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### LSG Floor Report For GENERAL STATE Calendar – Wednesday, May 8, 2019

<p><b>HB 297</b> By: Murr   Burrows   Burns   Darby</p>	<p>Relating to the elimination of school district maintenance and operations ad valorem taxes and the creation of a joint interim committee on the elimination of those taxes.</p>	<p>Ways &amp; Means  Vote: 8 Ayes 3 Nays 0 PNV 0 Absent</p>	<p>The bill would require and specify the structure and duties of a joint interim committee, with the purpose of studying, reporting on, and recommending legislation regarding the feasibility of funding public education with state-imposed consumption taxes by November of 2020.</p> <p>The intent of the bill is to restore the state's share of public education funding thus reducing reliance on property tax revenue. However, the shift in tax burden to a more regressive tax structure would disproportionately impact lower- and middle-class Texans, not to mention base the funding of our children's education on a less predictable and more volatile tax revenue stream. HB 297 would further prohibit a public school district from imposing a maintenance and operations tax after January 2022 but would authorize the taxing unit to retain an "enrichment tax" of up to 0.17% for additional education opportunities.</p>	<p><b>Unfavorable</b> Evaluated by: Eliot Davis (713) 855-3285 Eli@TexasLSG.org</p>
<p><b>HB 1662</b> By: Herrero</p>	<p>Relating to grants awarded to reimburse counties for the cost of monitoring defendants and victims in criminal cases involving family violence.</p>	<p>County Affairs  Vote: 8 Ayes 0 Nays 0 PNV Absent</p>	<p>HB 1662 seeks to amend current legislation under the Government Code to require the governor's office to establish and administer a grant program to compensate counties for costs acquired by counties with regards to monitoring used for defendants and victims involved in family violence.</p> <p>Currently, Texas Law does not provide monetary relief or supplement for cost related to this safety preventive technology. HB 1662 provides an incentive for counties to participate in a global positioning monitoring system under an order for emergency protection in cases involving family violence.</p> <p>HB 1662 mandates the criminal justice division to establish additional eligibility criteria, evaluation standards, procedural rules, and compliance standards for any condition regarding eligibility of the grant. In addition, the criminal justice division must provide a detailed biennial report to the legislature.</p> <p>HB 1662 restricts expenditure of funds by the grant recipient for any measure reestablishing security and safety for a victim of family violence. HB 1662 also requires reporting the results and performance of the grant program.</p> <p>Proponents of the HB 1662 believe it will provide a blanket of security and address any public policy concerns centered around protecting those involved in family violence.</p>	<p><b>Favorable</b> Evaluated by: Brandi Granderson (202) 808-6140 Brandi.Granderson_HC@house.texas.gov</p>
<p><b>HB 3266</b> By: Raney   Leman   Sheffield   Flynn   Bell, Cecil</p>	<p>Relating to fees charged to students enrolled at component institutions of The Texas A&amp;M University System.</p>	<p>Higher Education  Vote: 10 Ayes 0 Nays 0 PNV</p>	<p>The student medical services fees at the institutions that are part of the Texas A&amp;M University System go toward the health coverage of expenses and operational costs, but the current student fee caps are not enough to keep up with the increasing costs of health care. These student fee caps have not been increased in over 22 years leading to some lack of facility renovation. Medical student centers at Texas A&amp;M University System schools have their own needs for renovation, operation, and maintenance and the student fees go toward the existing student medical facilities.</p>	<p><b>Favorable, with Concerns</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@TexasLSG.org</p>

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		1 Absent	<p>HB 3266 raises the cap from \$75 to \$200 per student for medical services fees that the board of regents of the Texas A&amp;M University System may collect from students per semester, as well as change the fee cap from \$25 to \$100 for the summer term. HB 3266 also addresses student center fees by adjusting the cap from \$100 to \$200 and allows for a majority vote from the students when there is an increase of 10% or more.</p> <p>In finding revenue to fund the needs of the healthcare costs at Texas A&amp;M University, one must be mindful of the steep increase in these fees and the effect on college students. The fees mentioned in HB 3266 range from either being doubled, or even quadrupled. Current statute prohibits the board of regents from increasing fees from one academic year to the next unless the increase is approved by a majority of the students in a campus-wide election, however, the concerns about the steep increase remain.</p>	
<b>HB 3303</b> By: Bowers	Relating to certain procedures involving a violation of a condition of community supervision committed by a defendant who is the sole caretaker of a child.	<p>Corrections</p> <p>Vote: 7 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>HB 3303 encourages consideration of whether a defendant is a sole caretaker when determining how to punish technical or nonviolent violations of community supervision to avoid jail time and protect the wellbeing of the children and save taxpayer dollars. According to research, children of incarcerated parents suffer from health and behavioral problems.</p> <p>The purpose of HB 3303 is to encourage community-based solutions for people who are not a threat to public safety by requiring a court to consider whether the defendant is a sole caretaker when deciding whether to revoke, continue, or modify community supervision resulting from a technical or nonviolent violation of community supervision. HB 3303 requires the attorney representing the state to provide a statement from the defendant's supervision officer on whether the defendant is a sole caretaker—which means that the defendant provides for the child's needs (healthcare, housing, financial support, education, family support, or safety). District attorneys do not normally know information like this, there is probably a better avenue to get this information to the court. It might be easier to have supervision officers present this information directly to the court or have the defendants report it themselves.</p> <p>There are some circumstances where defendants being at home is not necessarily a good thing for kids. However, keeping the courts updated on whether defendants have children and taking that into account when making decisions about community supervision would improve the lives of affected families, save tax dollars, and provide support for the children impacted by their parents' incarceration.</p>	<b>Favorable</b> Sophia Creede 832-865-4774 Sophia@TexasLSG.org
<b>HB 3284</b> By: Sheffield	Relating to prescribing and dispensing controlled substances and monitoring the prescribing and dispensing of controlled substances under the Texas Controlled Substances Act; providing for administrative penalties.	<p>Public Health</p> <p>Vote: 10 Ayes 0 Nays 0 PNV 1 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. Currently, Texas regulates the prescribing and dispensing of certain controlled substances 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>Drugs and related compounds are classified by the Controlled Substance Act into five categories from Schedule I (C1) through Schedule V (C5). A C2 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.</p> <p><b>Requirement for the Use of Electronic Prescriptions</b> HB 3284 requires that the prescription or dispensing of a controlled substance must be done using an electronic prescription record and prohibits the use of written, oral, or telephonic communications of such a prescription. The only exceptions for this requirement will be if:</p> <ul style="list-style-type: none"> <li>the prescriber is a veterinarian</li> </ul>	<b>Favorable</b> Evaluated By: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org

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- the electronic prescribing is temporarily unavailable
- prescription is to be dispensed outside the state
- the prescriber and dispenser are the same entity
- the electronic prescription software is inadequate to include all the necessary information
- if the prescription is non-patient-specific
- if a drug is under a research protocol
- if the prescriber is a healthcare provider at a health-related institution
- if a practitioner has received a waiver from electronic prescribing
- if the use of an electronic prescription would result in a delay that would impact the patient's condition

**Waiver Process**

Texas State Board of Pharmacy (TSBP) is required to establish the process for requesting and receiving a waiver from the requirement to use electronic prescriptions. The waiver should not be granted for a period of one year. The Board rules for waiver eligibility should include economic hardship, technological limitations, or other exceptional circumstances.

If the waiver is granted, the written, oral, or telephonically communicated prescription should comply with the appropriate statutes. The bill exempts a dispensing pharmacist from any obligation to ensure that a non-electronic prescription was appropriately authorized.

**Disclosure of Information**

Additional provisions of the bill state that the Board is required to allow access to information submitted to the Board only if the board is provided with a court order that forces disclosure or to a health care facility certified by the federal Centers for Medicare and Medicaid Services (CMS).

A wholesale distributor is currently required to report information required for the Automation of Reports and Consolidated Orders System (ARCOS) of the Federal Drug Enforcement Administration (DEA) regarding the distribution of a controlled substance from the distributor to an individual in the state. HB 3284 requires this information to also be made available to the State Board of Veterinary Medical Examiners.

**Advisory Committee**

HB 3284 requires the Board to create an advisory committee to make recommendations regarding the circumstances under which the information submitted to the Board can be accessed. The Committee will be responsible for improvements to the electronic storage system, solutions to identified data concerns, methods to improve data accuracy and security, and strategies for reducing technical difficulties.

The committee shall be composed of the following committee-appointed members:

- physicians licensed in this state who practice in:
  - pain management
  - family medicine
  - surgery
  - emergency medicine at a hospital
  - psychiatry
- an oral and maxillofacial surgeon
- a physician assistant (PA) or an advanced practice nurse practitioner (APRN) who has been delegated prescriptive authority by a physician to prescribe or order a drug

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			<ul style="list-style-type: none"> <li>• a pharmacist from a chain pharmacy</li> <li>• a pharmacist from an independent pharmacy</li> <li>• an academic pharmacist</li> <li>• two representatives of the health information technology industry             <ul style="list-style-type: none"> <li>○ at least one should be a representative of an electronic medical records (EMR) company</li> </ul> </li> </ul> <p>The members of the Committee will serve three-year terms and shall elect a presiding officer annually. Members will not receive compensation but may be reimbursed for certain expenses. The Committee shall meet at least two times a year.</p> <p><b>Penalty for Improper Disclosure or Use of Information</b>            An individual who is authorized to have access to any information to the Board is prohibited from using the information in an unauthorized manner. A regulatory agency with the authority to license, certify, or register has the responsibility to update their guidelines and administrative penalties for the improper disclosure of restricted information.            HB 3284 also clarifies that it is an offense to knowingly attempt to possess a controlled substance through the use of a fraudulent electronic prescription.</p>	
<p><b>HB 3285</b>            By:            Sheffield              Price              Burns              Howard              Stucky</p>	<p>Relating to prescribing and dispensing controlled substances and monitoring the prescribing and dispensing of controlled substances under the Texas Controlled Substances Act; providing for administrative penalties.</p>	<p>Public Health</p> <p>Vote:            10 Ayes            0 Nays            0 PNV            1 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. 1 in 9 Texans suffer from Substance Abuse Disorder. 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 3285 provides a number of legislative strategies to address substance abuse disorder in Texas.</p> <p><b>Opioid Antagonist Grant Program</b>            An opioid antagonist, as defined in statute, is any drug that blocks or otherwise inhibits the effects of opioids. Naltrexone and naloxone, sold under the brand name Narcan, are two such drugs that are used to reverse the effects of an opioid overdose. Many police departments across the state and nation are increasingly worried about officers' exposure to fentanyl, a synthetic opioid that is so strong it can cause adverse reactions if breathed in or absorbed through the skin. In light of these concerns, many police departments have begun to stock opioid antagonists to counteract the effects of the potent drug.            HB 3285 requires the criminal justice division to establish and administer a grant program to provide financial assistance to allow law enforcement agencies to offer opioid antagonists to personnel who may come into contact with either opioids or individuals suffering from an opioid overdose.</p> <p>A law enforcement agency is eligible to apply for such a grant only upon the adoption of a policy addressing the usage of an opioid antagonist for any person that is perceived to be suffering from an opioid-related drug overdose. An application for the grant should include the frequency and nature of interactions between peace officers and individuals suffering from an opioid overdose, the frequency and nature of calls for assistance for perceived opioid overdoses, and any exposure of any personnel of the law enforcement agency. Upon receiving an awarded grant, a law enforcement agency must provide proof of purchase to the criminal justice division.</p> <p><b>Statewide Behavioral Health Strategic Plan</b></p>	<p><b>Favorable</b>            Evaluated By:            Sharon Jacob            920-675-9865            Sharon@TexasLSG.org</p>

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HB 3285 requires the Statewide Behavioral Health Coordinating Council to create a statewide behavioral health strategic plan. The Council should include in the plan strategies for addressing substance use disorders including:

- addressing the challenges of existing programs
- evaluating the prevalence of opioid-related substance abuse disorder
- identifying availability and gaps in substance use disorder treatment services
- collaborating with state agencies to expand the capacity for the treatment of substance use disorder

**Opioid Misuse Public Awareness Campaign**

HB 3285 requires for HHSC to create and implement a statewide public awareness campaign. This will include delivering public services announcements to offer education regarding the risks of opioid misuse including the risk of overdose, addiction, respiratory issues, or over-sedation as well as the risks of mixing opioids with alcohol or other medications.

**Opioid Antagonist Program**

HB 3285 requires HHSC to create a program for the prevention of opioid overdoses by providing opioid antagonists to emergency medical services personnel, first responders, public schools, community centers, and other individuals who would effectively be able to use the medication to reduce complications of opioid overdoses.

**Continuing Education Requirements**

HB 3285 requires for any prescriber or dispenser who prescribes or dispenses opioids to complete one hour of continuing education per year that covers various methods for the reduction of opioid use. The appropriate board is responsible for adopting rules to establish this requirement and may collaborate with institutions of higher education to establish the content of the continuing education.

**Data Collection and Analysis**

HB 3285 requires the Executive Commissioner of DSHS to ensure the collection of data on opioid overdose deaths, the co-occurrence of substance use disorder, and mental illness. DSHS is also responsible for analyzing the data and evaluating the capacity for the treatment of co-occurring substance use disorders and mental illness.

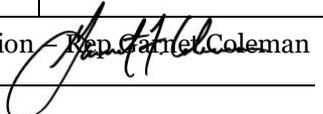
**Reimbursement of Medication-Assisted Treatment**

Medication-assisted treatment (MAT) uses certain pharmaceutical drugs to treat opioid or substance use disorder. HB 3285 requires for HHSC to provide reimbursement of medication-assisted treatment for substance use disorder without the necessity for prior authorization or preauthorization. This requirement does not apply to a prescription for methadone, a patient for whom a physician does not recommend medication-assisted treatment, or a recipient to whom an age-restriction applies with regard to medication assisted substance use treatment.

**Comprehensive Substance Use Disorder**

HB 3285 requires the Texas State Board of Pharmacy to participate in a program that provides a comprehensive approach to the delivery of early intervention and treatment services for individuals with a substance use disorder or those with a risk of developing one. The bill suggests the usage of programs recommended by the Substance Abuse and Mental Health Services Administration (SAMSHA) within the US Department of Health and Human Services.

Additionally, HB 3285 removes a clinic owned by an APRN from being exempt to certain regulations placed on pain management clinics.

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			HB 3285 also encourages health-related institutions to conduct research regarding substance abuse disorders and addiction issues and requires the Executive Commissioner of the HHSC to establish a program to expand telehealth services for the treatment of substance abuse disorder.	
<b>HB 545</b> By: Nevárez   Calanni	Relating to the prosecution of the offense of unlawful transfer of a firearm.	Criminal Jurisprudence  Vote: 7 Ayes 2 Nays 0 PNV 0 Absent	HB 545 will allow for state and local law enforcement officials to better enforce the federal Gun Control Act by expanding current conduct that constitutes an offense of an unlawful transfer of firearms to include a person who knowingly sells, rents, leases, loans or gives a firearm to a person who the actor knows or has reason to believe an individual to be deemed by the courts as insane or mentally incompetent.	<b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org
<b>HB 769</b> By: Davis, Sarah   Bell	Relating to the termination of the contract of a superintendent of a school district based on malfeasance.	Public Education  Vote: 13 Ayes 0 Nays 0 PNV 0 Absent	<p>Under current Texas law, school districts may buy out the remainder of a superintendent's contract, also known as making a severance payment. If the amount of a severance payment exceeds one year's salary and benefits for the superintendent, the Texas Education Agency (TEA) penalizes the school district by reducing the amount of Foundation School Program (FSP) funding by an amount equal to the excess payment in the school year following the severance payment.</p> <p>As filed, HB 769 prohibits school districts from making a severance payment when a superintendent quits, resigns in lieu of termination, is fired, or resigns or is fired while under investigation for malfeasance. The concern with the bill is that the language as written is vague as advocates have raised concerns with the definition of malfeasance and the power the commissioner is given in HB 769 which takes away local control from school boards as it is their issue.</p> <p>The bill author intends to eliminate these concerns by offering an agreed-upon floor amendment crafted with stakeholders that prohibits a school district from making a severance payment if a superintendent's contract is terminated or not renewed for cause. This amendment ensures superintendents who engage in criminal or unethical conduct do not receive a severance payment, while protecting superintendents from termination for issues unrelated to criminal or unethical conduct or for issues unrelated to the superintendent's performance, such as a disagreement with the school board.</p>	<b>Favorable with Concerns</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@TexasLSG.org
<b>HB 737</b> By: Cortez	Relating to the issuance of specialty license plates for classroom teachers and retired classroom teachers; imposing a fee.	Transportation  Vote: 11 Ayes 0 Nays 0 PNV 2 Absent	It has been suggested that public educators in Texas deserve the option to be recognized on Texas roads using specialty license plates. HB 737 honors public educators by requiring the Texas Department of Motor Vehicles (TxDMV) to consult with the Texas Education Agency to design license plates including the words "Texas Teacher" or "Retired Texas Teacher" with the Texas public education logo. The specialty plates are only for teachers who have been completed at least 15 years teaching public school students, or retirees of the Teacher Retirement System of Texas who were formerly employed as public school classroom teachers for at least 20 years. The fee for issuance for a "Texas Teacher" license plate is \$10, and the fee for issuance for a "Retired Texas Teacher" is \$5. Individuals issued specialty Texas Teacher license plates shall be issued one set of license plates without the requirement to pay the registration fee; this does not apply to secondary cars.	<b>Favorable</b> Sophia Creede 832-865-4774 Sophia@TexasLSG.org

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<p><b>HB 2205</b> By: Clardy</p>	<p>Relating to the informal dispute resolution process for certain disputes between the Health and Human Services Commission and long-term care facilities</p>	<p>Human Services 7 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>Currently, a nursing home may request a review of any citations from an inspection through an informal dispute resolution process. However, the inspector who gave the citations is not required to be involved in the dispute resolution process. HB 2205 states that an informal dispute resolution process between HHSC and a long-term facility must require the surveyor who completed the inspection to be available to clarify any questions from the facility or the HHSC staff member reviewing the dispute. HB 2205 also requires that a registered nurse with experience in long-term care conduct the review of citations dealing with medical determination during the dispute resolution process.</p> <p>HB 2205 also states that if during an inspection, survey, or investigation, the surveyor identifies a violation which causes immediate and serious risk to a resident, they must notify the facility immediately of the violation and remain at or near the facility until a plan is implemented to remove the harm to a resident.</p> <p>HB 2205 repeals a duplicate section of the Government Code.</p>	<p><b>Favorable</b> Evaluated by: Ali Schoon (515) 313-3712 Ali@TexasLSG.org</p>
<p><b>HB 3088</b> By: Martinez</p>	<p>Relating to an exemption for certain purchasing personnel of the Texas Department of Transportation from training on state purchasing.</p>	<p>Transportation Vote: 12 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>HB 3088 provides an exemption for purchasing personnel with the Texas Department of Transportation (TxDOT) from being subject to certain training requirements regarding state purchasing (mandated recently by the comptroller or public accounts). The training and certification include an established system of training, continuing education, and certification for state agency purchasing personnel administered by the comptroller. The training includes ethics training, contract purchasing methods, negotiation methods, writing specification, criteria for determination of best values of products/services for the state, development of evaluation criteria, bidding methods, complex negotiations, and other processes the comptroller deems appropriate. The comptroller requires a reasonable number of hours and once training/certification is complete and the individual has passed a written examination, they are certified as a state agency purchaser.</p> <p>TxDOT already won an exemption for contract managers (for highway construction, engineering, and other contracts) but contract developers are not included. The comptroller's new rule requires 'contract development' state agency employees to complete the new training. These employees already receive in-house training specific to the type of highway construction procurement—highway engineering contracts, design-build contracts, right of way acquisition contracts, and environmental and scientific services contracts. Sometimes, TxDOT has to unteach the comptroller's teachings and replace them with lessons specific to the tasks at hand.</p> <p>HB 3088 allows an exemption for certain purchasing personnel and vendors of TxDOT whose duties relate to contracts for highway construction/highway engineering or contracts subject to contract claims procedures established by Texas Transportation Commission from this training and certification.</p>	<p><b>Favorable</b> Sophia Creede 832-865-4774 Sophia@TexasLSG.org</p>
<p><b>HB 62</b> By: Zerwas   Reynolds   Miller   Stephenson   Bailes</p>	<p>Relating to certain meetings of a commissioners court during a disaster or emergency.</p>	<p>County Affairs Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>HB 62 seeks to amend the Government Code by authorizing a commissioners court of a county to hold an open or closed meeting when the governor has issued an executive order, a proclamation declaring a state of disaster, or a state emergency. HB 62 allows for an exception to the open meeting acts with regards to notice to the public.</p> <p>HB 62 requires the commissioners court, under reasonable circumstances, to provide public notice of such a meeting.</p> <p>HB 62 prohibits the commissioners court from voting or taking final action on a matter during the meeting and requires minutes or a recording of such meeting to be made available to the public under rational time standards.</p>	<p><b>Favorable</b> Evaluated by: Brandi Granderson (202) 808-6140 Brandi.Granderson_HC@house.texas.gov</p>

			Stakeholders of HB 62 appear to believe it provides logical parameters for county officers to conduct business of the county during times of disaster. Opponents seem to believe certain decisions may be made without the county residents' knowledge. However, HB 62 will allow county officials to take certain actions that may address public safety concerns during times of disaster.	
<b>HB 4493</b> By: Deshotel	Relating to supplemental environmental projects authorized by the Texas Commission on Environmental Quality.	Environmental Regulation  Vote: 8 Ayes 0 Nays 0 PNV 1 Absent	There is concern that the continual effort in supplemental environmental projects (SEPs) for the use of vehicle replacement to minimize harmful emissions will dwindle down. Due to staff policy changes, SEP funds are only used to replace school buses. HB 4493 provides for SEPs for alternative fuel vehicles. HB 4493 authorizes Texas Commission on Environmental Quality (TCEQ) to approve projects purchasing, operating, or maintaining alternative fuel vehicles (including light trucks, passenger cars, heavy trucks, buses, and heavy equipment: tractors, bulldozers, front-end loaders, and motor graders, and constructing, operating, and maintaining alternative fuel infrastructure to operate alternative fuel fleets, and provides for energy efficiency upgrades for buildings and facilities relating to heating, ventilation, air conditioning, lighting, and envelope upgrades.  HB 4493 allows projects to include entire costs of vehicles and alternative fuel equipment/upgrades by prohibiting TCEQ from limiting projects to only include difference in cost for vehicles and alternative fuel counterparts. HB 4493 also prohibits TCEQ from requiring SEPs to last less than five years and instead allows TCEQ to contract these projects to be renewed for periods of at least five years.	<b>Favorable</b> Sophia Creede 832-865-4774 Sophia@TexasLSG.org
<b>HB 3172</b> By: Krause   Sanford   Phelan   Oliverson	Relating to the protection of membership in and support to religious organizations.	State Affairs  Vote: 9 Ayes 2 Nays 0 PNV 2 Absent	HB 3172 would prohibit a governmental entity from taking any adverse action (which has a very broad definition including denying any grant, contract, subcontract, cooperative agreement, loan, scholarship, license, registration, accreditation, employment, or other similar status, denying or altering any benefit, altering tax treatment, or disallowing a tax deduction, withholding access to property, education, speech forum, or charitable fund-raising campaign) against any person based wholly or partly on the person's membership in, affiliation with, or contribution, donation, or other support provided to a religious organization. To the extent to protect religious freedoms, which is already guaranteed under both the United States and Texas constitutions, HB 3172 is made to still imply that the first amendment/religion is under attack, which pushes the narrative and sets the foundation for more extreme bills later.	<b>Unfavorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org
<b>HB 2987</b> By: Ramos	Relating to requiring the posting of certain information on an open-enrollment charter school's Internet website regarding the school's governing body.	Public Education  Vote: 13 Ayes 0 Nays 0 PNV 0 Absent	Current law only requires an open-enrollment charter school to disclose the names of their board members on their website, <b>but</b> the rest of their biographical information is not easily available to the public. In-public school districts, such information beyond just the names of school board members is easily available to the public since they are elected officials. Texas currently does not have a provision that encourages board members to publicly disclose conflict-of-interest reports.  HB 2987 increases transparency for open-enrollment charter schools and will require them to make the identity of their board members easily available on their website which will include the disclosure of biographical information that includes: <ul style="list-style-type: none"> <li>• employment history</li> <li>• educational experience</li> <li>• if the member has substantial interest in a business entity, or one that contracts with the open enrollment charter school</li> <li>• method of board selection from the governing organization by-laws</li> <li>• number of board members and terms of office with total number of years they served</li> </ul>	<b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@TexasLSG.org

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<p><b>HB 981</b> By: Parker</p>	<p>Relating to the offense of money laundering.</p>	<p>Criminal Jurisprudence</p> <p>Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>HB 981 will add the term “digital currency” as a type of fund that could be considered for an offense of money laundering. Cryptocurrency, which is a digital currency that uses encryption techniques, operate independently of a central bank and can be difficult to trace which is why criminal enterprises are attracted to using them for illicit activities. HB 981 will reflect what is used today as a medium of exchange in an effort for better regulation.</p>	<p><b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>
<p><b>HB 798</b> By: Walle</p>	<p>Relating to plot plan requirements for an application for a standard permit for a concrete batch plant issued by the Texas Commission on Environmental Quality.</p>	<p>Environmental Regulation</p> <p>Vote: 6 Ayes 1 Nays 0 PNV 2 Absent</p>	<p>There have been instances where applicants for concrete plant permits under the Texas Clean Air Act have been approved without submitting detailed plot plans. The plot plans are supposed to help plan out emission points and distance proximity benchmarks which are supposed to comply with Texas Commission for Environmental Quality (TCEQ) standards. When these requirements are not enforced, neighborhoods, residential and commercial, experience unfair environmental harm.</p> <p>HB 798 requires applications for standard concrete plant permits to include distance scales, a north arrow, all property lines, emission points, buildings, tanks, process vessels, any other process equipment, at least two benchmark locations where the facility will be located, and proof of whether the project will meet the required distance, setback, or buffer from other properties and structures if the permit requires it. These are already requirements for permit applications, but some applicants fail to comply. HB 798 is an insurance policy that helps ensure that applications are complete. Many permit applications are unprecise; there are some cases where facilities are permitted where there isn't even enough land to follow setback requirements.</p>	<p><b>Favorable</b> Sophia Creede 832-865-4774 Sophia@TexasLSG.org</p>
<p><b>HB 1143</b> By: Hefner   Huberty   Springer</p>	<p>Relating to the transportation or storage of a handgun or other firearm or ammunition by a handgun license holder in a school parking area.</p>	<p>Public Education</p> <p>Vote: 7 Ayes 4 Nays 1 PNV 1 Absent</p>	<p>Currently a school district can regulate and determine a weapons policy for their campuses as federal law states.</p> <p>HB 1143 will prohibit a public school district or an open-enrollment charter school from regulating how a handgun, or firearm is stored by a licensed gun holder in a locked, privately owned or leased vehicle in a parking lot, parking garage or parking area on school grounds.</p> <p>The concern with HB 1143 is that schools should be allowed to determine what happens with weapons on their campus grounds. HB 1143 expands gun owner protections on school property and with the rise of school violence this could potentially put the lives of students at risk. HB 1143 would increase the accessibility of firearms on school campuses by allowing firearms and ammunition to be exempt from being prohibited on school grounds.</p>	<p><b>Unfavorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@TexasLSG.org</p>
<p><b>HB 1761</b> By: Coleman</p>	<p>Relating to credit toward a defendant's sentence for time confined in jail or prison before sentencing.</p>	<p>Criminal Jurisprudence</p> <p>Vote: 7 Ayes 2 Nays 0 PNV 0 Absent</p>	<p>HB 1761 will authorize judges to use their discretion to grant credit toward a defendant's sentence for time confined in jail or prison to also be used as credit for another case under certain circumstances (if they are being charged with multiple offenses from a single situation). HB 1761 specifies that this could only be taken into consideration if the confinement occurred after the commission of the offense for which the defendant is convicted and before the date of the defendant's sentencing. By allowing this, HB 1761 will bring fairness in sentencing cases and shorten the length of stacked sentences, which require a defendant to finish serving a sentence for one offense before being able to begin serving the sentence for another offense.</p>	<p><b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>

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<p><b>HB 1185</b> By: Cyrier</p>	<p>Relating to limitations on adjudication awards arising from certain written contracts with state agencies.</p>	<p>Judiciary &amp; Civil Jurisprudence</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>Current law does not allow for a third-party entity who entered into a contract with a government entity to pursue for attorney fees that supersede \$250,000 when suing the government entity for a breach of contract for construction. This only applies to engineering, and construction projects.</p> <p>HB 1185 amends the government code to allow third parties to pursue attorney fees that are just, meaning they can go over \$250,000 for a breach of contract in which the government entity increased the cost to perform the work because of delays or acceleration. HB 1185 aligns state statute with local and county statute regarding the recovery of attorney fees for architecture, engineering and construction projects only.</p>	<p><b>Favorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p><b>HB 4428</b> By: Tinderholt</p>	<p>Relating to the application for and expiration of a license to carry a handgun.</p>	<p>Homeland Security &amp; Public Safety</p> <p>7 Ayes 1 Nays 0 PNV 1 Absent</p>	<p>Currently, in Texas, a person who has legal residency in this country can apply to get a handgun license and carry in this state. However, when their legal residency expires, their handgun license does not necessarily expire. There are concerns that a person who has stayed past their residency can legally carry a weapon.</p> <p>HB 4428 amends the government code to align the expiration dates between the legal residency cards for non-citizens and their handgun license. HB 4428 requires for the handgun license to expire when the resident's legal stay expires. If the resident is granted an extension for their legal residency, they can apply for a duplicate license with an updated expiration date. If there is not a definite expiration date for when the legal residency will expire, the gun license will expire on the first year on which it is issued.</p> <p>There are concerns that HB 4428 could open the doors for discrimination against minorities. If residents do not know their rights, they could be faced with having to present proof of residency when presenting an officer with proof of license to carry. If the gun owner does not know that they do not have to provide that information, they could be targeted by police. There are additional concerns with HB 4428 in which the requirements to renew the license for non-citizens are steeper than requirements for citizens and occur more frequently.</p>	<p><b>Will of the House</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p><b>HB 1320</b> By: Moody</p>	<p>Relating to the operation of, participation in, and effects of successful completion of a mental health court program.</p>	<p>Criminal Jurisprudence</p> <p>Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>Mental health courts (MHCs) divert mentally ill defendants from jail and prison into court-mandated, community-based treatment programs. MHCs are designed to reduce recidivism by requiring offenders with mental illness to be directly accountable to the court on an ongoing basis for compliance with a supervision treatment plan. To encourage the usage of these courts, as jails and prisons have become some of the largest providers of mental health care. HB 1320 will provide a statutory incentive for defendants to participate by entitling a person to an expunction of all records and files related to their arrest upon completion. As it currently operates, defendants are voluntarily signing up only to have the same outcome they would get in any other court for completing a more rigorous program. HB 1320 will make MHCs mandatory in large counties and authorize join-regional-courts as well if they are able to be granted with state or federal grant funds for that purpose.</p>	<p><b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>
<p><b>HB 2971</b> By: Holland   Canales   Oliverson   Leman   Murr</p>	<p>Relating to powers and duties concerning records of the General Land Office.</p>	<p>Land and Resource Management</p> <p>Vote: 6 Ayes 0 Nays 0 PNV 3 Absent</p>	<p>The Save Texas History program conserves and promotes the historic documents and maps of the GLO Archives and serves as an educational resource for teaching and digitizing Texas history. HB 2971 allows the General Land Office (GLO) to use cash, gifts, grants, donations or in-kind contributions that GLO receives through the administration of the Save Texas History program to:</p> <ul style="list-style-type: none"> <li>• Preserve, conserve, and promote GLO records</li> <li>• Provide educational programming and resources to Texas history</li> <li>• Obtain additional records to complement the GLO records</li> </ul> <p>HB 2971 also modernizes the current abstract grant books showing exchanges from Texas to anyone else. HB 2971 eradicates the requirement for physical abstracts and allows usage of online databases for these records. This is the current process that has been used since the early 2000s.</p>	<p><b>Favorable</b> Evaluated by: Donisha Cotlone (832)496-4424 Donisha@TexasLSG.org</p>

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			HB 2971 helps the Save Texas History program by allowing access to monetary resources to help maintain the program and codifies with GLO current actions in organizing grant records.	
<b>HB 975</b> By: Metcalf   Huberty   Allen   Bonnen, Greg   Dutton	Relating to training requirements for a member of the board of trustees of an independent school district.	Public Education  Vote: 13 Ayes 0 Nays 0 PNV 0 Absent	School safety trainings can encompass topics related to school violence, bullying, harassment, and substance use.  HB 975 requires the State Board of Education (SBOE) to make a training on school safety mandatory for the board of trustees of an ISD. HB 975 will require ISDs to work with the Texas School Safety Center for the training for the board of trustees of an ISDs.	<b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@TexasLSG.org
<b>HB 1885</b> By: Bonnen, Greg   Guillen	Relating to the waiver of penalties and interest if an error by a mortgagee results in failure to pay an ad valorem tax.	Ways & Means  Vote: 8 Ayes 0 Nays 0 PNV 3 Absent	To prevent penalizing taxpayers for a mistake on the mortgagee's behalf, HB 1885 provides a property owner a waiver option from penalties and interest fees on delinquent property tax as a result of an error by a mortgagee, if: <ul style="list-style-type: none"> <li>Property mortgage does not require an escrow account for payment of taxes;</li> <li>The tax bill was delivered to the mortgagee who failed to forward to the property owner;</li> <li>Taxes are paid no later than 21 days after known delinquency; and</li> <li>Request for a waiver is made within 180 days of delinquency date.</li> </ul> This would prevent the taxpayer acting in good faith from being punished for errors beyond their control.	<b>Favorable</b> Evaluated by: Eliot Davis (713) 855-3285 Eli@TexasLSG.org
<b>HB 3800</b> By: Thompson, Senfronia	Relating to required reporting of human trafficking cases by certain law enforcement entities and by prosecutors.	Homeland Security & Public Safety  Vote: 9 Ayes 0 Nays 0 PNV 0 Absent	There is currently not an online database that maintains information on human trafficking crimes. There is not a clear or concise way of tracking these crimes, or where they are occurring. HB 3800 addresses these concerns by creating a state-wide human trafficking database.  HB 3800 establishes a partnership between a university in Texas and the Office of Attorney General's Human Trafficking and Transnational Organized Crime Section to gather and store specific information on human trafficking cases from local law enforcement agencies and prosecutions. HB 3800 creates the database to provide the state with a tool to come up with a strategic plan to handle human trafficking. The database will track where the trafficking is occurring, by whom, who the victims are and other crucial information to specifically track these cases. This will allow for the state to use tangible data to come up with a plan to fight human trafficking.	<b>Favorable</b> Evaluated by: Santiago Cirmigliaro (713) 435-9049 Santiago@TexasLSG.org
<b>HB 2101</b> By: Capriglione	Relating to the regulation of reroofing contractors; providing administrative and civil penalties; authorizing fees; requiring an occupational registration.	Business & Industry  Vote: 8 Ayes 1 Nays 0 PNV 0 Absent	There are concerns that the lack of regulation of the reroofing industry has led to rampant fraud when Texas cities are hit with rain, hail, or windstorms. Reroofing refers to a project that repairs, recovers, or replaces an existing roof on a residential or commercial structure.  <b>Exemptions</b> The provisions of this bill do not apply to: <ul style="list-style-type: none"> <li>an owner of a residential or agricultural property or their employee who performs reroofing activities within the property</li> <li>an authorized employee or representative of a governmental entity that's acting in an official capacity</li> <li>the new construction of a structures</li> <li>any individual performing a reroofing project with a value of up to \$500</li> <li>a person licensed as a retailer of manufactured homes performing a reroofing on a manufactured home</li> </ul>	<b>Will of the House</b> Evaluated by: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org

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- an individual who is employed by a registered reroofing contractor and who does not engage in repairing, recovering, or replacing roofs
- an individual who performs repair, recovery, or replacement of roofs as an employee or under contract as long as the individual does not engage in soliciting, advertising, or contract execution for the contractor

**Registration Authority**

The Texas Commission of Licensing and Regulation (TCLR) will be required to create a registration database for reroofers. To do so, TCLR is given the authority to determine the requirements for the issuance and renewal of the registration and provide for the issuance of a temporary emergency registration at a reduced fee for areas in which the Governor declares a state of emergency. This will allow for areas effected by a disaster, such as Hurricane Harvey, to be quickly serviced by reroofing businesses. TCLR is also granted the authority to adopt any other rules the commission deems necessary. TCLR may impose of up to \$250 for an initial application for registration and up to \$100 for the renewal of registration.

**Application for Registration**

Along with the application fee, an application for registration must include, an individual's proof of identity or proof of the business entity's authority to conduct business in Texas. In addition, the application must include a proof of mailing address and phone number of the applicant's residence or place of business. The Texas Department of Licensing and Regulation (TDLR) must issue a registration to any applicant who meets the requirements within 10 days after receipt of the application.

Each registered contractor will be assigned a registration number. HB 2101 clarifies that registrations are nontransferable, but an individual may register for more than one business. An individual without a reroofing registration is prohibited from engaging in a reroofing project as well as from soliciting, advertising, or contracting for to engage in a reroofing project.

A registration is valid for two years. To renew a registration, an application for renewal must be submitted to TDLR accompanied by the renewal fee and documentation of any changes to the applicant's information.

**In Practice**

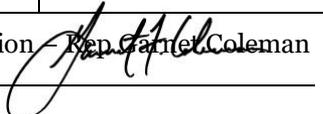
A registered contractor must include their registration number in each contract for an eligible reroofing project and any advertisement for reroofing services. A registered reroofing contractor is also prohibited from advertising or practicing the rebate of any part of an insurance deductible.

A registered contractor must provide to the property owner a written contract that is signed by both the contractor and the property owner before beginning a reroofing project. The content of the contract is specified by the bill language and includes a statement that the contracted work should start within 30 days after the initial payment has been collected, unless an alternative is agreed upon by both parties. The contract should also include the contractor's contact information, policy regarding cancellation and registration number along with the contact information for TDLR.

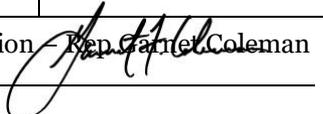
HB 2101 also specifies that a reroofing contractor must comply with applicable building codes and permitting rules as well as state statues regarding natural disasters.

**Registration Database and Enforcement**

TDLR must post on their website a publicly accessible searchable list of all registered reroofing contractors who remain in good standing. Each entry must include the registered contractor's name, mailing address, and phone number as well as a summary of any disciplinary action taken against the contractor by TDLR.

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			<p>TDLR is required by the bill to investigate any complaint alleging a violation of statute regarding the regulation of reroofing contractors. To do so, TDLR must create processes for the filing and processing of complaints. The Commissioner of TDLR and the Executive Director of TDLR both have the authority to impose an administrative penalty, a sanction, a cease and desist order, or a civil penalty (up to \$500) on any individual who violates the provisions of this bill or an order of the commissioner or executive director. A reroofing contractor who falsely claims to hold a registration will be engaging in a deceptive trade practice and may be penalized as such.</p> <p><b>Governmental Contracting</b>                  HB 2101 prevents a municipal or county building official from approving a permit for a reroofing project if the applicant is not a registered contractor or lawfully exempted from registration. The official may request verification of registration from TDLR as necessary.</p> <p><b>Concerns</b>                  There are concerns that the registration requirement may not be enough to prevent reroofing contractors from misrepresenting themselves or defrauding individuals. TDLR may be able to engage in a reciprocity agreement with other states who have similar registration, certification, or licensing requirements. This may help reduce fraudulent reroofing practices.</p> <p><b>Costs</b>                  The Legislative Budget Board estimates that implementing the provisions of the bill will require an additional 5.5 full-time-equivalent employees to carry out the new responsibilities. It will also cost over \$400,000 per fiscal year. There are concerns that the reduction in fraudulent reroofing practices may not be enough to justify the cost of implementing the program.</p>	
<p><b>HB 907</b>                  By:                  Huberty</p>	<p>Relating to the penalty for failure to register certain aggregate production operations with the Texas Commission on Environmental Quality.</p>	<p>Environmental Regulation</p> <p>Vote:                  7 Ayes                  0 Nays                  0 PNV                  2 Absent</p>	<p>Unauthorized aggregate production operation activities are reported at a rate that does not match the minimal penalty history for unregistered aggregate production operations. More stringent enforcement is needed to control the release of sand and silt into waterways. One solution could be to raise the penalty range for unregistered aggregate production operations.</p> <p>HB 907 increases penalties regarding unregistered operations for aggregate production operators (APOs). HB 907 raises the penalty range of \$5,000-\$10,000 each year an APO operates without being registered with Texas Commission on Environmental Quality (TCEQ) to \$10,000-\$20,000. Also, the maximum penalty for APOs operating for 3 plus years is capped at \$25,000, HB 907 increases this number to a maximum of \$50,000.</p>	<p><b>Favorable</b>                  Sophia Creede                  832-865-4774                  Sophia@TexasLSG.org</p>
<p><b>HB 4533</b>                  Klick                    Raymond</p>	<p>Relating to the system redesign for delivery of Medicaid acute care services and long-term services and supports to persons with an intellectual or developmental disability or with similar functional needs</p>	<p>Human Services</p> <p>9 Ayes                  0 Nays                  0 PNV                  0 Absent</p>	<p>Individuals with an intellectual or developmental disability (IDD) have severe and chronic conditions due to mental or physical impairments which can cause problems in language, mobility, learning, and independent living. Individuals with IDD have very unique and substantial needs compared to other individuals with a disability. These significant needs require long-term services and supports (LTSS) to provide for the health and well-being of the individual with IDD.</p> <p>Stakeholders in the IDD community have concerns about moving IDD services to a managed care model due to their complex needs and the necessity for life-long services. The managed care model was created for acute services to</p>	<p><b>Favorable</b>                  Evaluated by:                  Ali Schoon                  (515) 313-3712                  Ali@TexasLSG.org</p>

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lessen costs but individuals with IDD require additional costs to provide for unique and encompassing services. Given issues when Texas transitioned children/young adults with disabilities to a Medicaid managed care model (STAR Kids) in previous years, HHSC must take extra steps to study and review services through a managed care model prior to statewide implementation. HB 4533 will provide a pilot program to appropriately test mechanisms to deliver services to this highly unique population and give time for HHSC to fix any issues with stakeholder input prior to a statewide transition to managed care. HB 4533 builds in many safeguards for the IDD community by including input from stakeholders and the public throughout development and implementation of this pilot program. HB 4533 also allows for a delayed phase-in for IDD LTSS into Medicaid managed care. HB 4355 ensures a transition to the managed care model will be done correctly based on tested methodologies and decrease issues which may inadvertently harm the IDD population.

During the 83rd session, legislation was passed requiring the transition of IDD LTSS to a Medicaid managed care program. This legislation also provided the option for a pilot program to test service delivery, however, HHSC decided not to implement the pilot program in 2017 due to perceived barriers. Transition of the IDD population to a managed care model should not be done without appropriate study and, currently, HHSC would be required to transition before the end of the year. The Intellectual and Development Disability System Redesign Advisory Committee determined that Texas did not have the appropriate data or cost analysis to proceed with this transition. Due to these concerns, the committee recommended the delay of transitioning IDD LTSS to a managed care model. HB 4533 seeks to address these concerns by delaying the transition of various IDD services to a managed care model and requires HHSC to develop and implement a pilot program to test providing LTSS through the STAR PLUS Medicaid managed care program. HHSC shall work with the committee and the pilot program workgroup to develop and implement this pilot program. This pilot program will include stakeholder input for development and implementation to ensure the IDD population is receiving the care they need. HB 4533 extends the existence of the committee to 2 years after these services transition to a managed care model.

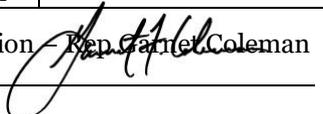
As the option to develop and implement a pilot program was included in statute from the 83rd session, HB 4533 amends some of those requirements in statute to better reflect current standards and adds definitions into statute regarding LTSS providers. For example, HB 4533 adds language, as directed by stakeholders, to align the purpose of services through this pilot program with person-centered initiatives and allow for a consumer-directed model. Person-centered planning and consumer-directed models ensures a process by which the individual with IDD has a valued input in the provision of their own care.

**Pilot Program Workgroup**

HB 4533 creates a pilot program workgroup to help develop the operation of this pilot program. The workgroup will consist of representatives of the committee, stakeholders in the IDD community, stakeholders representing individuals with similar functional needs, and representatives of MCOs that contract with HHSC under the STAR PLUS Medicaid managed care program

**Payment Rates and Payment Methodologies**

The pilot program shall explore a wide variety of payment methodologies for LTSS services through managed care which may include a bundled payment, incentive payments based on completed quality metrics, or any other payment methodologies HHSC, MCOs, and providers agree upon ahead of time. When developing new payment methodology HHSC should consider the expansive cost of LTC services and whether these new payment rates are sufficient enough to ensure provider’s participation. HB 4533 clarifies that any payments through the pilot program

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may not reduce the minimum payment which providers of LTC services are currently receiving through fee-for-service.

**MCO requirements**

HB 4533 directs HHSC along with the committee and the pilot program workgroup to select no more than 2 MCOs which provide services under the STAR PLUS Medicaid managed care program to participate in the pilot program. MCOs participating in the pilot program must provide comprehensive and encompassing services including not only LTSS but also acute care services and behavioral health services. MCOs participating in the program must ensure individuals have a choice among services and service delivery options, demonstrate that their providers have experience and expertise in providing services to individuals with IDD or similar functional needs, have a process to prevent unnecessary institutionalization of individuals, and ensure timely service delivery. MCOs participating in the pilot program must submit quarterly reports on their services to HHSC including information such as timeliness delivery of services, number of participants accessing employment assistance, number of service denials, number of complaints, etc.

**IDD participant eligibility**

Individuals are automatically enrolled in the pilot program if eligible and only that individual or their legally authorized representative may opt out of the pilot program. HB 4533 requires HHSC to develop informational materials to provide to eligible individuals and their family members to make the best decision for their needs. The informational material must be presented in simple language which is easy to understand and identify the individual's right to move to another provider at any point.

Eligibility requirements in order to participate in the pilot program must include:

- individuals with IDD
  - including individuals with autism
  - individuals with significant complex needs receiving HCS services
  - individuals in the STAR PLUS Medicaid managed care program who are on a Medicaid waiver interest list, have a traumatic brain injury occurring after 21 years of age, and have an intellectual disability
- individuals with similar functional needs regardless of the onset of symptoms or their diagnosis
  - It is crucial that these individuals with similar functional needs be included in these services because there is currently a gap in coverage for these individuals.

**Evaluation and recommendations**

HHSC is required to implement the pilot program on September 1, 2023. The pilot program shall be in operation for at least 24 months. The pilot program will be implemented in a STAR PLUS Medicaid managed care service area selected by HHSC. Throughout implementation, HHSC (in coordination with the committee and the pilot program workgroup) will review and evaluate the outcomes of the pilot program and submit an annual report including recommendations to improve upon the program. Upon conclusion of the program, these entities will submit a detailed report to the legislature including comprehensive evaluations of the services provided through the pilot program. This report will also include recommendations on whether or not to transition IDD LTSS to a managed care model across the entire state of Texas. Following this detailed evaluation of the pilot program, HB 4355 gives HHSC the authority to continue the program to ensure continuity of care for its participants. If HHSC decides not to continue the pilot program, HHSC must ensure that there is a strategic plan to transition participants to other

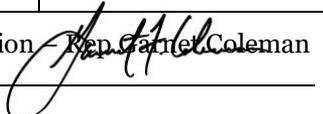
			<p>programs to continue receiving services without a loss in benefits. The pilot program is concluded on September 1, 2025 unless HHSC decides to continue the pilot program.</p> <p><b>Transition to a managed care model</b>                  After the pilot program is concluded and evaluated, HHSC will develop a phase-in plan to transition all or portions of the services provided through the ICF-IID program or another Medicaid waiver program, which were not included in the pilot program, to a Medicaid managed care model. HB 4533 lays out phases for various programs to be transitioned as appropriate to a managed care model:</p> <ul style="list-style-type: none"> <li>• the Texas home living (TxHmL) waiver program beginning September 1, 2027</li> <li>• the community living assistance and support services (CLASS) waiver program beginning September 1, 2029</li> <li>• nonresidential services through the HCS waiver program and the DBMD waiver program beginning September 1, 2031</li> <li>• whether it is cost effective and feasible to transition residential services under the ICF-IID program, HCS waiver program, or the DBMD waiver program to a Medicaid managed care model</li> </ul> <p>HB 4533 allows HHSC to delay implementation should they decide that implementation of those requirements will negatively impact the services to individuals with IDD. HB 4533 directs HHSC to seek necessary federal waivers and authorization in order to comply with provisions in the bill.</p>	
<p><b>HB 876</b>                  By: Allen   Wu</p>	<p>Relating to the model training curriculum and required training for school district peace officers and school resource officers.</p>	<p>Public Education</p> <p>Vote:                  13 Ayes                  0 Nays                  0 PNV                  0 Absent</p>	<p>Currently school districts with more than 30,000 students are required to establish polices for commissioned officers to complete an education and training program. Not all school district police departments require officer training.</p> <p>HB 876 removes the current 30,000 student limit to allow for training to occur for any of the school district peace officers as a requirement regardless of school size. HB 876 also removes the current training requirement deadline from 120 and extends it to 180 days.</p>	<p><b>Favorable</b>                  Evaluated by:                  Marissa Gorena                  (956) 867-7232                  Marissa@TexasLSG.org</p>
<p><b>HB 2286</b>                  By:                  Oliverson   Nevárez   Springer   Phelan</p>	<p>Relating to the criminal consequences of engaging in certain conduct with respect to certain firearm accessories and prohibiting the enforcement of certain federal laws related to certain firearm accessories.</p>	<p>State Affairs</p> <p>Vote:                  11 Ayes                  0 Nays                  0 PNV                  2 Absent</p>	<p>HB 2286 seeks to deregulate firearm suppressors, also known as silencers, by removing it from the list of prohibited weapons under the Penal Code. By removing this regulation however HB 2286 will then create a direct conflict with current federal law. HB 2286 will put Texas' law enforcement officers who are members of a joint task force with a federal agency in a bad position during their investigative duties that they have been assigned. If an officer were to come across a firearm suppressor, which is a federal violation, while working for a federal agency, which they are sworn to uphold the federal law, would then be put in a position that could get them in trouble because the state has adopted a provision that they can't enforce that law.</p>	<p><b>Unfavorable</b>                  Evaluated by:                  Merci Mohagheghi                  (713) 382-7007                  Merci@TexasLSG.org</p>
<p><b>HB 1880</b>                  By: Davis, Sarah</p>	<p>Relating to health benefit plan provider networks; providing an administrative penalty; authorizing an assessment.</p>	<p>Insurance</p> <p>Vote:                  9 Ayes                  0 Nays                  0 PNV                  0 Absent</p>	<p>HB 1880 amends the Insurance Code to create more consistency in transparency for consumers regarding provider information. Provider information must be displayed conspicuously and be accurately maintained online regarding provider specialty if available, and in or out of network status. If any of these requirements were to change, the change would need to be reflected online within 30 days unless the physician's contract was a result of malfeasance or is reported wrong by a consumer. In these cases, this would be changed within two business days. Additionally, if there are three or more consumer-reported inaccuracies within a 30 day period, Texas Department of Insurance (TDI) and the commissioner will review to determine if the entity is engaging in a pattern of maintaining inaccurate web information, and during this examination the issuer will cover all examination fees. The commissioner will now examine issuers to determine the adequacy and quality of preferred providers at least once every three years or whenever the commissioner considers it necessary.</p>	<p><b>Favorable</b>                  Elizabeth Churaman                  (281)-686-4544                  Elizabeth@TexasLSG.org</p>

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			HB 1880 provides more consumer transparency and creates more accountability for insurers when providing information to consumers who receive medical care from multiple providers.	
<b>HB 2288</b> By: Moody   Blanco   Ortega   Fierro	Relating to the area of operation of certain municipal housing authorities.	Urban Affairs  Vote: 9 Ayes 0 Nays 0 PNV 0 Absent	<p>The El Paso area community exists on the state line that divides the US states of Texas and New Mexico. Certain parts of El Paso are in need of affordable housing but exist outside the Texas state line and thus outside the jurisdiction of the El Paso city housing authority. In effect, the state line which divides the community also divides the families who are appropriately served and offered housing assistance and those who are not. The El Paso city housing authority is a nonprofit entity that is funded solely through federal and private funds. No state funds are appropriated for the operation of the El Paso housing authority, nor are local or state tax revenues used for that purpose.</p> <p>The City of El Paso housing authority provides for the development and administration of affordable housing within the city. Through bracketed language, HB 2288 authorizes the City of El Paso housing authority to do the same for the residents of the community that reside on the New Mexico side of the state line. Because no state funds are appropriated for the operation of the El Paso housing authority and because neither local or state tax revenues are used for that purpose, this provision will not cost the state, county, or city in anyway. By allowing for the development of affordable housing on the New Mexico side of the state line, HB 2288 allows for an increase of available housing for both sides of the city. Because many individuals who work in New Mexico live on the Texas side of El Paso due to the greater stock of affordable housing, HB 2288 could also free up state and local resources that are allotted to this population.</p>	<b>Favorable</b> Evaluated By: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org
<b>HB 4013</b> By: Miller   Thierry   Zerwas   Oliverson   Springer	Relating to sales and use taxes on e-cigarettes and vapor products; imposing taxes; providing an administrative penalty; authorizing the imposition of a fee.	Ways & Means  Vote: 8 Ayes 0 Nays 0 PNV 3 Absent	<p>To discourage the especially-harmful impacts of underage use of electronic cigarettes and the growing popularity, HB 4013 increases enforcement of the purchasing age for e-cigarettes or vapor products, and levies additional sales and use tax on those products to 10% of retail price (from current formula five cents for each milliliter of vapor product). The bill requires the proceeds from the taxes to be credited to the Foundation School Fund.</p> <p>The bill authorizes the comptroller to suspend a sales tax permit for violations of the Health and Safety Code pertaining to the sale of e-cigarettes to a minor but provides protection from full revocation of permit under certain circumstances or requirements (no more than 4 violations in 24-month period; employee in violation was not directly or indirectly encouraged; and certain training requirements have been met).</p>	<b>Favorable</b> Evaluated by: Eliot Davis (713) 855-3285 Eli@TexasLSG.org
<b>HB 2504</b> By: Springer	Relating to requiring candidates to pay a filing fee or submit a petition in lieu of a filing fee to appear on the ballot for the general election for state and county officers.	Elections  Vote: 6 Ayes 0 Nays 0 PNV 3 Absent	<p>HB 2504 imposes an additional \$5,000 fee on minor party candidates or requires them to submit a petition with 5,000 signatures to obtain access to the general election for state and county officers. The fees would cover election expenses on the state and county level depending on the office the candidate is running for. Minor parties are currently required to be polled at 5% in statewide elections or 2% in governor elections to retain ballot access or get nearly 85,000 valid signatures (typically at least 120,000 actual signatures) from supportive voters to sign a petition within a short 3-1/2-month period prior to gaining access to the ballot. They depend on significant funding through private donations and the cost is estimated between \$0.5 and \$1.0 million. In many cases, minor parties are rejected access to the ballot due to lack of these significant resources.</p>	<b>Unfavorable</b> Evaluated by: Donisha Cotlone (832)496-4424 Donisha@TexasLSG.org

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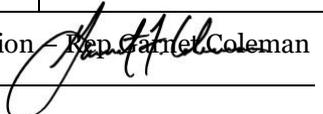
			HB 2504 adds an additional barrier for minor party candidates to obtain access to the barrier. They must finance their own primaries and conventions, implementing this bill would create another financial barrier of these candidates to have a chance to give voters a variety of choices on election day.	
<b>HB 3490</b> By: Cole	Relating to the prosecution and punishment of the criminal offense of harassment; creating a criminal offense.	Criminal Jurisprudence  Vote: 7 Ayes 2 Nays 0 PNV 0 Absent	HB 3490 amends the Penal Code to expand the criminal offense of harassment. State law regarding harassment has not kept up with technological advances or access to these advances. Currently, the statute only considers repeated direct electronic communication harassment. However, with the widespread use of social media, it is possible to produce repeated electronic communications likely to harass without it being sent directly to the victim.  This bill adds a section to the code that would criminalize the repeated electronic communication on an Internet website, including social media, and the electronic communication is reckless as to whether the victim will be able to access that site or receive the communication indirectly. HB 3490 would punish such an act as a Class B misdemeanor or a Class A misdemeanor if committed against a child with the intent that the child end their own life or engage in conduct causing serious bodily injury or the actor has previously violated a temporary restraining order or injunction. This change in the code seeks to help protect children from cyberbullying as well as to protect individuals from unwanted contact, directly or indirectly.	<b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org
<b>HB 2536</b> By: Oliverson   Blanco	Relating to transparency related to drug costs.	Insurance  Vote: 8 Ayes 0 Nays 0 PNV 1 Absent	HB 2536 adds language to the Health and Safety Code to create more prescription drug price transparency for the public. This would be done by requiring pharmaceutical manufacturers to submit a report to the Health and Human Services Commission (HHSC) containing information on the wholesale cost of the medication to distributors, this information would be made available online. Also required is that pharmacies/pharmacists would have to submit a report to the HHSC disclosing rebates, fees, price protection payments, and other payments collected from the pharmaceutical manufacturers as well as aggregated dollar amounts related to these which were passed on to health benefit plan issuers or enrollees. Additionally, Health plan issuers would be required to submit to the HHSC the top 25 most frequently prescribed medications across all plans and the annual percent increase net spending on those medications paired with the percent increase of premiums across all plans. HB 2536 creates more transparency related to prescription drugs prices and how they could correlate with increases in healthcare premiums. With the availability of this information for consumers vis the HHSC online, there is more understanding of the increase in cost related to prescription drug coverage. This would empower consumers to choose health plans that address the cost of medication and coverage the consumer deems as appropriate for themselves.	<b>Favorable</b> Elizabeth Churaman (281)-686-4544 Elizabeth@TexasLSG.org
<b>HB 2942</b> By: Guillen	Relating to the eligibility of land to continue to be appraised for ad valorem tax purposes as qualified open-space land if the land is temporarily used for sand mining operations; authorizing a fee.	Energy Resources  Vote: 10 Ayes 0 Nays 0 PNV 1 Absent	HB 2942 requires the Texas Commission on Environmental Quality (TCEQ) to establish standard best practices for reclamation of land used in sand mining operations. In order to address environmental impacts to surrounding agriculture and wildlife due to the removal of sand for the purposes of concrete construction or certain oil and gas activities, HB 2942 would enforce reclamation in a critical area bracketed within the Carrizo geologic formation, south of San Antonio. This aquifer is vital for south Texas and proper reclamation can increase ground recharge, or rate of replenishment, by 75-80%.  The bill establishes that an appraisal would not be deemed ineligible if the land is used temporarily in sand mining, the owner intends to resume degree of intensity per original agricultural use appraisal, and the land is reclaimed under the standards adopted according to this bill. It would also eliminate a five-year rollback penalty associated with this change to the appraisal roll.  The bill requires the owner to send written notification to the appraisal office no later than 30 days after mining operations begin. Further, it requires the executive director of TCEQ to send notice to the chief appraiser and issue	<b>Favorable</b> Evaluated by: Eliot Davis (713) 855-3285 Eli@TexasLSG.org

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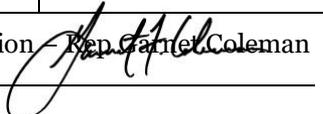
			letter to the owner, along with the chief appraiser, regarding the determination according to reclamation standards. Lastly, HB 2942 includes provisions regarding appeal timeline and procedures to the determination.	
<b>HB 2897</b> By: Parker	Relating to the provision of services by the Texas Department of Criminal Justice's developmentally disabled offender program.	Corrections  Vote: 9 Ayes 0 Nays 0 PNV 0 Absent	<p>Part of the Texas incarcerated population consists of developmentally disabled individuals who could easily re-offend without proper rehabilitation. Sometimes, the original wrongdoing was done so without disabled individuals fully understanding the consequences of their actions.</p> <p>HB 2897 promotes individual-centered treatment for offenders in order to facilitate reentry. HB 2897 changes the language from 'developmentally disabled offender' to person-first language, 'offenders with intellectual or development disabilities' which is a more sensitive manner of speaking about individuals with disabilities.</p> <p>HB 2897 further requires the Texas Department of Criminal Justice (TDCJ) to develop and identify community resources to assist inmates who have or might have intellectual disabilities or borderline intellectual functioning and those who have significantly impaired adaptive functioning. HB 2897 further requires TDCJ to develop/implement a reentry/reintegration plan (may include coordination of treatment, housing assistance, and delivery of other transitional services) centered around individuals described above.</p> <p>One of the challenges intellectuals with disabilities face when released from prison is finding housing, it takes time. HB 2897 prohibits funds appropriated to TDCJ from being used to provide residential housing assistance to individuals who have committed crimes that might them ineligible for release to mandatory supervision: violent and sexual offenses. The reason for this is the author does not deem it appropriate; it would be more suitable for these individuals to be held in halfway houses or something with more supervision.</p>	<b>Favorable</b> Sophia Creede 832-865-4774 Sophia@TexasLSG.org
<b>HB 288</b> By: Thompson, Senfronia   Moody	Relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities	Human Services  Vote: 8 Ayes 0 Nays 0 PNV 1 Absent	Currently, individuals covered under Medicaid who reside in a nursing facility (or related facility), assisted living facility, ICF-IID facility, or a long-term care facility which provides medical services receive a monthly personal needs allowance of \$60 from their Social Security benefits. The rest of their benefits are used by the facility for care. These individuals may use the personal needs allowance on clothing, shoes, gifts, etc. This personal needs allowance has not been updated since 2005 and with the rising cost of products, there have been many complaints that the current allowance isn't enough to buy what is needed. HB 288 amends statute to increase the personal needs allowance to \$75. Increasing the personal needs allowance allows individuals in facilities to buy products which are not currently provided through their Medicaid benefits.	<b>Favorable</b> Evaluated by: Ali Schoon (515) 313-3712 Ali@TexasLSG.org
<b>HB 2912</b> By: Zerwas   Reynolds	Relating to certain images captured by an unmanned aircraft.	State Affairs  Vote: 12 Ayes 0 Nays 0 PNV 1 Absent	HB 2912 would make it lawful for unmanned aircraft (also called drones) under the direction or on behalf of the county, to capture images for the purpose of disaster preparedness, including for the inspection, maintenance, or repair of public infrastructure. Using drones for these purposes provide an option that is typically safer and more efficient than manned vehicles. HB 2912 would only be applicable to a county with a population of 550,000 or more that is adjacent to a county with a population of 3.3 million or more, such as Fort Bend County. The need for such an amendment comes directly from Fort Bend County as a response to lessons learned during Hurricane Harvey. In order to better prepare Fort Bend County for future disasters, HB 2912 will allow for the option for an unmanned aircraft to do the job in situations that are assessed to be precarious.	<b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org

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<p><b>HB 2931</b> By: Parker   Craddick   Capriglione   Deshotel   Stucky</p>	<p>Relating to the administration of an examination and issuance of a temporary receipt for a driver's license by an entity other than the Department of Public Safety</p>	<p>Homeland Security &amp; Public Safety</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>There have been concerns that the lines at the Department of Public Safety are too long. When people are applying to get their first driver's license, they must take and pass a driver's test. Current law allows the state to contract with third parties to test the driver's, then the driver must go to the DPS office and be issued a license.</p> <p>HB 2931 allows for these third parties to continue administering the test and subsequently allows them to issue a temporary driver's license while the third party sends the driver's information electronically to DPS. DPS will then mail the official license to the driver. The temporary license will be issued as a receipt for the test and will be able to be used until the physical driver's license arrives.</p> <p>HB 2931 also allows certified the third party to also instruct and train other third parties to become examiners to administer the driving exam.</p>	<p><b>Favorable</b> Evaluated by: Santiago Cirmigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p><b>HB 4513</b> By: Hunter   Flynn   Lozano</p>	<p>Relating to employing and training mental health professionals for the mental health program for veterans.</p>	<p>Defense &amp; Veteran's Affairs</p> <p>Vote: 7 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>HB 4513 would add language to the Government Code to include the training and employment of mental health professionals specifically for veterans through a mental health program. Improved availability of mental health professionals would alleviate long wait-times at various veteran assistance facilities as well as create more face-to-face opportunities to serve this population more efficiently.</p>	<p><b>Favorable</b> Elizabeth Churaman (281)-686-4544 Elizabeth@TexasLSG.org</p>
<p><b>HB 3553</b> By: Farrar</p>	<p>Relating to filing fees for the electronic filing system established by the Supreme Court of Texas</p>	<p>Judiciary &amp; Civil Jurisprudence</p> <p>9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>For court cases, to expedite the proceedings, parties can electronically file documents for the court to have access to. This process is used to maintain the court up to date with technological advances. There is a \$2 dollar fee for filing documents electronically that is used to maintain the service and implementing the technology. There is currently a sunset date that would end the ability of local governments to collect the fee by September 1st, 2019.</p> <p>HB 3553 amends the government code to remove the sunset provision and allows local governments to collect the fee indefinitely and provide this electronically filing service.</p>	<p><b>Favorable</b> Evaluated by: Santiago Cirmigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p><b>HB 3001</b> By: Morrison</p>	<p>Relating to the fiscal transparency of special purpose districts and other political subdivisions.</p>	<p>County Affairs</p> <p>Vote: 7 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>HB 3001 seeks to amend the Local Government Code of Texas by revising a provision that alters the annual reporting standards of certain water districts if the comptroller's financial reporting standards are met conditionally. Currently, Texas law does not provide an alternate standard for reporting financial information. HB 3001 will provide more alternate means to yield financial transparency.</p> <p>HB 3001 requires consistent annual reporting that is compliant with the suggested forms and approved specifications set forth by the comptroller.</p> <p>HB 3001 allows the district an alternative option for submittal only if measures are taken that allow all required financial documents to be readily inspected by the public; or if continuously updated on a public website managed by the district.</p> <p>HB 3001 authorizes the comptroller to provide a website link to any state, government, or municipal website that utilizes or manages that same financial informational utilized for reporting to the comptroller.</p> <p>Stakeholders of HB 3001 believe that it will allow more efficient and streamlined reporting.</p>	<p><b>Favorable</b> Evaluated by: Brandi Granderson (202) 808-6140 Brandi.Granderson_HC@house.texas.gov</p>

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<p><b>HB 3147</b> By: Parker</p>	<p>Relating to a cancer clinical trial participation program.</p>	<p>Public Health  Vote: 10 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>The US Food and Drug Administration (FDA) sets the guidelines for and regulates the conduct of clinical trials. An institutional review board (IRB), established at each institution of research, must register with the FDA and is responsible for implementing the FDA guidelines. To do so, an IRB must review research protocols and materials to ensure that the rights and welfare of research subjects are protected. The guidelines specify that paying subjects for research participation is considered to be a recruitment incentive and good practice but will be subject to review by the IRB to ensure that the payment is appropriate and proportionate.</p> <p>Any payment that is disproportionate to the participation of the subject may be ruled by the IRB to impose an undue influence which could be particularly enticing for individuals who perceive a higher need for the payment. Essentially, this guideline keeps a study from recruiting vulnerable individuals through potentially irresistible incentives known as inducements. However, the FDA has determined that reimbursing a subject for travel, lodging, and other associated costs are not categorized as inducement.</p> <p>This clarification has not yet been reflected in Texas statutes and many research stakeholders still operate under the assumption that reimbursement is seen as an inducement. There are concerns that neglecting to do so has negatively affected participation in cancer clinical trials. Additionally, the high costs associated with participating in cancer research may have rendered the system inequitable and financially accessible to some socioeconomic populations more than others. Addressing this issue would make cancer research in Texas more diverse and would remove certain monetary barriers to participation.</p> <p>HB 3147 acknowledges that diversity in clinical trials is necessary to ensure that the findings of the study are generalizable and that such diversity is affected by potential participants' ability to pay for related costs such as transportation, lodging, and child-care. The ethical guidelines for clinical trials state that benefits of the research should be available to all eligible individuals, which is made difficult due to financial barriers to research participation.</p> <p>To address this issue, HB 3147 creates the Cancer Clinical Trial Participation Program. The changes authorize an independent, third-party organization to create and administer this Program for the provision of reimbursement for associated costs for participants such as travel, lodging, parking, tolls, and other costs as deemed necessary by the organization. The Program will be required to:</p> <ul style="list-style-type: none"> <li>• collaborate with physicians and other healthcare providers to notify a prospective subject who has provided informed consent for a cancer clinical trial when certain funding is available</li> <li>• provide reimbursement to subjects based on financial need             <ul style="list-style-type: none"> <li>○ The bill suggests that the reimbursement could be based on the FDA guidelines and provide reimbursement to subjects whose income is at or below 700 percent of the federal poverty level.</li> </ul> </li> <li>• provide reimbursement for costs such as travel, lodging, parking, tolls, and other costs as deemed</li> </ul>	<p><b>Favorable</b> Evaluated By: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org</p>

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			<p>necessary by the organization</p> <ul style="list-style-type: none"> <li>○ The organization may at their discretion provide reimbursement for one family member, friend, or another person who attends the clinical trial to support the subject.</li> <li>• comply with all federal and state laws as applicable</li> <li>• provide written notice of the requirements and restrictions of the Program to potential participants as well as the nature and availability of financial support</li> </ul> <p>HB 3147 requires that any reimbursement issued through the Program must be reviewed by the IRB associated with the trial for which the reimbursement is made. The organization is not required to obtain IRB approval on the financial eligibility of a subject who is otherwise eligible for the Program. A reimbursement provided through the Program is not considered to be an inducement to participate in the cancer clinical trial, in accordance with the FDA regulations, nor is it considered coercion for participation, but is meant to remove financial barriers to participation in cancer clinical trials.</p> <p>HB 3147 also allows for the administrative organization to collaborate with the Cancer Prevention and Research Institute of Texas (CPRIT) and authorizes CPRIT to also provide such reimbursements to cancer clinical trial participants.</p>	
<p><b>HB 1381</b> By: Wray</p>	<p>Relating to enhancing the criminal penalty for aggravated assault committed in or on school property or on a passenger transportation vehicle of a primary or secondary school.</p>	<p>Criminal Jurisprudence</p> <p>Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>Under current statute, a person commits an aggravated assault if they cause serious bodily injury to another person or use/exhibit a deadly weapon during the assault. Aggravated assault is a second-degree felony with enhancements to a first-degree felony such as if the assault was committed against a public servant performing their duty.</p> <p>HB 1381 enhances what is considered an aggravated assault warranting a first-degree felony to include if the assault occurred:</p> <ul style="list-style-type: none"> <li>• in or on school property (including the parking lot or parking garage) that is owned or leased by the school</li> <li>• on a school bus or vehicle owned or operated by a school to transport students to or from school</li> </ul> <p>HB 1381 would allow for additional protections if an aggravated assault occurs between adults or an adult and a child on school grounds. However, it is expected that juveniles will be most impacted by this legislation. Children and youth are still developing the parts of their brain which deal with impulse control, decision making, and the understanding of action and consequence. There are concerns that this legislation would negatively impact students if “aggravated assault” is interpreted broadly. Altercations at school happen frequently and may escalate to a fight, which under HB 1381, would be considered a first-degree felony (rather than a second-degree felony) simply because it occurred on school grounds. This is especially pertinent for students with a disability who are already disproportionately disciplined in schools and have additional behavioral challenges. In addition, harsher penalties are not the solution to deterring criminal acts especially for juveniles who may not understand that a fight at school could result in a first-degree felony.</p>	<p><b>Unfavorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>
<p><b>HB 3578</b> By: Klick</p>	<p>Relating to the cancellation of the voter registration of a person finally convicted of a felony.</p>	<p>Elections</p> <p>Vote: 9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>Currently, a person convicted of a felony loses their right to vote in Texas until they have completed probation or parole. However, many of them are not advised of their lost rights nor are they removed from voter rolls. HB 3578 creates a more efficient process which will require the courts to issue an order that the defendant’s voter registration be canceled and send this order to the Secretary of State’s office. The Secretary of State shall determine if the person is a registered voter and send the order to the appropriate county. A copy of the court order, including voter registration cancellation due to being convicted of a felony, will be accessible to the person convicted and residing county voter registrar.</p>	<p><b>Favorable</b> Evaluated by: Donisha Cotlone (832)496-4424 Donisha@TexasLSG.org</p>

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			<p>HB 3578 expedites the current process and protects them from being penalized for voting without knowing their rights have been suspended. In some cases, they proceed to vote before their probation or parole is complete which is considered a violation and may result in more jail time. Even if the person was to register to vote upon release from prison, but have not completed their parole or probation, the county will have access to their court order and reject them from being re-added to the rolls. This creates much-needed barriers that will prevent the criminalization of individuals participating in Texas elections that heavily impact their lives.</p>	
<p><b>HB 1477</b> By: Price</p>	<p>Relating to the use of grants under the emergency medical services assistance program and the distribution of certain revenue received by the comptroller.</p>	<p>Public Health</p> <p>Vote 9 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>HB 1477 requires the Executive Commissioner of the HHSC to create an Emergency Medical Services Scholarship Program that will be used to provide financial assistance to emergency medical services (EMS) personnel for the payment of tuition and other fees for eligible coursework at institutions of higher education. The Executive Commissioner will be responsible for creating the eligibility requirements for the scholarship program. HB 1477 also creates a corresponding Emergency Medical Services Assistance Program account in the general revenue fund of the state treasury. This fund will be used to provide grants to emergency medical services providers, trauma service area regional advisory councils, an appropriate institution of higher education or public technical institute, or emergency medical services personnel.</p> <p>The bill specifies that the revenue received through state traffic fines will be distributed as follows:</p> <ul style="list-style-type: none"> <li>• 57 percent to the undedicated General Revenue Fund</li> <li>• 33 percent to the designated trauma facility and emergency medical services account</li> <li>• 10 percent to the credit of the Emergency Medical Services Assistance Program account</li> </ul> <p>HB 1477 will allow for more equal opportunities for EMS personnel to have access to coursework that will allow them to improve their skills and keep their knowledge base updated.</p>	<p><b>Favorable</b> Evaluated By: Sharon Jacob 920-675-9865 Sharon@TexasLSG.org</p>
<p><b>HB 3397</b> By: Bailes</p>	<p>Relating to an appropriation of money from the emergency radio infrastructure account for the planning, development, and provision of an interoperable statewide emergency radio infrastructure.</p>	<p>Appropriations</p> <p>Vote: 20 Ayes 0 Nays 0 PNV 7 Absent</p>	<p>HB 3397 would appropriate \$23 million from the emergency radio infrastructure account to the Texas Division of Emergency Management (TDEM) out of funds already appropriated. These funds will be used to plan, develop, and provide an interoperable statewide emergency radio infrastructure. This account was established in 2011 to develop a state wide radio infrastructure, however after Hurricane Harvey DPS indicated that funds had not been appropriated for this purpose. As a result, the state has not completed this essential project and many parts of the state have experienced miscommunication or a complete lack of communication across agencies. This bill will allow the enhancement of the interoperability and provide a radio infrastructure that will be beneficial and potentially lifesaving in times of disasters and emergencies.</p>	<p><b>Favorable</b> Evaluated by: Brittany Sharp 210-748-0646 brittany@TexasLSG.org</p>
<p><b>HB 4032</b> By: Guillen   Morrison   Bonnen, Greg</p>	<p>Relating to the permitting and taxation of certain boats and boat motors; imposing a fee.</p>	<p>Ways &amp; Means</p> <p>Vote: 11 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>Since Florida enacted a boat sales tax cap in 2010, Texas has not only lost sales but has lost businesses to out-of-state companies. HB 4032 would exempt certain boats and boat motors from sales and use taxes. The boat or motor must be sold within Texas for use in another state and moved out-of-state within 10 days of purchase (some extensions apply to the 10-day period for repairs and modifications). This would address concerns about disadvantages for the Texas marine industry competing against other states with less burdensome tax structures and likely encourage greater economic activity.</p> <p>The bill additionally authorizes the comptroller or the Parks and Wildlife Department to issue temporary, one-time 90-day use permits for a fee. The bill also caps the maximum sales and use tax on a boat at \$18,750 and limits the maximum eligible vessel length to 115 feet.</p>	<p><b>Favorable</b> Evaluated by: Eliot Davis (713) 855-3285 Eli@TexasLSG.org</p>

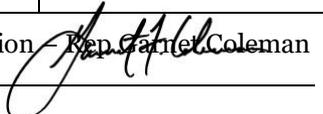
<p><b>HB 3424</b> By: Thompson, Senfronia</p>	<p>Relating to postconviction forensic DNA testing.</p>	<p>Criminal Jurisprudence</p> <p>Vote: 6 Ayes 0 Nays 0 PNV 3 Absent</p>	<p>Current law allows for post-conviction DNA testing in criminal cases to ensure a more reliable and accurate justice system by requiring certain criteria to be met in order for the court to grant testing. One of those criteria is the requirement that: “the convicted person establishes by a preponderance of the evidence that the person would not have been convicted if exculpatory results had been obtained through DNA testing.” However, in a 2014 ruling by the Texas Court of Criminal Appeals, the term “exculpatory results” was limited in its meaning. This has become problematic as it contradicts the requirement to compare DNA to all databases and that the mere exclusion of the petitioner as the source of DNA is often insufficient to prove innocence.</p> <p>Since 1989, 53 people who were wrongfully convicted in Texas were proven of their innocence with DNA testing. Roughly half of all DNA exonerations nationwide involve the identification of the actual perpetrator (through their ability to compare evidence to all databases) in addition to the exclusion of the convicted person. HB 3424 will give clarity to judges that they are allowed to consider the possibility of a third-party match in law enforcement DNA databases as an “exculpatory result” when determining whether the petitioner meets the requirements to obtain post-conviction DNA testing.</p>	<p><b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>
<p><b>HB 2642</b> By: Allison</p>	<p>Relating to reporting the number of incidents of bullying and cyberbullying in a school district and open-enrollment charter school through the Public Education Information Management System.</p>	<p>Public Education</p> <p>Vote: 13 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>David’s Law was legislation that was created in response to issues of cyber bullying and prevent online forms of abuse that goes on in the lives of young students. Currently school districts or open-enrollment charter schools are not required to monitor or report on the acts of bullying or cyber bullying.</p> <p>HB 2642 will require school districts to report on the specific reported instances and number of times that a student is bullied online. HB 2642 will require that information on bullying and cyberbullying is recorded in the Public Education Information Management System (PEIMS). HB 2642 is an effort to combat cyberbullying and an attempt to change the culture of students to prevent online forms of abuse through data tracking.</p>	<p><b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@TexasLSG.org</p>
<p><b>HB 2884</b> By: Miller   Capriglione   Phelan   Howard   Longoria</p>	<p>Relating to statewide technology centers and cloud computing services.</p>	<p>State Affairs</p> <p>Vote: 11 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>Currently, Texas spends more than \$560 million per biennium on data center services, which is up more than 100% in the past decade due to what is being called a current monopoly due to how the Department of Information Resources’ (DIR) state data center currently contracts services. HB 2884 aims to increase competition for data services by providing options for additional secure, cost-effective data storage and computing options for state agencies. With HB 2884, state agencies will be allowed to choose outside of DIR’s state center vendors for their needs and instead contract from state-approved IT vendors.</p>	<p><b>Favorable</b> Evaluated by: Merci Mohagheghi (713) 382-7007 Merci@TexasLSG.org</p>
<p><b>HB 3657</b> By: Turner, Chris</p>	<p>Relating to the establishment of the Texas Competency-Based Education Grant Program for certain students enrolled in competency-based baccalaureate degree programs and to formula funding and dropped and repeated course restrictions for students enrolled in those degree programs at public</p>	<p>Higher Education</p> <p>Vote: 9 Ayes 1 Nays 0 PNV 1 Absent</p>	<p>An affordable and successful method to attaining a higher education for Texas students can be addressed through competency-based education (CBE). CBE is a method of education that is measured through learning achievements and not based off the seat time that a student spends in a classroom, which leads to a more accessible education for non-traditional students.</p> <p>HB 3657 will establish Texas competency and needs-based education grant program for institutions of higher education that will address student financial needs. HB 3657 will:</p> <ul style="list-style-type: none"> <li>• Establish a needs-based financial aid program for students enrolled in a CBE curriculum</li> <li>• Not allow student to receive financial aid from multiple programs during any academic period</li> <li>• Award students on a need-basis, through a methodology determined by the Texas Higher Education</li> </ul>	<p><b>Favorable</b> Evaluated by: Marissa Gorena (956) 867-7232 Marissa@TexasLSG.org</p>

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	institutions of higher education.		<p>Coordinating Board</p> <ul style="list-style-type: none"> <li>Address dropped and repeated course restrictions</li> </ul>	
<b>HB 3738</b> Goldman	Relating to creating an Internet website of certain day-care providers and parenting resources	<p>Human Services</p> <p>8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>HB 3738 creates a single website for child-care centers, listed and registered family homes, and prekindergarten programs through public school districts or charter schools. This website will be used to provide easily accessible and detailed information to parents who are discerning the best child-care option for their child. The website should be easy to navigate and assist parents in locating child-care provider options. The website must also be accessible for individuals who have a disability and individuals who do not speak English.</p> <p>The website will also include a link to each inspection report on the DFPS website for the child-care providers.</p> <p>HHSC will consult with the Texas Early Learning Council to develop the website and may contract with a third party to create the website and make an application for mobile access.</p> <p>Access to quality child-care is difficult for many families, particularly low-income families. HB 3738 will create a single access point through a website where families can research the best provider for their child and also be given information about subsidized child-care. Parents can also access resources on early childhood development/education and its importance during a phase when a child's brain is most formative. Quality child-care which keeps children safe while also providing appropriate developmental activities for the child directly impacts the child's growth and development later in life. HB 3738 will ensure parents have all the information when deciding what child-care center to entrust the care of their child.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Ali Schoon (515) 313-3712 Ali@TexasLSG.org</p>
<b>HB 2782</b> By: Wray	Relating to decedents' estates, transfer on death deeds, and matters involving probate courts.	<p>Judiciary &amp; Civil Jurisprudence</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>The Real Estate, Probate, and Trust Law section of the State Bar of Texas conducts a biennial review of Texas law and makes recommendations as to how the law can be changed to be improved. There are concerns that certain sections of the Estates Code and Government Code are outdated when relating to the descendants' estates.</p> <p>HB 2782 updates outdated language regarding the procedure for the sale of real property in a dependent administration to clarify the statute including but not limited to:</p> <ul style="list-style-type: none"> <li>It adds definitions of a deceased party- which is a deceased party to a multiple-party account</li> <li>It adds that a third party shall provide information that the third party would have provided to the deceased to the new representative of the deceased person, if the deceased person had made the request prior to passing away</li> <li>Clarifies that providing a memorandum can serve as a notice of the conveyance of the interest recorded in the deeds records.</li> </ul> <p>HB 2782 clarifies that if a spouse who has not made a will passes away, and has children who or not descendants of the surviving spouse, only the deceased spouse half of the share of the community property passes to the descendants.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Santiago Cirmigliaro (713) 435-9049 Santiago@TexasLSG.org</p>

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			<p>HB 2782 repeals the statutory forms for transfer on death deed and clarifies that a memorandum of transfer of a title is filed after a transfer on a death deed is filed, the memorandum has the same effect as filing of the transfer instrument itself. This means that the memorandum has the same effect as filing the actual instrument.</p> <p>HB 2782 clarifies procedures in the administration of a descendant's estate including but not limited to procedures for corrections of a will. HB 2782 also addresses various issues to aid the efficient administration of a descendant's estate.</p>	
<p><b>HB 3750</b> By: Kuempel   Stickland</p>	<p>Relating to the applicability of certain municipal ordinances in the municipality's extraterritorial jurisdiction.</p>	<p>Land and Resource Management</p> <p>Vote: 6 Ayes 0 Nays 0 PNV 3 Absent</p>	<p>Currently, local and state governments work collaboratively to ensure natural resources, such as water, are protected. HB 3750 prohibits local entities from imposing ordinances that would create water regulations that are more stringent than the state and federal government minimum regulations on its extraterritorial jurisdiction (ETJ). HB 3750 provides a provision for projects located in an area that is an aquifer recharge or contributing zone. However, this provision does not cover areas draining into drinking water supply reservoirs and groundwater supply. HB 3750 not only impacts drinking water but critical recreational assets to places like Austin, which experience extreme economic benefits which are beneficial to both the city and ETJs. There will also be impacts on stormwater treatments, such as TCEQ construction stormwater pollution prevention plans must be based on best practices including local ordinances.</p> <p>HB 3750 restricts local entities ability to protect water quality for the inner city and ETJ residents. Implementation of limits to local entities ability to oversee water regulations can cause major public health and public safety hazards.</p>	<p><b>Unfavorable</b> Evaluated by: Donisha Cotlone (832)496-4424 Donisha@TexasLSG.org</p>
<p><b>HB 4441</b> By: Neave</p>	<p>Relating to requests for certain information by the Texas Judicial Council regarding reductions of state jail felony punishment to misdemeanor punishment.</p>	<p>Judiciary &amp; Civil Jurisprudence</p> <p>8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>The Texas Judicial Council currently has the authority to gather information and statistics on civil and criminal cases throughout the state to analyze judicial trends. These statistics are published in a public website to offer transparency to the public. The state is currently investing in pre-trial and state jail felony reforms, however, and that information is not gathered to determine the effectiveness of these programs.</p> <p>HB 4441 requires the Texas Judicial Council to gather statistics statewide on reductions of state jail felony punishments to misdemeanor punishments and pretrial diversion programs. These programs are state-funded and having statistics on these programs will evaluate the success rate of the state's investments into these programs.</p>	<p><b>Favorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p><b>HB 3755</b> By: Shaheen</p>	<p>Relating to a study on the improvement of driver's license issuance in this state.</p>	<p>Homeland Security &amp; Public Safety</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>There have been concerns that the lines at the Department of Public Safety are too long and the wait time to get a driver's license is extensive. The driver's license program is a major workload portion of the DPS and could be improved.</p> <p>HB 3755 requires DPS to contract with a third party to create a study and create a report to improve the process of issuing driver's licenses in the state of Texas. The study must review the procedures for issuing the licenses, any technological advancements that could be made, and how long it takes to issue a driver's license. The study will be provided to the governor, lieutenant governor, speaker of the house, and legislature for review.</p>	<p><b>Favorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p><b>HB 3810</b> By: Paul</p>	<p>Relating to the residential building codes of municipalities.</p>	<p>Land and Resource Management</p> <p>Vote: 5 Ayes 1 Nays 0 PNV</p>	<p>Currently, to protect the public health, safety, and welfare the International Residential Code (IRC) existed as of May 1, 2001, is adopted as the minimal standard for municipal residential building code for single and two-family dwellings in Texas. The IRC is updated every three years, the most recent code was updated in 2012. Current standards have been outdated for nearly 20 years. HB 3810 would change the minimum standards to be in alignment with the 2012 IRC to bring it to a more recent standard. This would allow municipalities to adopt local amendments to the IRC that may add, modify, or remove requirements set by code. To adopt these amendments, municipalities must hold a public hearing and implement amendments through local ordinance.</p>	<p><b>Favorable</b> Evaluated by: Donisha Cotlone (832)496-4424 Donisha@TexasLSG.org</p>

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		3 Absent	<p>Concerns are raised on the affordability of houses following the implementation of more recent code; however, the 2012 IRC is a financial compromise that would provide energy efficiency. Additionally, coastal cities would require windstorm protection. Most major cities are using 2015 IRC, but many rural areas still use older IRCs.</p> <p>HB 3810 promotes more resiliency against natural disasters by adopting higher standards, transparency and community engagement by requiring public hearings on any amendments to IRC standards. It places protection on life and property during hard times caused by natural disasters.</p>	
<b>HB 2250</b> By: Lucio III	Relating to the prescribing and ordering of Schedule II controlled substances by certain advanced practice registered nurses and physician assistants.	Public Health  9 Ayes 1 Nays 0 PNV 1 Absent	<p>Currently, Texas statute allows for physicians to delegate the prescribing and ordering of Schedule II (C2) drugs to advanced practice registered nurses (APRNs) and physician assistants (PAs) under very specific circumstances that are specified in code. However, the code also allows for a physician to delegate the prescribing and ordering of C3-C5 drugs to APRNs or PAs at the physician's discretion with only minimal stipulations. Texas is one of only eight states that restricts a physician's ability to delegate prescriptive authority of C2 drugs in this way. As a consequence, patients may experience interruption or delay of care which could result in more days spent in the hospital, delays in treatment, or even additional hospital readmissions.</p> <p>HB 2250 repeals the section of code that imposes excess stipulations on the physician delegation of C2 drugs to APRNs and PAs. APRNs and PAs would also be subject to the requirements of the new Prescription Monitoring Program when prescribing these medications.</p> <p>The changes made by HB 2250 will allow for patients to receive higher quality continuous care.</p>	<b>Favorable</b> Evaluated By: Sharon Jacob 920-675-9865 sharon@texaslsg.org
<b>HB 2154</b> By: Landgraf   Craddick   Nevárez   Paddie   King, Tracy O.	Relating to a commission to study the needs of areas of the state significantly affected by oil and gas production.	Appropriations  Vote: 23 Ayes 0 Nays 0 PNV 4 Absent	<p>HB 2154 establishes the generate recurring oil wealth for Texas (GROW Texas) study commission to study the needs of areas of Texas significantly affected by oil and gas production. This commission will make recommendations to the legislature about the appropriation of money in the GROW Texas fund. The commission will also make recommendations to address the needs of these areas including:</p> <ul style="list-style-type: none"> <li>• Infrastructure</li> <li>• Public health</li> <li>• Public safety</li> <li>• Education</li> <li>• Workforce training</li> <li>• Costs to political subdivisions to address identified needs</li> </ul> <p>The commission can hold public meetings for input and will be subject to open meetings and public information law.</p> <p>The commission will have 7 members that must reflect the ethnic and geographic diversity of the state:</p> <ul style="list-style-type: none"> <li>• 3 members appointed by the Governor, these members must reside in areas of the state from which oil and gas are produced. 1 member appointed by the Governor must be from the business community and 1 member must be a member of the civic community. The Governor will designate the presiding officer.</li> <li>• 2 members appointed by the Lieutenant Governor, at least one member from an area which oil and gas are produced.</li> <li>• 2 members appointed by the Speaker of the House, at least one member from an area which oil and gas are produced.</li> <li>• These members are not entitled to compensation for their service.</li> </ul>	<b>Favorable</b> Evaluated by: Brittany Sharp 210-748-0646 brittany@TexasLSG.org

			<p>The GROW Texas study commission will prepare and deliver a report to the Governor and the legislature that recommends statutory changes as well as appropriation amounts for the fund. HB 2154 serves as enabling legislation for HJR 82 which has already been passed out of the house. There are concerns that having a study serve as enabling legislation for a constitutional amendment is premature.</p> <p>This bill will take effect on January 1, 2020, only if HJR 82 is approved by the voters. If voters do not approve HJR 82 this bill has not effect.</p>	
<p><b>HB 2835</b> By: Canales</p>	<p>Relating to a defense to prosecution for the criminal offense of operating a vehicle with an expired license plate.</p>	<p>Transportation</p> <p>Vote: 13 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>A vehicle owner is subject to a citation once 5 days have passed following license plate registration expiration. When people have trouble getting to their local tax assessor-collector office the window is even narrower, especially when the office is closed for a while, for example, following a natural disaster.</p> <p>HB 2835 provides a defense for the offense of operating a vehicle with an expired license plate. The defense to prosecution applies if the county assessor-collector's office was closed for a period of time when the vehicle registration was less than 30 days away from expiration.</p>	<p><b>Favorable</b> Sophia Creede 832-865-4774 Sophia@TexasLSG.org</p>
<p><b>HB 1791</b> By: Krause   Lang</p>	<p>Relating to the carrying of handguns by license holders on property owned or leased by a governmental entity.</p>	<p>Homeland Security &amp; Public Safety</p> <p>Vote: 6 Ayes 2 Nays 0 PNV 1 Absent</p>	<p>There are concerns that the laws concerning handgun carry laws are not clear and different government agencies have conflicting posting rules that make it confusing for people who carry as to where they can carry their weapon and where they cannot.</p> <p>HB 1791 restricts state agencies or local governments from taking any actions that will prohibit a person carrying a weapon from entering a building owned or leased by a government entity unless carrying a weapon in that building is already prohibited by law. Which means, unless it is explicitly written in law that someone cannot carry a weapon into a building owned or leased by a government entity, that government entity cannot restrict a handgun owner from entering that building with their weapon. This removes all local control from preventing someone from entering a building with a handgun. Government entities will not be able to prohibit anyone from coming into their building unless it is already prohibited by law.</p> <p>HB 1791 also gives the attorney general to investigate any complaint brought forward against these entities who have prohibited a lawfully carrying person from entering that building.</p>	<p><b>Unfavorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>
<p><b>HB 3863</b> By: Wilson</p>	<p>Relating to granting limited state law enforcement authority to special agents of the Office of Inspector General of the United States Department of Agriculture.</p>	<p>Homeland Security &amp; Public Safety</p> <p>8 Ayes 1 Nays 0 PNV 0 Absent</p>	<p>There are concerns that the United States Department of Agriculture- Office of Inspector General (USDA-OIG) does not have peace officer status in Texas and therefore cannot be sworn to an affidavit. The USDA-OIG may develop the whole investigation in a case, find the probable cause against a defendant but cannot be sworn to an affidavit in court.</p> <p>HB 3863 amends the criminal procedure code in order to add the special agents of the USDA-OIG to the list of inspector general agents of the US Treasury, US social security administration, and US Department of veteran's affairs. HB 3863 allows the USDA-OIG to participate in joint investigations with state and local entities and be able to be sworn to an affidavit.</p>	<p><b>Favorable</b> Evaluated by: Santiago Cirnigliaro (713) 435-9049 Santiago@TexasLSG.org</p>

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<p><b>HB 3390</b> By: Sanford   Noble   Wray</p>	<p>Relating to identifying relative and other designated caregivers for children in the conservatorship of the Department of Family and Protective Services</p>	<p>Human Services  6 Ayes 0 Nays 0 PNV 3 Absent</p>	<p>HB 3390 expands the definition of “designated caregiver” to include an individual who has a previously existing relationship not just with the child but with the child’s family; hopefully expanding potential placements for the child within a familiar community.</p> <p>An attorney ad litem is responsible for representing a child in a child protection case in court to ensure the best interest of the child. Currently, in statute, attorney ad litem are required to interview the child as developmentally appropriate to determine their needs and desires for the case. HB 3390 includes within requirements of the child interview for the attorney ad litem, in a developmentally appropriate manner, to identify the name of an adult in the child’s community who could be a relative or caregiver of the child. The attorney ad litem will immediately share the names of these adults with the Department of Family and Protective Services (DFPS) for the purposes of considering those adults for placement of the child.</p> <p>Currently, parents of children who may be placed in care are asked to fill out the “proposed child placement resources form” which identifies potential family members or close friends with whom the child can be placed. HB 3390 requires DFPS to identify on this form at least 3 individuals who could be relative caregivers or designated caregivers for the child to prevent their entrance into foster care. The DFPS caseworker will also be required to ask the child, in a developmentally appropriate manner, to identify an adult who could be a relative caregiver or designated caregiver. DFPS will list these individuals as potential placements on the form.</p> <p>Throughout the process of a child protection custody case, the court holds regular hearings to review the case. HB 3390 requires the court to include in its findings whether DFPS identified potential placements with a relative or designated caregiver by asking the child to identify such an adult and if the child has the option of being placed with one of those relative caregivers or designated caregivers.</p> <p>Once a child is removed, the court must hold a full adversary hearing within 14 days of removal. DFPS is required to perform background checks of all identified relatives or potential caregivers by the parents. HB 3390 requires DFPS to also perform background and criminal history checks on any adult which the child identified. If none of these adults are deemed qualified to be a placement for the child, DFPS must continue to look for appropriate relative placements or designated caregiver placements including asking the child to identify these individuals. In addition, if the child is not placed with a relative or designated caregiver, DFPS is required to disclose if they have attempted to place the child with those individuals and the reason why the child was not placed with a relative or designated caregiver which they identified.</p> <p>During the full adversary hearing, and at each following hearing, HB 3390 will require the court to ask all parties present if the child had the opportunity to identify (as developmentally appropriate) an adult from their community as a potential placement and ensure that those adults are listed on the proposed child placement resources form.</p> <p>It is in the best interest of the child to be served in their family and within their own community when possible. HB 3390 requires DFPS to pursue additional measures to ensure all potential relative or designated caregivers are identified to prevent the child’s entrance into foster care and allows the child to identify important adults in their life which may be a placement for them. Even if these adults are not able to be placements for the child, they can be identified as support for the child and their parents throughout the child custody case. In addition, giving a child the opportunity to name an important adult in their life gives them a voice and some control over this process.</p>	<p><b>Favorable</b> Evaluated by: Ali Schoon (515) 313-3712 Ali@TexasLSG.org</p>
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<p><b>HB 4258</b> By: Murphy   Gervin-Hawkins</p>	<p>Relating to approval by the attorney general of certain bonds financing an educational facility for certain charter schools.</p>	<p>Pensions, Investments, &amp; Financial Services</p> <p>Vote: 10 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>HB 4258 would add language to the Education Code to grant the Attorney General final say if there is not an agreement between municipal authorities when approving bond financing through Tax Equity and Fiscal Responsibility Act (TEFRA). Currently, public charter schools need to receive approval of the bonds from TEFRA from local governing bodies. If any of these bodies disagree with the issuance of bonds, the Attorney General will be able to rule in favor of or deny the bond issuance.</p> <p>HB 4258 would take away local elected board powers and give them to the sitting Attorney General to make decisions regarding the receipt of these federal bonds for charter schools. If local bodies do not want funding of charter schools granted in their municipalities, the decision should be upheld as such.</p>	<p><b>Unfavorable</b> Elizabeth Churaman (281)-686-4544 Elizabeth@TexasLSG.org</p>
<p><b>HB 4566</b> By: Allen</p>	<p>Relating to the award of diligent participation credit to defendants confined in a state jail felony facility.</p>	<p>Corrections</p> <p>Vote: 8 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>District judges can grant 20% diligent participation credits for state jail inmates to be counted towards their sentences if they complete educational programs and stay involved in a work program. Not all state jail felony defendants are awarded diligent participation credit possibly because eligibility is determined by sentencing judges. Judges have the discretion to grant diligent participation credit and the Texas Department of Criminal Justice (TDCJ) can grant good and work time credits for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> degree felony offenders.</p> <p>State jail offenders deserve the same treatment. HB 4566 grants TDCJ authority to credit diligent participation credits to state jail offenders for participating in educational, vocational, treatment, and work programs against the time defendants are required to serve in the facility. This brings fairness to the awarding of these credits which motivates inmate participation in beneficial programs.</p>	<p><b>Favorable</b> Sophia Creede 832-865-4774 Sophia@TexasLSG.org</p>

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