



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

LSG Floor Report for Postponed Business – Friday, May 1, 2015

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
HB 2493 By Rep. Parker, et al.	Relating to the self-directed and semi-independent status of the State Securities Board; authorizing fees.	Investments & Financial Services	<p>The State Securities Board regulates the securities industry in Texas by registering securities offered or sold in Texas and overseeing the firms and individuals selling securities or providing investment advice to Texans. During the interim, opinion was given by the securities industry to the Legislature to make significant changes, including establishing the Board to function as a self-directed, semi-independent (SDSI) agency. Currently, there are eight state agencies that conduct themselves as SDSI. Allowing the Board to function as a SDSI agency will allow immediate changes be made, such as the high turnover rate that occurred between 2011-2013. Under SDSI the Board will have flexibility to obtain adequate levels of funding necessary to maintain an appropriate salary structure and career ladder for many of its complex, qualified professional positions, such as financial examiners and attorneys. HB 2493 allows the State Securities Board to be self-directed and semi-independent, in which statutory changes will be made to implement the SDSI status.</p>	<u>Will of the House</u> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
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>	<u>Favorable</u> Evaluated by: Amanda Foster 512-763-0031 amanda@texaslsg.org

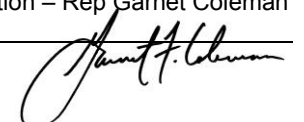
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			<p>The actual changes in this bill are modeled after the Delaware General Corporation Law (DGCL) and the Model Business Corporation Act. HB 2142 is a package of substantive and technical changes which streamline the merger and acquisitions process 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>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>	
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LSG Floor Report For General State Calendar – Friday, May 1, 2015

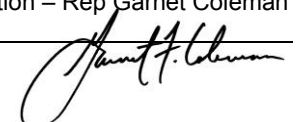
HB 721 By Rep. Farias	Relating to the hunting or fishing license fee waiver for certain disabled veterans.	Defense & Veterans’ Affairs	HB 721 will allow veterans with a 50% minimum disability rating to have their hunting and fishing license fees waived. Currently, veterans only with a 60% minimum disability ranking are qualified to receive this benefit. This will allow more veterans, who have sacrificed greatly for our country, to enjoy the recreational and emotional benefits hunting and fishing provide.	Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org
HB 2171 By Rep. Sheffield, et al.	Relating to information maintained in the immunization registry with the consent of an individual after the individual becomes an adult.	Public Health	<p>Currently, parents may consent to have their children’s immunization data inputted in the state vaccination data base, which centralizes immunization data for easy access when children enter school and provide doctors with quick, accurate information about which vaccinations a child has had. When a child turns 18, they must re-consent to having their records in the database by their 19th birthday or their records are permanently deleted; between 18 and 19, the records are “hidden” from view until re-consent is given.</p> <p>HB 2171 gives young adults until age 26 to re-consent, while simultaneously “hiding” the information from the database until re-consent is given. This move is important because many young adults are engaged in big life changes – going to college for the first time, enlisting in the military, international travel, jobs, and so forth. Giving them a longer period of time to re-opt-into the system is crucial. It’s important to note that individuals can opt-out at any time, but if their records are deleted because they were not aware they had to re-opt-in, they are deleted forever. An eighteen-year-old may not understand the gravity of their records being deleted, and giving them time to be contacted and to see the areas in their lives in which these records can help them is important to help them make informed decisions about their records.</p>	Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org

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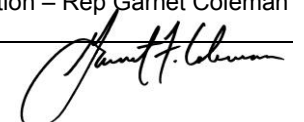
<p>HB 930 By Rep. Miller, D.</p>	<p>Relating to water well drillers and pump installers; authorizing fees.</p>	<p>Natural Resources</p>	<p>HB 930 provides the Texas Department of Licensing & Regulation, (TDLR), with authority to reinstate its apprentice driller program and its apprentice pump installer program. Previously, TDLR oversaw such programs, but in 2012, it was realized that the agency does not have the requisite statutory authority to implement them, so TDLR abandoned them.</p> <p>In addition, the bill</p> <ul style="list-style-type: none"> • Adds ‘closed-loop geothermal’ options to driller and well definitions • Modernizes well log notice requirements and adds GCDs to the list of entities that receive notice of well logs • Clarifies that a driller is required to supervise the recompletion, perforation or conversion of an oil & gas well to a water well and that any such well that will be used by a public water system must comply with all applicable TCEQ requirements. • Outlines the specifics of the field operations program that TDLR be required to establish. 	<p><u>Will of the House</u> Evaluated by: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 2647 By Rep. Ashby, et al.</p>	<p>Relating to a limitation on the authority to curtail groundwater production from wells used for power generation or mining.</p>	<p>Natural Resources</p>	<p>HB 2647 provides specialized rules for wells that provide groundwater or fuel to support a power generation facility. This bill allows owners of those wells to petition a Groundwater Conservation District (GCD), for a delay if the groundwater restrictions are imposed and those restrictions confine production to less than the maximum authorized withdrawal under permit as of Sept 1, 2014, or maximum historical withdrawal as of Sept 1, 2014 if no permit was required for well operation.</p> <p>The GCD must hold a public hearing after receipt of the petition to determine any threat to public health and safety or reliability of the grid. Until a decision has been made, the restrictions cannot be implemented. If the district finds a threat to public health, safety or reliability of the grid, the water restrictions cannot go into effect earlier than 7 years out from final determination. This may be substantially longer than it would take to resolve the issue. Also, during that time, the owner can again petition the district to enact an additional 3 year delay to which can be granted if the GCD finds that the operator has engaged in a good faith effort to comply with the initial restrictions, and that there may still be threat to public health and safety or reliability of the grid. When making the judgements, the GCD must request, obtain and give great weight to the opinion issued by the Public Utility Commission.</p>	<p><u>Favorable</u> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 1155 By Rep. Alvarado, et al.</p>	<p>Relating to the creation of the Recruit Texas Program to facilitate the relocation to or expansion in this state of employers offering complex or high-skilled employment opportunities.</p>	<p>Economic & Small Business Development</p>	<p>Currently, other states have taken the initiative to strive for an innovative workforce approach, creating training programs to compete against other states for businesses, investments, and jobs. These programs have attracted sustainable businesses that are diversifying the industry. Texas has faced several disadvantages and has been seen as less competitive because of the skills gap and stagnant work pool of the state’s workforce.</p> <p>HB 1155 seeks to address this issue by establishing the Recruit Texas Program, within the TWC, as a rapid-response, workforce development services program for employers who are seeking business or expansion of their business in Texas. TWC will be able to award grants to public junior colleges or public technical institutes for workforce training and other services, as well as appropriate money to make commitments with an out-of-state employer contingent on the establishment of expansion of business operation in Texas. The creation of the Recruit Texas Program will encourage businesses to locate or further develop in Texas, resulting in positive economic growth and a flourishing workforce.</p>	<p><u>Favorable</u> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

<p>HB 1018 By Rep. Geren</p>	<p>Relating to the prohibition of certain alcoholic beverages; creating an offense.</p>	<p>Licensing & Administrative Procedure</p>	<p>HB 1018 amends the Alcohol Beverage Code to include powdered alcohol as a form of illicit alcoholic beverage. Under HB 1018 it is illegal to manufacture, import, sell, serve, or possess powdered alcohol for the purpose of sale. The FDA approved the sale of powdered alcohol last month and one packet is the equivalent of one shot of liquid alcohol. The intent of this bill is to deter minors from having access to powdered alcohol because alcohol is the most commonly used substance among Texas youth. Concerns also extend to consumers snorting the powder or adding it to liquefied alcoholic beverages, which would intensify the alcoholic content.</p> <p>While it is reasonable to deter under-age drinking or illegal substance abuse, HB 1018 makes it illegal to serve to powdered alcohol to anyone. If the intent is to deter underage use of powdered alcohol then its sale should be aligned with the legal distribution and risks associated with all other alcoholic beverages: a purchaser or consumer must be 21 years to purchase or consumer powdered alcohol. Additionally, a health warning should be placed on its label for consumer protection.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>HB 1706 By Rep. VanDeaver, et al.</p>	<p>Relating to reducing paperwork and duplicate reports required of a school district.</p>	<p>Public Education</p>	<p>Last legislative session TEA conducted a review of all Special Education accountability, monitoring, and compliance systems for duplication. Their findings resulted in 21 streamlining recommendations. HB 1706 intends to continue the reduction of paperwork for school districts and teachers by identifying redundant state and federal reporting requirements. This will require a review of all state and federal reporting and paperwork requirements, all reports found to be duplicative are to be eliminated by the commissioner. This bill attempts to help reduce the burden of paperwork for teachers and administrators, and allow them to focus more time and energy on the children they are charge with educating.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 2049 By Rep. Darby</p>	<p>Relating to indemnification and duties or engineers and architects under certain governmental contracts.</p>	<p>Licensing & Administrative Procedure</p>	<p>The intent of HB 2049 is to preclude local municipalities from opting out of their duty to defend against a third party arising out of a contractual indemnity suit with an engineering or architectural firm. Currently, Harris County contractually shifts risk obligation onto other entities; most professional insurance will not cover this type of risk, causing firms to incur out-of-pocket legal expenses without having a judgment rendered. Harris County has indicated that if HB 2049 passes, it will contract its service needs in-house. HB 2049 also allows local municipalities to collect reasonable attorney’s fees if it is named a party to a third party indemnity suit and establishes a standard of care specific to architects and engineers and voids any other standard of care not covered in this bill.</p>	<p>Will of the House Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>HB 691 By Rep. Walle</p>	<p>Relating to the regulation of automotive wrecking and salvage yards in certain counties; increasing the civil penalty.</p>	<p>Transportation</p>	<p>Automotive wrecking and salvage yards can be cited and fined for not maintaining proper fencing, failing to remove hazardous chemicals from vehicles, and other violations of health and safety. HB 691 raises the upper threshold for the related civil penalty from \$1,000 to \$5,000 per violation. This has been a particularly noisome issue in the north Harris County area, where fires have erupted due to poorly maintained yards. Versus putting the yards out of business and leaving community members without jobs, HB 691 proposes giving judges the tool of exacting a higher penalty to incentivize compliance.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 1643 By Rep. Riddle</p>	<p>Relating to abatement of public nuisances on undeveloped land in the unincorporated area of certain counties; amending provisions subject to a criminal penalty.</p>	<p>County Affairs</p>	<p>Authorities in Harris County receive numerous public nuisance complaints for matters that do not pose a threat to public health for those living in subdivisions near previously undeveloped areas. HB 1643 clarifies what constitutes a public nuisance in a county of 3.3 million or more to apply only to undeveloped land that would have been a public nuisance when the condition first occurred in the preceding year. This will allow builders in the area to continue to develop in communities and lessen the dollars used for the county authorities use to deploy in response to the complaints.</p>	<p>Favorable Evaluated by: Mya Strauss 512-763-0031 info@texaslsg.org</p>



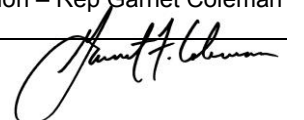
<p>HB 2541 By Rep. Zerwas</p>	<p>Relating to health benefit plan coverage of certain treatments for enrollees diagnosed with a terminal illness; authorizing administrative and civil penalties.</p>	<p>Insurance</p>	<p>HB 2541 prohibits health insurance benefit providers from denying coverage for physician-recommended treatment based on the enrollee’s diagnosis of a terminal illness. This bill applies to large-scale insurance providers, such as HMOs, insurance companies, state child health programs, hospital service corporations, nonprofit health corporations, or multiple employer welfare arrangements. Excluded are health benefit plans that are for more specific purposes, such as vision and dental, accidental death or dismemberment, specific diseases, workers compensation, supplemental insurance, or emergency hospital visits. Any health insurance benefit provider which does not adhere to this law will face monetary penalties or suspension of their authorization.</p> <p>All Texans have the right to determine their course of physician-recommended treatment. It is not under the insurance company’s purview to decide how much value a terminal patient’s remaining life has. A single mother, diagnosed with stage 4 lung cancer, can still help her 17-year-old son graduate high school and begin college with proper treatment. HB 2541 would protect against insurance companies denying this type of treatment and cutting shorter the cherished lives of terminal patients.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 1762 By Rep. Otto</p>	<p>Relating to the creation of a health care advocacy program for veterans.</p>	<p>Defense & Veterans’ Affairs</p>	<p>HB 1762 creates a much needed health care advocacy program for veterans. This program will provide assistance with issues concerning accessibility of healthcare, coordinate with VA health care providers to expand providers’ opportunities to treat veterans, and assist veterans in securing benefits and services.</p> <p>Texas has a large population of veterans; helping them gain access to the care they need is essential. Many families have members who are unable to work because of their injuries or illnesses. The Department of Veteran Affairs is routinely unable to provide assistance to veterans in a timely manner. Having an advocate, and a program willing to intercede on their behalf, will aide veterans in accessing needed services.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 1862 By Rep. Kuempel</p>	<p>Relating to notice of hospital and emergency medical services liens.</p>	<p>Business & Industry</p>	<p>HB 1862 cleans up confusing statute related to hospital and emergency medical services liens. This bill provides that hospitals and emergency medical service providers must send written notice to the injured individual or injured individual’s legal representative by the fifth business day after filing a notice of a lien. This cleanup reduces confusion as to what the county clerk is required to do, as before, it appeared that the county clerk must inform the hospital or emergency medical services provider that notice of the lien was recorded in county records, though this was never explicitly stated in statute.</p>	<p>Will of the House Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 1900 By Rep. Rodriguez, E., et al.</p>	<p>Relating to the eligibility of land for appraisal for ad valorem tax purposes as qualified open-space land.</p>	<p>Agriculture & Livestock</p>	<p>For the last several decades, large-scale agriculture production and conventional farming has been the norm. There is now an emerging trend towards small-scale production and urban or community gardens. Organic farming, rotational grazing, and sustainable production are new, effective methods of farming, and as such require new consideration. Under current statute, these small farms and nonprofit community gardens do not meet criteria for the agricultural tax exemption, despite agriculture being the principle use. HB 1900 clarifies the tax code to ensure eligible small farms and community gardens qualify for the same agricultural tax exemption afforded to larger farms.</p> <p>The bill mandates the comptroller, along with A&M AgriLife, to develop guidelines for determining under what conditions land under 10 acres meets the degree of production necessary to qualify for tax exempt status. The bill also expands the definition of agricultural use to include nonprofit community gardens and fruit and vegetable production. For nonprofit community gardens, the comptroller, along with A&M AgriLife, must develop guidelines consistent with the definition to determine whether a garden would qualify for a tax exemption.</p> <p>HB 1900 addresses the changing landscape of agriculture and farming in Texas. It lifts a huge financial burden from small farms, including community gardens, which provide an invaluable resource to communities in need of more nutritious options.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>

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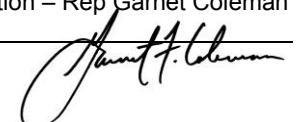


<p>HB 2358 By Rep. Lucio III, et al.</p>	<p>Relating to the exemption from certain registration and licensing requirements and taxes for certain businesses and employees who enter this state in response to a disaster or emergency.</p>	<p>Homeland Security & Public Safety</p>	<p>HB 2358 makes it easier for out-of-state entities to assist Texans when faced with natural disaster or similar emergency situation. It allows that, when an out-of-state entity is only performing emergency-related or disaster-related services during emergency response periods, they are exempt from specified taxes, fees, and registration and licensure requirements. The secretary of state retains oversight and may request evidence that the company is only performing emergency-related or disaster-related services during an emergency response period. This will help relieve confusion and delay in serving Texans who are affected by a natural disaster or other emergency situation.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 1915 By Rep. Herrero, et al.</p>	<p>Relating to the allocation of state hotel occupancy tax revenue to certain barrier island coastal municipalities.</p>	<p>Ways & Means</p>	<p>Currently, 3 cities are eligible to retain a portion of the State Hotel Occupancy Tax (HOT). HB 1915 would expand that eligibility to Corpus Christi and increase Port Aransas' share from 1% to 2%, allowing reinvestment for beach maintenance, restoration, safety upgrades, and erosion management projects. This would be a boon to both cities, as Corpus Christi currently spends \$2.3 million and Port Aransas allocates \$3.5 million annually on these tasks. HB 1915 also clarifies that a hotel does not have to be wholly or partly on an eligible barrier island for a municipality to retain 2% of the HOT, but a municipality does. This allows the residents of Corpus Christi and Port Aransas to benefit from the active tourism and revenue that it produces.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 27 By Rep. Button, et al.</p>	<p>Relating to state economic development measures, including administration of the Texas Enterprise Fund, the abolishment of the Texas emerging technology fund, and the disposition of balances from the Texas emerging technology fund.</p>	<p>Economic & Small Business Development</p>	<p>HB 27 is legislation that is a component of HB 26. The changes in the Texas Enterprise Fund and the abolishment of the Texas Emerging Technology Fund are necessary to support the initiative to reform economic development in the state to ensure efficiency and effectiveness. These changes are an opportunity to garner more interest in the state, bringing business operations and increase job growth. Restructuring Texas Enterprise Fund. The governor is required to adopted rules for awarding grants and other procedures, as well as provide grants to higher education institutions for projects relating to the commercialization of intellectual property or other property from research developed by the institution. Eliminating Texas Emerging Technology Fund. The Texas Emerging Technology Fund and the respective advisory committee will be abolished. Any remaining balance from the fund will be moved to the Texas Research Initiative Program (TRIP), the Texas Research University Fund (TRUF), and the comptroller.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 28 By Rep. Button, et al.</p>	<p>Relating to an audit by the state auditor of certain programs and funds providing economic development incentives to entities and other persons.</p>	<p>Economic & Small Business Development</p>	<p>During the interim, the Select Committee on Economic Development Incentives revealed that there is no formal review or audit process for many state programs. HB 28 requires audits to be conducted on 21 programs once every 12 years from their specified dates. The state auditor is authorized to determine the structure and the objective of the audit, consistent with government auditing standards. If an audit exception is scheduled and warranted, the auditor must notify the Legislative Audit Committee and legislative committees responsible for economic development. It is necessary to systematically review state incentive programs to ensure transparency and effectiveness.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 1927 By Rep. Bonnen, G., et al.</p>	<p>Relating to the application to vote early by mail in more than one election.</p>	<p>Elections</p>	<p>Currently, annual ballot by mail applications do not cover all elections taking place in that county, such as those for school board members or city elections that are administered by other political subdivisions within the county. As a result, people are dismayed to find that they missed an election. HB 1927 requires the county clerk and political subdivisions to coordinate so that one annual ballot by mail application covers multiple elections, to better serve our electorate, particularly the disabled and elderly, and to increase civic engagement.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

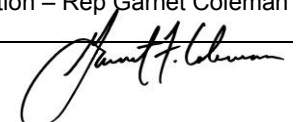
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<p>HB 1066 By Rep. Goldman</p>	<p>Relating to the regulation of certain motor vehicle auctions.</p>	<p>Licensing & Administrative Procedures</p>	<p>Currently, wholesale vehicle auctions are allowed solely for licensed motor vehicle dealers to buy and sell vehicles at an auction. Additionally, an auction company must hold a regulatory license number from TDLR and TxDMV. HB 1066 will end dual-agency licensing for auctioneers by allowing auctioning companies to be licensed by one of the two current licensing options. Texas Wholesale Automobile Auction Association contends that these auctions are limited to dealers only and do not include the general public.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>HB 942 By Rep. Kacal, et al.</p>	<p>Relating to the storage of certain hazardous chemicals; transferring enforcement of certain reporting requirements, including the imposition of criminal, civil, and administrative penalties, from the Department of State Health Services to the Texas Commission on Environmental Quality.</p>	<p>Environmental Regulation</p>	<p>HB 942 transfers from DSHS to TCEQ reporting, fees, enforcement, and public notification guidelines for three distinctive types of chemical facilities: tier-two facilities, ammonium nitrate storage facilities, and facilities storing ammonium nitrate used in fertilizers. These measures are to ensure safety practices and safety procedures in place in the event a hazardous event occurs at the plant.</p> <p>This bill is in direct response to the tragic and preventable events that occurred in West, Texas, and hopes to ensure the safety of all Texans living near chemical plants, especially those that contain ammonium nitrate. Historically, Texans were denied pertinent information to toxicity and explosions that were present in the areas in which they intended to live or lived. Not all actors are self-disclosing harmful risks to unknowing residents and communities; this bill will curtail any practices that have the potential to create widespread harm.</p> <p>The reporting guidelines include the following:</p> <ol style="list-style-type: none"> (1) The owner or operator of ammonium nitrate facility must allow a fire marshal into the facility to inspect the chemical compounds, determine risk factors associated with the chemicals, and assess safety procedures in place. (2) The fire marshal will provide a notice of findings and any instructions for compliance to the facility owner or operator to correct within 10 days of notification. The fire marshal will also send notice to the state fire marshal and the Texas Division of Emergency Management. (3) TCEQ has the discretion to require the plant to submit a safety data sheet, which should be a mandated practice. (4) At any point for an initial weight change occurs in the chemical compounds present in the plant or plant operations, the operator must submit a tier-two form, an itemized listing of hazardous chemicals mandated by EPCRA, to TCEQ. TCEQ has 72 hours to submit the tier-two form to the state fire marshal and TDEM. The state fire marshal must forward a copy of the form to the local fire chief, or volunteer fire department, and all other local emergency contacts located in proximity to the plant. <p>Fees and Enforcement guidelines are as follows:</p> <ol style="list-style-type: none"> (1) At any point TCEQ may establish a processing fee for tier-two forms; a fee schedule is available under Section 11 and Section 20 of the bill. (2) Up to 20% of fees can be allocated for grants for local emergency planning, and up to 15% of fees may be allocated to DSHS. (3) Any changes in weight to any ammonium nitrate must be reported in 72 hours; tier-two facilities must report within 90 days to TCEQ. TCEQ will archive all tier-two forms and documents for 30 years. (4) Should a facility fail to comply, TCEQ will issue an administrative order assessing a penalty or corrective action. (5) Tier-two plants that violate the provisions under this bill will be fined up to \$50 per day per violation, not to exceed \$1000 for each violation. Ammonium nitrate plants will be fined \$500 per day per violation, not to exceed \$5000 for each violation. (6) Knowingly failing to disclose or disclosing false information can result in a \$5000 fine per violation for tier-two chemical plants, and \$25,000 for ammonium nitrate plants. 	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>

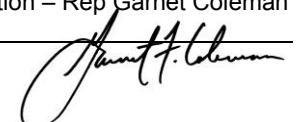


<p>HB 1936 By Rep. Oliveira, et al.</p>	<p>Relating to notice by a property owner to a mortgage servicer that the owner intends to enter into a contract with a property tax lender.</p>	<p>Business & Industry</p>	<p>Currently, when homeowners fall into default on their property taxes, they risk foreclosure. Property tax lending companies gather up public information regarding who is in default and peddle their services to these individuals in financial straits. They then offer to pay the person’s property taxes for considerable fees and steep interest rates capped at 18%. They then assume the tax lien for the property owner, which is superior to the mortgage lien. If the property owner cannot pay the property tax lending company, the lending company can then foreclose upon the home more quickly than if it were still in the mortgage servicer’s hands. This predatory industry has nearly doubled in Texas since the recession.</p> <p>Based upon the thoughtful deliberation of an interim committee, HB 1936 requires a property tax lending company to notify the mortgage servicer 10 days prior to entering into a contract with the property owner. This will allow the primary lender, the mortgage servicer, to counsel the property owner on possible alternatives to transferring their lien and entering into the contract, such as starting an escrow account or working out other financing options.</p> <p>Opposition has voiced that this bill unfairly imposes on the property tax lending industry and curtails their business, but homeowners may still choose to utilize the property tax lending services if they decide that is their best option. HB 1936 helps to supply financial education that is desperately missing and respects the homeowner’s right to self-determination in important financial decisions.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 743 By Rep. Huberty, et al.</p>	<p>Relating to the essential knowledge and skills of the required public school curriculum and to certain state-adopted or state-developed assessment instruments for public school students.</p>	<p>Public Education</p>	<p>Students, parents, educators, and principals have given hours of personal testimony on the inadequacy of standardized testing. The testimony has revealed that the current statewide assessments have not been developmentally suitable nor time-considerate for students. HB 743 takes several steps to ensure that assessments will be better developed to suit the needs of elementary and middle school children.</p> <p>HB 743 requires an entity, independent from TEA or the test developer, to determine that a statewide assessment is valid and reliable based on empirical evidence before being administered. TEA must then verify that the test appropriately assesses the Texas Essential Knowledge and Skills (TEKS) by subject and grade level. The assessment instruments must be designed to fit the specified criteria.</p> <p>HB 743 allows for more careful consideration of the standardized testing that shapes Texan children’s education. Mandating an independent entity to address recurring issues, and requiring more transparency from assessment contracts, will produce a test that appropriately and efficiently assesses students in their mastery of curriculum.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 3060 By Rep. Anchia</p>	<p>Relating to functions of a municipal building and standards commission panel.</p>	<p>Urban Affairs</p>	<p>Current law grants the Building Standards Commission authority over water restriction violations and animal control violations, but no actual enforcement power. HB 3060 will give the commission authority and power to enforce their animal control and water conservation ordinances, including restrictions.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 2870 By Rep. Alonzo</p>	<p>Relating to the regulation of firefighters and fire departments by the Texas Commission on Fire Protection.</p>	<p>Urban Affairs</p>	<p>HB 2870 prohibits any city employees besides full-time fire department civil service employees from being assigned to wildland fire-fighting duty, including prescribed burns. This restriction would also apply to city employees who are certified by the Texas Commission on Fire Protection. The bill does not apply to non-city employees, including those acting as members of a volunteer fire department. This would ensure that city employees assigned to handle wildfire and prescribed burns are the most qualified professionals.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>



<p>HB 3005 By Rep. Laubenberg</p>	<p>Relating to the deadline for certain processes and procedures involving an election.</p>	<p>Elections</p>	<p>Elections code is long and complex; HB 3005 is cleanup legislation to improve consistency and accuracy in elections statute, including changes in the Education Code related to school board trustee elections. This will help eliminate confusion and promote uniformity in elections.</p>	<p><u>Will of the House</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 3511 By Rep. Davis, S.</p>	<p>Relating to the contents of financial statements that are electronically filed by certain persons; adding a provision subject to criminal penalties.</p>	<p>General Investigating & Ethics</p>	<p>HB 3511 cleans up statute to provide protocol for when a financial statement is filed electronically. It exempts those filing financial statements electronically from submitting an affidavit; instead, electronic filing will require requesting and receiving an electronic filing password and using that password to file. This was a recommended change by the Texas Ethics Commission, to bring statute up to date with technology.</p>	<p><u>Will of the House</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 3342 By Rep. Kuempel</p>	<p>Relating to interstate compacts and cooperative agreements relating to state purchasing.</p>	<p>Government Transparency & Operations</p>	<p>HB 3342 centralizes cooperative purchasing contracts under the purview of the comptroller of public accounts, clarifying a practice currently in use.</p>	<p><u>Will of the House</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 3523 By Rep. Raymond, et al.</p>	<p>Relating to improving the delivery and quality of Medicaid acute care services and long-term care services and supports.</p>	<p>Human Services</p>	<p>Last session SB 7 passed with the intention to improve the coordination of Medicaid long-term services and supports. The bill also redesigned the long-term care services and supports system to more efficiently serve individuals with intellectual and developmental disabilities (IDD). This fall, nursing facilities and advocates came together and discussed how to better serve the IDD community. HB 3523 is cleanup legislation to further support and improve changes that were a result of SB 7 for Medicaid and long-term services and supports. Major changes within the bill include: delaying the start date for certain pilot programs, extending expiration dates for the IDD managed care rollout, allowing stakeholders more time to evaluate the rollout of managed care and bringing the IDD redesign expirations more in line with changes to managed care rollout dates. Additionally, the bill continues nursing facility provisions that were set to expire and requires all managed care rollout pilot programs relating to IDD to be implemented by 2017.</p> <p>The healthcare needs of the IDD population are vast and complex, as many individuals depend on nursing facility services. HB 3523 provides the necessary time for HHSC to make deliberate reform the long-term services and supports system, so individuals from IDD community can access quality services.</p>	<p><u>Favorable</u> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 2267 By Rep. Davis, S.</p>	<p>Relating to the requirement to obtain a license to practice as an anesthesiologist assistant; providing an administrative penalty; authorizing fees.</p>	<p>Public Health</p>	<p>HB 2267 stipulates that anesthesiologist assistants must be licensed. Currently, there are no licensure requirements for anesthesiologist assistants. This bill would mandate that Texas Medical Board establish licensure requirements, including application and licensure fees, continuing education requirements, licensure eligibility, and what an anesthesiologist assistant may and may not do as an assistant. Under HB 2267, a person may only practice as an anesthesiologist assistant or call him/herself an anesthesiologist assistant if that person is licensed. Anesthesiologist assistants perform a needed service, and Texans deserve to know that these professionals are licensed and competent in the work they do.</p>	<p><u>Favorable</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

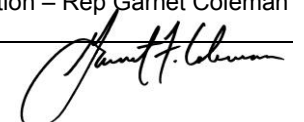
<p>HB 2474 By Rep. Sheffield, et al.</p>	<p>Relating to requirements for and the transparency of epidemiological reports and immunization exemption information and reports.</p>	<p>Public Health</p>	<p>HB 2474 requires DSHS to collect de-identified vaccine exemption data at both school district and individual school levels, to be made publicly available online. This will help parents make informed decisions about where to send their children, particularly those children who are immunocompromised, based in part on vaccination levels at individual schools. There has been a significant increase in parents choosing not to vaccinate their children for religious or personal reasons, and this puts vulnerable children at risk.</p> <p>Children who are immunocompromised, such as those with cerebral palsy, cancer, or HIV, often cannot be vaccinated due to their compromised state. They are also very susceptible to illness, including potentially deadly vaccine-preventable diseases. Under HB 2475, the data to be released will be de-identified only, so children’s individual vaccine status will not be known. However, it will allow parents to make decisions regarding their children’s attendance at schools that may have low immunization rates. This does not require any immunizations of those who wish to avoid them; it only seeks to protect those who are at increased risk when around unvaccinated children.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 300 By Rep. Gonzales, L., et al.</p>	<p>Relating to the allocation to the Parks and Wildlife Department of the proceeds from taxes imposed on the sale, storage, or use of sporting goods.</p>	<p>Appropriations</p>	<p>Currently, funding for state, small, and large local parks is determined by fixed percentages of the sporting goods sales tax credits. State parks receive 75% of credits, small local parks (in municipalities with populations under 500,000) receive 15% of the credits, and large local parks (in municipalities with populations over 500,000) receive 10% of the credits. HB 300 strikes these fixed percentages, and allows the legislature flexibility in determining the parks’ funding amounts from the sporting goods sales tax each session.</p> <p>Due to this session’s initiative to spend down the sporting goods tax account towards its original intent—parks-- the Department will be receiving historically high funding across all areas. State parks will receive \$217 million under this bill, as opposed to \$193 million under the original fixed funding formula. However, small local parks will only receive \$19 million as opposed to \$39 million under the formula and large local parks will only get \$13 million rather than \$26 million under formula funding. While state parks see a slight increase, small and large local parks take a significant hit by not using formula funding.</p> <p>Although this bill allows the legislature to customize funding for parks to fit each session’s needs, it would be more prudent to maintain current funding formulas. This would ensure that funding is distributed more equally across all parks, now and in future sessions.</p>	<p>Will of the House Evaluated By: Tara Blagg 512-763-0031 tara@texaslsg.org</p>
<p>HB 478 By Rep. Dutton</p>	<p>Relating to the restoration of certain rights to a criminal defendant.</p>	<p>Criminal Jurisprudence</p>	<p>Texas law currently allows for the restoration of certain civil rights to a criminal defendant for certain federal offenses, as well as some offenses under the laws of another country or state, but not under the laws of the state of Texas. HB 478 allows persons charged with a certain state or federal offense to apply for the restoration of their civil rights three years after time served for the conviction. Offenses not eligible for application are included in the bill. Under current law, a post-conviction pardon can be requested to reinstate civil rights, which places an undue burden on the former offender. Restored civil rights under HB 478 includes: right to hold public office, right to serve on a jury, right to serve as an executor or administrator of an estate, and the right to own a gun. The ability to restore one’s civil rights can play a crucial role in the rehabilitation of an individual and increase ties to the community, thereby reducing potential recidivism.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>HB 2207 By Rep. Keffer, et al.</p>	<p>Relating to the foreclosure sale of property subject to an oil or gas lease.</p>	<p>Energy Resources</p>	<p>Texas is experiencing a modern day drilling boom in all parts of the state, and this legislation would provide important updates that benefit both landowners and operators throughout all parts of Texas. Currently, valid oil and gas leases are extinguished upon foreclosure of a security interest if the lease is recorded after the security interest. This can have a detrimental impact on production and stall future development in Texas.</p> <p>HB2207:</p> <ul style="list-style-type: none"> Protects mineral owners from the possible waste of their minerals. If a foreclosure occurs in a wellbore tract on a horizontally drilled well, there is a potential that the well will not continue to be developed or produced or that additional wells will not be 	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>



			<p>drilled in the foreclosed tract.</p> <ul style="list-style-type: none"> • Allows an oil or gas lease subject to a security interest to remain in effect after the foreclosure if the lease was recorded in the real property records prior to the foreclosure. • Does not change the priority of the surface lien on the foreclosed tract. • Requires any payment that would have been due to the owner of the real property under the lease to be paid to the purchaser of the foreclosed real property. • Does not erode the dominance of the mineral estate. <p>This bill helps ensure that all mineral owners with an interest in a well, which contains a wellbore tract that has been foreclosed, are better protected from shut-in production and can be provided more certainty of continued production and development as the case may be. Furthermore, this bill provides operators with more certainty for the production of leased minerals, protects an operator's investment, and maintains the financial sectors' interests in the property during foreclosure proceedings impacting a well bore tract.</p>	
HB 499 By Rep. Guillen	Relating to the public transportation advisory committee.	Transportation	The Public Transportation Advisory Committee (PTAC) provides counsel on the needs of Texas' public transportation providers and the allocation of funds regarding public transportation. Currently, members have no term limits and serve at the pleasure of the appointing officer, which can reduce accountability. HB 499 changes the structure and service period for members of the PTAC to staggered six-year terms. Requiring staggered terms allows for fresh perspective and stronger accountability on transportation issues.	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
HB 1094 By Rep. Geren, et al.	Relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.	Business & Industry	Currently, statute provides for eligible spouses of first responders who died in the line of duty to receive death benefits for life or until 104 weeks after they remarry. HB 1094 allows the surviving spouse of a first responder who died in the line of duty, paid or volunteer, to receive death benefits for life, regardless of whether they remarry. Expanding the duration of death benefits to surviving spouses provides stable support to those whose loved ones made the ultimate sacrifice.	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
HB 565 By Rep. Burkett, et al.	Relating to powers of private toll project entities.	Transportation	<p>Last year, residents in rural Dallas County voiced strong dissent against a private toll road project that could have displaced many residents and imposed upon their communities and land. Texas Turnpike Corporation, the company behind the project, was forthcoming with neither their plans nor routes and continually disregarded the communities' concerns and amassing distaste for the project.</p> <p>Texas Turnpike Corporation is believed to be the only private entity with eminent domain authority for transportation projects. They have completed no other transportation projects since forming. The legislature repealed private toll authority for eminent domain in 1991, but the corporation formed just a day before the law took effect. HB 565 strips the Texas Turnpike Corporation of its power of eminent domain. The bill requires the Texas Transportation Commission to hold a public meeting when working with a private entity to build a private turnpike or toll project that would connect to the state highway system.</p> <p>The state relies upon public/private partnerships and upon tolls to meet transportation infrastructure needs with very limited resources. While over 5,000 entities in Texas have the power of eminent domain, this bill really just closes a loophole in the 1991 repeal.</p>	Will of the House Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org

<p>HB 973 By Rep. Hernandez, et al.</p>	<p>Relating to the compensation and per diem compensation of emergency services commissioners in certain counties.</p>	<p>County Affairs</p>	<p>Emergency service commissioners (ESCs) function primarily as administrators for firefighting services within a Emergency Service District and are compensated \$50 per diem for each day in which they perform their duties. HB 973 seeks to increase this compensation from \$50 to \$150 in counties with a population of more than three million. The bill offers the counties more local control by allowing an Emergency Service District's board to determine whether or not they would like to increase the ESC compensations within their district.</p>	<p>Favorable Evaluated by: Marisela Gomez 512-763-0031 info@texaslsg.org</p>
<p>HB 1535 By Rep. Frullo, et al.</p>	<p>Relating to rates of and certificates of convenience and necessity for certain non-ERCOT electric utilities; authorizing a surcharge.</p>	<p>State Affairs</p>	<p>Most electricity customers in Texas are served by Electric Reliability Council of Texas (ERCOT); however, there is a large, growing number of customers served by four investor-owned companies outside this grid. These companies act as natural monopolies, but their rates are regulated by entities including the municipalities they serve, the Public Utility Commission (PUC), and the Federal Regulatory Commission. These companies claim that the extensive oversight does not chafe, but that the wait time between investment and rate change does. Currently, when a non-ERCOT electric company makes an investment in the community by building needed infrastructure, they have to wait a posttest year for the PUC to determine a utility's rate base, and then another 6 months to make a rate case, in order to begin to recoup their investment. This regulatory lag has lowered the bond ratings for these companies because it takes them so long to realize profit from their investments. These lowered bond ratings dictate a higher interest rate and the expense of paying that elevated rate is then passed on to the customers.</p> <p>Under HB 1535 non-ERCOT electric utilities would be able to provide information for a test year, and that information can reflect most current actual or estimated information including the cost of capital and other expected expenses for a period not later than the 30th day prior to the filing of an rate proceeding. Any estimated information must be replaced with real data within 45 days of the filing and the regulatory authority will extend their determination deadline for an equal amount of time. The regulatory authority would allow an affected electric utility to make a known and measurable adjustment to include in the utility's rates the prudent capital investment, a reasonable return on such capital investment, depreciation expense, reasonable and necessary operating expenses, and all attendant impacts. This includes any applicable load growth, as determined by the commission, associated with a newly constructed or acquired natural gas-fired generation facility, provided the facility was in service prior to the new rate billing. The new rates would be effective on and after 45 days from filing. Non-ERCOT companies making these rate changes must refund overages, and can impose surcharges and those amounts may be required to be collected over a period not to exceed 18 months. HB 1535 also provides a framework for the process and timeline for when an electric utility may request a certificate or a public interest determination.</p> <p>HB 1535 will better synchronize the timing of investment and cost recovery, allowing non-ERCOT utilities to make timely investments to meet demand, supporting economic development by providing the electric generation needed for growth.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 2311 By Rep. Kacal</p>	<p>Relating to the failure to handle certain animals in accordance with rules of the Texas Animal Health Commission; amending provisions subject to a criminal penalty.</p>	<p>Agriculture & Livestock</p>	<p>HB 2311 seeks to improve the health and safety of livestock and fowl. The bill expands what constitutes a class C misdemeanor for individuals who knowingly fail to handle animals that are exposed to certain diseases or are subject to a testing requirement due to a risk of exposure after notification by the Texas Animal Health Commission (TAHC). Diseases on the TAHC include tuberculosis, anthrax, foot-and-mouth, rabies, and bacillary white diarrhea among fowl.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>

<p>HB 1860 By Rep. Hunter</p>	<p>Relating to the creation of a grant program to provide money for security at certain major events; authorizing fees.</p>	<p>Economic & Small Business Development</p>	<p>When Texas hosts major events, the city hosting the event must pay for security to moderate unsafe conditions created by large crowds. This puts a financial burden on host cities. To alleviate this burden, HB 1860 creates the Major Events Security Grant Program.</p> <p>The Texas Economic Development and Tourism Office (TEDTO) is authorized to contract with a county or municipality to administer grants from the program, and adopt rules and a process relating to the program's implementation. Events are eligible for grants if they are held annually, promote economic development, and have produced at least \$300 million the preceding year. HB 1860 ensures that providing security for the protection of event attendees will not overwhelmingly burden the event's host city.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 274 By Rep. Miles, et al.</p>	<p>Relating to the enforcement of municipal rules, ordinances, or police regulations prohibiting illegal dumping; increasing a penalty</p>	<p>Urban Affairs</p>	<p>HB 274 increases the fine for illegal dumping from \$2,000 to \$4,000. Illegal dumping has become more prevalent, creating health hazards for those living close to the dumpsites. Hazardous materials are often included in illegally dumped materials, which poses great risks for not only the people living in the area, but the environment as well. It is often rural or lower income areas that have the highest rates of dumping. Children often play outside and may come into contact with the hazardous materials or animals associated with refuse, putting those children at risk. It also costs TxDOT millions in cleanup annually. Deterring illegal dumping will help keep neighborhoods safe and healthy, not to mention the emotional relief of no longer living in an area filled with trash.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 2612 By Rep. Pickett, et al.</p>	<p>Relating to a report to the legislature regarding the elimination of toll roads.</p>	<p>Transportation</p>	<p>HB 2612 requires TxDOT to conduct a study on the feasibility of eliminating toll roads and paying down debt for this aim. The report would itemize the amount of debt service for each toll project, identify bonds that could be paid off through accelerated or complete payment of debt, and detail a plan to eliminate all toll roads except those constructed, operated, or maintained with bonds issued by an entity other than TxDOT. HB 2612 is the first step in eliminating state-funded toll roads and would provide for discontinuation of tolling upon payment of a road. Continuing to overuse debt financing is unsustainable -- this report is necessary for long-term transportation planning and financing.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 1062 By Rep. Lucio III</p>	<p>Relating to authorizing a fee for county records technology and infrastructure costs in certain counties.</p>	<p>County Affairs</p>	<p>HB 1062 authorizes the commissioners court of Cameron County to adopt a \$2 records technology and infrastructure fee as part of the county's annual budget, in order to comply with new federal e-filing requirements. To ensure proper usage of the funds, HB 1062 requires that the fee to be deposited into a separate records and technology account and specifies that any interest accrued must remain within the account. HB 1062 addresses concerns regarding budget constraints that Cameron County may experience.</p>	<p>Favorable Evaluated by: Marisela Gomez 512-763-0031 info@texaslsg.org</p>
<p>HB 256 By Rep. Howard, et al.</p>	<p>Relating to use of compensatory education allotment funding to provide assistance to students at risk of dropping out of school who are pregnant or who are parents.</p>	<p>Public Education</p>	<p>The Compensatory Education Allotment allows school districts to fund services for at-risk students in a way that suits their population. Currently, the allotment is specifically not permitted to fund child-care services in schools. However, these services were funded prior to the 2011 budget cuts.</p> <p>HB 256 allows the allotment to once again fund child-care services and assistance with child-care expenses for students at-risk of dropping out. Funds from the allotment may also be used to pay costs associated with a life skills program.</p> <p>In 2013, there were approximately 37,000 teen births in Texas. It is common for teen mothers to drop out of high school when their schools do not provide support and connections to necessary resources, such as daycare. Expanding the criteria of the allotment to include child-care services and a life skills program offers support for pregnant students and parents, and encourages their active participation in school.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

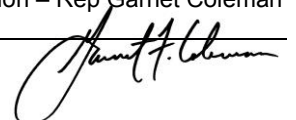


<p>HB 63 By Rep. González, M., et al.</p>	<p>Relating to state collaboration with federally recognized Indian tribes.</p>	<p>State Affairs</p>	<p>HB 63 is an important step towards improving and strengthening effective government to government relationship between Texas and its three Federally recognized tribes: the Alabama Coushatta Tribes, the Kickapoo Traditional Tribes, and the Ysleta Del Sur Pueblo- all tribes who contribute to the success of the state.</p> <p>HB 63 stipulates that each state agency (defined as a department, office or other entity in the executive, legislative or judicial branches of state government, or institution of higher education) must collaborate with Indian tribes when developing and implementing agency policies, agreements, and programs that directly affect American Indians. This bill also directs each state agency whose policies, agreements, and programs directly affect American Indians to develop, with the assistance of a representative of an Indian tribe, a training program that encourages effective communication and collaboration between the agency and Indian tribes.</p> <p>This bill creates an opportunity for the legislature to foster positive relationships between our state government and these three tribes. HB 63 promotes collaboration between state agencies and tribal leaders through effective communication, and cultural competency. By working together, state and tribal governments can find the best way to provide services to these unique populations without wasting valuable resources on ineffective programs.</p>	<p><u>Favorable</u> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 102 By Rep. Fletcher, et al.</p>	<p>Relating to the creation of the offense of cargo theft.</p>	<p>Criminal Jurisprudence</p>	<p>HB 102 creates the offense of cargo theft in the Code of Criminal Procedure. Cargo theft is the taking or transport of stolen commercial goods at any point in their supply chain. The FBI estimates that these crimes account for nearly \$30 billion in losses each year, a huge toll on the American economy. State law enforcement now reports cargo theft as part of the Uniform Crime Reporting Program to help track trends nationally and to alert the FBI of interstate cases that might fall within their jurisdiction. The average loss for each crime is approximately \$243,000.</p> <p>By creating and defining this offense, HB 102 facilitates the prosecution of multiple actors working in concert. It clarifies that it is an offense to knowingly be in possession of stolen goods at any point in the supply chain and to knowingly transport stolen cargo, or divert or intercept cargo, from its intended and lawful destination. The bill outlines a penalty structure similar to that for the crime of theft. However, the bill lowers the minimum threshold for what constitutes a third degree felony to \$10,000 worth of cargo involved, as opposed to \$20,000 of goods stolen for the crime of theft. Further, there is no minimum value for the amount of cargo involved in the crime to constitute state jail felony sentencing, meaning that one could possibly be incarcerated for 6 months for transportation or possession of any amount of cargo less than \$10,000. The bill enhances the penalties to the next higher category of offense if the defendant is orchestrating or managing one or more persons to carry out the crime.</p> <p>HB 102 might help to better prosecute these cases at the intersection of theft and organized crime. Cargo theft is a concerning crime trend, which impedes the American economy, thwarts taxation by taking commercial goods off the market, and can be violent and deadly. However, with lower minimum thresholds than theft and no minimum amount of cargo required to sentence a defendant to a state jail felony, the bill possibly casts a broader net than is intended. With increased security at the border, it is imperative that penalties be well defined and reasonable, and that we do not unintentionally target people acting outside the purview of organized crime.</p>	<p><u>Will of the House with Concerns</u> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

<p>HB 121 By Rep. Fletcher, et al.</p>	<p>Relating to an alternative means of payment of certain past due criminal fines and court costs.</p>	<p>Criminal Jurisprudence</p>	<p>HB 121 allows defendants owing courts fees and fines and have a bench warrant issued against them to pay an outstanding amount with a credit or debit card. A police officer upon execution of the warrant would have the ability to complete the transaction immediately, in lieu of arresting and hauling the defendant to jail for failure to pay. While a bench warrant is a serious concern, HB 121 helps expedite payment of unsatisfied judgments and prevents the further criminalization of the defendant, who would otherwise face an immediate arrest. One concern is that individuals living in poverty are less likely to have a debit or credit card and might not be able to avail themselves of this option.</p>	<p><u>Favorable with Concerns</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 94 By Rep. González, M., et al.</p>	<p>Relating to a database of employers penalized for failure to pay wages or convicted of certain offenses involving wage theft.</p>	<p>Business & Industry</p>	<p>1 in 5 construction workers in Texas are victims of wage theft. Currently, there is no mechanism for workers to recoup expenses that were lost from wage theft, allowing businesses to prey upon of workers without penalty. HB 94 creates a wage theft database that lists all employers and associated managers in Texas who have committed specified forms of wage theft. The Texas Workforce Commission (TWC) will provide a notice to employers that are subject to be on the list, allowing them 180 days to dispute their inclusion. An attorney must report any employer prosecuted and convicted of a wage theft offense to the TWC. This bill protects workers and supports honest business operations by exposing employers who have stolen from their employees.</p>	<p><u>Favorable</u> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 771 By Rep. Deshotel</p>	<p>Relating to funding for the Texas Academy of Leadership in the Humanities.</p>	<p>Public Education</p>	<p>The Texas Academy of Leadership in the Humanities is a residential honors program that provides an enriched college academic experience, as well as high school and higher education academic credit for junior and senior high-school students. Currently, the Academy receives funding equivalent to the local fund allotment for the Beaumont Independent School District, despite a lack of employees and a tight budget.</p> <p>HB 771 increases foundation school program funding to the Academy by designating the school as a district without a tier one local share. Because the Academy provides quality resources and a rigorous college-level curriculum, its funding level should compensate for these added services.</p>	<p><u>Favorable</u> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 120 By Rep. Flynn</p>	<p>Relating to the purchase of food and beverages by the Texas Division of Emergency Management for certain division personnel.</p>	<p>Appropriations</p>	<p>During disasters, emergency personnel are often unable to leave their posts to eat. HB 120 allows the Texas Division of Emergency Management to use their appropriated funds to purchase food and beverages for these disaster personnel who are required to work long hours while remaining at their assigned areas. These funds will be reimbursed by FEMA, and will ensure that disaster personnel are properly nourished so they can continue to perform their jobs.</p>	<p><u>Favorable</u> Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>
<p>HB 184 By Rep. Dale, et al.</p>	<p>Relating to the allocation of costs and attorney's fees incurred by a Court of Inquiry.</p>	<p>State Affairs</p>	<p>HB 184 mandates that if a Court of Inquiry convenes and the offending party in the suit is a state employee at the time of the offense, the state shall incur the court costs and attorney's fees awarded. The presiding county will incur the cost if the offender is not a state employee. The Courts of Inquiry are fairly rare, but when they do convene, the county must pay all associated expenses. This is an unfunded mandate and it is not fair to counties to absorb these expenses when the offense being investigated took place when the individual in question was a state employee.</p> <p>HB 184 is in response to an incident in Williamson County, whereby an investigation of a judge's conduct cost Williamson County half a million dollars in legal fees, even though the conduct investigated had occurred when the judge was a District Attorney. HB 184 keeps costs for investigations where they belong: by appropriating costs associated in investigating state employees to the state, and costs for investigating county employees to the county.</p>	<p><u>Favorable</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

<p>HB 2521 By Rep. Coleman, et al.</p>	<p>Relating to transferring from the state to a county the revenue derived from oil and gas leases of land owned by the county to be used by the county for road maintenance purposes.</p>	<p>County Affairs</p>	<p>Exploration by oil and gas companies causes significant damage to county roads. Rebuilding a road destroyed by heavy traffic and overweight trucks can cost between \$350,000 to \$500,000 for each mile. Currently, oil and gas companies negotiate directly with the Texas General Land Office for leases underneath roads owned and maintained by the counties. The revenue is then deposited into the State's General Revenue Fund rather than being returned to the county for road maintenance purposes. HB 2521 will alleviate the burden placed on the counties by offsetting the cost of maintaining the county roads by returning the revenue generated from mineral leases back to the county for road maintenance purposes only.</p>	<p>Favorable Evaluated by: Marisela Gomez 512-763-0031 info@texaslsg.org</p>
<p>HB 3230 By Rep. Rodriguez, J.</p>	<p>Relating to the determination of eligible costs and expenses for purposes of the franchise tax credit for the rehabilitation of historic structures.</p>	<p>Ways & Means</p>	<p>HB 3230 is clarifying legislation to preserve the original intent of HB 500- which was passed last session to create a franchise tax credit designed to help historic preservation. However, the bill used federal definitions, which inadvertently excluded most nonprofits. It was never the intent of the bill to exclude nonprofits, which could greatly benefit from a credit to help them restore historic buildings they already own. HB 3230 rectifies this oversight by expanding definitions to include nonprofit entities. Many nonprofit entities own historic buildings, but lack the capital to rehabilitate them and this tax credit would help them in fulfilling the rehabilitation and further their charitable aims. Nonprofit entities that may benefit include public and private universities that own historic buildings; local preservation efforts such as museums; and nonprofits that serve the arts. This tax credit was created to benefit organizations that most need it, and this would bring the statute in line with the spirit or intent of the law.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 787 By Rep. Miller, R.</p>	<p>Relating to the Texas Military Preparedness Commission.</p>	<p>Defense & Veterans' Affairs</p>	<p>Military service members and military bases are an integral part of both the Texas economy and our state identity. With an upcoming Defense Base Closure and Realignment Commission (BRAC) action estimated as early as 2017, strategic preparation of our bases is essential. The fifteen major bases in Texas have a combined economic value of \$150 billion. The most recent BRAC in 2005 scored six of our bases below average military value. This score greatly impacts BRAC determinations, and Texas risks losing bases if this score is not improved. The Texas Military Preparedness Commission (TMPC) is charged with protecting, expanding, attracting, and preserving military installations and defense contracts in Texas. Currently, the TMPC is within the Texas Economic Development and Tourism Office (TEDTO).</p> <p>HB 787 addresses this issue by transferring the TMPC from TEDTO to the office of the governor. This bill also transfers certain responsibilities from TEDTO to TMPC, such as the provision of loans and grants to defense community projects, and stipulates the TMPC will be subject to sunset review.</p> <p>The BRAC process is very political, and the office of the governor is in the best position to advocate for Texas bases and defense contracts. The governor originally oversaw the TMPC when it was created in 2003, but authority was relocated to TEDTO in 2009 upon sunset recommendation. Other states with large military presence, such as California, North Carolina, and Florida, who have similar preparedness commissions, all report to their state's governor.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 1123 By Rep. Paddie, et al.</p>	<p>Relating to increasing the punishment for the offense of possession or promotion of child pornography; changing the eligibility for parole.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1123 mandates that inmates serving time for possession, production, and/or distribution of child pornography must serve at least one-half of their sentence before being eligible for release on parole, without consideration of good conduct. It enhances penalties for possessing or accessing child pornography to a second degree felony and for promotion of pornography to a first degree felony. Incarceration often leads to individuals becoming institutionalized and to forming more criminal connections, reducing an individual's capacity to participate successfully in society. While it is important that we protect our children from predatory behavior, it is not clear that HB 1123 will achieve its intended purpose. Pedophilia is a classified mental disorder that requires psychiatric treatment and a supportive environment to achieve reintegration. Incarceration is expensive and is not conducive to the rehabilitation these offenders need to actually reduce recidivism.</p>	<p>Will of the House with Concerns Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

OK for Distribution – Rep Garnet Coleman



<p>HB 1545 By Rep. Naishtat</p>	<p>Relating to the creation of the State Cemetery preservation trust fund.</p>	<p>Appropriations</p>	<p>Following the sale of cemetery lands owned by TxDoT, the State Cemetery was meant to receive \$10 million in earnings. However, these funds remain in holding because there is no current method for the State Cemetery to receive funds from TxDoT. HB 1545 addresses this issue by establishing the State Cemetery preservation trust fund, in which money transferred to the State Cemetery may be placed.</p> <p>The State Cemetery preservation trust fund may only be used to undertake much-needed cemetery repairs, preservation efforts, and capital improvements, as well as to purchase additional land if necessary.</p>	<p>Favorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>
<p>HB 2732 By Rep. Metcalf, et al.</p>	<p>Relating to recovery of covered unemployment compensation debt through participation in the federal Treasury Offset Program.</p>	<p>Economic & Small Business Development</p>	<p>The Texas Workforce Commission’s (TWC) unemployment compensation program must conform with federal laws or face losing funding. New federal legislation requires states to submit certain debt to the Treasury Offset Program for offset recovery. HB 2732 requires compliance with this new legislation by authorizing the TWC to recover past-due debt for fraudulent or unreported earnings, as well as past-due employer contributions, through the Treasury Offset Program. The bill also requires the TWC to notify the debtor that their dues will be recovered by an offset to their federal tax refund. TWC must assess against the debtor the cost of any administrative fee charged by the U.S. Department of Treasury for each offset.</p> <p>It is necessary that HB 2732 passes so that the TWC will be in compliance with new federal law. If it is not passed, there will be a potential five-year loss of \$638.5 million in federal funding.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 1484 By Rep. Blanco</p>	<p>Relating to regional coordinators within the veteran entrepreneur program.</p>	<p>Defense & Veterans’ Affairs</p>	<p>The Veteran Entrepreneur Program aims to strengthen veteran entrepreneurship in Texas. HB 1484 authorizes the implementation of the second phase of the program, which establishes regional coordinators in major economic centers to expand program reach, and provides entrepreneurial education for veterans.</p> <p>The program, begun in 2012, has provided services to over 2,000 aspiring veteran entrepreneurs. It is the only program of its kind in the United States. HB 1484 allows this program to proliferate, so that veterans may learn business skills that could not be acquired during their service, and become successful entrepreneurs.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 2589 By Rep.</p>	<p>Relating to the prosecution of and punishment for assaulting a disabled individual; increasing a criminal penalty.</p>	<p>Criminal Jurisprudence</p>	<p>A defendant is charged with aggravated sexual assault if they commit an offense against a victim <i>13 years old or younger</i>, the elderly, and disabled individuals, defined as those <i>older than 14</i> years of age. This leaves 14 year old disabled children unprotected under this statute, and crimes against them downgraded to sexual assault. HB 2589 corrects this loophole in the Penal Code by redefining a ‘disabled individual’ as one with mental or physical disease <i>older than 13 years of age</i> to ensure that 14 year old disabled children are among these protected classes.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>