



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

LSG Floor Report for Major State Calendar – Thursday, April 9, 2015

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
HB 1679 Rep. Raymond, et al.	Relating to the continuation of the Texas Council for Developmental Disabilities.	Human Services	In 1975, the federal Developmental Disabilities Assistance and Bill of Rights Act passed, requiring states to establish a development disabilities council. Thus, Texas established the Texas Council for Developmental Disabilities, which receives federal funding, for advocacy activities. HB 1679 extends expiration date of the Texas Council for Developmental Disabilities to 2027, as recommended by the Sunset Commission. Continuing the council will allow continued assistance and support for people with developmental disabilities, in all areas of life.	Favorable Evaluated by: Brittany Reyes 512-763-0032 brittany@texaslsg.org

LSG Floor Report For General State Calendar – Thursday, April 9, 2015

HB 1252 Rep. Pickett	Relating to uniform weighing procedures requirements for motor vehicle weight enforcement officers.	Transportation	HB 1252 requires DPS to adopt and promulgate standard weighing procedures in order to accurately weigh vehicles stopped by weight enforcement officers. Currently, officers may use stationary or portable wheel load scales to conduct weight inspections, and portable scales can produce varying reads if used without proper operational knowledge. The bill allows DPS to revoke the weight inspection authority of any enforcement officer found out of compliance with the adopted rules, and it establishes a defense to prosecution for persons or corporations whose vehicles were improperly weighed due to noncompliance with procedure. State penalties for infractions related to operating or loading an overweight vehicle range from \$100 to \$10,000 and can double upon third offense. Establishing best practices to minimize weighing errors will help to ensure that businesses and persons following the law are not wrongfully shouldering a potentially devastating financial burden.	Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
HB 505 Rep. Rodriguez, E., et al.	Relating to a prohibition of limitations on the number of dual credit courses or hours in which a public high school student may enroll.	Public Education	Currently, traditional high school students are limited to 2 dual credit courses per semester and only 12 credit hours while in high school. Whereas, early college high schools allow their students to enroll in college credit courses of up to 60 hours. HB 505 prohibits the Commissioner of Education and Texas Higher Education Coordinating Board from creating a rule that limits the number of dual credit courses or hours a student may enroll in while in high school, as well as for each semester or academic year. This will allow more students the opportunity to be alleviated of higher education financial burdens and prepare students for college and the workforce earlier in their education.	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
HB 497 Rep. Wu	Relating to the applicability of the law governing saltwater pipeline facilities located in the vicinity of public roads.	Energy Resources	Last session legislation was written to provide standards for the locations, maintenance and installation of saltwater pipelines in easements along highways. HB497 cleans up the language of this bill to specify that saltwater pipelines leaving oil or gas production sites to saltwater pipeline facilities are included under these permissions. Enacting this bill would reduce pollution and road wear and tear by getting water bearing trucks off the roads, and allowing that water to instead come down pipelines.	Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org

OK for Distribution – Rep. Garnet Coleman

<p>HB 1286 Rep. Simmons, et al.</p>	<p>Relating to the prosecution and punishment of the offense of injury to a child, elderly individual, or disabled individual.</p>	<p>Criminal Jurisprudence</p>	<p>Assaultive offenses against children, the elderly, and disabled individuals carry more severe penalties than the same offenses committed against others, as these protected classes might be less able to defend against and be more vulnerable to such violations. At present, 'disabled individual' is defined as one who by reason of disease, defect, or injury is substantially unable to protect or care for himself and is over 14 years of age.</p> <p>HB 1286 expands this definition by adding those with autism spectrum disorder, developmental or intellectual disability, severe emotional disturbance, and/or traumatic brain injury. It eliminates the current age restriction. These changes reflect a more accurate and inclusive definition of 'disabled,' which will now protect those who are higher functioning but are still more likely be targets of bullying and hate crimes.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 904 Rep. Smith, et al.</p>	<p>Relating to the transfer of certain inmates to the Texas Department of Criminal Justice following pronouncement of the inmate's sentence.</p>	<p>Corrections</p>	<p>Currently, there are two kinds of inmates who are not eligible for release on bail pending appeal but despite this, remain in county jails until their appeals process is over:</p> <ul style="list-style-type: none"> • persons sentenced to 10 or more years for a felony conviction • persons convicted of a felony for which a judge is prohibited from ordering community supervision <p>These inmates may remain in county jails until their appeal is exhausted, which can take 3 years or more, and can become burdensome for counties due to the cost of housing a long term inmate and the county's limited resources. HB904 directs the transfer of these defendants to TDCJ pending a mandate from the court of appeals or Criminal Appeals. This would alleviate both beds and costs in large and small counties.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 1184 Rep. Paddie, et al.</p>	<p>Relating to authorizing certain utility cost savings and alternative fuel programs as eligible for local government energy savings performance contracts.</p>	<p>Energy Resources</p>	<p>Previous legislation has been enacted to provide standards for contracts between local government and providers for high efficacy energy or water conservation through such measures as weather stripping, energy recovery systems, energy efficient lighting fixtures, landscaping etc. The contracts include a guarantee that the savings brought about by the improvements will offset the cost of implementation.</p> <p>HB 1184 expands the projects available through energy savings performance contracting, adding alternative fuel programs for local government vehicles. This will allow for better fuel efficiency and reduce pollution on the roads in Texas.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 1447 Rep. Dale, et al.</p>	<p>Relating to protective orders for certain victims of sexual assault or abuse, stalking, or trafficking.</p>	<p>Criminal Jurisprudence</p>	<p>Currently, a protective order (PO) for victims of sexual assault, abuse, stalking, and trafficking is not required to be filed until after an assailant has been released from prison. Because the assailant must be served the notice of hearing in-person, it is sometimes challenging for officers to locate and serve these individuals post-release. HB 1447 seeks to remedy this problem and to provide at least one year of legal protection, post-conviction, for survivors of sexual assault and related offenses. It requires prosecuting attorneys to educate their clients and/or their legal guardians on their right to file for a PO at the time of the defendant's criminal conviction. If it is within the court's jurisdiction to file PO applications and with client or legal guardian consent, it allows the application to be filed immediately following conviction.</p> <p>Filing for and obtaining a PO is an invasive and stressful process that requires a survivor to testify before a judge and sometimes before the defendant in regards to an unconscionable act. Asking a survivor who has already begun to heal to do this at a later date, up to years after an attack, exposes them to retraumatization and is a deterrent to seeking lawful protection. This bill streamlines an arduous process, respects the survivor's right of self-determination, and empowers them to take a necessary precaution when it is most relevant.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

<p>HB 2208 Rep. Herrero</p>	<p>Relating to access to criminal history record information by a county tax assessor-collector.</p>	<p>Homeland Security & Public Safety</p>	<p>HB 2208 allows county tax collector-assessors to perform statewide criminal background checks to people/entities applying for a motor vehicle title service license. Allowing county tax collector-assessors to do background checks would cut down on fraudulent motor vehicle title services that prey on people of low economic status. While legitimate title service companies exist, there are those that act as fronts for money laundering for drug cartels. This would prevent people who were convicted of white-collar crimes in one county from getting a motor vehicle title service license in another county, protecting Texans from being taken advantage of.</p>	<p>Favorable Evaluated by: Paige Reitz 571-213-2362 paige@texaslsg.org</p>
<p>HB 819 Rep. Sheffield</p>	<p>Relating to the definition of a public health nuisance; amending provisions subject to a criminal penalty.</p>	<p>Public Health</p>	<p>Currently, the presence of only one type of mosquito (<i>Culex quinquefasciatus</i>) found in standing water, where breeding might occur, is considered a public health nuisance. However many breeds of mosquitos transmit diseases including West Nile Virus. HB 819 removes the specific breed so that any area of standing water, which could allow mosquitos that transmit diseases to breed, be considered a public health nuisance. This would help protect Texans as the health departments waste valuable time and resources testing mosquito larvae to determine breed, whereas those resources could be spent helping Texans instead.</p>	<p>Favorable Evaluated by: Paige Reitz 571-213-2362 paige@texaslsg.org</p>
<p>HB 372 Rep. Riddle, et al.</p>	<p>Relating to the monitoring of the Internet access of certain sex offenders placed on community supervision or released on parole or to mandatory supervision.</p>	<p>Corrections</p>	<p>While the LSG agrees that the Internet use of sex offenders should be restricted, imposing yet another fee on these offenders, we believe, will impede their ability to reintegrate back into society and increase their risk to reoffend. Most of these offenders are indigent and already struggle with their current mandated fees. While the intent of the bill is good it would be improved if the state were to bore the cost for this required electronic monitoring.</p> <p>Currently, sex offenders on community supervision, parole, or mandatory supervision who have been assigned a high risk of repeat offense are subject to certain restrictions on Internet access. HB 372 expands the restrictions to moderate risk offenders. It also mandates that courts and parole panels responsible for granting supervision or release require that the offender submit to regular inspection or monitoring of each electronic device used by the offender to access the Internet.</p> <p>HB 372 has a zero dollar fiscal note because the price for installing the monitoring application and the cost for the surveillance, often between \$25-35 per month, is borne by the offender. In Texas, 71% of criminal defendants are indigent. Should the offender not be able to pay the cost of the service, any attempt to access the Internet would be considered a violation of their parole. It is extremely difficult to find work, services, or housing without using some sort of Internet access. While electronic monitoring can help to monitor sex offenders while under supervision other efforts to improve public safety when offenders are back in the communities, including specialized supervision and treatment, can help reduce the risk of reoffending.</p> <p>Furthermore, many basic office and data entry jobs require Internet use on a daily basis. Even if those employers would hire a former offender, they may be reluctant to install observation equipment on their business computers to allow a former offender to continue employment. This bill makes it harder for former offenders to acclimate into community life as a productive citizen, which puts them at greater risk to reoffend.</p>	<p>Will of the House with Concerns Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 658 Rep. Zerwas, et al.</p>	<p>Relating to the creation of a campus of the Texas State Technical College System in Fort Bend County.</p>	<p>Higher Education</p>	<p>HB 658 creates a campus of the Texas State Technical College System in Fort Bend County. For over ten years, a small technical center has been operated in Fort Bend County, but it is no longer sufficient to meet the needs of Fort Bend residents. Without room to expand, the TSTC center in Fort Bend may have to close. This would benefit students in Fort Bend County by giving them additional educational opportunities. The bill does not appropriate funds but allows for the legislature to appropriate funds out of the budget for the creation and operation of a campus.</p>	<p>Favorable Evaluated by: Paige Reitz 571-213-2362 paige@texaslsg.org</p>