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An Official Caucus of the Texas House of Representatives

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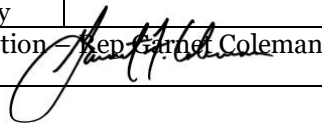
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### LSG Floor Report For POSPONED BUSINESS Calendar – Thursday, May 2, 2019

<p><b>HB 4181</b> By: Geren</p>	<p>Relating to the organization and efficient operation of the legislative branch of state government.</p>	<p>House Administration</p> <p>Vote:          11 Ayes  <input type="radio"/> Nays  <input type="radio"/> PNV  <input type="radio"/> Absent</p>	<p>HB 4181 addresses statutes that govern legislative organization and operations and statutes governing committees and committee procedure. It also addresses statutes regarding legal developments that impact the way the legislature operates. Aside from minor revisions throughout the years, the Legislative Reorganization Act of 1961 was the last time these statutes were significantly revised. As a result, these statutes are outdated and should reflect current practice.</p> <p>Specific updates include but are limited to:</p> <ul style="list-style-type: none"> <li>• Requires the Secretary of State attend and preside at the organization of the House of Representatives, if absent or unable the Attorney General will perform the duties.</li> <li>• Requires the Lieutenant Governor to attend and preside at the organization of the Senate, if absent or unable, the Lieutenant Governor will designate a member of the Senate, the senator with the greatest number of years of cumulative services who was not subject to re- election, to perform the duties.</li> <li>• Removes the duty of standing committees to form legislative programs and drafting of any legislation the committee believes is necessary and desirable. Removes the requirement for the chair of each committee to introduce or cause to be introduced legislative programs developed by the committee and to mobilize committee efforts to secure the enactment into law of committee proposals. The committee may recommend passage of any legislative solution the committee believes desirable for resolving problems within its jurisdiction.</li> <li>• Revises provisions relating to the General Investigation Committee</li> <li>• Acceptance of a gift, grant, or donation by a legislative committee created by resolution is not effective until the committee on administration for the appropriate house of the legislature approves the acceptance.</li> <li>• Ensures that certain communications with a parliamentarian are confidential and subject to legislative privilege. Legislative members individual privileges cannot be waived by the Speaker, Texas Legislative Council(TLC), or anyone else.</li> <li>• Retains legislative members rights to choose to disclose all or part of a communication subject to legislative privilege, attorney- client privilege, and any other privileges.</li> <li>• Explicitly states that legislative members are custodians of their own records for purposes of litigation until the individuals service as a member or lieutenant governor ends.</li> <li>• Explicitly states that the TLC is required to provide legal advice and other legal services to the legislature.</li> <li>• Establishes the Legislative Reference Library (LRL) as the depository for any record created or received by the office of a member of the legislature or the Lieutenant Governor.</li> <li>• Certain records relating to requests made of a parliamentarian and certain records relating to requests of TLC staff are not subject to request, inspection, or duplication under state public information law.</li> <li>• Increases certain maximum contribution amounts for a contributor to the speaker's reunion day ceremony</li> </ul>	<p><b>Favorable</b>          Evaluated by:          Brittany Sharp          210-748-0646          Brittany@TexasLSG.org</p>
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OK for Distribution  Rep. Garnet Coleman

from \$500 to \$1000.

- Renaming of the Robert E Johnson Building to the Robert E Johnson Sr. Legislative Office Building and requires that the presiding officers of each house to jointly decide matters regarding the building.

**LSG Floor Report For CONSTITUTIONAL AMENDMENTS Calendar – Thursday, May 2, 2019**

<p><b>HJR 82</b> By: Craddick   Landgraf   Nevarez   Paddie</p>	<p>Proposing a constitutional amendment providing for the creation of and use of money in the generate recurring oil wealth for Texas (GROW Texas) fund and allocating certain general revenues to that fund, the economic stabilization fund, and the state highway fund.</p>	<p>Appropriations  Vote: 22 Ayes 1 Nays 0 PNV 4 Absent</p>	<p>HJR 82 creates the Generate Recurring Oil Wealth (GROW) Texas fund in the state treasury. This resolution will also create a commission to administer money appropriated from the fund and to advise the legislature on making appropriations from the fund. Currently, the allocation of oil and gas revenue is split 50/50 to the Economic Stabilization Fund (ESF) and the State Highway Fund (SHF). HJR 82 would decrease the ESF's 50% allocation of oil and gas revenue to 38% and allocate the 12% difference to the GROW Texas Fund. The share allocated to the SHF will remain the same. The amount allocated to the GROW Texas Fund cannot exceed \$250 million in a biennium and will be redistributed to the ESF upon exceeding. The Comptroller on the last day of each biennium will transfer any unobligated and unappropriated money in the GROW Texas fund to the ESF. It has been expressed that the regions of Texas responsible for the growth in the state's oil and natural gas production have significant challenges due to the increase of movement on roads, need for employees, potential health concerns, etc. These areas need additional investment in order to secure the continued success of this industry and funds for the state. HJR 82 would ensure that Texas remains a front runner in oil and natural gas production. In response to the rapid growth and changes of the oil and gas industry, HJR 82 allows the legislature over the biennium to assess needs and issues of these areas. There are concerns that taking this amendment to the voters is premature because there has not been a sufficient assessment of needs.</p>	<p><b>Favorable</b> Evaluated by: Brittany Sharp (210) 748-0646 Brittany@TexasLSG.org</p>
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**LSG Floor Report For GENERAL STATE Calendar – Thursday, May 2, 2019**

<p><b>HB 1833</b> By: Wray</p>	<p>Relating to the authority to transfer real property in the name of an entity.</p>	<p>Business &amp; Industry  Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>With the growth of the internet, it has become easier to create businesses and have various networks of individuals and businesses who are all interconnected and nested. When this happens, it becomes difficult to determine which individual or business has the authority to sell real property. This is made particularly difficult due to the fact that the businesses may be reticent to share information or documentation due to concerns regarding privacy. HB 1833 addresses this issue by creating a statutory mechanism by which such entities may predesignate individuals as those with the authority to conduct real estate transactions on behalf of the business entity. Eligible domestic and foreign entities are given the authority to hold documentation in the form of an affidavit, that identifies one or more individuals with the authority to conduct real estate transactions. The designated individual must be at least 18 years old, authorized to act on behalf of the entity, competent to execute the documentation, and understand that the affidavit is made under penalty of perjury. The said affidavit must include the name of the business entity that holds the title to the real estate property and that the entity active with good standing under appropriate authorities. It must also include the address of the entity and a legal description of the property. The individual who is authorized to execute the affidavit must be in a professional position that is appropriate to the type of business entity they represent:</p> <ul style="list-style-type: none"> <li>if the entity is a corporation, a director or officer</li> <li>if the entity is a limited liability company, a manager or member</li> <li>if the entity is a limited partnership, a general partnership</li> <li>if the entity is a professional corporation or association, a director or officer</li> </ul> <p>The individual who is identified in the affidavit as authorized to conduct the real estate transaction may not be the same as the one who is designated to execute the affidavit except in very specific cases that is enumerated in the bill.</p>	<p><b>Favorable</b> Evaluated by: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org</p>
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<p><b>HB 1666</b> By: Martinez</p>	<p>Relating to the authorization by referendum on an optional county fee on vehicle registration in certain counties.</p>	<p>Transportation</p> <p>Vote: 9 Ayes 0 Nays 0 PNV 4 Absent</p>	<p>With Texas cities growing so rapidly, transportation needs outpace state funding and require new funding sources. In June 2018 the Rio Grande Valley was hit by a heavy rain event categorized as a 500-year flood that caused extensive damage. Aged flooding infrastructure left communities flooded for weeks and the damage to the Rio Grande Valley was estimated at \$100,000,000. The Rio Grande Valley needs flood infrastructure to improve public safety. Funds have been coming in slowly but there is need for other sources of funding because the cities and public transit are struggling to recover.</p> <p>HB 1666 allows Hidalgo, Cameron, and Willacy Counties to vote on implementation of a \$2 vehicle registration fee for residents of the Rio Grande Valley to fund drainage, public transit, and other road projects. Half of the fee would go to the Council of Governments for public transportation services and half would go to municipalities for road or drainage projects. HB 1666 provides another method of funding to the counties of the Rio Grande Valley for disaster recovery.</p>	<p><b>Favorable</b> Evaluated by: Sophia Creede (832) 865-4774 Sophia@TexasLSG.org</p>
<p><b>HB 2104</b> By: Frullo</p>	<p>Relating to a limitation on life insurance proceeds for terroristic acts.</p>	<p>Insurance</p> <p>Vote: 7 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>HB 2104 would prevent beneficiaries of insurance policies from receiving full financial compensation at the full rate of plan value if the enrollee dies as a result of a terroristic act and was a perpetrator or participant/non-victim.</p> <p>HB 2104 allows an insurance company to limit proceeds of the policy to only the contributed premiums if the individual insured occurred due to terroristic act with the intent to:</p> <ul style="list-style-type: none"> <li>• place the public or a substantial group of the public in fear of serious bodily injury;</li> <li>• influence the conduct or activities of a branch or agency of the federal government, this state, or a political subdivision of this state; or</li> <li>• significantly disrupt or interfere with lawful commerce or the right of lawful assembly.</li> </ul> <p>In short, HB 2104 establishes that the beneficiaries' loved ones (e.g. wife/husband and children) shall bear the punishment for the sins of the perpetrator by limiting proceeds for a policy that has already been purchased.</p> <p>HB 2104 takes would take effect September 1, 2019, and would only apply only to an insurance policy delivered, issued for delivery, or renewed on or after January 1, 2020.</p>	<p><b>Will of the House</b> Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>
<p><b>HB 2042</b> By: Stucky</p>	<p>Relating to post payment audits conducted by the comptroller and annual financial reports submitted by state agencies.</p>	<p>State Affairs</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 5 Absent</p>	<p>HB 2042 seeks to allow the comptroller to audit claims on a post-payment basis without the need of a contract, remove outdated language that compares the post-payment audit process to a pre-payment audit process, grants auditors access to necessary documentation without additional requirements imposed by state agencies, and allows the comptroller additional flexibility in the type of data and timing required for financial information reporting. The justification for these changes is that it will save time and resources, improve oversight of state agencies and remove cumbersome requirements imposed by state agencies under review.</p>	<p><b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>


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<p><b>HB 3612</b> By: Davis, Yvonne</p>	<p>Relating to a study and report by the Texas Higher Education Coordinating Board regarding best practices for assisting students with autism spectrum disorder.</p>	<p>Higher Education</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 3 Absent</p>	<p>According to the Center for Disease and Control estimates that 1 in every 68 children are diagnosed with Autism Spectrum Disorder (ASD).</p> <p>People who are on the spectrum experience the world through the spectrum differently than those outside the spectrum. The range of the spectrum challenges those with ASD in everyday life in different ways and even more so throughout their academic endeavors. Currently, institutions of higher education may be inadequately prepared to help students who are on the spectrum enrolled at their campus and assist them with their higher education journey.</p> <p>HB 3612 requires the Texas Higher Education Coordinating Board (THECB) to conduct a study that would identify best practices, appropriate interventions and supports, to assist students with ASD enrolled at public institutions of higher education. The study will track students with ASD who graduate from secondary schools in Texas, enrolled at institutions of higher education, financial assistance to students with ASD, and would also identify and track the graduation rates of students with ASD from institutions of higher education. The study would also require the THECB to work with public school districts that have specialized programs for students with ASD and analyze how those programs can be implemented or extended to postsecondary institutions. This bill would directly impact students with ASD pursuing a higher education and allow for those public institutions to be adequately prepared to assist students on the spectrum by placing an emphasis into creating more accessibility programs for students with ASD.</p>	<p><b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org</p>
<p><b>HB 2110</b> By: Shaheen</p>	<p>Relating to state agency measurement and management of customer satisfaction.</p>	<p>State Affairs</p> <p>Vote: 11 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>HB 2110 seeks to modernize customer surveys used by state agencies, as it is required from a 1999 statute (SB 1563). Since the passage 20 years ago, customer service standards and performance measures have not been updated. HB 2110 will update the current statute to include mobile and web applications among the ways that a state agency can gather surveys, and will update privacy standard to ensure that state agencies maintain ownership of the data they collect. HB 2110 also includes that the Legislative Budget Board (LBB) or the Governor's Office of Budget and Policy may request the reported information and that they shall jointly develop a standardized method to measure customer service satisfaction and create standardized performance measures.</p>	<p><b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>
<p><b>HB 2631</b> By: Johnson, Julie   Oliverson   Moody</p>	<p>Relating to physician and health care practitioner credentialing by managed care plan issuers.</p>	<p>Insurance</p> <p>Vote: 7 Ayes 1 Nays 0 PNV 1 Absent</p>	<p>HB 2631 adds language to the Insurance Code to credential applying providers in reasonable time with notification to the applicant of failure to meet insurance credentialing requirements. Language would be included to hold the enrollee harmless in the difference of payment between in-network copayments paid to a provider who is not eligible for credentialing. Currently, newly licensed doctors may currently see patients while assessing out-of-network fees and risk a smaller clientele market. With the ability to retroactively bill as in-network, this would allow for consumers to have more choices when providers are in negotiation with health plan providers.</p> <p>HB 2631 would allow for consumers to have more choice not just in physicians, but tiers of expense when choosing medical professionals to see for healthcare, offering more flexibility for healthcare access.</p>	<p><b>Favorable</b> Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>
<p><b>HB 2364</b> By: Darby</p>	<p>Relating to the provision of certain services through statewide technology centers.</p>	<p>State Affairs</p> <p>Vote: 11 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>Current law restricts Data Center Services (DCS) Program from competing with the private telecommunications sector, yet, a need exists to clarify what service state agencies, institutions of higher education, and local governments can purchase through DCS program. HB 2364 clarifies that the DCS program can continue to offer electronic messaging services and outsources managed services as it has been seen as an avenue for cost-savings.</p>	<p><b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>
<p><b>HB 1517</b> By: Coleman   Ramos</p>	<p>Relating to a notification requirement if a public school, including an open-enrollment charter school, does not have a nurse</p>	<p>Public Education</p> <p>Vote: 10 Ayes</p>	<p>Nurses play an integral role in providing basic health care to students who would otherwise go without it, and most parents assume there is always a nurse on staff, but this is not the case in some school districts. Current Texas law does not require public schools and open enrollment charter schools to employ a full-time nurse nor are they required to inform parents about the duration the nurse is at the school. Sometimes they may only be part time nurses and are only present for part of the regular instructional day.</p>	<p><b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org</p>

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	assigned to the school during all instructional hours.	1 Nays 1 PNV 1 Absent	HB 1517 will require schools to inform parents if the school does not employ a full time, or the equivalent of a full-time school nurse, but does not require school districts to hire an FTE. Additionally, the school can post the notice on the school's website as a measure of informing parents. This notification requirement does not apply to school districts or open-enrollment charter schools with student enrolment of less than 10,000 students.	
<b>HB 2691</b> By: VanDeaver	Relating to restricting the use of personally identifiable student information by an operator of a website, online service, online application, or mobile application used for a school purpose and providing an exemption from certain restrictions for a national assessment provider.	Public Education  Vote: 12 Ayes 0 Nays 0 PNV 1 Absent	In 2017 there was a hacking group reported by the FBI that targeted a school district and were able to collect private student information to threaten them and members of their family for ransom. However, school districts are still currently allowed to contract with third party vendors with no standard of data protection statewide and there is no agreement for statewide data sharing.  HB 2691 requires TEA approved vendors that contract with school districts to protect their student's data with a unique ID, established through the Texas Student Data System (TSDS), to add a layer of standard data protection statewide and will limit the data they are allowed to collect from their students.	<b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org
<b>HB 2545</b> By: Guillen	Relating to franchise tax, oil production tax, and gas production tax incentives for certain desalination facility operations.	Ways & Means  Vote: 8 Ayes 0 Nays 0 PNV 3 Absent	As our state's population grows, demand for clean water continues to increase. This becomes critically apparent during times of drought. To best leverage our state's resources and reduce the over-appropriation of water, HB 2545 seeks to incentivize and advance properly permitted desalination in Texas of seawater, brackish groundwater and "produced water" from oil and gas extraction. To encourage private investment, HB 2545 would offer credits against franchise and oil and gas production taxes for production of potable water equal to 50 cents, \$1, \$5, or \$17 for each 1,000 gallons of source water treated, with the credit amount determined by the total dissolved solids (TDS) concentrations in the source water. HB 2545 also: <ul style="list-style-type: none"> <li>• specifies that water may only be counted once,</li> <li>• restricts a credit for the same treated water to one permit holder,</li> <li>• allows a franchise tax exclusion for amounts from the sale of minerals or materials extracted during desalination,</li> <li>• provides for a 5-year carryforward of the credit,</li> <li>• requires reporting to TCEQ monthly, and to the Comptroller.</li> </ul> Concerns have been expressed regarding degree of necessity given the potential for advancement in cost efficiency within the desalination industry and the increasing statewide need. Opponents contend the necessary incentive to lure desalination providers exists within the market currently. To ensure application matches legislative intent, the substitute would make the provisions effective starting September 2021, with a 4-year sunset review. Conservation concerns have been expressed over the TDS levels as proposed for the lowest credit level. While the substitute considers source water with 5,000 TDS, environmental organizations have called for higher initial thresholds of 10,000 TDS for source water to maximize credits and conservation impact.	<b>Favorable</b> Evaluated by: Eliot Davis (713) 855-3285 Eli@TexasLSG.org
<b>HB 2764</b> By: Frank	Relating to minimum standards and caregiver training for substitute care providers for children in the conservatorship of the Department of Family and	Human Services  Vote: 7 Ayes 0 Nays	HB 2764 directs HHSC to conduct a review of minimum standards for licensed child-placing agencies, agency foster homes, and adoptive homes by the end of 2020 to create flexibility and simplify the process of licensure. The intent is that the number of foster and adoptive homes in Texas will increase with a simplified process.  HB 2764 also allows DFPS to grant authority to child-placing agencies and Single Source Continuum Contractors (SSCC) to waive certain pre-service trainings, annual trainings, and other requirements which aren't directly related	<b>Unfavorable</b> Evaluated by: Ali Schoon 515-313-3712 Ali@TexasLSG.org

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	Protective Services.	0 PNV 2 Absent	<p>to the care of a child for foster and adoptive parents or foster homes which have no citations or violations.</p> <p>Each contract between a SSCC and DFPS will explicitly state that training requirements for foster parents may not exceed 35 hours. Current minimum standards require at least 35 hours for an individual to become a licensed foster parent with additional training requirements depending on the level of care they seek licensure for. HB 2764 caps training requirements and states that the department or SSCC may place additional provisions for training requirements. These additional provisions require child-placing agencies to provide competency-based, pre-service trainings based on the needs of a child being placed in their care including trainings for treatment of children with complex medical needs, emotional disorders, intellectual or developmental disabilities, and victims of human trafficking.</p> <p>HB 2764 expressly allows child-placing agencies to provide training which might meet eligibility standards for federal funds through the Family First Prevention Services Act.</p> <p>Texas has a shortage of qualified foster parents and the requirements in order to be licensed may be a deterrent for some families. The training requirements are especially difficult for prospective foster parents in rural areas as they must travel further to access training. However, there are concerns in regard to capping training rather than having a minimum standard which must be met. Most child placing agencies for a basic level of care require well over 35 hours to be licensed in addition to annual trainings each subsequent year of licensure. As the level of care increases, the training also increases. While the majority of child-placing agencies have high standards, placing a cap on training requirements may allow some child-placing agencies to only do the bare minimum regardless of the needs of children in their care.</p> <p>HB 2764 has a provision which allows for additional training once a child with certain diagnoses are placed in their care. Child placement sometimes happens quickly with little notice and children often enter care without a formal diagnosis. If a child is placed in a foster home which hasn't been trained in developmental disorders or emotional disorders the foster parents may not be equipped to handle the child's behaviors and may not be able to identify that their behaviors are symptoms of a disorder which needs appropriate treatment.</p> <p>While training can be time consuming and cumbersome, appropriate and thorough training equips foster parents to handle the varied and often unknown challenges each child grapples with. Foster parents feel supported and confident when they have training which prepares them for the unknowns in foster care. DFPS should take the opportunity to review minimum standards and determine what standards actually protect and allow foster children to grow and develop to their full capacity. A review of minimum standards could also determine which trainings are necessary to adequately equip foster parents and which trainings are no longer relevant or effective; rather than placing a cap on training hour requirements.</p>	
<p><b>HB 2766</b> By: Zerwas</p>	<p>Relating to electronic and other controlled substance prescriptions under the Texas Controlled Substances Act; authorizing a fee.</p>	<p>Public Health</p> <p>Vote: 9 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>The National Institute on Drug Abuse stated that in 2017, Texas had 1,458 deaths due to opioid overdoses. 1 in 9 Texans suffer from Substance Abuse Disorder, and in 2014 alone, the state spent over \$2 billion in opioid-related healthcare costs. Currently, Texas has laws and regulations concerning the prescribing and dispensing of certain controlled substances. The regulations have been put in place to help reduce prescription drug abuse and fraud. With the increase in rates of prescription drug abuse, related deaths, and Neonatal Abstinence Syndrome, it is imperative that Texas laws be amended to address the issue.</p> <p>HB 2766 addresses some of these concerns through regulatory measures. To do so, the bill first amends definition a</p>	<p><b>Favorable</b> Evaluated by: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org</p>

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for "designated agent" as an individual who a prescriber may designate to communicate instructions to a pharmacist in the case of an emergency as well as the definition for "official prescription form" to refer specifically to a prescription form that is used for prescribing Schedule II controlled substances. A Schedule II drug is one that has been federally defined as one with a high potential for abuse. Narcotics, opiates, and certain stimulants all fall under this category.

HB 2766 specifies that, except in the case of an emergency, no person may dispense or administer a controlled substance without an appropriate electronic prescription. In the case of an emergency, current rules state that the prescriber or the designated agent must create a written record of the prescription. This bill adds that, if such an agent is designated in writing by an appropriate prescriber, they may communicate a prescription by phone. The practitioner will be responsible for the actions of the designated agent. However, the practitioner must be able to provide a copy of the written designation at the request of a pharmacist. Additionally, the prescriber provide the pharmacist with the information necessary to complete the electronic prescription record. In accordance with the progression of technology, HB 2766 moves away from current standards of controlled substance prescription and shows preference for electronic prescription. HB 2766 strikes statutes that allow for written prescriptions for certain drugs to be delivered in person or by mail. In addition, it allows for partial filling for a Schedule II controlled substance only in accordance with federal law. Under these changes, prescriptions for Schedule II substances for hospice patients, whether for full or partial filling, may only be given through electronic prescription methods.

HB 2766 specifies that a prescription for a controlled substance may be exempted from the requirement to be issued electronically and may be issued in writing in certain circumstances, including, among others, those in which the prescriber is a veterinarian, the electronic prescribing is temporarily unavailable, the drugs are under a research protocol, the prescriber and dispenser are in the same location or same license, the written prescription would be more practical and prevent a delay that would adversely impact the patient's medical condition.

HB 2766 also includes the following provisions:

- language exempting a dispensing pharmacist from any obligation to ensure that a non-electronic prescription was appropriately authorized
- a requirement that written prescriptions for controlled substances must include certain information
- authorization for the Texas State Board of Pharmacy (TSBP) to assess a fee for sending official prescription forms to practitioners
- a requirement that no more than one Schedule II prescription may be recorded on an official prescription form
- requirements for physicians to take measures to ensure that official prescription forms are not misused
- requirements regarding guidelines for the issuance of waivers from electronic prescribing by certain regulatory agencies
- adds to the list of violations involving controlled substances to include use of a fraudulent electronic prescription
- repeals of certain sections of the Health and Safety Code to be consistent with the provisions of the bill

<p><b>HB 3207</b> By: Deshotel</p>	<p>Relating to the maritime port plans, reports, and programs prepared by the Port Authority Advisory Committee.</p>	<p>Transportation  Vote: 13 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>It is hard to decipher requirements for the Port Authority Advisory Committee (PAAC)—a nine-member committee that advises and updates Texas Transportation Commission about policy and Texas maritime ports—because the ultimate report is similar to the Port Capital Program (which is another similar report); it would be beneficial to see some clarity on their separate roles.</p> <p>HB 3207 reduces ambiguity by combining the reports into the two-year Maritime Port Mission Plan—defines goals/objectives concerning maritime port facilities and intermodal transportation systems— which PAAC will submit to Texas Transportation Commission, Governor, Lt. Governor, and Speaker. This increases efficiency and minimizes duplicitous reports.</p>	<p><b>Favorable</b> Evaluated by: Sophia Creede (832) 865-4774 Sophia@TexasLSG.org</p>
<p><b>HB 2787</b> By: Springer</p>	<p>Relating to certain confidential or privileged information related to veterinary care or treatment.</p>	<p>Agriculture &amp; Livestock  Vote: 7 Ayes 2 Nays 0 PNV 0 Absent</p>	<p>A veterinarian can disclose information about their clients and the care and treatment of their pets under very limited situations and circumstances. This is because veterinary medicine is held to the same standards as all other areas of medical practice regarding client privacy. Veterinarians can face consequences by the Texas State Board of Veterinary Medical Examiners when privacy laws are breached, and currently under Texas law there is no exemption for the posting of client information on a public forum, such as Facebook review pages, regarding cruelty to or an attack of an animal or information about prescribing of controlled substances.</p> <p>HB 2782 adds language to existing Texas law that will allow for confidentiality of a client to be waived to the extent that the client publishes information in a public forum.</p> <p>HB 2782 will make clear that veterinarians can report information regarding animal cruelty, animal attacks, and the prescribing, dispensing, or requesting of a controlled substance to the proper government authority.</p> <p><u>Furthermore, HB 2782 would make Texas the only state to participate in eliminating these aspects of client privacy and undermine the practice of veterinary medicine.</u></p>	<p><b>Will of the House</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@TexasLSG.org</p>
<p><b>HB 2859</b> By: Capriglione</p>	<p>Relating to the exemption from ad valorem taxation of precious metal held in a precious metal depository located in this state.</p>	<p>Ways &amp; Means  Vote: 10 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>HB 2859 exempts property taxation on precious metals held in a precious metal depository located in Texas, whether or not they are held for the production of income. Currently, taxes are collected only on those metals held for income and this bill would prohibit that tax practice. This would increase certainty and reduce confusion in our states precious metal market and increase our state's advantage comparatively. However, it could also result in reduced revenue to local units and strain on the school finance formulas.</p>	<p><b>Favorable, with Concerns</b> Evaluated by: Eliot Davis (713) 855-3285 Eli@TexasLSG.org</p>
<p><b>HB 3228</b> By: Muñoz</p>	<p>Relating to certain hearings concerning title insurance rates and other matters relating to regulating the business of title insurance.</p>	<p>Insurance  Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>HB 3228 adds language to the Insurance Code to allow public inquiry to the commissioner of insurance to change premium rates on title insurance. Currently, only title insurance companies, agents/associations, and government regulators have capacity in hearings. Language would establish that an interested person would be able to write in to the commissioner to request a public hearing to consider a new premium rate. The commissioner would have no more than 60 days to respond in writing denial or initiate the public hearing.</p> <p>HB 3228 would allow for more consumer input on current and new rates of title insurance rates. This would enable an industry with very little public input to have more consumer awareness and transparency.</p>	<p><b>Favorable</b> Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>
<p><b>HB 3082</b> By: Murphy</p>	<p>Relating to investigating and prosecuting the criminal offense of operating an unmanned aircraft over or near certain facilities.</p>	<p>Homeland Security &amp; Public Safety  Vote: 9 Ayes</p>	<p>Since recent technological advances, drones have really become a source of concern for law enforcement agencies. Drones can currently display a live feed to the pilot through their camera, can carry items and drop them, as well as record high quality videos. The Department of Public Safety has a current system called <i>Eyewatch</i> that monitors drone activities since regular law enforcement may not have the proper tools to track drones. However, there are concerns that DPS does not have enough tools to track or prosecute all suspicious activity.</p>	<p><b>Favorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>

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		<input type="radio"/> Nays <input type="radio"/> PNV <input type="radio"/> Absent	<p>HB 3082 amends the government code by changing the language to add that a person commits an offense if the person with criminal negligence operates a drone over a correctional facility, detention facility, or critical infrastructure lower than 400 feet. HB 3082 also requires a peace officer conducting the investigation of said offense to notify DPS and they in turn can request more information about the crime from the peace officer if they deem necessary. HB 3082 allows DPS to work with peace officers to stop drone flights and allows for the prosecution of the pilots if they fly to close to these infrastructures.</p>	
<p><b>HB 3526</b> By: Rose</p>	<p>Relating to the duties of and training for certain officers and jailers regarding the child safety check alert list.</p>	<p>Homeland Security &amp; Public Safety</p> <p>Vote:  <input checked="" type="radio"/> 9 Ayes  <input type="radio"/> Nays  <input type="radio"/> PNV  <input type="radio"/> Absent</p>	<p>In 2015, in response to a child's death, the Child Safety Check Alert(CSCA) List was created in order for law enforcement officers to assist Child Protective Services (CPS) in finding children who are listed as Priority 1 cases. CPS has 24 hours to make contact with the alleged victims in these cases, so law enforcement can assist by helping to locate these children. The CSCA is a database that allows law enforcement to know which children they need to be looking for. However, there are concerns that law enforcement agencies have not been using the database in order to find these children.</p> <p>HB 3526 amends the Code of Criminal Procedure to expand language to include any officer, not just a police officer to be able to access this system and be able to find children. HB 3526 includes a peace officer, parole officer, juvenile probation officer, juvenile correctional officer, juvenile parole officer, or county jailer. HB 3526 also amends the family code in to include the Texas Commission on Law Enforcement (TCOLE) to include the CSCA training program to any officers considered under the new definition of an officer. HB 3526 helps CPS reach all of the children in the CSCA list by working with law enforcement and requiring law enforcement to actually check and follow up with the list.</p>	<p><b>Favorable</b>                  Evaluated by:                  Santiago Cernigliaro                  (713) 435-9049                  Santiago@TexasLSG.org</p>
<p><b>HB 3233</b> By: Klick</p>	<p>Relating to the Judicial Campaign Fairness Act.</p>	<p>Elections</p> <p>Vote:  <input checked="" type="radio"/> 9 Ayes  <input type="radio"/> Nays  <input type="radio"/> PNV  <input type="radio"/> Absent</p>	<p>HB 3233 clarifies, and updates outdated information in the Judiciary Campaign Fairness Act that pertain to the contributions to the campaigns for judges. The updates and changes include replacing clauses that were deemed unconstitutional by the supreme court because they violated the first amendment by not allowing certain individual contributions to judiciary campaigns. HB 3233 places all previous and newly applied campaign caps and restrictions under one section in the election code to provide organization and accessibility to protentional contributors and candidates. HB 3233 does not include a condition on prohibition for joint campaign activities and whether the activity ensures a judicial candidate does not endorse another judicial or nonjudicial candidate. In urban areas where judicial candidates only have the option to coordinate campaign through the political party, this will create a loophole for them to individually duplicate what the party is doing to get out the vote efforts currently handled by the party for all candidates.</p> <p>HB 3233 provides much needed updates to contribution and expenditure limits to judicial candidates to ensure the integrity of the campaign process.</p>	<p><b>Favorable</b>                  Evaluated by:                  Donisha Cotlone                  (832) 496-4424                  Donisha@TexasLSG.org</p>
<p><b>HB 3132</b> By: Allen</p>	<p>Relating to staff development requirements for public school teachers who provide reading instruction to students in kindergarten through grade three.</p>	<p>Public Education</p> <p>Vote:  <input checked="" type="radio"/> 12 Ayes  <input type="radio"/> Nays  <input type="radio"/> PNV  <input type="radio"/> 1 Absent</p>	<p>In Texas, third grade students get assessed with statewide measures for their reading capabilities. Currently, Texas ranks 46th in the nation for 4th grade reading levels and in 2018 there were 236,450 Texas 3rd grade students who did not reach the reading benchmark standards. Texas teachers have seen a reduction in staff development trainings leaving them with few recourses that are necessary to effectively teach literacy to their students.</p> <p>HB 3132 requires school districts to provide effective literacy professional development for educators of students in kindergarten – 3rd grade to assist with students who are struggling to reach reading standards. The training will consist of:</p> <ul style="list-style-type: none"> <li>• Phonemic awareness</li> <li>• Phonics</li> <li>• Fluency</li> <li>• Vocabulary and comprehension</li> </ul>	<p><b>Favorable</b>                  Evaluated by:                  Marissa Gorena                  (956) 867-7232                  Marissa@texaslsg.org</p>

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<p><b>HB 3420</b> By: Lambert   Raney</p>	<p>Relating to liability coverage for certain vehicles provided by certain automobile repair facilities.</p>	<p>Insurance Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>HB 3420 would add language to the Insurance Code to require coverage of loaned vehicles under the driver's existing liability auto insurance policy. Language would cover vehicle repair facilities may loan consumers while a personal vehicle is in repair. Those who are subject to the coverage of the consumers existing policy would maintain the same level of coverage provided by the policy that was previously offered on the personal vehicle. HB 3420 would provide improved consumer protection when utilizing a loaned vehicle during strenuous times. Texas currently require auto coverage on all personal vehicle and the inclusion of loaned vehicles would improve driver safety on roads and peace of mind for those engaging with loaned vehicles.</p>	<p><b>Favorable</b> Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>
<p><b>HB 3258</b> By: Minjarez   Bernal   Pacheco   Allison   Gervin-Hawkins</p>	<p>Relating to an authorization to increase the sales and use tax collected in an advanced transportation district of a metropolitan rapid transit authority.</p>	<p>Ways &amp; Means Vote: 6 Ayes 3 Nays 0 PNV 2 Absent</p>	<p>HB 3258 allows for an additional 0.5% Metropolitan Transit Authority (MTA) sales tax for advanced transportation and mobility enhancement in advanced transportation districts (ATD). The tax increase would have to be petitioned for, and approved at an election, and would not count against the two-cent hard cap on combined local sales tax rates. The bill lays out election requirements and procedures and prohibits the adoption of an increase if it results in more than 2.5 percent combined local tax rate in any location in the district. Currently, San Antonio ATD is the only district with a transit authority imposed sales and use tax at 0.25%; the 0.5% increase would yield roughly \$155 million in annual revenue. While this is the first permitted increase over the two-cent local sales and use limit, the bill provides the local voters the chance to determine the solution to a local problem.</p>	<p><b>Favorable</b> Evaluated by: Eliot Davis (713) 855-3285 Eli@TexasLSG.org</p>
<p><b>HB 3630</b> By: Meyer   González, Mary   Shaheen</p>	<p>Relating to prohibiting the use of certain behavioral interventions on students enrolled in public school who receive special education services.</p>	<p>Public Education Vote: 12 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>Under current Texas law, school districts are legally allowed to use dangerous restraints and seclusion techniques that could harm students with disabilities. There are students who received special education services that have been subject to these types of restraints and have been physically and emotionally harmed by them.  HB 3630 will ban the use of harmful restraints and seclusion techniques that are legal in Texas for students with disabilities. HB 3630 will protect students with disabilities and ensure that TEA will rid school districts ability to use these restraints for behavior management. HB 3630 will prohibit the use of aversive interventions for the purpose of discipline, convenience or as a substitute for federally protected educational or behavior supports and services.</p>	<p><b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org</p>
<p><b>HB 4150</b> By: Paddie   Dean</p>	<p>Relating to safety and inspection requirements for certain utilities that provide electricity.</p>	<p>State Affairs Vote: 13 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>On August 5, 2017, a group of boy scouts was sailing along Lake O' the Pines when their catamaran came in contact with a live power line in the Alley Creek area of the lake due to negligence and a lack of mandated safety standards. HB 4150, in response, would ensure that an electric utility, municipally owned utility or electric cooperative shall meet specific clearance requirements of the National Electrical Safety Code Standard ANSI in the construction of any transmission or distribution line while bringing any that are currently not in compliance up to those clearance standards. A number of reports, mostly regarding safety and compliance, will be required to be sent by the utilities to the Public Utility Commission (PUC).</p>	<p><b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>
<p><b>HB 3512</b> By: Pacheco</p>	<p>Relating to conditions of community supervision and procedures applicable to the reduction or termination of a defendant's period of community supervision.</p>	<p>Corrections Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>The complicated and burdensome probation system leads to some defendants opting to serve sentences in state jail for fear that they won't survive through the costs and requirements of probation. Incarceration in state jail is costly to the state, damages families, and does not rehabilitate the same way supervision can. The less people beginning and completing supervision means more people engaging in crime and ending up reincarcerated.  HB 3512 incentivizes completion of community supervision and helps defendants by revising probation conditions to facilitate the process. HB 3512 allows judges to authorize supervising officers to modify conditions of community supervision based on defendant's risks and needs assessment AND progress in supervision. Also, HB 3512 changes requirements for controlled substances regarding defendants who are not otherwise required to be drug tested to allow controlled substance testing only when the supervision officer has reasonable suspicion. HB 3512 also simplifies how the court can require defendants to avoid questionable people and places in order to reduce temptation to base it off of the risks and needs assessment instead of just prohibiting time with people who are active members of criminal street gangs. HB 3512 also includes faith-based, volunteer, and community-based programs as options for treatment and rehabilitation programs to be counted for supervision time credits if the court has approved the program. This</p>	<p><b>Favorable</b> Evaluated by: Sophia Creede (832) 865-4774 Sophia@TexasLSG.org</p>

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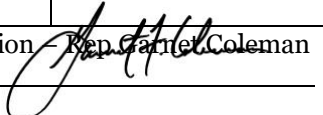
			<p>helps individuals to transform so they can return to their communities and live crime-free.</p> <p>Furthermore, HB 3512 allows judges to reconsider whether defendants have sufficient income/resources to make payments each time the defendants financial status changes or the required payments change. If the court determines that the defendant does not have sufficient resources to pay, the court can push back the date that payment is due, install a payment plan, waive it completely, add community service, or a combination of these.</p> <p>If there is a case where a defendant got in trouble for not paying restitution or going to counseling/treatment, HB 3512 requires supervision officers to notify the court as soon as the defendant catches up on everything so the court can review their record and consider reducing or terminating community supervision. If the judge didn't reduce or terminate community supervision, HB 3512 requires that the court review the defendant's record again sometime between the 180th and 270th day following the review.</p>	
<p><b>HB 3838</b> By: Bailes</p>	<p>Relating to a disclosure in certain offers to purchase a mineral or royalty interest.</p>	<p>Energy Resources</p> <p>Vote: 10 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>In effort to prevent fraudulent sales of mineral and royalty interests, often guised as leases and aimed at vulnerable targets, HB 3838 would require a specified disclosure on certain offers to purchase a mineral or royalty interest. The bill applies only to a conveyance of a mineral or royalty interest that is titled lease or has other words that indicate that the transaction is a lease of a mineral or royalty interest; and has the effect of transferring all or a portion of the owner's mineral interest in lands covered by an existing oil, gas, or mineral lease or the owner's royalty interest in production from an existing oil, gas, or mineral lease. It would not apply to top leases or actual oil, gas and mineral leases.</p> <p>The bill would allow a person to bring suit (including coverage for court costs, royalties and bonuses paid, and possible exemplary damages) for up to four years from date of conveyance.</p>	<p><b>Favorable</b> Evaluated by: Eliot Davis (713) 855-3285 Eli@TexasLSG.org</p>
<p><b>HB 3721</b> By: Deshotel</p>	<p>Relating to an independent review organization to conduct reviews of certain medical necessity determinations under the Medicaid managed care program.</p>	<p>Human Services</p> <p>Vote: 7 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>HB 3721 requires HHSC to contract with an independent review organization to make determinations in regard to disputes for appeal challenging the medical necessity denial by a Medicaid managed care organization (MCO). HHSC will determine how the IRO will settle disputes, when in the appeals process the IRO can be used, and the actions available after the IRO makes a determination. The IRO must collect all necessary records, make their review in a timely manner, protect confidentiality of the patient's medical records for the review, and set minimum standards for physicians making review determinations on behalf of the IRO. Physicians or health professionals conducting the review will be assigned with no input from the MCO, provider, or patient. When selecting an IRO to contract with, HHSC should take into consideration the relationship and potential conflict of interest between the IRO and MCOs in question. Through HB 3721, the IRO must give notice of a review determination and the clinical basis for the determination.</p> <p>The IRO will provide the following information grouped by MCO to HHSC upon request:</p> <ul style="list-style-type: none"> <li>• number of requests for reviews</li> <li>• number of independent reviews conducted</li> <li>• number of review determinations made in favor of the MCO or the patient</li> <li>• number of review determinations which resulted in the MCO covering the service</li> <li>• summary of the disputes undergoing review</li> <li>• summary of the services which were the subject of the review</li> <li>• average time the IRO took to complete the review determination</li> </ul> <p>HB 3721 will provide a process for patients to appeal their medical necessity services denial through an independent reviewer who isn't affiliated with the MCO and has no financial interest in the outcome of their appeal. This provides added protection for Medicaid recipients and ensures they are getting the services they are owed. HB 3721 provides</p>	<p><b>Favorable</b> Evaluated by: Ali Schoon 515-313-3712 Ali@TexasLSG.org</p>

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<p><b>HB 3904</b> By: Huberty</p>	<p>Relating to public school accountability, including certain performance standards and sanctions, and to providing alternative methods to satisfy certain public high school graduation requirements.</p>	<p>Public Education</p> <p>Vote: 13 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>external regulation and transparency of the MCOs appeals process and holds MCOs accountable.</p> <p>In prior legislative sessions there have been measurable steps to improving public school accountability and student assessment systems. However, there are gaps to close and modifications to be made to improve the systems for public school accountability performance standards and for individual graduation committees (IGCs).</p> <p><b>Dropout Recovery School Modifications</b> HB 3904 allows the commissioner to assess dropout recovery schools under the state’s alternative accountability system and require the commissioner to solely consider performance based on an “approaches grade level” standard in the Student Achievement and School Progress domains for the dropout recovery schools.</p> <p><b>Intervention Modifications</b> HB 3904 authorizes the commissioner to order the reconstitution and implementation of strategic staffing at a campus that has underperformed and has yet to meet certain standards and been assigned a campus intervention team.</p> <p><b>IGC Modifications</b> HB 3904 removes the expiration date for statutory provisions related to IGCs and allows them to continue.</p> <p>HB 3904 modifies the systems for public school accountability performance standards and for individual graduation committees (IGCs) to satisfy public high school graduation requirements. HB 3904 will modify the following:</p> <p>HB 3904 will require the commissioner to assign a masters level credit in the accountability system for students that satisfy end-of-course (EOC) assessment requirements through a substitute assessment, such as SAT, ACT or AP/IB tests and adopt indicators within the Student Achievement domain that account for students who:</p> <ul style="list-style-type: none"> <li>• earn dual course credits in ELA, mathematics, science or social studies;</li> <li>• participate in extracurricular activities;</li> <li>• are in the 9th grade and academically on track to graduate with their cohort;</li> <li>• participate in full-day PreK; and</li> <li>• participate in elementary literacy and mathematics academies.</li> </ul> <p>HB 3904 will prohibit the commissioner from attributing more that 50 percent of any domain performance rating to STAAR results.</p> <p>HB 3904 will require the commissioner to identify a methodology for giving credit under the Student Achievement domain for students that successfully complete a coherent sequence of courses to earn their industry certification. The commissioner will be responsible for determining the scores for districts and high school campuses in the Student Achievement domain by using these weights:</p> <ul style="list-style-type: none"> <li>• 40 percent for STAAR results;</li> <li>• 40 percent for college, career and military readiness indicators; and</li> </ul> <p>20 percent for graduation rates.</p>	<p><b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org</p>
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<p><b>HB 4003</b> By: Sheffield</p>	<p>Relating to a study by the Texas Higher Education Coordinating Board concerning a shortage of primary care physicians in this state.</p>	<p>Higher Education  Vote: 8 Ayes 0 Nays 0 PNV 3 Absent</p>	<p>Texas has one of the highest rates of uninsured people in the nation and the ratio of physicians per person in certain areas of the state is steadily declining which adds to the barriers many Texas face. There is a shortage of primary care physicians across the state and many efforts have been underway to address this issue.</p> <p>HB 4003 requires the Texas Higher Education Coordinating Board to conduct a study that would investigate the prevention of the shortage of practicing primary care physicians across the state. This study would identify methods, such as physician education loan repayment, to potentially prevent physician shortage in areas that are typically medically underserved. HB 4003 requires the study to conduct an analysis of the feasibility to provide funding for medical residencies for rural and community-based hospital practices for primary care positions.</p>	<p><b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org</p>
<p><b>HB 3668</b> By: Walle   Darby   Hernandez   Rosenthal   Zerwas</p>	<p>Relating to grants for disaster response by nonprofit food banks.</p>	<p>Homeland Security &amp; Public Safety  Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>During a time of emergency or natural disaster the food banks located in communities assist with providing food to the victims of said disaster. This in turn causes the food banks to completely deplete their supplies in a shorter time span than expected, leaving them without food. The food bank must then submit a request to the Texas Department of Emergency Management to request from FEMA. FEMA selects a vendor and then delivers the food to the food bank. There are concerns that the current process is not cost efficient to the state and has not had the food delivered in a timely manner. It took 8 weeks from the request from the food bank for the food trucks from FEMA to get back to the food bank with food.</p> <p>HB 3668 addresses these concerns by amending the government code to require the governor's office to establish a program that gives grants to non-profit organizations for the distribution of food to food banks as well as expanding the capacity of the food banks. The money should be allocated by the governor's office with the money they already have available and it should be used to:</p> <ul style="list-style-type: none"> <li>maintain an inventory of emergency food boxes to prepare for a disaster</li> <li>purchase, store, and transport food during a disaster</li> <li>purchasing equipment necessary to operate during a disaster.</li> </ul> <p>HB 3668 requires the office of the governor to establish a procedure for granting the money allocated and enter into contracts with the non-profits. HB 3668 streamlines the food banks response time in times of disaster as well as allows food banks to not completely deplete their inventory when a disaster occurs.</p>	<p><b>Favorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p><b>HB 4008</b> By: Frullo   Moody   Cyrier   Krause   Rodriguez</p>	<p>Relating to plans required to be submitted to be eligible to receive funding through the Major Events Reimbursement Program.</p>	<p>Culture, Recreation &amp; Tourism  Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>HB 4008 requires organizations seeking funding through the major events reimbursement program to submit a plan regarding the prevention of human trafficking and in connection with the event, to the office of the attorney general and the chief of the Texas Division of Emergency Management. If the Texas Economic Development and Tourism Office (TEDTO) determine ineligible solely because of untimely filing of that plan, the event may still receive the funding if:</p> <ul style="list-style-type: none"> <li>the plan is submitted no later than seven days before the event;</li> <li>the plan is implemented at the event; and</li> <li>the event meets other program requirements, including the remission of certain local tax revenue to the major events reimbursement program fund.</li> </ul> <p>Human trafficking is a serious problem around major event. Requiring organizations to comply with clear deadlines and plans to prevent human trafficking is not too burdensome to ask.</p>	<p><b>Favorable, with Concerns</b> Evaluated by: Eliot Davis (713) 855-3285 Eli@TexasLSG.org</p>
<p><b>HB 3647</b> By: Guillen</p>	<p>Relating to the confidentiality of a child's criminal records related to certain misdemeanor offenses.</p>	<p>Juvenile Justice &amp; Family Issues  Vote: 7 Ayes</p>	<p>There are currently duplicate statutes in different sections of the code dealing with the confidentiality of records for fine-only misdemeanors by a child (not including traffic offenses). These repetitive statutes are unnecessary and could potentially lead to confusion. HB 3647 amends statute to remove the duplicates and ensures these sections match language already in place throughout code. HB 3647 ensures that children who are charged with or convicted of a fine-only misdemeanor (not including traffic offenses) are able to keep their record confidential from the public as originally intended by the legislature.</p>	<p><b>Favorable</b> Evaluated by: Ali Schoon 515-313-3712 Ali@TexasLSG.org</p>

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		<ul style="list-style-type: none"> <li>0 Nays</li> <li>0 PNV</li> <li>2 Absent</li> </ul>		
<p><b>HB 3078</b> By: Thompson, Senfronia   Moody   Parker   White   Allen</p>	<p>Relating to the review of clemency applications from certain persons who were victims of human trafficking or family violence.</p>	<p>Corrections</p> <p>Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>In some case, the criminal justice system incarcerates individuals who committed crimes while victimized by human trafficking or intimate partner violence. Human trafficking survivors are often arrested and convicted of crimes resulting from their victimization. Of 130 surveyed human trafficking survivors, 91% reported having a criminal record because of their coercion with human trafficking. Most victims meeting law enforcement are still under the control of their abusers. Having a criminal record makes reintegration supremely difficult on the lives of survivors. After breaking loose from constant harassment that is trafficking, having trouble finding a job or renting an apartment is enormously depleting when the real solution is rehabilitation, recovery, and reintegration. HB 3078 initiates a specialized panel of human trafficking/intimate partner violence experts to review clemency applications and recommend who should receive clemency based on case information. The panel will give recommendations to the Governor regarding clemency grants to individuals coerced into offensive behavior. Then, the Governor will make informed decisions based on what the panel had to say about the case. HB 3078 gives survivors of human trafficking or intimate partner violence a chance at escaping a criminal record which victimizes them for life.</p>	<p><b>Favorable</b> Evaluated by: Sophia Creede (832) 865-4774 Sophia@TexasLSG.org</p>
<p><b>HB 3009</b> By: Talarico   Ashby</p>	<p>Relating to civics instruction in public schools.</p>	<p>Public Education</p> <p>Vote: 12 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>There is a lack of emphasis on civics education throughout the nation, and in Texas classrooms. Lack of access to a quality civics education primarily affects students of lower-income.</p> <p>HB 3009 will re-prioritize civics education in Texas classrooms to ensure that students across the state have access to understanding the importance of democracy and civic participation. HB 3009 will pave the way for students to advocate for, and participate in, change for their community, which is the goal of civics education. HB 3009 will allow school districts to develop local civic projects and offer project-based civics instruction within social studies to students twice from grades K-12.</p>	<p><b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org</p>
<p><b>HB 4498</b> By: Guillen</p>	<p>Relating to the reimbursement of excess costs incurred by a recipient of certain grants awarded by the Texas Department of Transportation.</p>	<p>Transportation</p> <p>Vote: 13 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>Sometimes small cities and counties receive grants for transportation projects from the Texas Department of Transportation (TxDOT). It has been noted that sometimes projects cost more than the amount awarded by the grant and this leaves counties or cities with unexpected and burdensome bills.</p> <p>HB 4498 requires TxDOT to reimburse grant recipients for costs that exceed the grant amount in counties or municipalities with populations below 15,000. This only applies when TxDOT managed the construction of the project.</p>	<p><b>Favorable</b> Evaluated by: Sophia Creede (832) 865-4774 Sophia@TexasLSG.org</p>
<p><b>HB 3044</b> By: Klick   Burrows</p>	<p>Relating to political expenditures made by a corporation to finance the solicitation of political contributions to a political committee.</p>	<p>Elections</p> <p>Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>Currently, Texas does not allow charitable match solicitation programs. These programs were designed to allow corporations to donate to 501(c)(3) non-profits charity that partially or fully matches a contribution made by an eligible employee to their company's Political Action Committee (PAC). Federal Elections Committee prohibits PAC donors and corporations from receiving a charitable deduction for PAC match donations, however this is not outlined with specifics pertaining to state PAC contributions. HB 3044 would codify state law with federal law which would allow Texas to participate in the charitable match solicitation programs. The choice of charity would be solely made by the employee who made the initial PAC contribution.</p> <p>However, this program provides an unfair advantage for corporations to persuade more people to donate to the PAC in exchange for a donation to an eligible charity. This will give PACs the ability to control who gets elected and possibly what legislation will be filed in favor of their general-purpose committee which is used to support, or oppose one or more ballot measures or candidates. Since Texas has been disallowed by the TEC to participate in the charitable match program, it is important to ensure that the prohibition of charitable tax deductions applies to State and Federal PAC match programs.</p>	<p><b>Will of the House</b> Evaluated by: Donisha Cotlone (832) 496-4424 Donisha@TexasLSG.org</p>

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<p><b>HB 2003</b> By: Leach</p>	<p>Relating to the review and approval of contingent fee contracts for certain public agencies.</p>	<p>Judiciary &amp; Civil Jurisprudence</p> <p>Vote: 6 Ayes 3 Nays 0 PNV 0 Absent</p>	<p>For all agencies governed by the Texas Water Code, (which includes a city, a district, a public agency, a river authority, and a treatment facility) in order to enter a contract for a project, the agency must have approval from the Comptroller’s office for contingent fee contracts. The comptroller must review the contracts and make sure they are acceptable to conduct the business. The attorney general currently oversees several other public entities contracts for services.</p> <p>HB 2003 amends the Local Government code in order to transfer the responsibility of overseeing the contract approval from the comptroller’s office to the attorney general. Under HB 2003, the Attorney General has the responsibility to approve the contingent fee contracts for legal services. However, there are concerns with the transfer of responsibility due to the attorney general having the authority to deny a contract and therefore deny a lawsuit to occur. This takes the local control away from local governments and consolidates the power of the attorney general. HB 2003 takes away local control and grants it to the state government for local government issues.</p>	<p><b>Unfavorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p><b>HB 3656</b> By: Murr</p>	<p>Relating to the transfer of certain permitted irrigation water rights related to a certain portion of the Edwards Aquifer.</p>	<p>Natural Resources</p> <p>Vote: 10 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>HB 3656 would allow the transfer of irrigation permits currently tied to 3 types of “land,” developed, historically irrigated and no longer practicable to farm, within the Edwards Aquifer Authority (EAA) for other uses outside of the district lines, effectively changing some key parts of Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993.</p> <p>HB 3656 is an attempt to settle a current lawsuit between the EAA and other affected parties if a number of rules that were adopted by the EAA, in response to the increased development in the area in which the EAA covers, were even allowed to be drafted and adopted to the original legislation. The language of HB 3656 lays out specific definitions of the types of land that would be allowed to sever all or a portion of its water rights, while also prohibiting rules to be adopted to implement these provisions from expanding the type of land considered developed land or land considered land no longer practicable to farm. HB 3657 allows any permit holder within the EAA to file a request to a contested case hearing in order to challenge an application that they may find problematic regarding the severance of water rights from historically irrigated lands, which gives oversight to other holders. HB 3656 will also authorize the EAA to adopt rules to provide for a holder of an initial regular permit for use in irrigation lease all or part of water rights for use in irrigation granted in the initial permit to another person for irrigating land, including land not described in the initial regular permit, located in the EAA. Any rules made before the effective date of HB 3656 will be validated and confirmed in all respects.</p>	<p><b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>
<p><b>HB 2559</b> By: Bowers</p>	<p>Relating to the issuance of a summons for certain persons charged with a violation of a condition of release on parole or to mandatory supervision.</p>	<p>Corrections</p> <p>Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>Keeping people out of jail and prison is beneficial in various ways, such as saving state resources, reducing recidivism, and affecting families less when they don’t have to support loved ones who are incarcerated.</p> <p>Currently, courts can set bonds or issue warrants when individuals on community supervision commit minor violations, but it would be a positive change to see more summons to revocation hearings than warrants. We don’t need more people in jail who don’t need to be there. When individuals on parole or supervision have warrants and are picked up for arrests, it is just enough time for them to lose their housing, jobs, and all of the progress they have made.</p> <p>HB 2559 deletes the requirements that allow magistrates—civil officers, lay judges—to set bonds/issue warrants for defendants on parole or mandatory supervision charged with minor violations and instead mandates the Parole Division to issue a summons to appear for revocation hearing. This keeps people out of jail which is less expensive and more effective by helping non-violent offenders with minor violations to avoid expensive legal and bond fees. The Parole Division already has discretion to issue summons over warrants for low-level violations, but HB 2559 makes it mandatory rather than discretionary. Summons over warrants enables people to continue working and support themselves and their families.</p>	<p><b>Favorable</b> Evaluated by: Sophia Creede (832) 865-4774 Sophia@TexasLSG.org</p>

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<p><b>HB 2088</b> By: Dean   Thompson, Senfronia   Zerwas   Moody   Oliverson</p>	<p>Relating to providing information and other resources regarding safe disposal of Schedule II controlled substance prescription drugs.</p>	<p>Public Health</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 3 Absent</p>	<p>The National Institute on Drug Abuse stated that in 2017, Texas had 1,458 deaths due to opioid overdoses and in 2014 alone, the state spent over \$2 billion in opioid-related healthcare costs. While Texas continues to have one of the lowest opioid-related overdose deaths, with the increase in rates of prescription drug abuse, related deaths and Neonatal Abstinence Syndrome, it is imperative that Texas laws be amended to improve regulation on controlled substances.</p> <p>Prescription and dispensation level regulation is important; however, it is also necessary to give legislative focus to the regulation of controlled substances post-dispensation. 70% of abused medications are taken from household medicine cabinets. Unused controlled substances may be misused, sold, or inappropriately disposed. In 2018, Texas saw nearly 12 million prescriptions for Schedule II controlled substance (C2) drugs, each of which is an opportunity for unused drugs to be improperly disposed. Despite this Texas has very few drug take-back locations. HB 2088 attempts to provide consumers with safe disposal options for certain medications by requiring that a pharmacist who dispenses (C2) prescriptions must also provide written information regarding the safe disposal of the drug.</p> <p>This requirement may be waived under the following circumstances:</p> <ul style="list-style-type: none"> <li>• if the drug is dispensed at a pharmacy or location that is authorized to take back drugs for safe disposal and does so regularly</li> <li>• if the dispenser provides the consumer with a mail pouch for the use of surrendering unused medication or certain chemicals to ensure that any unused drugs are unusable</li> </ul> <p>The Texas State Pharmacy Board will be given the authority to determine requirements for the format of the written notice. The notice must include information on locations where the CII drug may be disposed of or the address of a website with a searchable database of such locations.</p> <p>Any person who violates these statutes will be subject to disciplinary action by the Texas State Pharmacy Board.</p>	<p><b>Favorable</b> Evaluated by: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org</p>
<p><b>HB 2686</b> By: Lucio III</p>	<p>Relating to a dispute relating to a denial of coverage by the Texas Windstorm Insurance Association.</p>	<p>Insurance</p> <p>Vote: 7 Ayes 1 Nays 0 PNV 1 Absent</p>	<p>HB 2686 adds language to the Insurance Code to state that consumers who make a claim against Texas Windstorm Insurance Association (TWIA) is entitled to pursue the legal claim regardless if TWIA retroactively accepts the claim. HB 2686 would provide consumer protection when engaged in litigation against TWIA as to prevent the consumer from losing hundreds of thousands of dollars in legal action fees or cost when pursuing wrongful denial.</p>	<p><b>Favorable</b> Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>
<p><b>HB 4534</b> By: Lucio III   Hunter   Herrero   Bonnen, Greg   Middleton</p>	<p>Relating to the rates and other funding of the Texas Windstorm Insurance Association.</p>	<p>Insurance</p> <p>Vote: 7 Ayes 1 Nays 0 PNV 1 Absent</p>	<p>HB 4534 amends the Insurance Code to prevent a 20% Texas Windstorm Insurance Association (TWIA) rate increase for consumers. Language is included to prohibit the TWIA from using net gains in the Catastrophe Reserve Trust Fund (CRTF) from previous years premiums for the current year shortfall due to disaster. Additionally, TWIA would be required to create a board and conduct a study on current funding and needs to ensure efficient use of funds. TWIA would be prohibited from raising rates until September 1, 2021.</p> <p>HB 4534 offers more protection and relief to coastal consumers who have seen over 200% rate hikes since 2000. The ability for TWIA to have increased oversight and the ability to work on funding shortfalls would be felt as direst relief to the devastated coastal communities.</p>	<p><b>Favorable</b> Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>



<p><b>HB 3016</b> By: Schaefer   Oliverson   Lang   Middleton   Krause</p>	<p>Relating to the carrying of a handgun by a license holder in a motor vehicle.</p>	<p>Homeland Security &amp; Public Safety</p> <p>Vote: 6 Ayes 2 Nays 0 PNV 1 Absent</p>	<p>Currently, concealed handgun license owners must keep their handguns hidden when stepping into and sitting in their vehicles. If they are pulled over and their handgun is intentionally showing in their vehicle when it is supposed to be hidden, the handgun license owner can be charged with a criminal offense.</p> <p>HB 3016 amends the Penal Code in order to provide an exception to concealed handgun license owners from being charged if their handgun is showing in their vehicle if the gun is in a holster. The concealed handgun license requires the license holder to keep the weapon hidden. HB 3016 allows for the license owner to openly display their weapon within their vehicle, allowing the owner of the weapon to lay the weapon anywhere in their vehicle openly, going against the provisions of the concealed handgun license. This allows the weapon to be loose in the vehicle and accessible to other members in the vehicle who should not have access to that weapon.</p>	<p><b>Unfavorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p><b>HB 1825</b> By: Cortez</p>	<p>Relating to information a law enforcement agency is required to share with a school district about a person who may be a student.</p>	<p>Public Education</p> <p>Vote: 13 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>There is a lack of communication between law enforcement and school district superintendents regarding students who may have conducted a felony offense and is enrolled in a school district as the current 15.27 notice they receive does not include information for the level of detail they need to conduct a threat assessment to keep others safe.</p> <p>HB 1825 creates a notice that includes details of an arrest or referral about students involved with felony offenses. HB 1825 allows for superintendents of school districts to assess whether the student must be taken out of class and placed into a disciplinary alternative education program. HB 1825 allows the superintendent of a school district to conduct a safety plan or a threat assessment related to the student who may have been involved with involved with felony offenses.</p>	<p><b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org</p>
<p><b>HB 639</b> By: Springer</p>	<p>Relating to the eligibility of land used as an ecological laboratory for appraisal for ad valorem tax purposes as qualified open-space land.</p>	<p>Ways &amp; Means</p> <p>Vote: 9 Ayes 1 Nays 0 PNV 1 Absent</p>	<p>HB 639 would redefine a “qualified open-space land” for ecological research by higher-education institutions by requiring that the land must be used “principally in that manner” for at least five of the preceding seven years. Limiting the open-space land appraisal would reduce the incentive land-owners have to participate in the eco-lab program. In turn, this could negatively impact scientific research and education in the state</p> <p>The open-space appraisal option has worked thus far by incentivizing owners to open their property for use by universities and colleges, in return qualifying for an open space-land appraisal. Owners generate no income from this permission to universities and colleges. Landowners currently pay for universities to use their land for research and forcing land to be used as an eco-lab for five years would be far too expensive for many landowners.</p> <p>Eco-labs provide researchers access to land in which to conduct research. Eco-labs promote science, training, and education in the state. HB 639 would reduce the growth of new, qualifying ecological laboratory land.</p> <p>As substituted, the bill provides for January 2021 implementation date and delays applicability until 2027 for property initially qualified for open-space exemption during 2014-2020.</p>	<p><b>Unfavorable</b> Evaluated by: Eliot Davis (713) 855-3285 Eli@TexasLSG.org</p>
<p><b>HB 2430</b> By: Reynolds   Zerwas   Stephenson</p>	<p>Relating to requirements in a suit for the removal of human remains from a cemetery.</p>	<p>Judiciary &amp; Civil Jurisprudence</p> <p>Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>In certain parts of Texas, where slavery was prevalent in the late 19th century, a state program called the convict-leasing program forced inmates to work on construction in the summer heat. There have been concerns of unmarked graves being found hundreds of years later that are traced back to these slaves that worked on these projects in this program. There are concerns that the state is not properly handling these unmarked graves and is not notifying the correct parties of the findings of these bodies.</p> <p>HB 2430 amends the Health and Safety Code to require that if a court grants the removal of the bodies from their unmarked graves, the court needs to notify another third party notification of the removal of the graves. This ensures that the court can notify the proper individuals and the third party can inform the court the best way of the removal of</p>	<p><b>Favorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>

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			<p>the graves as well as ensures that the removal of the graves is in the public's best interest. HB 2430 allows for the removal of the bodies to move from their graves to any other place within that private property if the owner of the property requests it and the court finds that solution to be in the public's best interest. HB 2430 removes the ability of the historical commission from intervening in the suits that include the moving of human remains and instead allows for the court to consult with the historical commission on how to best handle the cases. This allows for the expedited solution on what to do with human remains in a respectful manner.</p>	
<p><b>HB 2677</b> By: Goldman</p>	<p>Relating to certain restrictions on contributions and expenditures from political funds by a lobbyist.</p>	<p>State Affairs</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 5 Absent</p>	<p>HB 2677 will restrict a person who is required by law to be registered as lobbyist from making or authorizing certain political contributions and expenditures from political contributions accepted by:</p> <ul style="list-style-type: none"> <li>• the lobbyist when the lobbyist was a candidate or officeholder;</li> <li>• a specific-purpose committee that supported the lobbyist as a candidate or assisted the lobbyist as an officeholder; or</li> <li>• political committee that accepted political contributions from the lobbyist or above-described specific-purpose committee in the two years immediately before the political contributions or expenditures were made.</li> </ul> <p>HB 2677 will also prohibit a candidate or officeholder from making or authorizing the spending of their campaign or similar funds to another campaign or political fund from being able to register as a lobbyist under chapter 305 for two years after that contribution.</p> <p>HB 2677 does make certain exceptions for those who are acting on behalf of a 501(c)(3) non-profit organization; a group of low-income individuals; or a group of individuals with disabilities; and it does not apply to a person who does not receive compensation other than reimbursement for the actual expenses for engaging in communication with a member of the legislative or executive branch. HB 2677 will establish a holding period on a candidate or officeholder from immediately becoming a lobbyist post-election loss or upon retirement.</p>	<p><b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>
<p><b>HB 2227</b> By: Wu   Craddick   White   Landgraf   Capriglione</p>	<p>Relating to preventing the loss of benefits by certain retirees of the Teacher Retirement System of Texas who resume service.</p>	<p>Pensions, Investments &amp; Financial Services</p> <p>Vote: 11 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>HB 2227 would amend the Government Code to allow for retired teachers to participate in teaching without the loss of benefits. This would be applicable to teachers who violate maximum hours allowed when the circumstances for extra hours worked due to environmental factors or circumstance out of their control. Currently, the fee of a teacher in violation is assessed unilaterally and without review. Language is included to require review of violations to see if hours violations are outside of the individuals' control.</p> <p>HB 2227 offers more protections to retired teachers who choose to assist in their schools after retirement. Allowing retired teacher to fill roles in short term or short hour capacities in schools that may have difficulty otherwise filling these positions is very beneficial to students as well as district administration.</p>	<p><b>Favorable</b> Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>
<p><b>HB 3601</b> By: Bell, Cecil</p>	<p>Relating to the recognition by the Texas Higher Education Coordinating Board of competency-based education degree plans for members of the Texas military forces.</p>	<p>Higher Education</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 3 Absent</p>	<p>Under current law, there is no accreditation for a competency-based education degree plan through the Texas military department. The Texas State Guard is the state defense force and one of the three branches of the Texas Military.</p> <p>HB 3601 aligns with the Governor's 2021 plan to double the Texas Military by creating an incentive program to give accreditation for a competency-based education degree plan through the Texas Military Department by authorizing the Texas Higher Education Coordinating Board (THECB) to do so for institutions of higher education.</p> <p>The concern with this bill is that the Guard has enough initiatives to increase recruitment and retention and does not need to tie in education to legitimize the expansion of the Texas military. Education should be the top priority of the</p>	<p><b>Will of the House</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org</p>

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			state and not as an incentive for military expansion.	
<b>HB 2547</b> By: Meyer	Relating to the assignment of certain former and retired justices and judges.	Judiciary & Civil Jurisprudence  Vote: 8 Ayes 0 Nays 0 PNV 1 Absent	A visiting judge or justice is a judge that is appointed to a case in a court that they may not usually sit in. There are concerns that there are not enough accessible qualified retired judges or justices to serve as visiting judges due to the eligibility requirements.  HB 2547 amends the government code in order to decrease the eligibility requirements for retired judges or justices to serve as a visiting judge from having served from 96 months to 72 months. The judge or justice cannot have been removed from office for misconduct or incapacity. The judge or Justice will have to certify to the chief justice of the supreme court of Texas that they will not appear as an attorney in a court in which they served. HB 2547 allows for the supreme court of Texas to have more available judges to pick from to serve as visiting judges in certain jurisdictions.	<b>Favorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org
<b>HB 3603</b> By: Martinez Fischer	Relating to derivative proceedings on behalf of for-profit corporations, limited liability companies, and limited partnerships.	Judiciary & Civil Jurisprudence  Vote: 8 Ayes 0 Nays 0 PNV 1 Absent	A derivative proceeding is a legal action that is brought forward by the owner of an entity on behalf of the entity against a third party. These lawsuits have been increasing in numbers due to increasing shareholders complexity. A derivative proceeding can be brought against other owners if the entity if needed. The Business Organizations Code uses provisions for these lawsuits for corporations, Limited Liability Companies, and Limited Partnerships but uses outdated language used in previous statutes before the Business Organizations Code existed. There are concerns that the current code does not provide uniformity for these types of entities.  HB 3603 amends the Business Organizations code in order to provide clarity and uniformity for corporations, LLC's, and LC's during derivative proceedings. Under HB 3603 all derivative proceedings coming from shareholders of a corporation, members of an LLC, or LC's will follow the same demand requirements, waiting periods and claim their administration is done by business entities. HB 3603 includes that owner assignee (a person who receives transfer of a company) is included to the availability of bringing a derivative action forward.  HB 3603 maintains most of the conditions required for small businesses (business with 35 owners or less) to bring forward a derivative action. However, in order to prevent abuse, HB 3603 limits the actions and claims that may be made against small businesses to only claims against directors, managers, general partners, officers, and other owners. This protects small businesses and directs derivative actions to just the owners.  HB 3603 requires for a third party, through an analysis of the case, to determine whether an entity will proceed with the derivative action or reject it. HB 3603 also clarifies that Texas statutes and procedures must be used for derivative actions for non-Texas entities or foreign corporations.  HB 3603 provides oversight for all LLC's, LC's, and corporations for derivative lawsuits. HB 3603 provides uniformity with derivative proceedings and keeps the Business Organizations Code fair for all entities.	<b>Favorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org
<b>HB 3388</b> By: Sheffield	Relating to the reimbursement of prescription drugs under	Public Health  Vote:	There are concerns that pharmacies are receiving low rates of reimbursement for Medicaid prescriptions. Many pharmacies make little money or even lose money when dispensing these prescriptions. Currently, pharmacies are reimbursed through the Vendor Drug Program based on the drug's average acquisition cost. The average acquisition	<b>Favorable</b> Evaluated by: Sharon Jacob Rep. Sharon Coleman

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<p>Bonnen, Greg   Price   Hefner   Raymond</p>	<p>Medicaid and the child health plan program.</p>	<p>8 Ayes 0 Nays 0 PNV 3 Absent</p>	<p>cost is defined as an estimate of prices currently paid in the market.</p> <p>HB 3388 amends the way that Texas Medicaid and CHIP provides reimbursement for prescription drugs through the Vendor Drug Program. It changes the reimbursement model from being based on the average acquisition cost to the actual acquisition cost. The actual acquisition cost, which reflects the actual prices Texas pharmacies pay to acquire drugs from a manufacturer, will be based on the National Average Drug Acquisition Cost (NADAC) which is a pricing metric that is put together by the US Centers for Medicare and Medicaid Services (CMS). Reimbursement for drugs that are not on the NADAC, usually specialty drugs, will be based on the wholesale acquisition cost (WAC). The bill language requires dispensers to charge more for drugs than the reimbursement and dispensing fee listed under the Vendor Drug Program as well as the amount claimed by the dispensing facility.</p> <p>HB 3388 requires all pharmacy benefit managers or managed care organizations to review and update their drug reimbursement price information at least every seven days to reflect any changes in pricing that may have been made through the Vender Drug Program.</p> <p>The federal 340B Drug Pricing Program, created in 1992 as part of the Public Health Service Act, requires drug managers to provide outpatient drugs to that is government-supported facilities at significantly reduced prices. Essentially, it allows for certain government hospitals to have a separate drug pricing metric that offers drugs at heavily subsidized rates because they serve primarily indigent populations. HB 3388 ensures that the pricing metric set by 340B program is unaffected by the changes made in this bill.</p> <p>HB 3388 sets the requirements for how the HHSC executive commissioner will determine the dispensing fee. Dispensing fees for drugs must be based on Texas retail pharmacies' professional dispensing costs for retail or specialty drugs, as appropriate.</p> <p>HB 3388 additionally incorporates two studies. HHSC must conduct a study at least once every two years to analyze Texas pharmacies' professional dispensing costs for retail and specialty prescription drugs and drugs obtained under the 340B program. The results of the study shall inform the minimum amount of the pharmacy dispensing fees. HHSC must also develop a process for the periodic study of Texas retail pharmacies' actual acquisition costs, specialty pharmacies' actual acquisition costs, retail professional dispensing costs, and specialty pharmacy professional dispensing costs. The results of this study must be published online.</p> <p>The establishment of the reimbursement floor proposed by HB 3388 will be contingent on approval from the federal CMS. If passed, the contract retention and renewal for a managed care organization or pharmacy benefit manager would be contingent on their compliance with the provisions of this bill.</p> <p>The bill also includes clarifying language to ensure that the Code is consistent with the changes made by this bill. While previous versions of this bill implemented the reimbursement model for fee-for-service throughout the entire Texas Medicaid program, it is important to note that the current version of this bill does not carve out the pharmacy prescription drug program.</p> <p>The passage of HB 3388 would allow for an eased financial burden on pharmacy facilities, primarily independent pharmacies and pharmacies that see high rates of Medicaid prescriptions. Because many rural areas of Texas are largely serviced by independent pharmacies, it would provide significant relief to these areas and allow for such pharmacies to remain in business. Additionally, it will allow for greater transparency in drug prices for both consumers and providers.</p>	<p>920-675-9865 Sharon@TexasLSG.org</p>
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<p><b>HB 2772</b> By: Wilson   Moody</p>	<p>Relating to the release to mandatory supervision of certain inmates confined in a county jail.</p>	<p>Corrections  Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>Concerns have been raised that victims and their families are not given proper notification or warning when an inmate may be close to release from confinement from prison to be placed on parole. It can be shocking and traumatizing for victims to find out their offender is back in the public without time to prepare mentally and situationally.</p> <p>When inmates are given short sentences and become eligible for parole, while still being housed in the county jail, there can be a communication breakdown between the county justice system and the Board of Pardons and Parole in which the system fails to properly notify the victims (or their loved ones) of the inmate's immediate release.</p> <p>HB 2772 requires that the Texas Department of Criminal Justice (TDCJ) physically take custody of the inmate and immediately notify the victim, victim's guardian, or a close family member of a deceased victim of that parole eligibility. The notice will inform the victim that they would be allowed, within two weeks, to submit a written statement about the offense that took place, the inmate, and how much it affected the victim. If the parole panel wants, they would be able to hold an interview with the victim (or family member) regarding the release of the inmate into supervision.</p>	<p><b>Favorable</b> Evaluated by: Sophia Creede (832) 865-4774 Sophia@TexasLSG.org</p>
<p><b>HB 3117</b> By: Schaefer</p>	<p>Relating to developing the proposed plan on long-term care for persons with an intellectual disability.</p>	<p>Human Services  Vote: 7 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>HHSC develops a plan biennially for long-term care of persons with an intellectual disability to be submitted to the legislature. This proposed plan includes information such as the capacity of the HCS waiver program to serve individuals with an intellectual disability, how many beds are authorized through the Intermediate Care Facilities for Individuals with an Intellectual Disability (ICF-IID) program, and if they can authorize additional beds to be online. This proposed plan is part of the HHSC budget recommendation, and the legislature appropriates funds for a certain amount of beds. Facilities in various health service regions are certified for a set capacity of funded beds. Facilities can suspend beds through this program for various reasons which means the allocated funds do not get used.</p> <p>HB 3117 would require HHSC to include in this proposed plan a review of the bed capacity of ICF-IID facilities and develop a process to reallocate suspended beds to other facilities which have the capacity. Through HB 3117, HHSC will develop a process by which an ICF-IID facility may apply to be certified for these beds and a way to redistribute funds for certified beds among the health service regions. There are currently 24 beds in suspension and while some ICF-IID facilities may have the capacity to serve individuals with IDD, there is no way for suspended beds to be reallocated at this time. In addition to what is required through HB 3117, HHSC needs to review the HCS waiver program and its waiting list to provide and increase services in the community for individuals with IDD and defer them from entering an institution.</p>	<p><b>Favorable</b> Evaluated by: Ali Schoon 515-313-3712 Ali@TexasLSG.org</p>
<p><b>HB 1936</b> By: Rose   Zerwas   Thompson, Senfronia   Coleman   Longoria</p>	<p>Relating to the applicability of the death penalty to a capital offense committed by a person with severe mental illness.</p>	<p>Criminal Jurisprudence  Vote: 5 Ayes 3 Nays 0 PNV 1 Absent</p>	<p>It has been argued that the same ruling made by the Supreme Court of the United States on the unconstitutionality of the death penalty for those with an intellectual disability can also be made for those with severe mental illnesses. Their ruling was based on medical science that has shown that those individuals with an intellectual disability do not have the same level of rational judgement, understanding or self-control as do others who commit murder, which diminishes the individuals' personal culpability. Many of those same factors apply when discussing individuals with certain severe mental illnesses, such as schizophrenia, schizoaffective disorder and bipolar disorder.</p> <p>HB 1936 establishes that a defendant who at the time of the commission of a capital offense was a person with severe mental illness may not be sentenced to death. A person with severe mental illness, as defined within HB 1936, means a person who has schizophrenia, a schizoaffective disorder, or a bipolar disorder, and as a result of that disorder, has active psychotic symptoms that substantially impairs the person's capacity to: appreciate the nature, consequences, or wrongfulness of the person's conduct; or exercise rational judgement in relation to the person's conduct.</p>	<p><b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>

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			<p>HB 1936 would establish procedures for a defendant to have the opportunity to prove that they had a severe mental illness at the time of the offense which would then require the jury to make the determination of severe mental illness at trial through a special verdict, which is separate from the jury's verdict of guilt or innocence.</p> <p>HB 1936 also states that the provisions laid out will only be applicable to trials that commence on or after the bill's effective date, regardless of whether the alleged offense was committed before, on, or after that date.</p>	
<p><b>HB 3540</b> By: Burns</p>	<p>Relating to the authority of a peace officer to release in lieu of arrest certain persons with an intellectual or developmental disability.</p>	<p>Homeland Security &amp; Public Safety</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>In community based homes for people who have an Intellectual Disability Disorder (IDD) most residents usually get to choose their roommates. However, there are instances in which the residents do not get to choose their roommates and tensions rise within the home. There are times in which the police is called for minor altercations that did not involve any harm to anyone and would not usually require the police officer to arrest anyone. However, there are times in which a resident is unnecessarily arrested for these minor altercations and taken into custody.</p> <p>HB 3540 amends the Code of Criminal Procedure to authorize a peace officer to release a person who resides in a community based home who suffers from IDD to be released at the person's residence instead of arresting the person. The peace officer can release the person at their residence if the peace officer believes that arresting the person is not necessary to maintain the safety of that person and others, as well as if the peace officer has made efforts to work with the staff from the community based home to make a decision about an alternative to incarceration. HB 3540 allows for the prevention of unnecessary incarceration of people who suffer from IDD.</p>	<p><b>Favorable</b> Evaluated by: Santiago Cernigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p><b>HB 2840</b> By: Canales   Guerra</p>	<p>Relating to the right of a member of the public to address the governing body of a political subdivision at an open meeting of the body.</p>	<p>County Affairs</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>HB 2840 seeks to amend the Government Code by permitting a member of the public to address a governing body before and after each subject matter line item on the agenda when it is up for consideration. At the moment, Texas Law does not specifically state parameters around this issue. HB 2840 addresses the public's frustrations by allowing adequate time to verbalize their concerns simultaneously while a certain topic is up for discussion.</p> <p>HB 2840 authorizes a governing body to reasonably create speaking time limits which must be doubled if the public member requires a translator.</p> <p>HB 2840 prohibits censoring of free speech under the 1st amendment.</p>	<p><b>Favorable</b> Evaluated by: Brandi Granderson (202) 808-6140 Brandi.Granderson_HC@house.texas.gov</p>
<p><b>HB 570</b> By: Capriglione</p>	<p>Relating to open meetings of the governing body of a charter holder and the governing body of an open-enrollment charter school.</p>	<p>Public Education</p> <p>Vote: 13 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>Open-enrollment charter schools are not held to the same standards as public schools relating to accountability with charter holder open meetings their governing boards conduct. Some charter operators are part of state-wide network of schools and the governing board of the entire network of schools chooses any location to hold their meetings. Often the location for these meetings is inconvenient for the public to attend with some locations being hundreds of miles away from the campus.</p> <p>HB 570 closes a loophole and holds open-enrollment charter schools to the same standards as school districts by requiring a charter operator to hold their open meetings in the same geographic boundary as the campus or alternatively stream the meeting live on the internet.</p>	<p><b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org</p>
<p><b>HB 2271</b> By: Lang   Hefner   White</p>	<p>Relating to the authority of the attorney general to advertise Choose Life account grants.</p>	<p>Judiciary &amp; Civil Jurisprudence</p> <p>Vote: 5 Ayes 4 Nays 0 PNV</p>	<p>In the 82nd Legislative Session the legislature created the "Choose Life" account. The account is funded by selling a "choose life" specialty license plate that costs \$30 dollars \$22 of which goes to the Office of Attorney General (OAG) and they distribute the money to organizations such as pregnancy resource centers. The remaining \$8 dollars are used to cover state and county administrative costs. Currently, the OAG cannot advertise the purchase of the license plate to the public.</p> <p>HB 2271 amends the government code to authorize the OAG to use 2% of the revenue from the license plate to advertise the license plate in order to have more Texans purchasing the license plate. HB 2271 allows for the</p>	<p><b>Unfavorable</b> Evaluated by: Santiago Cernigliaro (713) 435-9049 Santiago@TexasLSG.org</p>

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		0 Absent	advertisement of the license plate in order to bring more funds into the organizations that choose life.  There are concerns with HB 2271 since the funds go towards pregnancy resource centers. Pregnancy resource centers have no state oversight and do not have to provide any research on the success rates on preventing abortions. This funding goes toward centers that do not provide any medical services. The pregnancy resource centers will receive \$90.4 million dollars from All Funds in order to provide these services in the next biennium.	
<b>HB 3609</b> By: Martinez Fischer	Relating to the filing of an assumed name certificate by certain business entities.	Business & Industry  Vote: 8 Ayes 0 Nays 0 PNV 1 Absent	An assumed name is a name that is not the same as the legal name of a business entity. For example, if one's business was officially called "Dunkin Donuts," but decided to rebrand and also go by just "Dunkin," the former would be the legal name while the latter would be the assumed name. The assumed name may also be known as the fictitious name or the DBA, which stands for "doing business as." This provides businesses the flexibility to change branding or business persona without having to create a new business entity.  Currently, business entities who are operating under an assumed name are required to file an assumed name certificate with both the Texas Secretary of State and the county clerk in the appropriate counties. The requirement for filing at multiple levels of government has been seen as unnecessary since the certificates filed with the Texas Secretary of State are made public through their website. HB 3609 addresses this redundancy by removing the requirement for filing on the county level. The bill language also repeals certain section of the Code to ensure that the Code is consistent.	<b>Favorable</b> Evaluated by: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org
<b>HB 3557</b> By: Paddie	Relating to civil and criminal liability for engaging in certain conduct involving a critical infrastructure facility; creating criminal offenses.	Judiciary & Civil Jurisprudence  Vote: 6 Ayes 3 Nays 0 PNV 0 Absent	Currently, a critical infrastructure facility is a facility in which functions are so essential that their interrupted, damaged, or destroyed equipment could cause severe economic loss as well as could impact the states security. Currently, anyone who trespasses on a critical infrastructure facility is charged with a misdemeanor offense and can face up to 1 year of incarceration as well as a fine of up to \$4,000 dollars. There are concerns that harsher penalties should be charged to those who trespass onto these critical infrastructure facilities.  HB 3557 amends the Government Code to expand the definition of trespassing to state that the offense is trespassing with intent to damage a critical infrastructure facility including those who are under construction. By expanding the definition, HB 3557 also expands the charge of the offense to a second degree penalty whose punishment includes imprisonment from 2 to 20 years and a fine up to \$10,000 as well as any liability for the damage. HB 3557 requires a court to hold any organization with connections to the crime to pay a fine of 1 million dollars as well as pay for any damages caused to the facility. HB 3557 holds any corporation, nonprofit, or individual liable for any damage caused to these facilities when trespassing.  There are concerns with HB 3557 in that it creates a harsher penalty that does not fit the crime. Under HB 3557 the act of trespassing receives the same punishment as someone who commits aggravated assault. HB 3557 also imposes extremely harsh civil penalties on nonprofit groups who participate in a peaceful protest because of the members being involved in said protest. HB 3557 also classifies defacing a critical structure facility a second degree felony, which means that graffiti or simply putting a sticker on these facilities can be punishable with 2 year imprisonment as well as a \$10,000 fine.  There are additional concerns due to the lack of language in HB 3557. If a pipeline is being built on someone's private property, a protest on said private property can be seen as trespassing onto the critical infrastructure facility. Under HB 3557 organizations can also be charged with the \$1 million dollar fine even if they impede with a project outside of the facilities perimeter. This means that if an organization sues a company, writes letters to elected officials, or fundraise against a project, they can be charged with impeding with a project.	<b>Unfavorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org

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<p><b>HB 3652</b> By: Turner, Chris</p>	<p>Relating to the creation of a state repository for open educational resources by the Texas Higher Education Coordinating Board.</p>	<p>Higher Education  Vote: 9 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>Purchasing college textbooks and material can add on to the pile of debt students across the nation are facing, and often the cost of accessing textbooks and material can impact a student's ability to complete assignments. Students who cannot afford to pay upfront the cost of textbooks and materials often delay the purchasing of them until they can financially afford them, if they can. Open Educational Resources (OERs) are a way for students to access material freely as a means for students who cannot otherwise afford to purchase textbooks and material. Currently, information about OERs and resources are decentralized and can often be difficult for universities or school districts to gain access.</p> <p>HB 3652 requires the Texas Higher Education Coordinating Board (THECB) to create a contract with an OER repository to centralize information and maintain a state repository for OERs. The central hub for OERs that the THECB will develop can aid students in accessing a multitude of resources such as textbooks, full courses, and videos. HB 3652 ensures that the resources that are state funded will be available through a Creative Commons License for the OER.</p>	<p><b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org</p>
<p><b>HB 4388</b> By: Murphy   Huberty   Capriglione   Zerwas</p>	<p>Relating to the management of the permanent school fund by the School Land Board and the State Board of Education.</p>	<p>Pensions, Investments &amp; Financial Services  Vote: 9 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>HB 4388 adds language to the Education Code to amend procedure for a new liquid asset fund managed by the State Board of Education (SBE). Funds would be pulled from the State Land Board to allow for financial stability in the Permanent School Fund. There would be construction of quarterly reports exchanged between the SBE and the School Land Board (SLB) to create more financial transparency between the organizations. With the creation of a liquid fund to be managed by the SBE with provisions that the evaluation of fund use occurs every 90 days for the SLB to ensure no shortfalls in budget.</p> <p>HB 4388 allows for the access to liquid funds to be directly invested by the SBE and SLB to enhance revenue generation for public schools. The projected return would be \$325 million in 5 years.</p>	<p><b>Favorable</b> Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>
<p><b>HB 233</b> By: Krause   Minjarez</p>	<p>Relating to the scheduling of the first day of school for students by school districts and open-enrollment charter schools.</p>	<p>Public Education  Vote: 7 Ayes 5 Nays 1 PNV 0 Absent</p>	<p>The Texas Tourism industry would be benefited by families, who have the access, ability, and financial means to participate in summer activities, and have children enrolled in public school who start school later and end earlier.</p> <p>HB 233 creates a start date for open-enrollment charter schools at the 3rd Monday in August, and ISDs the 4th Monday in August. HB 233 prohibits the last day of school to be before May 15th or after the Friday preceding Memorial Day.</p> <p>The concern with HB 233 is that it contributes directly to academic inequality. Strong research suggests the summer slide, or summer learning loss, greatly impacts student's retainment of information across the board. HB 233 would extend the gap for the summer learning loss which primarily affects students of low-income backgrounds and their retainment of reading skills. HB 233 also affects underperforming schools who will lose out on instructional time to prepare for state assessments. HB 233 will impact students who often find their only source of a meal from the lunch provided at school and will decrease the amount of time a hungry child spends in school where they will receive a meal.</p>	<p><b>Unfavorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org</p>
<p><b>HB 4733</b> By: González, Jessica</p>	<p>Relating to the creation of the Oak Farms Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.</p>	<p>Urban Affairs  Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>HB 4733 provides for the creation of the Oak Farms Municipal Management District (MMD), which will be in the Dallas area. Typically, such bills creating MMDs go through the Local and Consent Calendar. However, this particular bill will be going through the General Calendar due to an amendment that is expected to be brought on the floor. The bill meets the template for the creation of MMD.</p>	<p><b>Favorable</b> Evaluated by: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org</p>

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<p><b>HB 1968</b> By: Anderson, Charles "Doc"   Johnson, Julie   Davis, Sarah   Vo   Paul</p>	<p>Relating to coverage for treatment of craniofacial abnormalities under certain health benefit plans.</p>	<p>Insurance  Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>HB 1968 adds language to the Insurance Code to include coverage of constructive surgery relating to craniofacial abnormalities also known as Cleft Palate. Language is included to clearly define coverage in certain insurance plans for the correction of the abnormality as well as follow up care or procedures related to the abnormality. Without addressing the abnormalities early, there can be long-term problems that inevitably end up more costly to the provider and the individual.</p> <p>HB 1968 provides improved consumer protection and long-term care for those with cleft palate. With clearer definitions of coverage as well as follow up care, an individual can live more productively and avoid long term consequences of leaving the cleft palate untreated.</p>	<p><b>Favorable</b> Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>
<p><b>HB 2068</b> By: Nevarez</p>	<p>Relating to exemption from jury service of tribal council members of and legislative employees for certain tribal governments.</p>	<p>Judiciary &amp; Civil Jurisprudence  Vote: 7 Ayes 0 Nays 2 PNV 0 Absent</p>	<p>Jury duty is part of our civic duty as residents of this state. However, certain populations have the option to be exempted from Jury service and not have to comply with the jury summons. An elected official in the state of can choose to be exempt from participating in jury service, however this law does not apply to everyone. Members or employees of the legislative tribes of federally recognized tribes in Texas do not qualify for this optional exemption.</p> <p>HB 2068 amends the government code in order to allow tribal council members or employees of the legislative branch of a federally recognized tribe in Texas to be exempt from Jury service. HB 2068 applies uniformity with the legislative branch of the tribes as well as the legislative branch of the state.</p>	<p><b>Favorable</b> Evaluated by: Santiago Cernigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p><b>HB 974</b> By: Metcalf   Huberty   Allen   González, Mary   Dutton</p>	<p>Relating to public school safety measures and procedures.</p>	<p>Public Education  Vote: 13 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>Under current law school districts have the option to establish entry procedures to allow a person to enter a school campus. School districts perform safety audits every 3 years with extensive reviews of all parts of the system. Without question, every legislator wants to provide a safe and secure campus where students can learn without fear. However, HB 974, if enacted as reported from committee, could have unintended consequences unless certain concerns are addressed.</p> <p>HB 974 requires every school district to conduct a security audit every two years instead of every three years as currently required. The bill also requires all visitors to show a government issued photo ID when they enter a school campus, except for school sponsored events open to the public. HB 974 will also require the school to verify if the visitor is not on the sex offender registry list, except for school sponsored events open to the public.</p> <p>The serious concerns with this bill are:</p> <ul style="list-style-type: none"> <li>In large school districts, it takes as much as two years to complete a comprehensive security audit, and the two year requirement in this bill would mean districts would have to absorb the cost of a continual audit process in these districts. The fiscal note confirms that this bill will mandate additional costs for local school districts.</li> <li>The photo ID requirement in HB 974 could negatively impact parental involvement by parents of students who do not have the means or ability to attain a government issued photo ID to that would be needed for parents to enter the school for numerous events and meetings that are not open to the public unless the school developed a system to issue ID to parents, which is not provided for in this bill.</li> </ul> <p>Lastly, HB 974 does not apply these security standards to charter schools and leaves charter school students without these protections.</p>	<p><b>Unfavorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org</p>

<p><b>HB 1590</b> By: Howard   Morrison   Neave   Hunter   Miller</p>	<p>Relating to statewide policies and practices, personnel training, evidence collection and preservation, and data collection and analysis regarding the prevention, investigation, and prosecution of sexual assault and other sex offenses.</p>	<p>Homeland Security &amp; Public Safety</p> <p>Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>In Texas, there is a current backlog of rape kits as well as an alarming number of sexual assaults per year. Consequently, there is a concern regarding confusing and conflicting definitions and the lack of progress being made on these issues. There have been reports that women have travelled to different hospitals to get a rape kit exam done due to confusion as to who can conduct the exam and who cannot. The additional funding that has been allocated to fix the backlog of the rape kits has not been helpful in clearing the confusion that comes with the issue and does not help clear up different definitions.</p> <p>HB 1590 amends the Government Code to require the governor to establish the Sexual Assault Survivors Task Force. This task force will be made up of a steering committee that will include the Governor’s office, the Texas Alliance Against Sexual Assault and the Children’s Advocacy Centers of Texas. The task force will be in charge of developing a survivor-centered approach that will develop a standard of best practices for funding and delivery of sexual assault services. HB 1590 allows for victims to find relief in a faster manner and allow them to find services in the most efficient way possible. The task force will be in charge of conducting a biannual survey of the services provided in each region of the state in order to assess how the services are being provided. HB 1590 instructs the task force to create a biennial report on the progress on the services for sexual assault victims as well as progress made into the goals of decreasing the number of crimes committed and decreasing the backlog of rape kits.</p> <p>HB 1590 creates the Sexual Assault Survivors Task force in order to bridge all of the legislative processes that have been passed in order to fix the backlog of rape kits, streamline services to victims, and provide the best practices to conduct the rape exams for victims.</p>	<p><b>Favorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p><b>HB 1897</b> By: Bonnen, Greg</p>	<p>Relating to dispute resolution for certain claims arising under insurance policies issued by the Fair Access to Insurance Requirements (FAIR) Plan Association; authorizing fees.</p>	<p>Insurance</p> <p>Vote: 7 Ayes 2 Nays 0 PNV 0 Absent</p>	<p>HB 1897 intends to make it more difficult for people filing claims and result in reducing the amount of litigated insurance claims received by the Texas FAIR Plan Association (TFPA). Language is included to close the timeline for filing a claim against TFPA to one year from the time of loss, allowing TFPA to respond by 60 days of receipt of the claim or receipt of information. Additionally, if a claimant wants to dispute a loss coverage amount, they must request a detailed summary from TFPA detailing the coverage with loss and furnish an appraisal of the loss within 60 days. Provisions of the appraisal are that the claimant and TFPA will split the cost as well as requesting for an extension if need be within 15 days.</p> <p>HB 1897 places new roadblocks to collecting on valid insurance claims in the FAIR Plan by requiring pre-dispute arbitration. This would be on top of both financial and time barriers already stacked against the claimant who may have other external barriers from being able to rebuild their homes and being properly compensated.</p>	<p><b>Unfavorable</b> Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>
<p><b>HB 1832</b> By: Johnson, Julie   Oliverson   Lambert</p>	<p>Relating to prohibited practices relating to health benefit plan coverage for emergency care.</p>	<p>Insurance</p> <p>Vote: 7 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>HB 1832 adds language to the Insurance Code to require managed care organizations to place emergency care under coverage without a review if the patient’s medical condition requires emergency care. Language would also be included to establish that the act of making health benefit plan coverage for an emergency care claim be contingent on a “utilization review” determination that the patient’s condition actually necessitated emergency care be an unfair method of competition or an unfair or deceptive act or practice in the insurance business.</p> <p>HB 1832 would allow for more consumer protection when faced with a medical emergency or a medical event that requires immediate attention when primary care may not be readily available to the patient.</p>	<p><b>Favorable</b> Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>

<p><b>HB 1917</b> By: Murphy   Zerwas   Phelan   Thompson, Senfronia   Bonnen, Greg</p>	<p>Relating to the creation of the disaster response loan fund and the permissible uses of that fund; making an appropriation; authorizing a fee.</p>	<p>Appropriations  Vote: 23 Ayes 0 Nays 0 PNV 4 Absent</p>	<p>HB 1917 creates the Disaster Response Loan Fund (DRLF) to provide short-term loans or “bridge loans” to local governments for disaster relief and recovery outside of the treasury. Funds from the federal government can be slow, sometimes taking months to years for disbursement. This bill will allow local governments to begin recovery projects quicker, resulting in lower costs and safer communities. All payments of loans, including interest, will go back into the fund making it self-sustaining with a one-time appropriation of \$1 billion from ESF. If the fund reaches an amount of less than 75% of its initial amount, loans will be suspended. Upon passage of HB 1917, ¾ of the fund will be available immediately to help with recent disasters. This bill gives the Comptroller the ability to issue a fee to cover application processing costs. Additionally, the Comptroller must prepare a report on the fund to the Governor, Lieutenant Governor, and each member of the Legislature. The DRLF is expected to have a positive fiscal impact on counties, depending on the amount of funding and interest rates provided.</p> <p>To be eligible for the loan, a local government must:</p> <ul style="list-style-type: none"> <li>• Be located wholly or partly in a declared disaster area</li> <li>• Have money guaranteed by the federal government (FEMA) and the comptroller</li> <li>• Submit proof of evidence that the local government has staff, policies, and procedures to complete the project</li> <li>• Submit a description of the project and an estimated cost of the project</li> <li>• Submit a statement or estimate of the amount of federal funds to be received</li> </ul>	<p><b>Favorable</b> Evaluated by: Brittany Sharp (210) 748-0646 Brittany@TexasLSG.org</p>
<p><b>HB 4548</b> By: Wray</p>	<p>Relating to the creation and operations of health care provider participation programs in certain counties bordering two populous counties.</p>	<p>County Affairs  Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>Currently, under Texas law, the <i>Health and Safety Code</i> does not yield any authority to a governing county body to create and operate local health care provider participation programs that are not served by a hospital district or public hospital.</p> <p>HB 4548 seeks to amend current law by allocating power to a commissioner’s court to create the actual program where the county is not served by a hospital district or public hospital, with a population less than 600,000, and borders two counties with a population more than one million (bracketed for Ellis County).</p> <p>The amendment provides the following:</p> <ul style="list-style-type: none"> <li>• Defines the power and duties of the commissioner’s court for establishing a LPPF.</li> <li>• Requires an annual public hearing on the amounts of mandatory payments and how the revenue should be spent</li> <li>• Sets mandatory payments by governing laws that are in direct correlation to relevant county property taxes</li> </ul> <p>Proponents and stakeholders of HB 4548 seem to believe that the proposed legislation will enhance the livelihoods of county residents, especially those who have been categorized as indigent.</p>	<p><b>Favorable</b> Evaluated by: Brandi Granderson (202) 808-6140 Brandi.Granderson_HC@house.texas.gov</p>
<p><b>HB 2576</b> By: Johnson, Jarvis</p>	<p>Relating to prescribing and dispensing certain controlled substances to patients diagnosed with sickle cell disease.</p>	<p>Public Health  Vote: 7 Ayes 2 Nays 0 PNV 2 Absent</p>	<p>Due to concerns about controlled substance abuse, both prescribers and dispensers are required to verify a patient’s prescription history before prescribing or dispensing certain controlled substances including opioids, benzodiazepines, barbiturates, and carisoprodol. This procedure is in place to screen for any potential pattern of previous prescription drug abuse. However, this requirement is waived for patients who are undergoing treatment for cancer or are receiving hospice care due to their extreme circumstance.</p> <p>HB 2576 extends this exception to sickle cell anemia patients. Following the passage of this bill, prescribers and dispensers will not be required to check the prescription history of a sickle cell anemia patient if the diagnosis has been clearly noted in the prescription record.</p>	<p><b>Favorable</b> Evaluated by: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org</p>

<p><b>HB 4390</b> By: Capriglione   Martinez Fischer   Rodriguez   Collier</p>	<p>Relating to the privacy of personal identifying information and the creation of the Texas Privacy Protection Advisory Council.</p>	<p>Business &amp; Industry</p> <p>Vote: 7 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>HB 4390 holds responsible any business who uses licenses digital data that includes sensitive personal information. In the event of a data breach, the business is responsible for notifying any individual whose sensitive information may have been exposed in the breach. The notification must be made without unreasonable delay and within 60 days of the event.</p> <p>The individual who is responsible for notification of the breach is also required to notify the Attorney General if the breach impacts more than 250 Texan residents. The details of the notification should include the details of the breach, the number of Texans affected, any measures taken or intended to be taken in response to the breach, and information regarding whether law enforcement is involved in investigation.</p> <p>HB 4390 also creates the Texas Privacy Protection Advisory Council which is intended to study the data privacy laws in Texas, other states, and relevant foreign entities. The council will be composed of:</p> <ul style="list-style-type: none"> <li>• five members from the House appointed by the Speaker</li> <li>• five senators appointed by the Lt. Governor</li> <li>• five members of industry who are residents of the state appointed by the Governor             <ul style="list-style-type: none"> <li>○ one representative of the retail and electronic transaction industry</li> <li>○ one representative of the telecommunications industry</li> <li>○ one representative of the consumer data analytics industry</li> <li>○ one representative of the advertising industry</li> <li>○ one representative of the Internet service provider industry</li> </ul> </li> </ul> <p>The Speaker and Lt. Governor will be allowed to designate one co-chair each from their appointed council members. The information gathered by the Council should be used to make recommendations to the legislature for the creation and amendment of legislation regarding privacy and protection.</p> <p>There were concerns regarding previous versions of this bill that it might contribute to the already fragmented state-level laws across the country that dictate how businesses should address breaches. For businesses that operate across the country, it would have been difficult to implement a variety of data privacy laws in various states. However, the current version of this bill eliminates this concern.</p>	<p><b>Favorable</b> Evaluated by: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org</p>
<p><b>HB 1563</b> By: Nevarez</p>	<p>Relating to the licensing and regulation of animal export-import processing facilities; providing penalties; requiring an occupational license; authorizing fees.</p>	<p>Agriculture &amp; Livestock</p> <p>Vote: 5 Ayes 0 Nays 0 PNV 4 Absent</p>	<p>Currently there is no regulation or oversight for private animal export-import processing facilities and problems such as improper set up of pens for livestock or the use of plywood for funneling sheep, things that can occur without oversight or regulation. In these private facilities there has been harm to livestock in the process and if these places were regulated this would benefit the public's health, safety, and welfare.</p> <p>HB 1563 will establish a license requirement for a person that is operating an export-import processing facility for animals. The Texas Department of Agriculture will be required to issue these licenses for these facilities and set the rules and requirements to obtaining and renewing a license including the authorization fees.</p>	<p><b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@TexasLSG.org</p>
<p><b>HB 2099</b> By: Lambert   Sheffield   Zerwas   Oliverson   Lucio III</p>	<p>Relating to modification of certain prescription drug benefits and coverage offered by certain health benefit plans.</p>	<p>Insurance</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>HB 2099 amends the Insurance Code regarding drug coverage and utilization by care plans to help patients stay on the same medications when they continue with the same type of healthcare plan from a provider. Language is included to require providers to explicitly state, in already mandated notices for policy changes, if a drug is moving to another tier of coverage, would increase co-pays/out-of-pocket costs, and indicate that on renewal of the consumer's plan there can be no modifications to the contracted benefit level that was approved preceding the plan year the changes went into effect. Additionally, plan providers will be prohibited from adding undue burden to the consumer regarding the continuation of medication such as limiting, quantity, step-therapy, or pre-authorization. There is an explicit statement that this will not affect the ability for insurance plan providers to negotiate prices or rates of medications with pharmaceutical companies.</p> <p>HB 2099 provides clarified consumer protections when health benefit plans regarding prescription drugs change.</p>	<p><b>Favorable</b> Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texasls.org</p>

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			Added benefits will also protect those who have a long-standing or chronic illness that may require very specialized medications that were covered previously and may be subject to coverage change.	
<b>HB 827</b> By: Rose	Relating to the exemption from ad valorem taxation of an improvement that is necessary to support the continued use or existence of a historic site.	Ways & Means  Vote: 10 Ayes 0 Nays 0 PNV 1 Absent	Property tax exemptions for the preservation of historic resources are critical to many communities that recognize the social, educational, and economic benefits of investing in these sites. HB 827 authorizes a taxing unit to exempt all or a portion of the assessed value of an improvement that is necessary to support continued use and existence of a historic site. This would include related land necessary for access and use of necessary improvement of the historic site with certain stipulations: must be located on or adjacent to the property and constructed in a manner that is consistent architecturally.	<b>Favorable</b> Evaluated by: Eliot Davis (713) 855-3285 Eli@TexasLSG.org
<b>HB 2178</b> By: Noble	Relating to terminating participation in the Texas Emergency Services Retirement System.	Pensions, Investments & Financial Services  Vote: 9 Ayes 1 Nays 0 PNV 1 Absent	HB 2178 amends language in the Government Code to allow some agencies the ability to terminate participation in the Texas Emergency Services Retirement System (TESRS). To terminate the use of TESRS, the department would have to be composed of both volunteer and at least 6 full-time firefighters Language would be included that an organization that meets the requirements may choose to leave TESRS. With the option to leave on not the requirement, solvency of the current fund is left sound.  HB 2178 would allow for smaller entities who depend on volunteers to remain competitive retaining those volunteers. Currently, vestment in TESRS is 10 years at 50%, in this time frame as a volunteer is trained, they have more beneficial opportunities to go to a non-volunteer position in another department.	<b>Favorable</b> Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org
<b>HB 1426</b> By: Guerra   Phelan   Deshotel   Burrows   Allison	Relating to mobile Internet service access in an area subject to a declared state of disaster.	State Affairs  Vote: 9 Ayes 0 Nays 0 PNV 4 Absent	HB 1426 would prohibit a mobile internet service carriers from managing mobile internet services during times of disaster, in a specific geographic area that the Governor has declared a state of disaster.  The general public already has to move over on the roads when emergency vehicles are passing through. Similarly, carriers need the ability to prioritize first responders communication during an emergency. Prioritizing first responders is key when allowing their communication to take precedence over other traffic when the network is congested.  Currently, in times of network congestion, carriers give voice traffic priority to ensure completion of 911 calls. HB 1426 would prohibit that practice and put lives at stake when citizens need 911 the most. Managing the network is key for carriers in these critical moments.	<b>Unfavorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org
<b>HB 803</b> By: Patterson   Canales   Thierry   Toth   Krause	Relating to financial reporting requirements of a toll project entity.	Transportation  Vote: 13 Ayes 0 Nays 0 PNV 0 Absent	HB 803 promotes tolling transparency. In Texas, tolling entities include the Texas Department of Transportation (TxDOT), North Texas Tollway Authority (NTTA), eight county toll authorities, and nine Regional Mobility Authorities (RMAs). They post their operations data through comprehensive annual financial reports with different levels of specificity—they are long/hard to read because they are made for bondholders and finance institutions, and not accessible to everyone.  HB 803 requires tolling entities to provide an additional financial information report including the final maturity of all bonds issued by the entity for the toll project, the toll revenue for each toll project, toll revenue and expenses by the entity (including debt service, maintenance and operation costs, surplus revenue and any other expenses), and a capital improvement plan with expected expenditures. This will increase transparency and clarity for Texans with information about where their money goes. HB 803 also allows Texans to hold tolling entities accountable.	<b>Favorable</b> Evaluated by: Sophia Creede (832) 865-4774 Sophia@TexasLSG.org
<b>HB 3910</b> By: Sherman	Relating to the establishment of one or more supplemental county civil	County Affairs  Vote:	HB 3910 seeks to amend the Local Government Code of Texas allowing the Commissioner's Court of a county to construct one or more supplemental commissions with the administration of a civil service system established by the county. Currently, under Texas law, the language within code is not structured to authorize the Commissioner's	<b>Favorable</b> Evaluated by: Brandi Granderson

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	service commissions in certain counties.	7 Ayes 2 Nays 0 PNV 0 Absent	<p>Court to create another body to assist in the administration of a civil service commission.</p> <p>HB 3910 seeks to address efficiency and streamline processes resulting from increased workloads of civil service commission.</p> <p>HB 3910 applies only to counties with a population of two million or more and adjacent to a county with a population more than one million such as Dallas County.</p> <p>HB 3910 prohibits the intertwining of rules that were exclusively adopted, created, and/or enforced by one supplemental commission with another commission. The prohibition also extends to a civil service commission with respect to any authority delegated by the county to the supplemental commission.</p> <p>If HB 3910 is passed into law, it will allow supplemental bodies to run more efficiently and serve their foundational purpose.</p>	(202) 808-6140 Brandi.Granderson_HC@house.texas.gov
<p><b>HB 2586</b> By: Leach   Klick   Israel   Moody   Burrows</p>	Relating to political contributions and political expenditures made to or by political committees or other persons.	Elections  Vote: 8 Ayes 0 Nays 0 PNV 1 Absent	<p>In 2010, the US Supreme Court deemed the prohibition of corporate direct campaign expenditures as unconstitutional. In the 82nd Legislative session legislation passed which aligned state code with this court ruling, however, there was no process established for direct campaign expenditures. Currently, each political action committee (PAC) has a reporting system requiring administrative and donation reports to be submitted to the Texas Ethics Commission from Specific-Purpose (SPAC) and General-Purpose (GPAC) PACs separately which causes confusion and is burdensome.</p> <p>HB 2586 establishes rules relating to political contributions and expenditures made to or by General and Specific-purpose PACs or other persons. This bill does not allow for the candidate or their campaign to request, suggest or be in knowledge of a general-purpose or specific-purpose political contribution. HB 2586 allows for SPACs and GPACs to share vendors with campaigns as long as they are not making expenditures using information from the vendor about the campaign plans or needs of the candidate that is material to the expenditure and not available to public. HB 2586 requires SPACs and GPACs to sign an affidavit that states the committee is not established or controlled by candidate or officeholder and the committee will not use any political contribution from a corporation or labor organization to make a political contribution to a candidate, officeholder, or political committee that has not submitted an affidavit. These affidavits do not create additional reporting requirements.</p> <p>HB 2586 addresses the confusion and burden placed on committees submitting separate reports by combining the reports and allowing affiliated entities to file one campaign finance report. This creates a more accessible and transparent reporting process.</p> <p>This bill codifies several TEC rules that are already being practiced into state laws. Although this legislation does not provide strict enforcement, it is a process that will place much needed rules to align with the US Supreme Court ruling.</p>	<p><b>Favorable</b> Evaluated by: Donisha Cotlone (832) 496-4424 Donisha@TexasLSG.org</p>
<p><b>HB 3771</b> By: Oliverson</p>	Relating to the approval of insurance companies to provide certain structured settlement annuity contracts.	Judiciary & Civil Jurisprudence  Vote: 6 Ayes 2 Nays	<p>The property code in Texas was last updated in 1999. During that time, the state still used ratings such as AAA and AA+ in order to rate structured settlement ratings for insurance companies listed in code. However, there are concerns that the AAA rating process is outdated and the code rates agencies that do not exist anymore leading to confusion in the courts when issuing these settlements.</p> <p>HB 3771 updates the Property code to change the company listings that a court may use to provide a structured settlement agreement. HB 3771 changes the ratings from listed companies in code to designations from the National</p>	<p><b>Favorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>

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		0 PNV 1 Absent	Association of Insurance Commissioners (NAIC) tier 1 designation companies which are the highest standard of rating. A company that receives this designation has the lowest risk, which means the interest and principal agreement will be paid in accordance to the agreement. HB 3771 allows for the code to be updated to follow the NAIC list of companies to provide the ratings and removes the outdated, out of business companies from the Property code.	
<b>HB 4695</b> By: Deshotel	Relating to the administration of the Port of Port Arthur Navigation District of Jefferson County, including the authority to impose taxes.	Transportation  Vote: 12 Ayes 0 Nays 0 PNV 1 Absent	The Port of Port Arthur is its own self-governing body; however, its Enabling Act requires the Port to obtain approval from the Jefferson County Commissioners' Court as to bonded debt and tax levy matters. The Port feels this is an unnecessary, duplicative action required by the Enabling Act since the Port is a separate, self-taxing entity and its Commissioners are elected officials accountable to taxpayers of the District. In the interest of governmental efficiency and economy, HB 4695 intends to eliminate this unnecessary step.  HB 4695 also specifies that benefits may be provided as part of compensation for district employees and members of the board of port commissioners of the Port of Port Arthur Navigation District of Jefferson County. Normally, compensation packages include benefits, but it was suggested that compensation be distinctly mentioned in legislation.	<b>Favorable</b> Evaluated by: Sophia Creede (832) 865-4774 Sophia@TexasLSG.org
<b>HB 3782</b> By: Harless	Relating to the right to remove property encroaching on areas owned or controlled by the Harris County Flood Control District.	Natural Resources  Vote: 9 Ayes 0 Nays 0 PNV 2 Absent	HB 3782 will allow the Harris County Flood Control District (HCFCD) to remove real or personal property that has been placed on land owned by the HCFCD or land subject to an easement (which means a legal right to use someone else's land for a particular reason) held by the HCFCD. The justification for this is that encroachments (e.g. from flower beds to tennis courts) are a common problem that makes maintenance and inspections of the over 2,500 miles of channels, which provide drainage and help mitigate flooding, both costly and difficult to maintain. It can sometimes take six to seven years to remove physical impediments that interfere with the flow of water in the flood control area as well as proper maintenance areas. Therefore, timing is said to be critical for the HCFCD to efficiently and effectively reduce the risk of flooding for its residents. HB 3782 requires the HCFCD to send 2 certified notices to the landowner before a suit can be filed. The District then may bring suit to recover the cost of removing the property, if the property owner fails or refuses to do so.	<b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org
<b>HB 4246</b> By: Nevarez	Relating to nonsubmetered billing for water or wastewater service.	Natural Resources  Vote: 11 Ayes 0 Nays 0 PNV 0 Absent	In an effort to increase transparency to prevent over-charging HB 4246 will require that each municipally owned utility that bills for nonsubmetered master metered utility service (meaning a master metered for an apartment house but is not submetered) to be made publicly available for each entity billed a statement that includes the current copy of the utility's rate structure applicable to the billed service and a list of fees and charges applicable to the billed services. However, that does not authorize the municipally owned utility to make an entity's bill publicly available. A municipally owned utility may not charge a dwelling unit base charge for nonsubmetered master metered utility service and from imposing different per-meter base charges on residential and commercial customers. A person may file an appeal with the Public Utility Commission (PUC) who will be required to hear the appeal de novo, and the municipality charging the fee has the burden of proof to establish that the charge complies with the provisions in HB 4246.	<b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org
<b>HB 2578</b> By: Thompson, Ed	Relating to toll collection and enforcement by private participants in comprehensive development agreements with the Texas Department of Transportation.	Transportation  Vote: 11 Ayes 0 Nays 0 PNV 2 Absent	Texas Department of Transportation (TxDOT) commissioned the Blueridge Transportation Group (BTG) to build, operate, and maintain the expansion of State Highway 288 in Houston in 2016 for the following 50 years and the project was financed, including tolling fees, based on statute at the time. The TxDOT sunset bill last session interfered because language restricted TxDOT tolling projects on fees—specifically, that administrative fees are only allowed with the second invoice and they are limited to \$6 per invoice, so \$48 per year. This limits BTG's ability to deter scofflaw abuse and recover lost revenue. The restrictions on fines and penalties are problematic because they harm financial stability of tolling projects contracted before this legislation was passed last year. BTG's financial projections for the project assumed it would have tools in place to deter scofflaw abuse.  HB 2578 exempts private subcontractors/participants from certain legislation enacted in the 2017 session for projects	<b>Will of the House</b> Evaluated by: Sophia Creede (832) 865-4774 Sophia@TexasLSG.org

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			<p>that contracted with TxDOT before 2017 to keep the project consistent with the plan which was calculated based on original contract terms. The legislation that private subcontractors and participants would be exempt from include: the use of video billing as an alternative to paying while passing the toll, billing, collecting, and enforcing with the use of automated enforcement technology to identify vehicle owners, mailing written invoices to vehicle owners using mailing addresses from the TxDMV, invoice requirements (that individuals must pay within 30 days after the invoice is mailed), and administrative fees allowed for persons who do not pay their tolling fees. The Houston region uses EZ Tags and other interoperable transponders for toll collections, as well as cash toll booths in certain areas and prepaid video billing. The first invoicing requirements in the TxDOT sunset bill would result in de-facto mandatory pay-by-mail video billing since the invoice would not be associated with a prepaid customer account. It would not benefit Houston to adopt pay by mail because it results in revenue leakage, will discourage EZ Tag use and cause problems identifying violators due to the DMV system not being fully updated when people change addresses, move around, etc.</p> <p>HB 2578 would help to ensure seamless toll operations in the entire SH 288 corridor. Harris County Toll Road Authority has a tolling services agreement with the Brazoria County Toll Road Authority to operate the southern segment in Brazoria County and is waiting on TxDOT to approve the tolling services agreement with BTG. HB 2578 would remove operational differences between the BCTRA portion of the project and the BTG portion.</p> <p>What would happen as a result of HB 2758 is concerning. HB 2578 exempts private, foreign toll companies from toll collection reforms that were put in place last session for a reason. The House voted overwhelmingly, 136-3 last session, to cap fines and fees enforced by toll entities. People would not be bound to a \$48 per year cap on toll fines and tolling authority would not have to wait 30 days to impose administrative fees—tolling fees should not be the thing that Texans struggle to make ends meet for.</p>	
<p><b>HB 3995</b> By: Phelan   Raymond   Rodriguez   King, Phil   Frullo</p>	<p>Relating to certificates of convenience and necessity for the construction of facilities for the transmission of electricity.</p>	<p>State Affairs</p> <p>Vote: 12 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>Due to recent dockets in front of the Texas Public Utility Commission (PUC) HB 3995 will ensure that the Public Utility Commission (PUC), and not the Federal Energy Regulatory Commission (FERC), will continue to have jurisdiction over the Texas transmission and rates by confirming that if a Texas Utility or co-op owns the end-point of where a transmission line is or will be built then that utility has the right and responsibility to build, own, and operate than transmission line. Current practices and procedures have ensured timely, reliable and cost-effective electric transmission across our state, and the potential FERC to have jurisdiction over these transmission lines will inefficiently fragment the transmission grid and increase costs.</p> <p>As it stands, FERC does not regulate utilities that are within the Electric Reliability Council of Texas (ERCOT) because the federal government does not view those utilities as engaging in interstate commerce. As for utilities outside of ERCOT the reason that FERC does not regulate them, even if they do engage in interstate commerce, is because of the “bundled load exemption,” which allows a state agency to maintain jurisdiction over transmission service as long as they are provided by a vertically integrated utility as part of a bundled rate, meaning bundled service, bundled transmission, bundled distribution, bundled retail service.</p> <p>The legislature currently requires that the PUC ensure that each rate charged by an electric company is just and reasonable. If a rate is charged by an unbundled utility the PUC will not have the jurisdiction to ensure that that rate is just and reasonable. HB 3995 will simply codify the long-term practices and procedure that have been operating, both in and outside of ERCOT, for decades.</p>	<p><b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>