did not fill a prescription, skipped a test, treatment, or follow-up visit.</p> <p>HB 4011 may help in leading to more providers giving health care cost information up front allowing consumers know what to expect. Even if this bill does not help with that, then at least consumers who later have trouble paying their bill would not have the debt appear on their credit report. Credit report information has a significant impact on an individual’s finances as it is used to determine eligibility for jobs, access to rental housing and mortgages, insurance premiums, and access to credit in general. This bill mandates some common-sense protections by preventing medical debt from hurting a consumer’s credit rating when the person was not informed up front about the costs.</p>	Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org
HB 4095 By: Klick/etal.	Relating to safety requirements of assisted living facilities	Human Services	<p>HB 4095 codifies requirements around safety standards in assisted living centers. As issues have arisen regarding safety standards between local and state regulations, the bill requires that twice a year the Health and Human Services Commission (HHSC) put out a technical memorandum providing guidance on interpretation of minimum life safety standards. Any new requirements would have to be added to the memorandum before being adopted. Enforcement of the code through this bill would be upheld by the Texas Department of Licensing and Regulation (TDLR). This also adds in protections for facilities who have not been inspected, but have received citations for noncompliance with accessibility standards, allowing for the citation to be repealed if an inspection has not been conducted. HB 4095 requires that HHSC adopts life safety code from the National Fire Protection Association (NFPA). With regards to this, if a facility within a municipality is required to meet that entities building or fire code, the facility may not be cited on a basis for having to require with the local government's safety codes, but must still maintain the NFPA life safety code. As assisted living centers can provide care to both elderly individuals and those with disabling conditions, this bill will help to clarify accountability and regulate life safety, helping to protect patients.</p>	Favorable Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org
HB 3533 By: Raymond	Relating to inspection procedures in certain long-term care facilities and the creation of a long-term care	Human Services	<p>This bill amends the Health and Safety Code to add uniform regulation for inspections for long-term care facilities and creates a long-term care facility oversight committee. As it stands, there is not codified regulation surrounding long-term care facilities between regions. Some regions require an annual inspection while others require one every five years. HB 3533 seeks to unify inspection between regions, providing provisions for the inspector. It also helps to protect the care facility from any retaliation that an inspector</p>	Favorable Evaluated by: Kylie McNaught 210-382-4295



	legislative oversight committee.		<p>might use against them for any complaints filed against them. Likewise, this bill protects the facility from being required to make any changes that violate recommendations written by a physician.</p> <p>HB 3533 also implements a long-term care oversight committee. Appointment to the committee and their duties are laid out in the bill. The committee would be required to provide HHSC with an annual report regarding the their findings on long-term care facilities. The committee would set to expire September 1, 2021. Oversight such facilities is overdue and will help to regulate the system as a whole, and allow HHSC to further understand what needs to be done to serve a vulnerable population. This bill will serve to mitigate long standing issues with facilities that care for the growing population of our state’s elderly.</p>	Kylie@Texaslsg.org
HB 2235 By: Murphy/ Anderson, Charles “Doc”/et al.	Relating to accounting principles applicable to pension and other postemployment benefit expenses for electric utilities.	State Affairs	<p>HB 2235 seeks to bring Texas regulatory law into compliance with recently adopted federal accounting standards for the purpose of protecting the pension and postemployment benefits of electric utility workers. The bill strikes the word “operating” from operating expenses in Section 36.065 of the Utilities Code, bringing it into compliance with Federal regulations and effectively preserving the regulatory environment surrounding utility workers’ pensions and postemployment benefits. This minor change will protect benefits for over 10,000 currently employed utility workers, providing them with economic stability through valuable postemployment benefits.</p>	Favorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org
HB 43 By: Flynn / Coleman / Murphy / Huberty / Walle	Relating to the public retirement systems of certain municipalities.	Pensions	<p>HB 43 amends the statutes for the Houston police, firefighter, and municipal employee pension systems. Currently, the City of Houston’s unfunded actuarial accrued liability (UAAL) totals \$8.1 billion across all three retirement funds. As the pension crisis looms, the city of Houston is falling behind and many are concerned about losing their well-deserved retirement earnings. HB43 seeks to address the pension obligation shortfall and unfunded liabilities incurred by both the city and the funds.</p> <p>Overview</p> <ul style="list-style-type: none"> • Requires a Risk Sharing Valuation Study (RVRS) to be conducted annually by each fund • Requires an Actuarial Experience Study (AES) to be conducted every four years • City would contribute biweekly to the funds an amount equal to the city contribution rate multiplied by the pensionable payroll for that fiscal year • Initial RSVS would set the minimum and maximum city contribution rates and establish the corridor midpoint • Heart of the reform = “Corridor” concept, which would limit how high or low the city’s contribution rate can go using a 2% deviation rule • Would reduce benefits, increase employee contributions, establish funding policies, set in statute certain actuarial assumptions • Improve actuarial soundness of the funds in need • Lowens and caps the assumed rate of return on fund investments at 7% • Mandates the use of the Ultimate Entry Age Normal (UEAN) cost method • Add reporting requirements for all three retirement systems • Each retirement system is mandated to use different actuarial methods and assumptions to determine the annual required contribution • Normal retirement age is at the time in which the member attains 20 years of service or the age at which the sum of the member’s age and years of participation in the fund equal at least 70 	Favorable Evaluated by: Elizabeth Hann 210-382-4295 Elizabeth@Texaslsg.org



- Salary excludes overtime pay after the effective date
- The trustees, executive director, city officers/employees, and employees of the pension system are fully protected from and free of liability for any action taken or suffered by them that were performed in good faith

Risk Sharing Valuation Study

The city and each fund is required to perform a risk sharing valuation study (RSVS) every year. **The initial study will determine the baseline for the newly stipulated corridor concept.** The city actuary and the fund actuary will separately conduct an RSVS and compare their results. The actuaries are then required to come to an agreement on the results of their studies to be used to determine the midpoint corridor.

Risk Sharing Corridor

This bill stipulates the use of a concept called the Risk Sharing Corridor. **The corridor establishes an annual target contribution rate for the city.** The bill would set baseline assumptions in statute in order to implement the risk sharing corridor. The corridor is a cost management mechanism designed to ensure plan sustainability. Each year, the city calculates its estimated contribution rate using updated assumptions and data for that year and if the rate deviates too far from the corridor’s midpoint, the bill stipulates the necessary adjustments to be made so the city’s contribution for the year is closer to the baseline. **The bill develops a minimum and maximum corridor around the city’s contribution rate and sets in statute the necessary steps to be taken in order to adjust for deviations. Once the corridor midpoint is established in the initial Risk Sharing Valuation Study (RSVS), it will not change.** The initial RSVS estimates the 31-year projections of the corridor mid-point for the three retirement systems. The concept of the risk sharing corridor is concerning to some who believe it to be somewhat untested and too complex.

Ultimate Entry Age Normal (UEAN)

The bill dictates the use of the Ultimate Entry Age Normal (UEAN) cost method. The Entry Age Normal (EAN) level percent of payroll cost method is a mathematical construct intended to spread the costs of a member’s total benefits as a level amount over the lifespan of their career. This is done by calculating an annual amount which will stay fairly constant when expressed as a percentage of pay, and be adequate enough to fully fund the projected benefits when the member leaves service. This results in a fairly stable normal cost contribution obligation from year to year.

Pension Obligation Bonds (POB)

It is the intent of this bill to utilize Pension Obligation Bonds in order to address liabilities. Mayor of Houston, Sylvester Turner, intends to take out \$1 billion in POB’s to further reduce the city’s unfunded liabilities and believe that in conjunction with benefit and contribution reforms the bonds will contribute to long-term sustainability. There is some concern that pension obligation bonds carry significant risk and could possibly create a deeper hole of debt to the municipal taxpayer. To be successful, the bonds are dependent on the pension returns averaging more than the cost of financing the bonds.

Houston Firefighters Relief and Retirement Fund (HFRRF)



			<ul style="list-style-type: none"> • Board of the fund or the city may alter benefit types or amounts and the means of determining the contribution rates • Board of Trustees may not increase the rate of return assumptions to over 7%, extend the amortization period over 30 years, or let the municipal contributions to be less than the minimum or more than the maximum municipal contribution rate • Would limit DROP participants number of years of service form 20 years to 13 years • Increases active member contribution rates from 8.75% to 10.5% of member salary • A member’s monthly service pension may not exceed 80% of the member’s average monthly salary • A member eligible for a service pension may not elect to participate in DROP • Amounts equal to the deductions made from the member’s salary may not be credited to the member’s DROP account <p>Houston Police Officer’s Retirement System (HPOPS)</p> <ul style="list-style-type: none"> • Active member contribution rates raised from 8.75% to 10.5% • Maximum number of years an active member may participate in DROP is 20 years • Military service members are eligible, but no longer entitled to counting their military service toward their years of service • Board may not increase the rate of return assumptions to over 7%, extend the amortization period over 30 years, or let the municipal contributions to be less than the minimum or more than the maximum municipal contribution rate <p>Houston Municipal Employees Retirement System (HMEPS)</p> <ul style="list-style-type: none"> • Would modify the retirement groupings based on the date they were hired (Groups A, B, and D) • Establishes member contribution rates on or after the effective date (2017), and the city contribution rate on or after July 1, 2018 • Every Group D member will contribute 1% of the member’s biweekly salary to a cash balance account with an annual return rate no less than 2.5% and no higher than 7.5% • Modifies the DROP requirements for participation by requiring members to meet normal retirement eligibility requirements unless the requirements were met before 1/1/2005 • Members can still qualify for DROP if they have 5 years of service before 1/1/2005 and the sum of the member’s years of service and age is equal to or greater than 68 • Requires the board to establish an interest rate for DROP accounts that is no less than 2.5% and no more than 7.5%. • DROP participants will be required to pay contributions, for all of the participant’s time in DROP that would constitute service, to receive credit to the DROP account • Increase board membership from nine to eleven trustees <p>Board of Trustees</p> <ul style="list-style-type: none"> • Once every three years the board must hire an independent investment consultant to conduct a review of fund investments • May have an actuarial valuation performed each year • May not increase the unfunded liability • May not increase the rate of return to more than 7% per year 	
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			<ul style="list-style-type: none"> • May not extend the amortization period of a liability layer to more than 30 years 	
<p>HB 731 By: Bohac</p>	<p>Relating to creating the offense of intimidation by a member of a criminal street gang.</p>	<p>Criminal Jurisprudence</p>	<p>HB 731 creates a third-degree felony for the commission of any act of intimidation by a member of a criminal street gang. Under this bill, a person commits an offense by directly or indirectly communicating a threat, with the intent to cause another person to perform/omit an act, to:</p> <ul style="list-style-type: none"> • Inflict bodily injury on the person threatened or any other person, • Damage or destroy property, • Subject any person to physical confinement or restraint, or • Commit an offense punishable as a Class A misdemeanor or any higher category of offense. <p>As offenses relating to coercing, inducing, or soliciting membership in a criminal street gang are covered in current statutes under Chapter 71 (“Organized Crime”), HB 731 serves to expand the limitations to prosecute gang-related activity, yet there are already multiple ways to convict a person involved with gang-related behavior. Additionally, the law of parties would already cover offenses related to gang activity in relation to acting with the intent to promote or assist the commission of the offense and failing to make a reasonable effort to prevent commission. This bill casts a wide net and would place unnecessary lifelong consequences for individuals, who are disproportionately young men, and create further difficulties by pushing a person deeper into the criminal justice system instead of providing opportunities for rehabilitation with a misdemeanor conviction.</p>	<p>Unfavorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>
<p>HB 748 By: Farrar</p>	<p>Relating to certain costs associated with certain court proceedings for cruelly treated animals; authorizing fees and costs.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>In counties with a population of at least 700,000, HB 748 allows courts the discretion to order an animal owner, who has been found to cruelly treat the animal, to pay for the county’s or municipality’s reasonable attorney’s fees. Texas law protects animals from cruel and inhumane treatment. Currently, in an animal cruelty seizure hearing, when a court determines the owner has cruelly treated their animal, the court is required to order the owner to pay all court costs, including administrative costs of investigation and expert witnesses. Additionally, the court must require such owners to pay costs incurred by a municipal or county animal shelter or a nonprofit animal welfare organization in housing and caring for the animal during its impoundment, and destroying the animal if destruction is ordered by the court. However, this owner is currently not required to pay reasonable attorney’s fees incurred by the county or municipality.</p> <p>In Harris County alone, there are roughly 450 animal cruelty cases field annually, and a single case might include multiple animals who have been cruelly treated. These attorney’s fees amount to roughly \$75,000, on the lower end, annually. HB 748 provides a cost-effective solution for counties and municipalities to enforce cases of animal abuse and protect Texas values of animal well-being and safety. In circumstances where the defendant might not be able to pay, the courts already work to negotiate with the defendant, such as setting up monthly payment plans.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>HB 787 By: Parker / Krause / Price</p>	<p>Relating to the security of the electric grid.</p>	<p>State Affairs</p>	<p>As technology advances, the various ways in which terroristic threats and attacks can impact Texas increase exponentially. Due to our strong economy and population size, Texas is a likely target for terrorist attacks, some of which may be targeted toward our electric grid. Studies show that on average, the US electric grid comes under attack once every four days. Electricity access is vital for survival; widespread outages could disrupt healthcare systems, damage infrastructure, negatively impact commerce, and lead to fatalities. It is critical that we ensure our state’s electric grid (predominantly within ERCOT usage areas) is sufficiently protected.</p> <p>To address this issues, CSHB 787 establishes the Electric Grid Security Advisory Committee. The committee is composed of 8 members: 4 will study electromagnetic pulse threats and 4 will study cybersecurity. The bill outlines eligibility requirements for</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org</p>



			<p>appointment to the Committee, which include experience or technical training in cybersecurity, electromagnetic interference, electric power generation, electromagnetic pulse hardening, physical security and controls, space physics, weather, data acquisition, or emergency preparedness.</p> <p>CSHB 787 instructs the committee to conduct a study on critical electric grid infrastructure and its vulnerability to various terrorist threats, such as electromagnetic pulses. The ERCOT organizations will be required to cooperate with the committee to provide information and resources relevant to the study. The bill mandates that the study:</p> <ul style="list-style-type: none"> • Contain a summary of the current state of the electric grid computer systems and networks • Consider potential security threats to the electric grid • Assess whether additional efforts are needed to secure the electric grid • Recommend measures to secure the grid and its associated computer systems and networks • Develop a recommended strategy to protect and prepare critical infrastructure within the ERCOT region that will protect against threats <p>The committee is required to prepare and submit a report of its findings to the Governor no later than December 1, 2018. Additionally, the committee is authorized but not required to share its findings with relevant state agencies and officials. Should deficiencies in the security of the electric grid be determined through the committee, the legislature will determine whether to fund the upgrades through general revenue or through a ratepayer cost recovery mechanism. Due to the sensitive nature of its work, the committee is not subject to the requirements of open meetings or public information requests. Committee members will be required to sign nondisclosure agreements ensuring that they will not share information related to the committee with any member of the public. The committee will be abolished on December 31, 2018.</p> <p>Establishing this committee will ensure that Texas has a resilient grid that can rapidly adapt and respond to security threats, enhancing public safety for all Texans.</p>	
<p>HB 1258 By: Clardy / Price / Thompson, Senfronia / Nevarez / Holland / et al.</p>	<p>Relating to information publicly available in a state court document database; authorizing a fee.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Mandates that a person who maintains, establishes or operates an electronic state court record database may only allow public access to a document filed with the court, if: 1) the database maintains each document in a manner that complies with federal and state laws, and orders of the court in which the document was filed, related to confidentiality and nondisclosure of information, and 2) a copy of each page of a document stored in the database clearly states that the document is an unofficial copy. HB 1258 protects the integrity of the general public's files, while making judicial proceedings more transparent and accessible, and making caseloads more manageable for court officials.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>HB 1532 By: Farrar</p>	<p>Relating to posting notice of self-help resources on the Internet website of a state court and in the office of the court clerk.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Requires the clerk of each court to post on the court's website, if there is one, a link to self-help resources. Specifically, the link would be to the self-help resources website designated by the Office of Court Administration, in consultation with the Texas Access to Justice Commission. This website includes information on: lawyer referral services, a court affiliated self-help center serving the county in which the court is located, and name, location, and any website of any local legal aid office. Also, a link shall be posted to the state law library's website. Lastly, the clerk shall post a sign in the clerk's office on these self-help resources website links.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>



			<p>Each year, thousands of people arrive at the courthouse looking for help with legal matters. Many Texans are cannot afford legal services on their own, but do not qualify for free services. HB 1532 addresses this gap.</p> <p>Sometimes these court patrons need help in securing an attorney for their case. Most courts do not provide basic information on where these court patrons can receive help. Additionally, as the number of representing themselves grows, the need for information and forms available either at the courthouse or on their website has grown as well. Judges are put into difficult situations when they want to be fair to pro se litigants, but need to follow the rule of law. It is imperative to provide access to information and materials that will help pro se litigants handle their case. It is beneficial to the public as well as the judges and court personnel because when the litigant is prepared, and understands the legal process more, the system is much more effective and efficient.</p>	
HB 129 By: Craddick	Relating to the manner in which a payor of proceeds derived from the sale of oil or gas production is required to provide certain information to a royalty interest owner.	Energy Resources	HB 129 creates provisions that modify how division orders for royalty interest owners are disbursed. The Natural Resources Code outlines the types of information pertinent to a leased property, that must be included on the check stub, or payment form given to a royalty interest owner. HB 129 authorizes a royalty interest payor to make check payments to royalty owners that includes the required information on the check stub via the mail, or a private delivery service, unless written consent from the royalty owner detailing an alternate method of distribution is provided. Certain stakeholders believe that this provision could become costly because some royalty owners possess multiple lease properties, and feel that an opt-in option would be more appropriate as only 8 to 10% of interest owners have expressed interest in wanting paper copies of their royalty payments.	Favorable w/concerns Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org
HB 1689 By: Burrows / Oliveira / Frullo	Relating to liability of certain governmental entities in certain workers' compensation actions.	Business & Industry	Mandates that political subdivisions that self-insure, including the State Office of Risk Management, are liable for sanctions, administrative penalties, and other remedies related to noncompliance with the laws regarding workers' compensation. Some governmental entities use the doctrine of sovereign immunity as a shield from liability as it relates to workers' compensation noncompliance. Public servants are hurt by such governmental entities, often including law enforcement who have been hurt on the job. HB 1689 clarifies confusion in regards to the authority of the Texas Department of Insurance and the Division of Workers' Compensation to enforce penalties against governmental entities that do not comply with the requirements of workers' compensation.	Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org
HB 2082 By: Burrows / Oliveira / Frullo	Relating to the designation of a liaison to assist first responders with workers' compensation claims.	Business & Industry	Requires the Office of Injured Employee Public Counsel to designate an employee of the office to act as a first responder liaison. This liaison must assist an injured first responder during an administrative dispute resolution process. This liaison must meet the requirements of training and education that an ombudsman is also subject to. Employers of first responders must notify them of the liaison. A first responder liaison will help them navigate the workers' compensation system that can often be complex, burdensome, slow-moving, when denials of such compensation occur. An ombudsman does not offer legal advice, and first responders may have trouble finding a lawyer. First responders deserve the counsel and assistance of Workers' Compensation specialists in obtaining benefits, care and dispute resolution for on-the-job injuries.	Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org
HB 2533 By: Geren	Relating to civil suits brought by local governments or certain other persons for violations of certain laws under the jurisdiction of, or rules adopted or orders or	Natural Resources	HB 2533 seeks to regulate the ability of local governments and affected person from pursuing a civil suit for an environmental violation that is under the jurisdiction of the Texas Commission on Environmental Quality(TCEQ) prior to a commission investigation to bring the suit. The local government, affected person, or someone authorized by the commission must file a notice with the AG's office and TCEQ of the violations, evidence, and relief sought. On the 90th day after the AG and the commission have received the notice and no action has been taken on the state level, local action can be taken. If the statute of limitations is set to expire within 120	Will of the House w/Concerns Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org



	permits issued by, the Texas Commission on Environmental Quality.		<p>days on the violation then the AGs office or the commissioner only have 45 days to pursue a claim before a local entity or affected persons can file a claim.</p> <p>The waiting period for a local government or affected person to pursue a civil suit or injunction could have detrimental consequences if the situation is one that needs immediate attention. While unnecessary suits can be a waste of resources, by requiring a local government be subject to a waiting period to see if the TCEQ will act or not on a notice could exacerbate an environmental violation.</p>	
HB 2883 By: Allen	Relating to the conditions of community supervision.	Corrections	<p>HB 2883 requires a judge to base an individual’s conditions of community supervision on results of a valid risk and needs assessment of the individual. Provisions within the bill also require judges to consider the extent the community supervision conditions would have on the person’s work, education, and community service schedule or obligations and their ability to meet financial obligations. The bill would also require a judge to consider the results of an evaluation determining the appropriate type and level of treatment necessary to address an individual’s alcohol or drug dependency before a judge can require participation in a state-funded substance abuse treatment program.</p> <p>Probation requirement that are cognizant of conditions of community service based on individualized treatment plans and risk and needs assessments are the most effective impact on a person’s rehabilitation. This bill also safeguards individuals and probation officers from excessive and duplicative conditions that are burdensome: Individuals can face difficulties maintaining stable employment and achieving educational and career goals, and probation officers that are losing time away from actively pursuing crime.</p>	Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org
HB 3050 By: King, Phil	Relating to driver's and learner licenses.	Homeland Security & Public Safety	<p>This bill creates new provisions for the inclusion of alternative information on the driver’s licenses of peace officers to help mitigate the potential for retaliatory actions resulting from the professional work. Law enforcement and other peace officers come in to contact with a large cross-section of the population for a variety of reasons, some of which can result in retaliatory actions. Existing statute allows peace officers to replace the home address listed on their driver’s license with an alternative address in their home town or county; HB 3050 expands that option to include the county of their employment as an acceptable alternative.</p> <p>The other provisions within the bill amend references throughout the Transportation Code to replace the term “instructional permit” with “learner license” to reflect updated terminology. The requirement that the facial photograph on a driver’s license be in color is also removed. Recent advances in technology to increase the security of state-issued identification are incompatible with color printing. This change allows the Department to consider such technologies in the future.</p>	Favorable Evaluated by: Andrea Elizondo 210-382-4295 Andrea@Texaslsg.org
HB 3655 By: Herrero	Relating to grants awarded to reimburse counties for the cost of monitoring defendants and victims in criminal cases involving family violence.	Criminal Jurisprudence	<p>HB 3655 requires the Criminal Justice Division (CJD) in the Truisted Programs Within the Office of the Governor to establish and administer a grant program to reimburse counties for the cost of monitoring defendants and victims in family violence cases through GPS. CJD must establish eligibility criteria for grant applicants, application procedures, guidelines for grant amounts, procedures for evaluating applications, and procedures for monitoring the use of an award granted and ensuring compliance with any conditions of an award. The Legislative Budget Board estimates that the establishment and implementation of the grant program will cost \$2,800,000 through the fiscal biennium ending August 31, 2019, requiring a biennial report on program success and allowing the CJD to use any revenue available for the purpose of the bill.</p> <p>GPS monitoring keeps victims of family violence safe while the defendant is free on bond: In 2015, 158 women in Texas were killed by their male intimate partner, and there were 194,872 incidents of family violence throughout the state. Courts have had the option to impose GPS monitoring as a condition of bond, yet not all counties utilize this resource. Current statutes require defendants in family</p>	Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org



			violence cases to pay the cost of GPS monitoring, except in the case that the defendant is indigent and the county covers the associated costs. HB 3655 would allow the CJD to use federal funds through the Violence Against Women Act and Victims of Crime Act.	
HB 3697 By: Farrar	Relating to notice provided by an applicant to house inmates released on parole or to mandatory supervision.	Corrections	<p>HB 3697 mandates the Department of Criminal Justice (TDCJ) to require a prospective provider of an alternative housing program to notify each public school within 1,000 feet of the proposed location of the applicant’s request to participate in the alternative housing program. Provisions in the bill specify the statute would apply to applicants wishing to participate as a provider in a program designed to provide alternative housing for five or more unrelated individuals on parole, and includes open-enrollment charter schools ,private schools or day-care facilities in the types of agencies an applicant must inform of their intent to participate. The applicant must submit a list of agencies provided notice, as well as an affidavit stating the applicant has complied with requirements, along with the application. The bill applies only to an application to participate in an alternative housing program submitted on or after January 1, 2018.</p> <p>Sponsors of alternative housing programs should be aware of the communities in which they are located for the benefit of both ensuring the facility is in line with parole laws as well as the individuals they provide housing to: Persons on parole are less likely to reoffend when living in environments with quality resources that are free of negative influences . Currently, the Board of Pardons and Paroles requires alternative housing facilities remain 500 feet outside of child safety zones. However, individuals released from TDCJ with registry or notification requirements already have to register distance requirements for schools. As there is no prohibition stipulated in this bill, but simply a notification to schools within the area, communities with lower property values and subsequently faced with an increase in alternative housing locations can be informed regarding facilities and promote the availability of quality, well-supervised alternative housing program providers.</p>	Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org
HB 3810 By: Cyrier	Relating to the transfer of jurisdiction over and management of the property known as the French Legation to the Texas Historical Commission and to certain historic sites under the commission's jurisdiction.	Culture, Recreation & Tourism	HB 3810 transfers the Sam Rayburn House State Historic Site, National Museum of the Pacific War, the property known as the French Legation, and the Mission Dolores State Historic Site to the jurisdiction of Texas Historical Commission. HB 3810 makes the commission responsible for preservation, protection, and restoration of the historical and architectural maintenance of the French Legation. HB 3810 revokes any power previously vested in another agency related to the French Legation, and places it solely with the commission. The French Legation is currently in need major repairs from structural damage. The Texas Historical Commission possess the necessary expertise to restore and maintain the upkeep of this facility.	Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org



<p>HB 3438 By: Koop / Ashby / VanDeaver</p>	<p>Relating to the creation of a state financing program administered by the Texas Public Finance Authority to assist school districts with certain expenses; granting authority to issue bonds or other obligations.</p>	<p>Public Education</p>	<p>HB 3438 creates an additional financing option for public school districts that would be administered by the Texas Public Finance Authority (TPFA). The TPFA could borrow money to pay for a school district’s equipment, and the school district would enter into a lease or loan agreement with the TPFA. The district would receive title to the equipment once the lease is fully paid. The bill requires the State Board of Education to adopt rules, after consulting with the education commissioner, regarding eligibility requirements for districts who wish to use this financing option. The aggregate amount of obligations issued by the TPFA at one time may not exceed \$100 million, and the TPFA may not issue an obligation on or after September 1, 2021. The intent of this bill is to offer school districts an additional cost effective financing option.</p>	<p>Favorable Evaluated by: Arielle Day 210-382-4295 Arielle@Texaslsg.org</p>
<p>HB 1464 By: Bonnen, Greg / Parker / Thompson, Senfronia / Bernal / Villalba / et al.</p>	<p>Relating to step therapy protocols required by a health benefit plan in connection with prescription drug coverage.</p>	<p>Insurance</p>	<p>This bill lays out a comprehensive definition of step therapy protocols for prescription medications and creates a mechanism for physicians to bypass those protocols when necessary. Step therapy protocols are a system used by managed care organizations that force patients to try multiple medications for the management of chronic conditions; HB 1464 does not remove the ability of insurance companies to utilize these protocols. Instead, the bill creates a more accessible and transparent process for providers to demonstrate that step therapy would negatively affect their patient’s treatment and move directly to the medication as prescribed.</p> <p>Health plan providers must grant exemptions requests that document one or more of the following reasons:</p> <ul style="list-style-type: none"> • The drug required as part of a step therapy regimen will be ineffective or harmful to the patient’s current condition; • The patient has previously taken the new drug and found it ineffective; • Adherence to the treatment regimen required for the new drug would negatively affect the patient’s overall treatment plan; or • The patient is already on the prescribed medication from a previous health care plan and its efficacy has been established. <p>The provisions within HB 1464 elevate patient care above the business interests of the insurance companies, particularly for chronic conditions such as multiple sclerosis that are more manageable with early and consistent treatment. The bill demonstrates the state’s trust in the judgment of medical providers when it comes to the intensely personalized needs of their patients because patient care should always come first.</p>	<p>Favorable Evaluated by: Joel Kissell 210-382-4295 Joel@Texaslsg.org</p>
<p>HB 3919 By: Thierry / Alvarado / Johnson, Jarvis</p>	<p>Relating to the eligibility of certain municipalities to establish homestead preservation districts and reinvestment zones.</p>	<p>Urban Affairs</p>	<p>HB 3919 extends the provisions regarding a homestead preservation districts and reinvestment zones in certain municipalities. Homestead preservation districts and reinvestments zones are tools municipalities can use to ensure affordable housing in certain area and prevent displacement of low income residents. Essentially preventing an area’s residents from being priced out of their housing. This bill extends governing for homestead preservation districts and reinvestment zones to municipalities with at least 2 million residents. This bill will allow these municipalities to address constituent needs as the city grows. This would allow the city to identify areas where residents are at risk of displacement. In the city of Houston, which is growing and evolving, economic pressure and cost of living can be detrimental to longtime residents with low incomes. It is important to ensure that these residents are protected from being displaced from their homes.</p>	<p>Favorable Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org</p>
<p>HB 1622 By:</p>	<p>Relating to the personal needs allowance for certain Medicaid recipients who are</p>	<p>Human Services</p>	<p>This bill seeks to raise the personal needs allowance of an individual living in a long-term care facility, who receives Medicaid, from \$60 to \$75. Due to increases in cost of living, many feel that the current personal needs allowance is no longer sufficient. This will help those who living nursing care or assisted living facilities and receive Medicaid the meet their personal needs.</p>	<p>Favorable Evaluated by: Kylie McNaught</p>



Thompson, Senfronia	residents of long-term care facilities.			210-382-4295 Kylie@Texaslsg.org
HB 1639 By: Vo / Rodriguez, Eddie	Relating to providing a voter in a party primary notice of party conventions.	Elections	HB 1639 amends the Election Code to allow for a notice with information regarding a political party's convention to be distributed after a voter is accepted to vote in a primary race. The notice will be no larger than letter sized and may contain information describing the party's convention, the first level convention process, contact information for a county and state political parties, or website to register for conventions. This bill lays out the process for creating and distribution of the notice. It is required that each party's notice be approved by the Secretary of State. However, a notice may still be passed out to the voters with the only the date and location of the convention if the notice is not approved. The county chair must supply the notices to the election authority no later than the 30th day before early voting starts by personal appearance. This bill would help distribute information about party conventions to potentially help voters become more engaged in their party.	Favorable Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org
HB 1009 By: Alonzo	Relating to the regulation of firefighters and fire departments by the Texas Commission on Fire Protection.	Urban Affairs	This bill prohibits an employee of a municipality who has adopted the firefighters civil service laws from performing duties on wildland fires, including prescribed burning, unless the individual is a full time civil service employee regularly assigned to such duties. Currently civil service employees who hold a certificate by the Texas Commission on Fire Protection may perform such duties as prescribed burning without having to regularly performing firefighting duties. This has lead to safety concerns regarding fires in densely populated urban areas. An employee of the municipality who is not regularly assigned to such duties is prohibited to perform these duties, though the bill make an exception if they are performing such duties outside of their employment and under a voluntary fire department. With Austin and Houston ranked 3rd and 10th in the nation, respectively, for wildfires it is necessary to address the causes of wildland fires in highly populated areas.	Favorable Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org
HB 1708 By: Miller	Relating to the prizes awarded in certain pull-tab bingo games.	Licensing & Administrative Procedures	HB 1708 defines "carryover pull-tab bingo" and caps a jackpot prize awarded in a carryover pull-tab bingo game at \$10,000. This bill would help charities garner more participation and potentially raise more funds for their varied charitable purposes.	Favorable Evaluated by: Arielle Day 210-382-4295 Arielle@Texaslsg.org
HB 2523 By: Davis, Sarah / Raymond / Gooden	Relating to the investigation of fraud, waste, and abuse in certain public benefits programs by the office of inspector general for the Health and Human Services Commission.	General Investigating & Ethics	HB 2523 allows for the Office of Inspector General(OIG) to utilize peace officers already employed within the office to be utilized to investigate misuses of the Supplemental Nutrition Assistance Program(SNAP) and Temporary Assistance for Needy Families (TANF). Currently, the OIG uses local law enforcement to help investigate these cases which is less efficient than using the peace officers within the agency.	Favorable Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org
HB 3204 By: Raymond	Relating to vendor requirements under the Special Supplemental Nutrition Program for	Human Services	This bill aims to ensure that Predominantly WIC program vendors (PWICs) will be included as authorized vendors for federal WIC Funding. The Special Supplemental Nutrition Program for Women, Infants and Children (WIC), provides supplemental foods, nutrition education and health care referrals to low-income women who are pregnant or have an infant. PWICs are vendors who either specifically carry WIC approved items or where WIC approved items account for 50% of a stores sales. Currently there is not code that	Favorable Evaluated by: Kylie McNaught 210-382-4295



	Women, Infants, and Children (WIC).		restricts a state’s ability to place regulation that goes beyond the program and may risk the store of shutting down. CSHB 3204 ensure a PWICS long term sustainability for federal funding by restricting the state from setting requirements that go out of the bounds of the federal program requirements. This will help insure that those mothers who utilize PWIC vendors still are able to have a place to shop in their community with confidence that it will carry the product they need and avoid having to pick through a grocery store trying to identify WIC approved items.	Kylie@Texaslsg.org
HB 3629 By: Bonnen, Dennis	Relating to authorization by the Texas Higher Education Coordinating Board for the Brazosport College District to offer a baccalaureate degree program in nursing.	Higher Education	HB 3629 grants the Brazosport College an opportunity to include an additional degree option to their four-year baccalaureate program in the field of nursing. Brazosport is one of three community colleges in the state authorized to offer baccalaureate programs. Currently, Brazosport offers applied bachelor degrees in industrial management and health services administration. The nursing degree would be the college’s third baccalaureate option. The Texas Department of State Health Services projects that by 2030, the supply of registered nurses is expected to grow by 35.4% to 271,667, while demand will grow by 53.8% to 331,638, leaving a deficit of 59,970 registered nurses. Therefore, 20% of the projected demand for registered nurses in 2030 will not be met. Furthermore, community colleges present as the more affordable and flexible option, especially for non-traditional student. Allowing for more opportunities to enroll in nursing program would relieve the burden of the expected deficit, and assist in Texas achieving its 60x30 goals.	Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org
HB 4117 By: Coleman / Springer	Relating to the provision of telemental health services to prisoners confined in county jails, including the creation of the county jail telemental health fund, and to certain rules and procedures relating to the safety of those prisoners.	County Affairs	According to the Texas Department of Criminal Justice, 34% of inmates have a mental illness and most have substance disorders. HB 4117 creates a telemental health fund so that all county jails have the ability to access mental health services. Many counties throughout the state, especially those in rural areas, are disadvantaged in their ability to meet minimum jail standards due to rising costs and mental health provider shortages. This bill provides smaller jails the opportunity to receive funding to purchase the equipment necessary for telemental health services. Funding is provided by a contingency rider in the budget. HB 4117 establishes a fund that restricts the money to be appropriated to the Texas Commission on Jail Standards (TCJS) and to only be used for the training and implementation of such program. The county jails that are eligible for receive funding by these grants, gifts, or appropriated monies are jails that have 96 beds or fewer. This legislation requires the commission to adopt rules and procedures so that all county jails have the ability to access a mental health profession on site or by a telemental health service 24 hours a day. This bill establishes a compliance date of September 1, 2020 which gives jails adequate time to collect the necessary funds to purchase and install equipment or receive funding from the grant for the equipment, if eligible. HB 4117 increases access to mental health services in county jails by ensuring that TCJS implement reasonable guidelines so that all county jails are able to have access to mental health professionals by the compliance date.	Favorable Evaluated by: Tiffany Williams 210-382-4295 Tiffany@Texaslsg.org
HB 3769 By: King, Ken / et al.	Relating to improper relationships between educators and students and reporting of educator misconduct; creating a criminal offense and expanding the applicability of an existing offense; authorizing an administrative penalty.	Public Education	**HB 3769 is the identical companion bill to SB 7 Over the past several years there has been a considerable increase in the number of teachers found to have engaged in romantic and sexual relationships with their students. The Texas Education Agency (TEA) opened 222 investigations that involved inappropriate relationships between educators and students in fiscal year 2016. Many teachers who have inappropriate relationships with their students remain in the educational system, even after their offenses have been discovered, by moving between schools from one district to another. SB 7 seeks to close loopholes that allow those teachers to remain in the educational system, and it creates penalties for conduct relating to an inappropriate relationship between an educator and a student. To achieve that purpose, SB 7 does the following: <ul style="list-style-type: none"> • An educator who receives deferred adjudication or is placed on the sex offender registry would have their teaching certificate revoked. 	Favorable Evaluated by: Arielle Day 210-382-4295 Arielle@Texaslsg.org



			<ul style="list-style-type: none"> • Principals would be required to notify the superintendent or school district director of an educator’s termination or resignation if it follows an alleged incident of misconduct between that educator and a student. They have 7 business days to do so. • A superintendent or principal who fails to report an incident would be subject to a fine, \$500-\$10,000. Payment of the fine would be required for certification renewal. A superintendent or principal who intentionally conceals an educator’s criminal record or alleged incident of misconduct would be subject to a state jail felony. • A principal who discusses a teacher’s criminal record or alleged incident(s) of misconduct with another district would be immune from civil or criminal liability. • Teachers would be required to receive continuing education training regarding appropriate relationships, boundaries, and communications between educators and students. • Principals would be required to receive continuing education training regarding the prevention, recognition, and reporting of any sexual conduct between an educator and student. • An educator who assists another person in obtaining employment that they know has previously engaged in sexual misconduct with a student could have his/her certificate suspended or revoked. • The TEA’s subpoena authority would be expanded to include attendance of relevant witnesses during the investigation process. • A teacher or administrator evaluation document may be provided to the TEA for disciplinary proceedings against a teacher or administrator based on a report concerning an alleged incident of misconduct. Evaluation documents would be confidential. • School districts would be required to adopt, implement and enforce a policy regarding teacher-student electronic communications. • The commissioner may authorize a special accreditation investigation when a school district fails to comply with a request from the TEA to provide evidence or an investigation report. 	
<p>HB 3859 By: Frank / Cook / Dale / Bonnen, Greg / et al.</p>	<p>Relating to protection of the rights of conscience for child welfare services providers.</p>	<p>State Affairs</p>	<p>CSHB 3859 offers protections for the rights of conscience of child welfare service providers in an attempt to maintain a diverse network of available child welfare service providers. The bill states that governmental entities or persons contracting with governmental entities to refer or place children with a child welfare agency may not take adverse action against the child welfare agency on the basis that:</p> <ul style="list-style-type: none"> • The provider has declined or will decline to provide child welfare services to an individual under circumstances that conflict with the provider’s sincerely held religious beliefs • The provider intends to provide children under their control or care with a religious education • The provider has declined or will decline to provide, facilitate, or refer a person for abortions, contraceptives, or drugs that are potentially abortion inducing <p>The bill also protects child welfare service providers from being required to provide any service that conflicts with the provider’s sincerely held religious beliefs. It mandates that child-placing governmental entities ensure the availability of a secondary child welfare service provider in the area that can provide the service that the primary provider chooses not to provide. For example, if a foster home refuses to provide contraceptives to a teen girl under its care, the governmental entity is responsible for securing a secondary agency to provide the contraceptives. Child Protective Services (CPS) workers are exempted under this bill, as they are government employees. CSHB 3859 entitles a child welfare services provider who successfully asserts a claim under the bill’s provisions to obtain declaratory relief under the Civil Practice and Remedies Code or injunctive relief to stop the adverse action being</p>	<p>Unfavorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org</p>



taken against them. Finally, the bill includes provisions relating to the applicability of the law in relation to existing State and Federal laws.

Concerns

CSHB 3859 raises a number of legitimate concerns, including:

- The bill’s broad definition of “child welfare provider” applies to any nongovernmental entity or person involved in any way with providing a social service to children - this grants a significantly large group of people an unprecedented right to deny service based on a personal belief
- “Sincerely held religious belief” is a low-bar to establish in a court of law, do to the difficulty associated with finding someone’s religious belief “insincere” - this could allow for abuse of the rights granted until this law
- The bill does little to extend protections to the individuals adversely affected by it. Its anti-discrimination clause only applies to individual’s “race, ethnicity, or national origin” - it does not explicitly prohibit discrimination based on sexual orientation, gender identity, sex, or religion
- The religious refusal rights granted under this bill are broad and bear little resemblance to religious accommodations authorized under existing civil rights laws
- “Best interests of the child” are a right without a remedy - the bill does not provide an avenue by which a child who feels they have been wrongfully discriminated against under this bill can file a complaint

Legality of CSHB 3859

While preserving religious liberty is paramount, it is just as important to insure that people’s religious liberties do not impose on the health and safety of others, including children. People have the right to reasonable religious accommodation under the Texas Religious Freedom Restoration Act (TRFRA), but this right is to meant to be balanced against other considerations such as public health and compelling state interests. This bill does not attempt to strike that balance and instead makes expanded considerations for one group: private child welfare service providers. Additionally, this bill violates a standard set in the Establishment Clause of the First Amendment that any law seeking to promote reasonable religious accommodations cannot single out certain faith traditions for favored treatment while disfavoring the rest. Certain provisions of this bill extend expansive rights for those who subscribe to favored faith traditions: for example, the bill explicitly protects the faith traditions of those who object to abortion and contraception, while extending no such protections to the many faith traditions that hold opposing beliefs.

There are many possible scenarios in which this bill could be used as justification for prioritizing the religious accommodation for a certain group above the compelling state interest of caring for abused and neglected children. Some examples include:

- A foster family could refuse to offer critical medical care, including reproductive health care, vaccines, or hormone therapy, to a child under their care, which compromises the child’s health and safety
- An adoption agency could refuse to work with qualified prospective adoptive couples who do not share the faith principles of the agency
- A counselor could refuse to provide counseling or family reunification services to a parent who is divorced or who is non-religious
- A child placing agency could place a child with strangers instead of a close relative if that relative is LGBTQ

Fundamentally, this bill prioritizes the needs of child welfare service providers over the needs of vulnerable children in the child



			<p>welfare system. It opens the door for discrimination against marginalized populations, specifically LGBTQ children, to take place under the auspice of religious freedom. It allows child welfare providers (including foster parents) to be selective in choosing what types of children to serve and what types of services to provide when they should be offering holistic services to all children in need of assistance. This is especially concerning, as the state is moving toward privatization of certain child welfare services. While CSHB 3859 may expand the number of child welfare service providers, it does so in a way that is inequitable and inconsistent. The focal point of any effort to improve child welfare service provision should be the children in the system; this bill does not prioritize children, and its unintended consequences could have lasting negative impacts on children and families who interact with the child welfare system.</p>	
<p>HB 1644 By: Springer</p>	<p>Relating to transferring charge and control of a painting entitled "The Spirit of the Alamo Lives On."</p>	<p>Land & Resource Management</p>	<p>This bill transfers charge and control of the painting, "The Spirit of the Alamo Lives On" by George Skyeck from the Texas Veterans Commission to the General Land Office no later than December 1, 2017. This painting was presented to the Texas Veterans Commission by the artist with the intention that it be reproduced and sold to raise funds for Texas Veterans. Unfortunately, the Texas Veterans Commission lacks the resources and retail capability to properly reproduce and market the painting. This bill aims to address this issue by transferring it to the General Land Office.</p>	<p>Favorable Evaluated by: Elizabeth Hann 210-382-4295 Elizabeth@Texaslsg.org</p>
<p>HB 1166 By: Stephenson / Reynolds / Zerwas / Miller</p>	<p>Relating to liability of certain electric utilities that allow certain uses of land that the electric utility owns, occupies, or leases.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Extends the limitation of liability of certain electric utilities to include counties with a population of 550,000 or more that are adjacent to a county with a population of four million or more. In the Civil Practice and Remedies Code, electric utilities may enter into a written agreement with a political subdivision to allow public access to, and use of, the electric utility's premises for recreation, exercise, relaxation or travel. In counties with a population of four million or more, an electric utility under this agreement is immune from liability for cases such as bodily injury or property damage sustained on the premises. The electric utility does not assure under this agreement that the premises are safe for the purposes of recreation, etc. The only exception is in cases of serious bodily injury or death of a person proximately caused by the electric utility's acts of gross negligence in regards to dangerous conditions on the premises.</p> <p>It appears fair to extend this limitation of liability statute to electric utilities in counties with populations of 550,000 or more adjacent to the counties of populations with four million or more who are granted this immunity. Greater concerns lie with this limitation of liability statute altogether, since these agreements do not require an electric utility to assure the premises are safe for recreation, exercise, relation or travel. It is concerning to grant immunity from liability in these circumstances for all counties in regards to public safety.</p>	<p>Will of the House Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>HB 2619 By: Giddings / Price</p>	<p>Relating to a grant program administered by the governor's criminal justice division to implement programs, practices, and services to maintain peace officers' mental health.</p>	<p>Public Health</p>	<p>HB 2619 directs the governor's criminal justice division to provide grants for the mental health wellness of police officers. Per the National Alliance on Mental Illness (NAMI), almost one in four police officers have experienced a thought of suicide at some point in their life. Additionally, 7-19% of police officers have symptoms of posttraumatic stress disorder, show significantly higher rates of stress and alcoholism, and are more likely to die by suicide than in the line of duty. Daily, police officers are charged with making in the moment critical decisions, are exposed to multiple traumatic experiences, and at the end of the day, hold the power of life and death in their hands. Furthermore, these experiences leave lasting emotional and mental health challenges that often go untreated. It is significantly important that Texas take the necessary precautions needed to strengthen the resiliency of its law enforcement. HB 2619 authorizes the criminal justice division to administer a grant program that law enforcement agencies can apply for, to implement programs and services such as counseling, and skills training that maintain mental health well-being. The bill states that a law enforcement agency may not use any information obtained in these programs for a departmental proceeding. The criminal justice division must formulate a biennial report that include the results and performance of the grant program.</p>	<p>Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org</p>



<p>HB 1574 By: Wilson / Murr / Lang / et al.</p>	<p>Relating to documentation regarding an arrest of a person without a warrant.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1574 requires a peace officer who arrests a person without a warrant to prepare and provide a written or oral affidavit containing a statement of probable cause for arrest. The documentation can either be filed with the magistrate the defendant is to appear before or given to the officer to whom custody of the person arrested is transferred. The bill also requires a person arrested for a misdemeanor without a warrant and detained in jail to be released on a bond no greater than \$5,000, and no later than 24 hours after the arrest if an affidavit containing a statement of probable cause has not been filed with the court. HB 1574 serves to provide clarity regarding the process by which a magistrate must determine if probable cause existed in a police officer’s arrest without a warrant.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>
<p>HB 1747 By: Minjarez / Villalba</p>	<p>Relating to the creation of the offense of mail theft.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1747 creates the felony offense of mail theft, in which commission of the offense pertains to a person appropriating pieces of mail that, in the aggregate, are addressed to at least three persons other than the actor. The classes of offenses for mail theft include:</p> <ul style="list-style-type: none"> • A state jail felony if 10 or fewer pieces of mail are stolen, • A third-degree felony if more than 10 but fewer than 50 pieces of mail are stolen, and • A second-degree felony if 50 or more pieces of mail are stolen. <p>Mail theft is currently charged under property theft laws, in which a dollar amount is attached to the theft. As there are no specific offenses pertaining to mail theft in Texas, there is little to deter repeat offenders who attempt to commit fraud or identity theft. HB 1747 will authorize law enforcement officers to prosecute persons committing mail theft as necessary.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>
<p>HB 3261 By: Geren</p>	<p>Relating to the registration and regulation of appraisal management companies; authorizing fees; expanding the applicability of an occupational registration.</p>	<p>Licensing & Administrative Procedures</p>	<p>This bill updates Chapter 114 of the Occupations Code to update definitions and conform to federal law concerning appraisal management companies. These companies are regulated at the federal level with state oversight limited to registration and reporting requirements through the Texas Appraisers Licensing and Certification Board (TALCB), and employ individual appraisers who are licensed through the same Board. HB 3261 only adds one notable provision to statute relating to the collection of fees. The TALCB is authorized to collect registration fees on behalf of the federal Appraisal Subcommittee, and this bill expands that authority to include a subgroup of federally regulated AMCs regulated by the Federal Reserve System and Federal Deposit Insurance Corporation.</p>	<p>Favorable Evaluated by: Arielle Day 210-382-4295 Arielle@Texaslsg.org</p>
<p>HB 1643 By: Springer</p>	<p>Relating to the prosecution of the offense of operation of an unmanned aircraft over certain facilities.</p>	<p>Homeland Security & Public Safety</p>	<p>This bill expands the definition of critical infrastructure facilities to include telecommunications structures (i.e. cell phone towers) and concentrated animal feeding operation (i.e. industrial livestock facilities) for the purpose of prohibiting the use of unmanned aircraft in their airspace. The use of drones near these types of facilities risks disruption to their normal operation for different reasons -- the potential for crashes that could damage cell phone towers and affect telecommunications access, and for the disruption to the environment of livestock including cattle, pigs, and poultry. More than a quarter of cattle in the United States are raised in Texas and represent a \$19 billion industry, a crucial segment of the state’s economic portfolio. Drone technology is a burgeoning field whose growth could not have been anticipated when the original definitions of critical infrastructure facilities were drafted, making it necessary to adjust statute now that their potential impacts are better understood.</p>	<p>Favorable Evaluated by: Andrea Elizondo 210-382-4295 Andrea@Texaslsg.org</p>
<p>HB 2591 By: Herrero</p>	<p>Relating to the exemption from taxes and special assessments of property of a navigation district.</p>	<p>Ways & Means</p>	<p>This bill amends the Water Code to exempt navigation districts from taxation. Navigation districts are a political subdivision responsible for the maintenance of ports and waterways that do not currently pay taxes because of their public benefit. The state Tax Code already contains exemptions, so HB 2591 creates consistency across statute regarding this topic. The exemption only applies to the navigation districts themselves, leaving companies that lease property within their boundaries responsible for taxation as applicable. Texas ports and waterways are intimately tied to commerce in the state, and HB 2591 codifies an existing practice in support of their maintenance and operation by navigation districts.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>



<p>HB 3296 By: Klick</p>	<p>Relating to persons required to establish nursing peer review committees.</p>	<p>Public Health</p>	<p>Nursing peer review is a process that is utilized to address nurses’ minor errors or infractions that do not warrant an official disciplinary complaint with the Texas Board of Nursing (BON). The peer review process allows for minor nursing issues to be at the nurse’s place of employment, ensuring that the proposed solution is tailored to that specific nurse’s scope of practice. Nursing peer review also offers vital workplace protections to nurses who feel that they have been asked to perform a service that is in violation of the Nurse Protection Act (NPA) , a Federal law that seeks to reduce occupational hazards for nurses. If a nurse feels they have been asked to do something in violation of the NPA, they can request for a “Safe Harbor” peer review process to take place to determine the nurse’s duty to perform the requested service. Finally, Nursing Peer Review allows minor cases to be handled locally, freeing up the BON to focus on more serious cases, such as when a nurse is accused of causing harm to a patient.</p> <p>Currently, only organizations with 10 or more nurses on staff are required to offer nursing peer review. CSHB 3296 expands access to nursing peer review by requiring it to be offered by organizations that employ 8 or more nurses. This minor change will expand nurse’s access to peer review, offering workplace protections and an avenue within which to address complaints without going through a formal disciplinary process with the BON.</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org</p>
<p>HB 2032 Gervin-Hawkins / et al.</p>	<p>Relating to increasing the criminal penalty for certain offenses committed in a vehicle operated by a public transportation system.</p>	<p>Criminal Jurisprudence</p>	<p>HB 2032 increases criminal penalties for sexual offenses, assaultive offenses, and robbery committed in a vehicle operated by a public transportation system. Within the bill, the commission of an offense on a vehicle operated by a public transportation system would be punished as prescribed for the next higher offense, with the exception of a first-degree or capital felony. HB 2032, “The Passenger Protection Act”, seeks to increase deterrents for individuals endangering passengers and operators of public transportation. Those relying on public transportation to get to work, school, or other places should have the protection of increased public safety from violent and violating offenses.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>
<p>HB 1661 By: Phelan</p>	<p>Relating to a withdrawal of a candidate.</p>	<p>Elections</p>	<p>HB 1661 allows for the ballot printing authority to withdraw a candidate’s name from a ballot and certification for unopposed status may be implemented. If the candidate withdraws from the race and meets all of the requirements for withdrawal with the exception for untimely withdrawal, if the ballots have not been printed, the authority may omit the name. Additionally, a certification for unopposed status may be added. This provision would be applied to elections for non state and county officers.</p>	<p>Favorable Evaluated by: Erin Ericksen 210-382-4295 Erin@Texaslsg.org</p>
<p>HB 162 By: Lucio III</p>	<p>Relating to conditions of community supervision for defendants convicted of certain criminal offenses involving animals; authorizing fees.</p>	<p>Criminal Jurisprudence</p>	<p>HB 162 allows a judge to require a person convicted of an offense relating to animal cruelty to complete an online responsible pet owner course as a condition of community supervision. The offenses eligible for the online responsible pet owner course include cruelty to livestock and non-livestock animals, attacks on an assistance animal, and dog fighting. The bill requires the Texas Department of Licensing and Regulation, or the Texas Commission of Licensing and Regulation as appropriate, to create rules by March 1, 2018 regarding administration, approval, and certification of the course and course providers. HB 162 seeks to reduce the occurrence of animal cruelty crimes and offer a rehabilitative and informative opportunity.</p>	<p>Favorable Evaluated by Katherine Kirages 210-382-4295 Katherine@texaslsg.org</p>
<p>HB 3854 By: Morrison, Geanie W.</p>	<p>Relating to the movement of certain vehicles transporting an intermodal shipping container; authorizing a fee; creating an offense.</p>	<p>Transportation</p>	<p>This bill would authorize the TxDMV to issue an annual permit authorizing the movement of sealed intermodal shipping containers, which are enclosed, standardized, reusable containers. The bill would establish certain restrictions regarding axle weight and configurations and other conditions for vehicles that may operate under this permit. An applicant for a permit would be required to designate each counties and municipality in which the permit would be used. This legislation would require an applicant to pay a permit fee of \$5,000, of which 60% would be deposited to the State Highway Fund (SHF), 35% would be divided equally among and distributed to the counties designated in the permit application, and 5% would be divided equally among and distributed to the</p>	<p>Unfavorable Evaluated by: Andrea Elizondo 210-382-4295 Andrea@Texaslsg.org</p>



			<p>municipalities designated in the permit application. The bill would require the Comptroller to send amounts due to the counties at least once each fiscal year for deposit to the credit of the county road and bridge fund. The bill would create a Class C misdemeanor for certain offenses related to the permit.</p> <p>HB 3854 will unnecessarily jeopardize the safety of the traveling public, provide certain business interests with a significant competitive disadvantages for small businesses, and potentially create a number of enforcement challenges. Trucks with higher gross vehicle weight allowances compromise margins of safety, they are harder to handle and maneuver, and additional axles or different axle configurations will not entirely mitigate infrastructure damage. The overweight trucks described in this bill were found to have a 18% higher out-of-service rates for brake violations and are 362% more likely to be involved in a crash (U.S. Department of Transportation, and Institute for Highway Safety). Profit should not come at the expense of public safety, the deterioration of roads and bridges, nor smaller businesses of the trucking industry going out of business. Instead, the state should be more focused on addressing its structurally deficient bridges, the poor condition of public roads since there is a major backlog in highway maintenance and capital improvement projects.</p>	
<p>HB 245 By: Johnson, Eric</p>	<p>Relating to certain reporting requirements for law enforcement agencies; providing a civil penalty.</p>	<p>Homeland Security & Public Safety</p>	<p>This bill creates a civil penalty for law enforcement agency that fails to submit a report to the Office of the Attorney General regarding an officer-involved injury or death. Agencies are currently required to submit these reports but there is no enforcement mechanism, so HB 245 requires the attorney general to investigate any claim of an unfiled report. When the results of those investigations indicate that an agency has failed to follow the reporting procedures, they will be assessed \$1000 for each day the report is unfiled; repeat offenses under this statute result in an additional \$10,000 fine. Agencies can be understandably reluctant to release details following a high-profile incident involving one of their officers, but law enforcement’s duty of public service carries with it an expectation of openness. HB 245 provides one step in the process of increasing accountability regarding agency operations.</p>	<p>Favorable Evaluated by: Andrea Elizondo 210-382-4295 Andrea@Texaslsg.org</p>
<p>HB 472 By: Dale / Villalba</p>	<p>Relating to judicial review of protective orders and the duration of those orders.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Limits motions to review a protective order for determination of continuing need. Currently, in motions to terminate sexual assault or human trafficking protective orders (POs), victims must prove a continuing need in order to maintain the PO. However, the victim did not have to prove this continuing need when they established the PO because the trauma from these crimes can be lifelong and severe. For example, there was a case where a court ruled that a man had repeatedly raped his 9-year-old daughter for years. She was issued a 10-year PO against the father. Three years later, he petitioned to terminate the order early, and because the victim could not prove “continuing need”, the court rescinded the PO.</p> <p>HB 472 ensures that civil protective order laws in Texas serve the purpose of protecting survivors of sexual assault and abuse, rather than allow perpetrators to use the courts as weapons of control and intimidation. This bill corrects the evidentiary imbalance between the standard for obtaining a PO based on sexual assault or abuse, stalking, or human trafficking, and the standard for modifying or terminating that PO. It additionally limits the motion for review to one.</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>HB 108 By: Alvarado / Button / Bernal /</p>	<p>Relating to the use of the skills development fund to facilitate the relocation to or expansion in this state of employers offering complex</p>	<p>Economic & Small Business Development</p>	<p>Texas’ multiple economic business-incentives make it an appealing state for businesses to relocate to; the lack of workforce training and support services for these businesses, however, can discourage them from ultimately deciding to bring their company to Texas. HB 108 authorizes the Texas Workforce Commission (TWC) to utilize funds from the Skills Development Fund to provide training and support for employers looking to relocate to Texas, with a focus on recruiting employers who will provide high-skilled employment opportunities for Texans. Under the bill, TWC is authorized to use funds to:</p> <ul style="list-style-type: none"> • Provide leadership and direction to out-of-state employers 	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org</p>



<p>Paddie / Gonzales, Larry / et al.</p>	<p>or high-skilled employment opportunities.</p>		<ul style="list-style-type: none"> • Provide linkage between out-of-state employers and economic development organizations, local workforce development boards, public junior colleges, and public technical institutes, allowing these entities to collaboratively address employer’s needs • Address employers’ needs for high-skilled workers by collaborating with Texas public junior and technical colleges to deliver targeted workforce training • Award grants to public junior and technical colleges to develop, obtain equipment for, or implement targeted workforce training <p>This bill does not create a new grant program, but creates flexibility in what existing skills development grant funds can be used for. Investing skills development funds in training that will incentivize businesses to relocate to Texas will have a positive impact on our economy and create valuable high-skill jobs for many Texans.</p>	
<p>HB 525 By: Villalba / Alvarado / Morrison, Geanie W. / Thompson, Senfronia</p>	<p>Relating to a central database containing information about offenders who have committed certain violent offenses against children or offenses involving family or dating violence.</p>	<p>Criminal Jurisprudence</p>	<p>HB 525 requires the Department of Public Safety to maintain a computerized central database of persons who have on three or more occasions been convicted of an offense regarding dating violence, family violence, unlawful restraint of children or kidnapping of children. The information contained in the database is public information, with the exception of any information regarding: 1) the social security, telephone or driver’s license number, and 2) information that would identify the victim. The database must contain certain information including the person’s name, date of birth, physical description, a recent photograph and a list of offenses related to family or dating violence or violence against children.</p> <p>HB 525 addresses the terrifying problem of violence against children, and family violence. A central, public database establishes a mechanism for Texans and Texas families to have more knowledge for the purposes of ensuring the safety of themselves, their children and loved ones. There is a concern that the bill may otherwise focus more on being punitive rather than rehabilitative. Additionally, there is a concern that it may have an unintended consequence of targeting low-income communities.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>
<p>HB 816 By: Bernal</p>	<p>Relating to a school district assigning a mentor teacher to a new classroom teacher.</p>	<p>Public Education</p>	<p>HB 816 amends the Education Code to set out requirements for teacher mentoring. The bill requires districts to provide training to mentor teachers to be completed before the beginning of the school year as well as supplemental training during the school year. The bill specifies that the training must include content related to best mentorship practices, and it delineates requirements regarding mentoring session topics and session frequency. HB 816 also creates a mentor program allotment to fund districts that implement a mentoring program as described in this bill. Effectively, HB 816 strengthens the Texas teaching workforce and reduces the millions of dollars spent on teacher attrition.</p>	<p>Favorable Evaluated by: Arielle Day 210-382-4295 Arielle@Texaslsg.org</p>
<p>HB 539 By: VanDeaver / Bernal / Cospers / González, Mary / Sheffield</p>	<p>Relating to the ability of certain dependents of members of the United States military to enroll full-time in courses provided through the state virtual school network.</p>	<p>Public Education</p>	<p>HB 539 expands the eligibility requirements for enrolling full-time in courses provided through the state virtual school network to accommodate students in military families who transferred to this state as a result of a deployment or transfer, and was enrolled in a publicly funded school out-of-state in the preceding school year. This will help military children who relocate to Texas continue their education with as little delay as possible.</p>	<p>Favorable Evaluated by: Arielle Day 210-382-4295 Arielle@Texaslsg.org</p>



<p>HB 849 By: Murr</p>	<p>Relating to notice to certain lienholders of cancellation of certain personal automobile insurance coverages.</p>	<p>Insurance</p>	<p>This bill requires that automobile insurance providers send notice to the lienholder on the vehicle if they cancel the policy. These notifications are already considered best practice among insurance companies, but the absence of this requirement in statute can cause financial complications for other parties. The motivation for this bill involves a car salesman who sold a vehicle to an individual who totalled the vehicle after their policy was cancelled without notice, leaving him responsible for the outstanding balance on the loan. HB 849 is a straightforward adjustment to the Insurance Code that requires communication that should, and generally already does, happen within the industry.</p>	<p>Favorable Evaluated by: Elizabeth Hann 210-382-4295 Elizabeth@Texaslsg.org</p>
<p>HB 884 By: King, Ken</p>	<p>Relating to a revision of the essential knowledge and skills of the public school foundation curriculum and proclamations for the production of instructional materials.</p>	<p>Public Education</p>	<p>The instructional materials allotment (IMA) was created for the purchase of instructional materials, technological equipment, and technology-related services. School districts have flexibility over the use of IMA funds, but they are required by the Texas Education Agency to certify that they have spent sufficient funds on instructional materials that meet 100% of the Texas Essential Knowledge and Skills (TEKS) requirements. Districts typically purchase materials adopted by the State Board of Education (SBOE) in their proclamation, but the costs of the materials adopted by SBOE are so high that it leaves some districts with little to no money left over to purchase technological equipment, technology-related services, and other instructional materials. HB 884 would limit the proclamation by the SBOE to 75% of the IMA funding, and it would require the review and revision of TEKS for each subject and grade level of the foundation curriculum. Effectively, this would allow schools to use at least 25% of their IMA funding on technology or other instructional materials.</p>	<p>Favorable Evaluated by: Arielle Day 210-382-4295 Arielle@Texaslsg.org</p>
<p>HB 786 By: VanDeaver</p>	<p>Relating to the prohibition of certain employment discrimination regarding an employee who is a volunteer emergency responder.</p>	<p>Business & Industry</p>	<p>Prohibits an employer from terminating or suspending the employment of, or in any other manner discriminating against, an employee who is a volunteer emergency responder when they are late or absent in responding to an emergency. HB 786 also provides entitlements for these employees if an employer violates this mandate. Many small cities and rural communities rely on volunteer firefighters and other emergency responders to respond to fires and other emergencies. They are sometimes the only trained resource for these communities, and they save taxpayers incredible amounts of money. These volunteer firefighters must be protected from punishment for missing work when responding to emergencies. This is a public safety concern.</p> <p>The only concern in this bill is that an employer may reduce the wages otherwise owed to the employee for any period that the employee took off responding to an emergency, except as authorized by a collective bargaining agreement. A volunteer emergency responder should not be penalized in their wages otherwise owed when called on to respond to an emergency.</p>	<p>Favorable with Concerns Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>
<p>HB 929 By: Miller</p>	<p>Relating to the time for returning ballots mailed by certain federal postcard applicants.</p>	<p>Elections</p>	<p>HB 929 extends the deadline for a ballot by mail to be counted for those serving in the armed forces and the merchant marines, their spouses, and dependents to arrive to the address on the carrier envelop by the sixth day after the date of the election. If the sixth day falls on a weekend or national holiday the deadline extends to the next regular business day. This bill also amends language requiring the local canvassing authority to meet be set by the canvassing authority presiding officer within the parameters described in statute.</p>	<p>Favorable Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org</p>
<p>HB 1974 By: Wray</p>	<p>Relating to durable powers of attorney.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Provides several clarification and modernization changes to the Texas Durable Power of Attorney Act, Chapter 751, under the Estates Code. These changes came as recommendations by the Real Estate, Probate and Trust Law Section of the State Bar of Texas, and were approved by the State Bar. A valid Durable Power of Attorney (DPOA) is a legal document that gives someone you choose the power to act in your place; for example, the trusted person you name will be permitted to take care of important matters to you, such as paying a bill, in the event that you are incapacitated.</p> <p>Many Texas citizens have been unable to effectively use the DPOA. Sometimes a DPOA is rejected for unexplained or arbitrary reasons. HB 1974 aims to clarify this Act, so as to simply prevent the continued spread of arbitrary refusal of DPOAs by some financial</p>	<p>Favorable Evaluated by: Serena Ahmed 210-382-4295 Serena@Texaslsg.org</p>



			<p>institutions. This will also meet the goal of reducing the need for guardianship proceedings, which is a very time-consuming and costly legal mechanism for one person to manage another person’s affairs when they are incapacitated. DPOAs are specifically included as an alternative to guardianship in Section 1002.0015, Estates Code.</p> <p>A DPOA may be rejected by some financial institutions because they do not want to take a risk. This bill does not require someone to automatically accept a DPOA nor does it shift liability to those who do accept a DPOA. Rather, it provides a new liability protection to those who accept a DPOA by allowing them to rely on an agent’s certification that the DPOA is valid for the purpose it is being presented, or an opinion of the agent’s counsel who would be hired at the principal’s expense. Additionally, it includes new procedures to follow to properly reject a DPOA. It provides numerous valid reasons to reject, some of which cannot be challenged by either the principal or the agent, and provides a mechanism to have a court decide any disputes.</p> <p>Thirty other states have enacted similar legislation without disruption to financial institutions. A person who has a DPOA, and wants to pay their loved ones rent who is incapacitated, so that they are not evicted, should not have their DPOA rejected without explanation by a financial institution. HB 1974 is an important bill for working families planning for the possibility of incapacity by making a DPOA more effective and readily available.</p>	
<p>HB 978 By: Murr / Moody</p>	<p>Relating to the terms of the board members of the Texas Indigent Defense Commission.</p>	<p>Criminal Jurisprudence</p>	<p>HB 978 extends term lengths of the Texas Indigent Defense Commission board members from two years to six years. The bill further allows one or two members’ terms to expire February 1 of each odd-numbered year, striking the provision allowing three members’ terms to expire February 1 of each even-numbered year. The Texas Indigent Defense Commission board is composed of volunteer members, and frequently experiences periods of seat vacancy due to lengthy processes of cultivating and vetting qualified candidates. Expanding term lengths for board members through HB 978 will address this issue.</p>	<p>Favorable Evaluated by: Katherine Kirages 210-382-4295 Katherine@Texaslsg.org</p>
<p>HB 1649 By: Muñoz, Jr.</p>	<p>Relating to the use of extrapolation by a health maintenance organization or an insurer to audit claims.</p>	<p>Insurance</p>	<p>This bill prohibits health maintenance organizations from using a mathematical algorithm to determine their projected claims amounts. This technique may be a cost-saving strategy for the insurance companies on their end, but it can be burdensome for providers to track and sort out discrepancies in their accounts billable when the results are inaccurate. HB 1649 shifts the burden to the insurance companies to ensure that their billing and accounting practices are sound and based on transactions that actually occur.</p>	<p>Favorable Evaluated by: Joel Kissell 210-382-4295 Joel@Texaslsg.org</p>
<p>HB 931 By: Miller / Bonnen, Greg / Zerwas / Thompson, Senfronia / et al.</p>	<p>Relating to liability of certain electric utilities and political subdivisions that contract for certain uses of land that the electric utility owns, occupies, or leases.</p>	<p>State Affairs</p>	<p>Hiking and biking trails offer recreational and public health benefits to Texans, but it can be costly for municipalities to obtain land to be used for these purposes. HB 931 would allow political subdivisions to contract with electric utilities for recreational use of the utility company’s land. HB 200 of the 83rd Legislative Session allowed Harris County to implement this practice; it has allowed them to increase public biking trails while more efficiently utilizing lands owned by electric utility companies. This bill expands the practice so it can be implemented statewide, which could allow for the creation of new hike and bike trails in metropolitan areas for little to no cost to municipalities for the land. Political subdivisions are responsible for the costs associated with entering into an agreement with an electric utility under this subchapter. Liability of a political subdivision that arises from the use of an electric utility’s property is limited to an amount not to exceed: \$350,000 for each person, \$700,000 for each single occurrence of bodily injury or death, \$100,00 for each occurrence for injury to or destruction of property, court costs, reasonable attorney’s fees, or any other expense incurred in filing a cause of action against a political subdivision under this section.</p>	<p>Favorable Evaluated by: Tyler Anderson 210-382-4295 Tyler@Texaslsg.org</p>



<p>HB 1816 By: Metcalf</p>	<p>Relating to the operation of medical supply transport vehicles during a declared state of disaster.</p>	<p>Homeland Security & Public Safety</p>	<p>This bill expands the range of vehicles authorized to utilize roads within declared disaster areas to include medical supply transports. In situations facing a disaster declaration, medical facilities including hospitals and pharmacies often encounter shortages of critical supplies needed to treat casualties; the emergency response operations that follow such a declaration affect the resupply options available to these facilities. HB 1816 introduces a subchapter to the Transportation Code relating to emergency vehicles covering medical supply vehicles and requires the Texas Division of Emergency Management to adjust their procedures to accommodate their inclusion.</p>	<p>Favorable Evaluated by: Andrea Elizondo 210-382-4295 Andrea@Texaslsg.org</p>
<p>HB 1724 By: Guillen</p>	<p>Relating to the establishment of the commercial license buyback account managed by the Parks and Wildlife Department.</p>	<p>Culture, Recreation & Tourism</p>	<p>Creates one unified commercial license buyback account to replace the separate license buyback programs for the shrimp licenses, finfish, and commercial crab licenses. These buyback programs were established around 1995 and are voluntary programs that offer the opportunity for participants in these fishing industries to sell their licenses. Reducing the number of working licenses results in healthier and more productive ecosystems. HB 1724 simply unifies these separate license buyback programs into one account, and clarifies that their funding can only be used to buy back commercial licenses from willing license holders.</p>	<p>Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org</p>
<p>HB 2766 By: Sheffield / Zerwas / Miller / White / et al.</p>	<p>Relating to the creation and administration of a reinvestment allowance for certain long-term care facilities.</p>	<p>Human Services</p>	<p>CSHB 2766 aims to address underfunding in nursing homes in Texas, by creating the Nursing Facility Reinvestment Allowance (NFRA). For years Texas has been faced with a crisis for nursing home funding. Nationally our state is rank 49th in nursing home Medicaid funding. Medicaid reimbursement has been in a shortfall for sometime, resulting in a decrease in the quality of care due to cuts to caregiver wages. This bill implements the NFRA, which will draw down the additional federal Medicaid funding for nursing homes.</p> <p>In order to fund the NFRA, nursing home facilities would pay a fee assess of up to 6% of each facilities bed to the Health and Human Services Commission (HHSC). The dollars paid to HHSC would be used to access federal available federal funding. Upon matching the federal dollars, HHSC would move the funds to Managed Care Organization's (MCO) to be in calculated with the Medicaid rate, MCOs would then pass down the reimbursement rate. This bill aims to address concern for provider payments to low or no-Medicaid providers by implementing a redistribution process. This bill ensure that fees cannot be passed to the residence and is paid for by the providers. CSHB 2766 also has a quality component for facilities who meet certain quality metrics standards outlined by HHSC. 50% of dollars can be used for quality payments.</p> <p>CSHB 2766 will address the nursing home funding crisis in the same manner that 43 other states are utilizing federal matching dollars. As our state begins to see an increase the aging populations and more nursing homes will be required to support our elderly, now is as an important time as ever to address the under funding. Nursing homes are a necessity in caring for our elders who often do not choose to leave their, homes and relinquish their independence. This bill will serve a great purpose in mitigating the nursing home Medicaid shortfall with no cost to the state, while still promoting quality care for those who need it most.</p>	<p>Favorable Evaluated by: Kylie McNaught 210-382-4295 Kylie@Texaslsg.org</p>
<p>HB 1837 By: Springer</p>	<p>Relating to the authority of counties to require a person to notify a local governmental entity before starting an outdoor fire; creating a criminal penalty.</p>	<p>County Affairs</p>	<p>HB 1837 seeks to reduce the amount of unnecessary responses by firefighters, especially in rural counties where resources are limited. This bill establishes the authority of a commissioner's court to require residents of the county to notify a local governmental entity before creating an outdoor fire. Occasionally people start controlled fires without notifying any authority which results in a needless response from a fire department. Exemptions from the definition of "outdoor fire" include a campfire at a campsite, fire used in a grill or an outdoor fireplace or oven, as well as fire use to burn trash in a container. HB 1837 amends the Local Government Code so that a person in violation of this chapter would receive a Class C misdemeanor if the person is aware of this statute and does not notify an authority of their outdoor fire.</p>	<p>Favorable Evaluated by: Tiffany Williams 210-382-4295 Tiffany@Texaslsg.org</p>



<p>HB 2087 By: VanDeaver</p>	<p>Relating to restricting the use of covered information, including student personally identifiable information, by an operator of a website, online service, online application, or mobile application for a school purpose.</p>	<p>Public Education</p>	<p>HB 2087 amends the Education Code to provide several privacy protections for student data. The bill bans the sale or rent of student data as well as targeted advertising to students based on their use of educational services. It limits the disclosure of student information obtained by technology providers, and it requires educational technology providers to maintain reasonable security practices and procedures that protect student data. The bill provides other similar provisions that enhance the protection of student data. HB 2087 ensures that while digital learning resources and technology integration in the classroom continue to transform education, student privacy is maintained.</p>	<p>Favorable Evaluated by: Arielle Day 210-382-4295 Arielle@Texaslsg.org</p>
<p>HB 2722 By: Phillips</p>	<p>Relating to early voting by certain persons who have an employment hardship.</p>	<p>Elections</p>	<p>HB 2722 provides a new opportunity for voters with certain occupational hardships to cast their ballots by mail. A person whose job takes them offshore or away from home frequently can file an application to have their ballot sent to their employer or specific relatives to be sent to the voter at their present employment location. The voter will need file an application with the county clerk submitting an affidavit from the employer and an address of where the ballot is to be mailed within 60 days of the election. The ballot may be mailed to the employer, a relative of 2nd degree affinity or 3rd degree by blood. The ballots will be processed in the same manner as early voting ballots. This bill will allow those whose occupations make regular voting by mail difficult because their worksite location is never certain. This expands the opportunity for those people to vote.</p>	<p>Favorable Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org</p>
<p>HB 2790 By: White</p>	<p>Relating to funding for certain apprenticeship training programs.</p>	<p>Public Education</p>	<p>Current law only allows a public school district or a state postsecondary institution to sponsor apprenticeship training programs. HB 2790 amends the Education Code to also allow independent apprenticeship committees to conduct apprenticeship training programs. The bill requires the independent training program to maintain a clear audit trail and delineates the procedure for doing so. Effectively, this bill creates more opportunities for the expansion of apprenticeships to keep up with the growing demand of skilled labor.</p>	<p>Favorable Evaluated by: Arielle Day 210-382-4295 Arielle@Texaslsg.org</p>
<p>HB 3083 By: Price / Coleman</p>	<p>Relating to repayment of certain mental health professional education loans.</p>	<p>Public Health</p>	<p>HB 3083 amends the Education Code by adding Licensed Chemical Dependency Counselors (LCDC) to the list of professionals that may be awarded repayment assistance grants under the Loan Repayment Program for Mental Health Professionals. Texas is experiencing a severe shortage of mental health professionals. By adding the additional group Texas is encouraging the improvement of designated health professionals. HB 3083 clarifies the limitations for the amount of assistance a student may receive from the state, and removed the two year service requirement. Per the bill, a LCDC may receive \$10,000 in assistance from the state if that individuals has received an associates degree. The bill requires the Higher Education Coordinating Board to apply for federal matching funds to ensure that money is being fully utilized, by annually seeking the maximum amount of funds.</p>	<p>Favorable Evaluated by: Fabeain Barkwell 210-382-4295 Fabeain@Texaslsg.org</p>
<p>HB 3735 By: Frank</p>	<p>Relating to an application for a new or amended water right submitted to the Texas Commission on Environmental Quality.</p>	<p>Natural Resource</p>	<p>HB 3735 modifies the Water Code for new or amended water rights and updates language within the chapter. The bill limits the scope the Texas Commission on Environmental Quality (TCEQ) can consider when granting or amending a water permit to what under its purview through jurisdiction. Amending language in the bill also changes language so that a permit is now <i>not inconsistent</i> with the state water plan instead of consistent. The state water plan is what Texas uses as a road map for regional and statewide needs and recommendations. Allowing leeway to deviate from the measures put forth through the state water plan could weaken the foundation of the process.</p>	<p>Will of the House Evaluated by: Erin Eriksen 210-382-4295 Erin@Texaslsg.org</p>

