



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

LSG Floor Report for Postponed Business – Wednesday, April 29, 2015

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
HB 2142 By Rep. Oliveira, et al.	Relating to corporations and fundamental business transactions.	Business & Industry	<p>This bill should be viewed not on its own but instead as part of a larger discussion involving corporate law and Delaware. Over half of all publicly traded corporations and more than 60% of Fortune 500 Companies are incorporated in Delaware, making it by far the leading choice for companies to incorporate. Many states – including Texas – are eager to “catch up” with Delaware, and one way to try to do that is to make the state’s corporate law structure mirror that of Delaware’s. HB 2142 is an attempt to do just that. However, members should be realistic about both the possibility of ever competing with Delaware as well as the eventual benefits even if it were possible to do so. Delaware’s legal structure is just one reason it is so attractive for companies to incorporate; the state also benefits from its geographic location, its tax structure, and its court system which is filled with the kind of long and dependable corporate law precedent that could only come from being in Delaware’s position for so long.</p> <p>Delaware’s status as a safe haven for corporations has come along with its own problems as well. Delaware’s lax oversight process (a business can incorporate there in less than an hour) has made it equally attractive for sham corporations, and it has even been compared to the Cayman Islands in terms of allowing companies to be shielded by U.S. law but escape the tax liability the rest of us must pay. Therefore, if states are in a race to the bottom to match Delaware, then perhaps it is not wise to be in the lead.</p> <p>This is all to say that making our laws more like Delaware’s may be good policy on its own merits, but that judgment should be based on the actual policy change and not under the belief that copying Delaware is automatically a good idea. This bill generally accomplishes what it sets out to do – makes it easier for Texas businesses to operate and be more profitable, helping workers and shareholders alike. But the discussions related to modeling state laws after Delaware’s are taking place all over the country, and Texas lawmakers should continue to use their judgment in ensuring that our laws are appropriate to our state.</p> <p>The actual changes in this bill are modeled after the Delaware General Corporation Law (DGCL) and the Model Business Corporation Act. HB 2142 is a package of substantive and technical changes which streamline the merger and acquisitions process by establishing a short form merger process for certain for-profit corporations. Under the proposed two-step merger process, the acquiring entity could move forward with a merger so long as they have acquired a sufficient percentage of the target entity’s shares. The consummation of a tender offer or exchange would then satisfy any shareholder consent requirement, and dissenting shareholders could seek redress tangential to the process.</p>	<p>Favorable</p> <p>Evaluated by: Amanda Foster 512-763-0031 amanda@texaslsg.org</p>

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			<p>The bill further establishes legal procedures for an entity to ratify defective corporate acts, which are discrepancies in share issuances or other legal flaws that result when a corporation issues more public shares than is in their legal authority to issue. The bill provides procedures for shareholders to come to an agreement to cure these acts and judicial review if an agreement cannot be reached as to valuation of share. While over-issuance can happen in the regular course of business, a case could be made that judicial oversight in all instances would provide for a better check on business in instances of unscrupulous or overly ambitious issuance. Defective acts can also deter an acquiring corporation from merging with an entity, for fear of subsuming risk, so providing a mechanism to cure these acts also facilitates mergers.</p> <p>Additionally, the bill makes other substantive changes to facilitate a consolidated filing and technical amendments to clarify statute and modernize code. Making mergers and acquisitions more efficient provides for a quicker financial return, which can benefit workers and shareholders. It is also important to note that while most talk about business might conjure giant corporations, these laws aid small businesses as well. And regardless of size, businesses provide the number one asset that working Texans need – a job.</p>	
<p>HB 66 By Rep. González, M.</p>	<p>Relating to the consideration of the performance of students of limited English proficiency on state assessment instruments and inclusion of related information in campus report cards.</p>	<p>Public Education</p>	<p>Currently, there are over 800,000 English Language Learner (ELL) students in Texas. According to research, a student learning English as a second language will take over 3 years to achieve both oral and academic proficiency. HB 66 protects the performance rating of a school from being negatively impacted by these students’ standardized assessment scores, if the test administered is not in the student’s native language. This only applies for two years after the student’s initial enrollment in a US school. HB 66 does not protect performance ratings relating to compliance monitoring and public school accountability. This bill will ensure schools with significant ELL populations are not unfairly penalized because of students’ adjustment to a new language.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 3279 Rep. Gonzales, L.</p>	<p>Relating to the authority and duties of the office of the inspector general of the Health and Human Services Commission.</p>	<p>General Investigating & Ethics</p>	<p>HB 3279 seeks to make changes to the OIG in HHSC in line with recommendations made by the Sunset Commission, which found deep management and due process concerns in the OIG’s efforts to detect Medicaid fraud, waste, and abuse. This bill also requires a special purpose Sunset Review in 6 years, for the 87th legislature, to make sure the provisions in this bill are successful in addressing the management and due process concerns. One particular concern is that the responsibility for appointing the HHSC OIG is transferred from the governor to the HHSC director. This is the proverbial “fox guarding the hen house” and is bad policy. The responsibility for appointing the HHSC OIG should remain outside of HHSC.</p> <p>HB 3279 prescribes changes to how investigations are carried out, including prescribing time frames in which preliminary and full-scale investigations related to fraud, waste, and abuse be carried out to improve the effectiveness of the OIG. The bill seeks to strengthen oversight of special investigative units in MCOs (Managed Care Organizations), improve management practices, and streamline the credible allegation of fraud hold payment system within the OIG. The OIG is also permitted to share the confidential drafts of audits with DFPS if it concerns the death of a child in DFPS custody.</p> <p>This bill amends the definition of fraud for the HHSC OIG, removing references to other parts of statute and affirming that unintentional mistakes are not considered fraud. Finally, HB 3279 strengthens the audit appeals process for pharmacies to give them more independence in decision-making. This bill improves transparency and accountability within the Office of the Inspector General to better serve low-income Texans who are reliant on Medicaid; this will strengthen protections from Medicaid MCOs from being able to take advantage of consumers in committing fraud and abuse. Our primary concern is with the method</p>	<p>Will of the House with Concerns Evaluated by: Paige Reitz 571-213-2362 paige@texaslsg.org</p>

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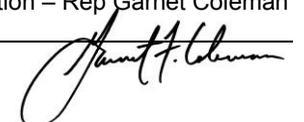


<p>HB 1607 By Rep. Collier, et al.</p>	<p>Relating to the amount of temporary income benefits to which an injured employee is entitled under the workers' compensation system.</p>	<p>Business & Industry</p>	<p>Under worker's compensation, an employee who has a work-related injury or illness is eligible for temporary income benefits (TIB), if they have lost wages as a result of their injury or illness. Currently, if a worker makes below \$8.50 per hour they are be entitled to 75% of their lost wages for the first 26 weeks of their disability. HB 1607 simply increases the \$8.50 benchmark earnings rate set in statute in 1993 to \$10 per hour. While the benchmark rate would have to be raised to \$13.81 per hour to keep pace with inflation, HB 1607 is a good step forward and will help more low-wage workers weather a time of physical, emotional, and financial hardship.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 3522 By Rep. Longoria</p>	<p>Relating to photo identification requirements for certain stored value card purchases.</p>	<p>Investments & Financial Services</p>	<p>HB 3522 requires that a merchant obtain a photo I.D. to verify the identity of the cardholder before any transaction in which the cardholder purchases or adds value to a stored value card, such as a gift card. Instances in which this rule will not apply are when a merchant seeks a cardholder's zip code or PIN number to verify his or her identity. Merchants will be liable for any losses related to the failure of obtaining the specified forms of identification.</p> <p>HB 3522 is intended to address the rise of identity theft cases that occur when a thief fraudulently uses an individual's debit or credit card to fill counterfeit stored value cards. Because these stored value cards are anonymous, they can easily be used to launder money or acquire cash through ATMs.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 1852 By Rep. Naishtat, et al.</p>	<p>Relating to certain assessments for children in the conservatorship of the Department of Family and Protective Services.</p>	<p>Human Services</p>	<p>In 2014, there were a total of 5,231 children placed in adoptive homes and 16,961 children were placed in foster care. With this high number of children in conservatorship, it is important to ensure that their initial placement is most suitable to serve their needs in their vulnerable state. Conducting thorough assessments prior to a child's placement will result in safe, appropriate, and secured placements for children.</p> <p>HB 1852 improves the initial process of placement by requiring a child to undergo a developmentally appropriate comprehensive assessment no later than the 45th day DFPS becomes the conservator of a child. This assessment will include a trauma screening and interviews with individuals aware of the child's needs. Conducting thorough assessments prior to a child's placement will result in safe, appropriate, and secured placements for children.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p><u>LSG Floor Report For Major State Calendar – Wednesday, April 29, 2015</u></p>				
<p>HB 1786 By Rep. Dutton</p>	<p>Relating to the transfer of driver and traffic safety education from the Texas Education Agency and the Department of Public Safety to the Texas Department of Licensing and Regulation; changing the amounts of certain fees; amending a provision subject to a criminal penalty.</p>	<p>Licensing & Administrative Procedure</p>	<p>As part of the 2012 Sunset Review, it was determined that the Texas Education Agency's (TEA) private driver's education program did not meet TEA's core mission. The Commission recommended transferring the program to the Texas Department of Licensing and Regulation (TDLR). TEA has regulated the private driver training agency since 1989 and currently spends approximately \$1.8 million to license more than 1,000 private schools and nearly 3,000 instructors; only 100 driver's education programs are housed within public schools making up less than 2% of the certificates sold. HB 1786 enforces this recommendation by transferring the driver and traffic safety education program from the TEA to the TDLR.</p> <p>Parent-taught classes, which fall under the driver and safety education program, are currently approved and authorized by DPS. HB 1786 transfers this authorization from DPS to TDLR as well. The bill also authorizes TDLR to establish licensing fees and caps.</p> <p>HB 1786 addresses private driver's education school owner's concerns that they will not receive the same level of support that is offered by TEA in overcoming challenges regarding diverse learning abilities by establishing a nine member Advisory Committee. The committee will advise TDLR on the rules, education, and technical matters.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>

LSG Floor Report For General State Calendar – Wednesday, April 29, 2015

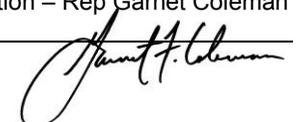
<p>HB 1841 By Rep. Bonnen, G.</p>	<p>Relating to the applicability of the sales and use tax to certain insurance services.</p>	<p>Ways & Means</p>	<p>In Texas, consumers are taxed when they engage adjusting services to resolve a claim for property damage under an insurance policy. However, this tax is not applied if consumers purchase a policy for property coverage or if they hire a lawyer to help resolve an insurance claim on their behalf. HB 1841 would exempt insurance services from being taxed when performed on behalf of an insured under a property and casualty policy. In short, this bill gives a break to Texans when they need it the most- during times of natural disaster or personal loss.</p> <p>Texas stands to gain very little in revenue from these taxable services, but consumers bear the burden of this tax during the worst possible time. We should eliminate this tax to the benefit of Texas consumers in their time of need.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 2536 By Rep. Harless, et al.</p>	<p>Relating to jurisdiction in an eminent domain proceeding in Harris County.</p>	<p>Land & Resource Management</p>	<p>Currently, only civil courts have jurisdiction over eminent domain proceedings in Harris County. This has resulted in only a handful of commissioners being able to oversee eminent domain proceedings, despite Houston’s estimated 5 million residents. HB 2536 addresses this issue by restricting Harris County civil courts’ jurisdiction to eminent domain proceedings in which the amount in controversy does not exceed \$200,000. If the amount in controversy exceeds \$200,000, the party initiating the proceeding may file a petition with the district clerk.</p>	<p>Will of the House Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 1293 By Rep. Alvarado, et al.</p>	<p>Relating to the confidentiality of identifying information of victims of stalking; creating a criminal offense.</p>	<p>Criminal Jurisprudence</p>	<p>Stalking is a threatening and intrusive behavior, highly correlated with physical and sexual violence. In 76% of all domestic violence cases ending in murder the victim had been stalked by her intimate partner. HB 1293 extends protective measures regarding use of a chosen pseudonym in public records to victims of stalking. Other victims of related sexual offenses are already protected by these same confidentiality measures. The bill largely borrows the procedure for registering for a pseudonym, the maintenance and safeguarding of this information, and the same penalty for public servants failing to uphold confidentiality, from that already in law for victims of other sexual offenses.</p> <p>In the 83rd legislative session, SB 946 enabled victims of stalking to terminate a lease and avoid liability with submission of proper paperwork – again, a right granted to victims of related sexual offenses in previous sessions. HB 1293 amends this section of property code to ensure that law enforcement reports or related proof submitted to terminate a lease also allow for pseudonyms. HB 1293 protects women and men from unwanted and delusional behavior. One out of five stalking cases involve the victim being threatened or harmed with a weapon. By protecting a victim’s right to privacy and to safety, we could also be disrupting a cycle of power and control leading to fatality.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 1730 By Rep. Smithee</p>	<p>Relating to own risk and solvency assessment by insurers and insurance groups; providing a penalty.</p>	<p>Insurance</p>	<p>HB 1730 requires domestic insurers to maintain a risk management framework to assist with identifying, assessing, monitoring, managing, and reporting on the insurer’s material and relevant risks. This is a direct result of the 2008 financial crisis, and is modeled on the National Association of Insurance Commissioners (NAIC) risk solvency assessment. Insurance companies, most often owned by holding companies, can be directly affected by their non-insurance operations, such as the holding company’s real estate, banking, or securities activities. An Own Risk Solvency Assessment will be an internal assessment by the insurer of the risks associated with the current business plan, and the amount of capital resources available to support said risk. Failure to comply results in an administrative, monetary penalty, with each day constituting a new violation.</p> <p>The risk and solvency assessment laid out in HB 1730 is a confidential internal assessment, appropriate to the nature, scale and complexity of the insurance group, based on the material and relevant risks associated with the insurer, the group’s business plan and sufficient capital resources available to support the risks. These assessments will be conducted annually, or any time there are</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>

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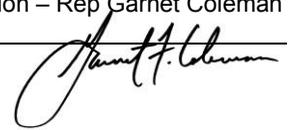
			<p>significant changes to the group’s risk profile.</p> <p>Due to the sensitive nature of the information contained in the report, the commissioner, insurer, and third party consultants are required to maintain the utmost confidentiality. In addition, the commissioner and any other person who receives assessment related information may not testify in any civil action concerning information given in the assessment report. When the sharing of information contained in the report is required, such as to other state, federal, regulatory agencies, or NAIC; the recipients of the information are required to state in writing the privileged and confidential nature of the documents, and the recipients’ legal authority to maintain privilege and confidentiality.</p>	
<p>HB 1661 By Rep. Guerra, et al.</p>	<p>Relating to Medicaid billing for the services of substitute dentists.</p>	<p>Public Health</p>	<p>HB 1661 provides that the same standards that apply to substitute physicians who bill Medicaid will apply to substitute dentists. Currently, substitute physicians may bill Medicaid from any office in the state with one Medicaid number, whereas dentists have Medicaid numbers tied directly to the office in which they practice out of. This means a dentist who covers for another dentist in another office cannot bill Medicaid. This would allow for dentist Medicaid billing to work as physician billing, increasing access to care for patients.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 1584 By Rep. Farias</p>	<p>Relating to a voluntary donation to the fund for veterans’ assistance when applying for a hunting or fishing license.</p>	<p>Culture, Recreation & Tourism</p>	<p>HB 1584 requires the Texas Parks and Wildlife to offer applicants of hunting and/or fishing licenses the opportunity to donate \$1, \$5, \$10, or \$20 to the Fund for Veterans’ Assistance. The fund provides grants to local governments and nonprofit organizations enhancing and improving veterans' assistance programs that address the needs of veterans and their families. These programs address a broad range of needs such as limited emergency assistance, transportation services, housing assistance and family and child services. These and other supportive services are much needed by the men and women, and their families, who have sacrificed so much.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 1539 By Rep. Meyer</p>	<p>Relating to increasing the criminal penalties in certain circumstances for insider trading and other misuse of official information by public servants.</p>	<p>General Investigating & Ethics</p>	<p>HB 1539 establishes a tiered system of penalty for misusing official information for personal financial gain. The misuse of official information that results in less than \$100,000 in personal gain will be a third degree felony; if the gain results in more than \$100,000 but less than \$200,000 in gain, it will be a second degree felony; and any gain more than \$200,000 will be a first degree felony. This will further discourage ethical violations by public officials for personal gain.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 1212 By Rep. Price, et al.</p>	<p>Relating to the designation and regulation of abusable synthetic substances, the emergency scheduling of certain controlled substances, and the prosecution and punishment of certain offenses involving a controlled substance or controlled substance analogue.</p>	<p>Public Health</p>	<p>HB 1212 allows the commissioner of health to determine a consumer commodity as an illegal substance under emergency scheduling if it is a threat to public health and meets certain requirements. The emergency scheduling expires in September of odd-numbered years, at which point the legislature will consider whether to keep the substance in question illegal. This gives the commissioner more authority to regulate abusable synthetic substances that crop up between legislative sessions. New compounds of abusable synthetic substances are developed daily and it is impossible to legislate against all possible compound combinations in a legislative session. As a result, substances are frequently available to the public for months or even over a year before the legislature can pass a bill banning it. HB 1212 provides a necessary stop-gap measure to protect the public from new substances that are being abused between legislative sessions.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

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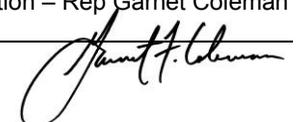
<p>HB 1282 By Rep. Zerwas, et al.</p>	<p>Relating to a human papillomavirus-associated cancer strategic plan developed by the Department of State Health Services.</p>	<p>Public Health</p>	<p>HB 1282 stipulates that DSHS must create a strategic plan to significantly reduce morbidity and mortality from the HPV-related cancers. DSHS will collaborate with the Cancer Prevention and Research Institute of Texas when developing the plan, as well as any workgroup that could be helpful. Workgroups may include members that are stakeholders in a variety of capacity, including members of the healthcare industry as well as cancer survivors, people in high-risk groups for developing HPV-associated cancers, academic institutions, and middle school, high school, and college educators.</p> <p>The strategic plan will include, among other things, barriers to prevention, screening, and treatment; review current screening, prevention, and treatment in the state, identifying areas where services are lacking; and make recommendations to the legislature on policy changes and funding needed to adequately address the strategic plan's suggestions. This strategic plan will give the legislature needed information to reduce the rate and mortality of HPV-associated cancers and the cost to the state through future preventative measures. This bill does NOT mandate HPV vaccines. It is only the development of a strategic plan to advise the 85th legislature.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 1164 By Rep. VanDeaver, et al.</p>	<p>Relating to the assessment of public school students in writing and English language arts.</p>	<p>Public Education</p>	<p>Last legislative session HB 5 passed, enforcing school accountability and stricter curriculum and assessments. A component of that bill mandated an End-of-Course (EOC) English Reading/Writing exam to be given during English I and English II in high school. The new EOC English Reading/Writing exam was made into an arduous exam, combining two separate four hour reading and writing exams into one five-hour exam. These exams are high-stakes, requiring successful passage for high school graduation. So far, 40% of Texas students off track to graduate for 2015 have failed these new exams, taking the test as many as nine times. Educators, superintendents, stakeholders and parents have all spoken out against the severity of this high-stakes test, especially since students' scores are based on a 26-line essay, sometimes graded in an average of 1 to 2 minutes by an unqualified professional. Additionally, required writing exams are given in fourth and seventh grade. Although writing is a necessary skill to be learned, the method that is currently being used to assess students is burdensome and inadequate. HB 1164 addresses the issues that the English Reading/Writing exam has presented by requiring a new alternative to a statewide assessment of writing skills.</p> <p>HB 1164 requires that school districts locally assess writing in fourth and seventh grade, as well as at the end of English I and English II in high school with any method they find fit, including portfolios. Writing will continue to be required for assessment, but the assessment given may not be used for grade promotion or graduation criteria. However, the student must pass the course in order to receive a diploma. Open-enrollment charter schools, Job Corps diploma programs, three-year high school diploma plan pilot programs, and the Texas Juvenile Justice Department (TJJD) must also take actions to comply with the new writing assessment and requirements.</p> <p>HB 1164 requires the Texas Education Agency (TEA) to adopt and develop statewide standardized assessments for English language arts, instead of writing. The provisions within the bill will apply for the 2016-2017 school year.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 1140 By Rep. Israel, et al.</p>	<p>Relating to reports regarding the confinement of pregnant prisoners in county jails.</p>	<p>County Affairs</p>	<p>HB 1140 will help state officials better assess the needs of pregnant inmates by requiring each sheriff to report to the Commission on Jail Standards information regarding health care and housing or work assignment needs for pregnant inmates within county jails. Additionally, sheriffs will be required to provide the adopted policies regarding the placement of a pregnant inmate in solitary confinement or administrative segregation. This report must detail the health care provided to pregnant inmates, obstetrical or gynecological care availability, prenatal health care visits, nutritional standards and reasoning for placing a pregnant inmate in restraints.</p> <p>Requiring sheriffs to provide this information will allow state officials to assess issues concerning pregnant inmates within the county jails. This will allow us to explore corrective measures to be implemented to prevent future issues and ensure that the inmate is receiving and continuing proper care for the mother and child.</p>	<p>Favorable Evaluated by: Mya Strauss 512-763-0031 info@texaslsg.org</p>

<p>HB 1924 By Rep. Coleman, et al.</p>	<p>Relating to the authority of a psychologist to delegate certain care to an intern.</p>	<p>Public Health</p>	<p>HB 1924 allows licensed psychologists to bill for services provided by pre-doctoral psychology interns when those interns are being supervised by a licensed psychologist. This would help mitigate the workforce shortage in mental health services faced by the state of Texas. HB 1924 encourages psychologists to take on pre-doctoral interns by allowing psychologists to bill for services, which will directly increase the number of qualified mental health professionals in the state. The increase in internships in Texas would reduce the outsourcing of pre-doctoral interns. Most newly licensed professionals work where they interned, so these individuals would likely stay in Texas if they intern here. The bill also encourages more out-of-state psychology students to intern here, thus encouraging them to become licensed and practice in Texas as well. HB 1924 would greatly help Texas by reducing the workforce shortage for mental healthcare and increasing access to care.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 1929 By Rep. Rose</p>	<p>Relating to the payment in certain counties of expenses associated with the transportation of county residents and visitors for civic, community, educational, and recreational activities.</p>	<p>County Affairs</p>	<p>Counties with a population of 3.3 million or more may pay for the transportation of senior citizens within and outside of the county to civic, community, educational, and recreational activities by using the county general funds. HB 1929 will expand this authority to counties with a population of 2.2 million or more for county residents and visitors. Payment of transportation costs and expenses may be paid out of the county general fund, if the majority of the costs and expenses are used for the transport of senior citizens. This bill will allow more counties to help meet the transportation needs of their senior citizens, as well as their caregivers.</p>	<p>Favorable Evaluated by: Mya Strauss 512-763-0031 info@texaslsg.org</p>
<p>HB 825 By Rep. Giddings</p>	<p>Relating to procedures for identifying any Native American heritage of children in certain hearings in suits affecting the parent-child relationship.</p>	<p>Juvenile Justice and Family Issues</p>	<p>HB 825 requires the court to ask all parties present at a child protection suit hearing whether the child has Native American heritage, and if so, with which tribe they are affiliated. Texas currently represents the third largest Native American population in the United States, and when children are placed in DFPS, often the state fails to inquire if a child has Native American heritage.</p> <p>This is especially important because of the need for compliance with the federal Indian Child Welfare Act of 1978, which provides for children of Native American heritage to be placed in homes that reflect their culture. HB 825 will ensure compliance, and minimize the possibility of a Native American child from possibly losing all affiliation with their tribe and family while in foster care.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>HB 473 By Rep. Giddings</p>	<p>Relating to a prohibition on the sale or transfer of certain law enforcement vehicles before removal of certain equipment and insignia.</p>	<p>Homeland Security & Public Safety</p>	<p>HB 473 prohibits the sale or transfer of law enforcement vehicles before the removal of all equipment and insignia that could mislead reasonable individuals to believe the car belongs to law enforcement. All emblems, insignia, and police equipment, including lights, sirens, and grilles, must be removed before a car can be sold to the public. Cars may be sold with equipment still attached to licensed security service contractors, but all emblems and insignia must be removed. This will reduce confusion of the public and protect the public from unscrupulous individuals misusing cars with equipment or insignia intact.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 545 By Rep. Dutton</p>	<p>Relating to the enforcement of an order to pay child support by contempt.</p>	<p>Juvenile Justice and Family Issues</p>	<p>HB 545 removes the enforcement of contempt for a non-custodial parent's failure to child support payment if the parent is able to submit proof of payment as evidence to the court during a custody payment hearing. On occasion, court records are not updated or reflect incorrect information, causing the court to believe a non-custodial failed to pay when in actuality the payment had been made. An order of contempt is a serious matter that is at the court's discretion, but it is imperative the court has all necessary evidence available to avoid the mistake of imposing the punishment of jail upon someone who does not deserve it.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>



<p>HB 821 By Rep. Sheets, et al.</p>	<p>Relating to the requirements of certain minors applying for a hunting or fishing license.</p>	<p>Culture, Recreation & Tourism</p>	<p>HB 821 removes the requirement for an applicant to provide their social security number for a hunting and/or fishing license, if the applicant is 13 years old or younger. Texas does not allow citizens who owe back child support to obtain a hunting or fishing license and verification of child support payments is completed by running the applicant’s social security number. Since no child in Texas aged 13 or younger is currently paying child support, this requirement is excessive, and places an unnecessary burden on minors under the age of 13. Many families in Texas hunt, and parents feel it is their duty to teach their children to hunt responsibly. By easing requirements for minors in obtaining their hunting and fishing license, it allows for families to partake in the time honored Texas tradition.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 923 By Rep. Flynn</p>	<p>Relating to the issuance of 36th Infantry Division specialty license plates and souvenir license plates.</p>	<p>Defense & Veterans’ Affairs</p>	<p>HB 923 creates a license plate honoring the 36th Infantry Division of the Texas military forces. This division, also known as the Arrowhead Division or the Texas Division, includes some of the most decorated soldiers of World War II. The license plate will include the “36th Infantry Division” and the division emblem, and will be available upon request to those who proudly served and sacrificed in said division.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 2261 By Rep. Villalba</p>	<p>Relating to the transfer or termination of certain timeshare interests.</p>	<p>Business & Industry</p>	<p>Timeshare transfer companies have sprouted up promising timeshare owners an exit solution from their timeshares for a fee paid up front. Some of these companies operate as schemes, taking the fee and leaving the timeshare owner still saddled to their time. Others offer a legitimate service by taking the burden of having to find a buyer off the owner’s hands in exchange for a substantial fee for full transfer of title.</p> <p>HB 2261 is a consumer protection bill that establishes service agreements for the transfer or termination of a timeshare interest. The bill requires disclosure of transfer agent contact information, method of transfer, a description of any interest the timeshare owner retains after transfer, itemized fees for service, and other items as stipulated in its provisions. It further requires disclosure of authorized use if another party rents or occupies the timeshare during the term of the service agreement and notice to the timeshare owner for transfer and termination of services, spelling out that if the title transfer is not made within 180 days the owner is still responsible for all timeshare cost and fees. In the instance that a transfer company is not able to find a buyer or a sale falls through, this would at least make clear the terms of the agreement. A person who fails to make the requisite disclosures, makes false statements, or deceptively induces an owner to make the payment to the transfer company instead of the timeshare management entity would be subject to deceptive trade provisions.</p> <p>With 52 timeshare resorts in Texas and approximately a half million owners statewide, HB 2261 protects vacationing Texans from fraudulent business by requiring transparency in transfer agreements. When similar legislation was passed in Florida, their attorney general reported approximately 80% fewer complaints regarding these businesses.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 1248 By Rep. Lucio III</p>	<p>Relating to the renewal or amendment of certain permits issued by groundwater conservation districts.</p>	<p>Natural Resources</p>	<p>Groundwater conservation districts, (GCDs), in Texas issue permits with terms ranging from one year to 30 years. Water supply projects are costly and are usually financed with long-term debt. Projects can be subject to a series of permit renewal processes during the term of a debt issuance. Project owners understand that securing a new groundwater permit can be complicated, but once a permit is in place, they think the permit renewal process should be straightforward and predictable.</p> <p>GCDs need to be able to initiate amendments to permits, most notably in connection with the five-year planning cycle for groundwater management areas and regional water planning groups. HB 1248 would allow GCDs to renew existing permits without contested case hearings as long as the permit holder has paid applicable fees in a timely manner and doesn’t request changes to the permit requiring an amendment. A GCD is not required to renew the permit if a permit holder is: delinquent in fee payment, subject to pending enforcement, requesting a change to the permit, or remiss in paying a civil penalty.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

OK for Distribution – Rep Garnet Coleman



			This legislation is the result of many years of discussion among groundwater stakeholders and strikes a good balance between GCD control and not subjecting permit holders to burdensome requirements.	
HB 3330 By Rep. Otto	Relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.	Appropriations	<p>HB 3330 appropriates the funds necessary to pay certain claims and judgments against the state. These payments come from general revenue, Fund 6 (the State Highway Fund), the Game, Fish, and Water Safety Account No. 9, the State Parks Account No. 64, Compensation to Victims of Crime Account No. 469, and the Compensation Clearance Account No. 936, as appropriate.</p> <p>The bill requires that before payment, any claim or judgment must be verified by each special fund’s administrator, and approved by the attorney general and comptroller. Each claim or judgment must contain its reason, specific identification, and an invoice for unpaid goods or services. The comptroller must mail or deliver to each entity one or more warrants in payment of all claims.</p>	<u>Will of the House</u> Evaluated By: Tara Blagg 512-763-0031 tara@texaslsg.org

