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LSG Floor Report For POSTPONED BUSINESS Calendar – Friday, May 3, 2019

<p>HB 3950 By: Frank</p>	<p>Relating to the establishment of the child welfare task force and provision of services in the child welfare system.</p>	<p>Human Services</p> <p>Vote: 7 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>HB 3950 creates a child welfare task force to develop a state plan for the implementation of Community-Based Care (CBC) in addition to prevention services for the child welfare system and preserving the family unit. The task force will consist of 9 legislators appointed by the Governor, Lt. Governor, and Speaker of the House with the chair and vice chair elected by members of the task force. The task force will meet at least quarterly with appropriate public notice of meetings and may consider public testimony.</p> <p>This task force will identify sources of funding for the implementation of Community Based Care (CBC) and prevention services. The state plan will include a timeline for the implementation of CBC throughout the state of Texas and identify what the Department of Family and Protective Services (DFPS) requires to fully implement CBC such as enhanced technology services, legal services, etc. The task force will also identify the barriers in place which keep the state from using federal or state funds for preventing entrance into foster care. Specifically, the task force will identify placements which may be eligible for federal funds through the Family First Prevention Services Act (FFPSA) and any other programs/services which could receive federal funds through FFPSA. The task force may request relevant information from HHSC, DFPS, and other relevant state agencies. The task force will submit a report to the legislature by September 1, 2020. Afterward, the task force will continue to review the implementation of CBC and will submit a final evaluation by December 30, 2024.</p> <p>While the task force will request relevant information from state agencies in addition to taking public testimony, the task force needs to include child welfare experts and advocates to provide experienced input from a variety of backgrounds; including individuals from DFPS, attorney ad litem, child advocates, or individuals from child-placing agencies. Including these individuals will promote transparency and ensure the strategic plan reflects the support of experts. In addition, the task force should focus more heavily on the FFPSA which will be implemented by the fall of 2021. With limited guidance federally, it is crucial that Texas review its programs/services and prepare for implementation in a short period of time. Including all FFPSA strategies within the task force's state plan will ensure that Texas receives as many federal funds as possible which are needed for Texas' prevention services.</p> <p>Texas does not currently have any regions in stage 2 of CBC which involves the transfer of all case management services for children in foster care to a Single Source Continuum Contractor (SSCC). Transferring case management services is a huge feat and there are concerns that relying wholly on a private contractor will not result in improved outcomes. Two regions are currently planned to enter into stage 2 by the end of 2020 pending the appropriate funds from the legislature. However, CBC expansion is not currently fully funded and implementing expansion without appropriate funds could lead to negative outcomes in the future. The task force needs to review the effectiveness and outcomes of CBC implementation through all stages and determine best practices for the state moving forward.</p>	<p>Will of the House Evaluated by: Ali Schoon 515-313-3712 Ali@TexasLSG.org</p>
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<p>HB 1353 By: Oliverson</p>	<p>Relating to liability of volunteer health care providers and health care institutions for care, assistance, or advice provided in relation to a disaster.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>During natural or manmade disasters, volunteer medical providers are needed in order to assist with helping victims of the disaster. However, volunteer medical providers can be hard to find due to the current liability laws that expose the volunteers and they can be sued during a time of disaster. The current liability laws protect the actual healthcare practice more than the individual and therefore leave the volunteers exposed to liability when acting on their own.</p> <p>HB 1353 addresses these concerns by amending the Civil Practice and Remedies Code to grant volunteer healthcare providers complete immunity when providing health care services during a time of natural or manmade disaster. HB 1353 provides immunity to those doctors acting on good faith but excludes those who act on reckless conduct or intentionally hurt others. HB 1353 assists in having more volunteer healthcare providers available during times of disaster and provides quality healthcare to victims.</p>	<p>Favorable Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
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LSG Floor Report For GENERAL STATE Calendar – Friday, May 3, 2019

<p>HB 3609 By: Martinez Fischer</p>	<p>Relating to the filing of an assumed name certificate by certain business entities.</p>	<p>Business & Industry</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>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.</p> <p>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 sections of the Code to ensure that the Code is consistent.</p>	<p>Favorable Evaluated by: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org</p>
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<p>HB 3557 By: Paddie</p>	<p>Relating to civil and criminal liability for engaging in certain conduct involving a critical infrastructure facility; creating criminal offenses.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>Vote: 6 Ayes 3 Nays 0 PNV 0 Absent</p>	<p>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 state's 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.</p> <p>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 an 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.</p> <p>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 the 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.</p>	<p>Unfavorable Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
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			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.	
HB 3652 By: Turner, Chris	Relating to the creation of a state repository for open educational resources by the Texas Higher Education Coordinating Board.	Higher Education Vote: 9 Ayes 0 Nays 0 PNV 2 Absent	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. 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.	Favorable Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org
HB 4388 By: Murphy Huberty Capriglione Zerwas	Relating to the management of the permanent school fund by the School Land Board and the State Board of Education.	Pensions, Investments & Financial Services Vote: 9 Ayes 0 Nays 0 PNV 2 Absent	HB 4388 adds language to the Education Code to amend the 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 production 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 the budget. HB 4388 allows for 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.	Favorable Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org
HB 233 By: Krause Minjarez	Relating to the scheduling of the first day of school for students by school districts and open-enrollment charter schools.	Public Education Vote: 7 Ayes 5 Nays 1 PNV 0 Absent	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. 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. 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.	Unfavorable Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org
HB 4733 By:	Relating to the creation of the Oak Farms Municipal	Urban Affairs	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	Favorable Evaluated by:

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<p>González, Jessica</p>	<p>Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.</p>	<p>Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>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>Sharon Jacob 920-675-9865 Sharon@TexasLSG.org</p>
<p>HB 1968 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>Favorable Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>
<p>HB 2068 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 & 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>Favorable Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p>HB 974 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"> 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. 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. 	<p>Unfavorable Evaluated by: Marissa Gorena (956) 867-7232 Marissa@texaslsg.org</p>

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			<p>Lastly, HB 974 does not apply these security standards to charter schools and leaves charter school students without these protections.</p> <p><u>The author intends to amend HB 974, as well as work with Rep. Mary Gonzalez in order to improve the bill. These amendments, if adopted, would significantly improve the bill and address the concerns by opponents. If amendments by Metcalf and Rep. Mary Gonzalez are adopted, HB 974 would be favorable.</u></p>	
<p>HB 1590 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 & 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 traveled 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>Favorable Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p>HB 1897 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>Unfavorable Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>
<p>HB 1832 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</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. The bill 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>Favorable Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org</p>

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		2 Absent	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.	
HB 1917 By: Murphy Zerwas Phelan Thompson, Senfronia Bonnen, Greg	Relating to the creation of the disaster response loan fund and the permissible uses of that fund; making an appropriation; authorizing a fee.	Appropriations Vote: 23 Ayes 0 Nays 0 PNV 4 Absent	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. To be eligible for the loan, a local government must: <ul style="list-style-type: none"> • Be located wholly or partly in a declared disaster area • Have money guaranteed by the federal government (FEMA) and the comptroller • Submit proof of evidence that the local government has staff, policies, and procedures to complete the project • Submit a description of the project and an estimated cost of the project • Submit a statement or estimate of the amount of federal funds to be received 	Favorable Evaluated by: Brittany Sharp (210) 748-0646 Brittany@TexasLSG.org
HB 4548 By: Wray	Relating to the creation and operations of health care provider participation programs in certain counties bordering two populous counties.	County Affairs Vote: 8 Ayes 0 Nays 0 PNV 1 Absent	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. 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). The amendment provides the following: <ul style="list-style-type: none"> • Defines the power and duties of the commissioner’s court for establishing an LPPF. • Requires an annual public hearing on the amounts of mandatory payments and how the revenue should be spent • Sets mandatory payments by governing laws that are in direct correlation to relevant county property taxes • 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.	Favorable Evaluated by: Brandi Granderson (202) 808-6140 Brandi.Granderson_HC@house.texas.gov
HB 2576 By: Johnson, Jarvis	Relating to prescribing and dispensing certain controlled substances to patients diagnosed with sickle cell disease.	Public Health Vote: 7 Ayes 2 Nays 0 PNV 2 Absent	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. HB 2576 extends this exception to sickle cell anemia patients. Following the passage of this bill, prescribers and	Favorable Evaluated by: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org

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			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.	
HB 4390 By: Capriglione Martinez Fischer Rodriguez Collier	Relating to the privacy of personal identifying information and the creation of the Texas Privacy Protection Advisory Council.	Business & Industry Vote: 7 Ayes 0 Nays 0 PNV 2 Absent	<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 the 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"> • five members from the House appointed by the Speaker • five senators appointed by the Lt. Governor • five members of the industry who are residents of the state appointed by the Governor <ul style="list-style-type: none"> ○ one representative of the retail and electronic transaction industry ○ one representative of the telecommunications industry ○ one representative of the consumer data analytics industry ○ one representative of the advertising industry ○ one representative of the Internet service provider industry <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>	Favorable Evaluated by: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org
HB 1563 By: Nevarez	Relating to the licensing and regulation of animal export-import processing facilities; providing penalties; requiring an occupational license; authorizing fees.	Agriculture & Livestock Vote: 5 Ayes 0 Nays 0 PNV 4 Absent	<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>	Favorable Evaluated by: Marissa Gorena (956) 867-7232 Marissa@TexasLSG.org
HB 2099 By: Lambert Sheffield Zerwas Oliverson Lucio III	Relating to modification of certain prescription drug benefits and coverage offered by certain health benefit plans.	Insurance Vote: 8 Ayes 0 Nays 0 PNV 1 Absent	<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>	Favorable Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org

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			HB 2099 provides clarified consumer protections when health benefit plans regarding prescription drugs change. 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.	
HB 827 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.	Favorable Evaluated by: Eliot Davis (713) 855-3285 Eli@TexasLSG.org
HB 2178 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.	Favorable Evaluated by: Elizabeth Churaman (281)-686-4544 Elizabeth@texaslsg.org
HB 1426 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.	Unfavorable Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org
HB 803 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.	Favorable Evaluated by: Sophia Creede (832) 865-4774 Sophia@TexasLSG.org
HB 3910 By:	Relating to the establishment of one or more	County Affairs	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	Favorable Evaluated by:

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Sherman	supplemental county civil service commissions in certain counties.	Vote: 7 Ayes 2 Nays 0 PNV 0 Absent	<p>county. Currently, under Texas law, the language within code is not structured to authorize the Commissioner's 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>	Brandi Granderson (202) 808-6140 Brandi.Granderson_HC@house.texas.gov
HB 2586 By: Leach Klick Israel Moody Burrows	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 the 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. 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>	Favorable Evaluated by: Donisha Cotlone (832) 496-4424 Donisha@TexasLSG.org
HB 3771 By: Oliverson	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 the 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>	Favorable Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org

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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 with 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.	
HB 4695 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 the 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.	Favorable Evaluated by: Sophia Creede (832) 865-4774 Sophia@TexasLSG.org
HB 3782 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.	Favorable Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org
HB 4246 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.	Favorable Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org
HB 2578 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, stating 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.	Will of the House Evaluated by: Sophia Creede (832) 865-4774 Sophia@TexasLSG.org

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			<p>HB 2578 exempts private subcontractors/participants from certain legislation enacted in the 2017 session for projects 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>HB 3995 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>Favorable Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>

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