



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

LSG Floor Report for Postponed Business – Monday, May 4, 2015

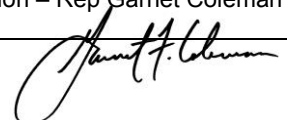
Bill	Caption	Committee	Analysis & Evaluation	Recommendation
HB 2182 By Rep. Clardy, et al.	Relating to the collection and refunding of certain fees and deposits by a county clerk or district clerk; increasing certain fees.	Judiciary & Civil Jurisprudence	HB 2182 seeks to align court user fees between the county and district clerk of courts offices, which can vary greatly within a county and outside jurisdictions. Many of the proposed changes to the administrative court costs have not seen an increase in decades. Streamlining of fees in the standard amount of \$50, will create consistency among the courts; whereas, current fees range from \$2 to \$50 and is very confusing for most users. Updating administrative court costs to one amount for most fees will minimize confusion of payment. The listing of updated fees is itemized in the bill.	Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org
HB 102 By Rep. Fletcher, et al.	Relating to the creation of the offense of cargo theft.	Criminal Jurisprudence	<p>Cargo theft is a serious problem and the legislature is right to address it. This bill, however, goes too far in defining the crime and penalties and makes it too likely that a minor crime can be met with major consequences. Disproportionate punishment for crimes is a current major problem with our criminal justice system, and this bill will continue to add to that problem. This is not to say that cargo theft is not a serious problem that should be addressed; it is. But we should make solve it appropriately. The current bill is unfavorable, but it might easily be cured if its more problematic provisions are addressed – particularly the provision that makes cargo theft of <i>any amount</i> a punishable state jail felony. One suggestion is to bring this provision in line with other types of theft, which has a minimum dollar threshold of at least \$1,500 to qualify as a state jail felony.</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</p>	Unfavorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org

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			<p>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 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>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 2769 By Rep. Rodriguez, E.</p>	<p>Relating to the date of expiration of a certain pilot revolving loan program established under the Loanstar revolving loan program to provide for energy efficiency measures and renewable energy technology for certain organizations.</p>	<p>Energy Resources</p>	<p>In the 82nd session, legislation was passed establishing a pilot program offering loans to promote renewable and energy efficient technology for non-profit organizations & churches. HB 2769 extends this program two years to end on Dec. 31st, 2017 instead of the current expiration date on Dec. 31, 2015. Utility bills are often some of the largest expenses for non-profit agencies and places of worship. This bill would help to alleviate those costs, allowing these organizations to focus their funds on serving the community.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 1843 By Rep. Aycock</p>	<p>Relating to providing training academies for public school teachers who provide reading instruction to students in prekindergarten through grade three.</p>	<p>Public Education</p>	<p>In 2013, 37% of 4th grade students were at "below basic" levels in reading and only 28% were "at or above proficient" levels. There are a variety of reasons attributable to low reading proficiency rates in elementary students, however teacher quality is believed to improve these skills. All students, especially those who do not have proficient reading and comprehension skills, will be better served with evidence-based and innovative tools.</p> <p>HB 1843 requires the development of literacy achievement academies for training on necessary, effective instructional practices for reading curriculum for pre-k through 3rd grade teachers. The commissioner will specify the criteria for teachers allowed to attend the academy, prioritizing teachers at school districts with 50 percent or more of the students enrolled are educationally disadvantaged. The bills allows a teacher attending the literacy achievement academy to receive a stipend and regional education service centers must assist the development and operation of literacy achievement academies, if requested by the commissioner.</p> <p>HB 1843 carries an approximately \$20 million fiscal note for development and maintenance of the academies, plus teacher stipends. It is believed that the creation of these academies would significantly assist students to achieve better proficiency levels in reading which would allow for greater achievement in all subjects, a cost-saving method for the state with reduced dropout and grade retention rates.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

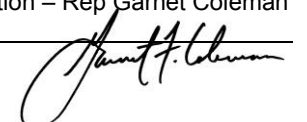
<p>HB 3522 By Rep. Longoria</p>	<p>Relating to photo identification requirements for certain stored value card purchases.</p>	<p>Investments & Financial Services</p>	<p>HB 3522 requires that a merchant obtain a photo I.D. to verify the identity of the cardholder before any transaction in which the cardholder 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 861 By Rep. Dale, et al.</p>	<p>Relating to the prosecution of the offense of online solicitation of a minor.</p>	<p>Criminal Jurisprudence</p>	<p>Oftentimes when a sexual predator assaults a child, they first work to gain the child’s trust through a process known as grooming. As part of this process they may engage the child in multiple exchanges over the internet which might become lascivious in n before luring the child into an encounter of sexual assault. Our laws surrounding online solicitation of a minor were created to enable law enforcement to go after a predator in the process of grooming to prevent the assaultive offense. However, in the recent case of Ex Parte Lo a Texas appellate court struck down our statute for being overly broad and infringing on first amendment rights, opining that sexually explicit speech is protected speech. The court then suggested the statute be focused on conduct instead of speech.</p> <p>HB 861 brings current statute related to online solicitation of a minor into constitutional compliance by spelling out that a person commits an offense if they engage in online communication with a minor with the intent to engage in: indecency with a minor, sexual assault, aggravated sexual assault, sexual performance by a child, or possession or promotion of child pornography. The process of grooming can take days, weeks, even years, and have significant psychological impact on a child, resulting in lasting trauma. HB 861 is a better tailored law, which will enable law enforcement to go after a predator in the process of grooming instead of having to wait for an assaultive act to be committed. Without passage of such a measure, we cannot adequately protect child welfare and expose our most vulnerable to harmful communication and acts.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@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 1076 By Rep. Thompson, S.</p>	<p>Relating to the authority of a magistrate to prohibit certain communications in an order for emergency protection; amending provisions subject to a criminal penalty.</p>	<p>Criminal Jurisprudence</p>	<p>A Magistrate’s Order of Emergency Protection (MOEP) is a temporary order, typically in effect for 61 days, which can be issued to a party arrested for domestic violence, sexual assault, aggravated sexual assault, and/or stalking. Like a protective order, under a MOEP, the arrested party can be prohibited from the following: continuing to abuse or stalk a protected person and their family, from going near their home, work, or school, from possessing a weapon, and from communicating in a threatening manner. HB 1079 expands the authority of a magistrate to issue a “no contact order” as part of a MOEP, which would prohibit the defendant from communicating with the protected person or their family except through an attorney or another court-appointed person.</p> <p>Opponents contend that it is inadvisable to prohibit communication between an arrested party and their children. However, in cases involving protective orders, “no contact orders” are typically only issued when children are not involved; custody agreements prevail in those situations when they are involved. It is important to understand that a MOEP does not directly protect a survivor, but prohibiting</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

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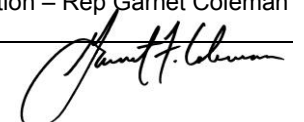
			communication might deter an abuser from being in the vicinity of the survivor. Adding a “no contact” provision to a MOEP is essential to protecting an abuse survivor and providing peace of mind, as an arrested individual might be angered by police intervention and more likely to retaliate against them afterwards.	
HB 15 By Rep. Otto, et al.	Relating to the management and oversight of state contracts, including contracts for information technology commodity items.	Government Transparency & Operations	HB 15 increases oversight for contract management to prevent future scandals. It requires a bidding process be used for all state contracts for information technology commodity items with at least 3 bid offers for any contract where at least 3 vendors offer the services being sought. Any contracts over \$50,000 related to information technology commodity items shall work closer with DIR regarding statements of work. Contracts over \$50,000 for certain construction projects, consulting services, or professional services require the state agency commissioning it to submit a written notice regarding the contract to LBB, who will develop a Contract Oversight and Management Team. This team will develop criteria for determining which contracts are high risk. High-risk contracts will be monitored more closely and require more oversight than other contracts, including approval by the Contract Oversight and Management Team, before spending any money. These extra protections will help avoid future bad contracting experiences and ensure that there is proper oversight when tax dollars are spent on contracts with private vendors.	Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
HB 3619 By Rep. Capriglione	Relating to a surcharge imposed for the use of a debit card or stored value card; providing a civil penalty.	Investments & Financial Services	HB 3619 creates enforcing procedures for illegal surcharges on debit or stored value cards. If a person is believed to have imposed a surcharge for debit or stored value card use on a buyer then a series of steps will be committed by the attorney general. First, the AG must send a letter detailing the provisions and requirements on the prohibition of surcharges, along with the penalty for subsequent violations. The AG or county prosecutor where the violation occurred, are authorized to sue the person who committed subsequent violations. Providing a series of steps to be taken before a civil penalty is made against the violator allows the person to understand their wrongdoing and gives them the opportunity to correct their actions. The bill enhances the state’s ability to catch violators who knowingly and repeatedly impose a surcharge instead of accidental violations, saving the state unnecessary costs.	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
HB 2825 By Rep. Coleman	Relating to the provision and administration of indigent defense services.	County Affairs	Currently, The Texas Indigent Defense Commission (TDIC) provides financial and technical services to counties to assist them in improving their indigent defense system. HB 2825 allows TDIC to provide grants to a collection of counties that are operating through an inter-local agreement to improve indigent defense services. HB 2825 promotes county collaboration and cost savings within counties by simplifying the grant distribution process and decreasing the administrative work	Favorable Evaluated by: Marisela Gomez 512-763-0031 marisela.gomez_HC@house.state.tx.us
HB 3005 By Rep. Laubenberg	Relating to the deadline for certain processes and procedures involving an election.	Elections	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.	Will of the House Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
HB 300 By Rep. Gonzales, L., et al.	Relating to the allocation to the Parks and Wildlife Department of the proceeds from taxes imposed on the sale, storage, or use of	Appropriations	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. Due to this session’s initiative to spend down the sporting goods tax account towards its original intent—parks-- the Department will be	Will of the House Evaluated By: Tara Blagg 512-763-0031 tara@texaslsg.org

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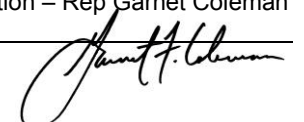
	sporting goods.		<p>receiving historically high funding across all areas. State parks will receive \$217 million under this bill, as opposed to \$193 million under the original fixed funding formula. However, small local parks will only receive \$19 million as opposed to \$39 million under the formula 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 to ensure that funding is distributed more equally across all parks now and in future sessions.</p>	
HB 1344 By Rep. Sheets	Relating to credit to certain ceding insurers for reinsurance ceded to certain assuming insurers.	Insurance	<p>HB 1344 positively affects the way in which Texas can invest funds that are held as security for reinsurance contracts. Under current provisions, insurance investments are restricted to securities that are marketable over a national exchange, have a maturity date of less than 1 year, and are listed by the Securities Valuation Office (SVO). Only Texas and Minnesota limit investments of this type. National standard allows states to invest the assets in securities listed by SVO; this bill will align Texas with that standard. This bill removes the time limit criteria and allows assets to be invested in Texas, so long as they are SVO approved investments. This will allow insurers to get the best return possible on their investment, and allow business to stay in Texas.</p>	Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org
<u>LSG Floor Report For General State Calendar – Monday, May 4, 2015</u>				
HB 2084 By Rep. Muñoz, Jr.	Relating to transparency in the rate-setting processes for the Medicaid managed care and child health plan programs.	Human Services	<p>In 2014, there was an estimated 82% of Texas Medicaid clients receiving services through managed care, 57% of whom were recipients of the State of Texas Access Reform (STAR) managed care program services. STAR program payment rates are set by a variety of complex factors and change overtime. HHSC and respective actuaries currently have discretion over their methodology of justifying payment rates in Medicaid managed care programs. Actuarial reports from HHSC significantly lack transparency, as they do not detail the factors, sources, methodologies and formula that are considered when rate-setting. It is necessary that the process of rate-setting be transparent so information can be accessed by policymakers and stakeholders to better understand the process and determine if rates are reasonable and appropriate. HB 2084 requires that HHSC clearly detail and demonstrate the methodology used for setting all Medicaid managed care programs and the Children’s Health Insurance Program (CHIP) and how the executive commissioner determined that the set rates are actuarially sound.</p>	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
HB 2667 By Rep. Ashby	Relating to the abolishment of certain programs administered by the Texas Economic Development Bank.	Economic & Small Business Development	<p>During the interim, the Select Committee on Economic Development suggested eliminating the sparsely used and inactive state government programs under the Texas Economic Development Bank. HB 2804 reflects the recommendation and repeals the Business Development Linked Deposit Program and Texas Small Business Industrial Development Corporation. Additionally, the bill transfers all money from the Texas Business Industrial Development Corporation to the Texas Economic Development Bank.</p>	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
HB 2246 By Rep. Villalba, et al.	Relating to the restriction of certain intoxication offenders to the operation of a motor vehicle with an ignition interlock device in lieu of a license suspension.	Homeland Security & Public Safety	<p>HB 2246 allows for individuals with suspended licenses due to driving while intoxicated to apply for the installation of an ignition interlock device in their car, which would permit them to continue driving when sober. To drive with an ignition interlock device, a person must blow into the device and, if the person is intoxicated, the car will not turn on. HB 2246 states that, to use an ignition interlock device, a person with a suspended license must apply for an occupational driver’s license with an ignition interlock designation.</p> <p>Many people with suspended licenses have to make the difficult choice between not being able to go to work and driving illegally. If they choose not to drive, it can prompt further consequences, such as being unable to pay bills or support themselves. Further, many drivers are assigned treatment or alcohol abuse classes, and being unable to drive could make it difficult for them to complete the terms of their probation and get in the way of recovery if the individual has a serious drinking problem.</p>	Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org

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			An ignition interlock device would stop drivers from operating a motor vehicle while intoxicated, which promotes safer streets, and also helps them continue to be able to work, attend treatment or school, and remain active in their communities. Keeping drivers who have committed driving while intoxicated offenses engaged in the community can help them turn their lives around quicker, and an ignition interlock device that stops drivers from driving while under the influence can be the answer to this. This legislation will also apply to being intoxicated while: flying; boating; assembling or operating an amusement park ride; and driving with a child in the car. Further, it applies to when a license is suspended for intoxicated assault or intoxicated manslaughter.	
HB 3333 By Rep. Clardy	Relating to the investment of funds by certain municipal hospital authorities.	Public Health	HB 3333 allows counties of 2.4 million residents or more (Dallas and Harris Counties) and municipalities of 15,000 residents or fewer to invest authority funds by a municipal hospital authority that no longer operate hospitals. This expands upon a bracketed bill (SB 233) from last session that applied to Harris County alone. Instead of being under the rules of Public Fund Investment Act, hospital authorities will be under the rules and regulations of Trust Fund Act, which has fewer restrictions to hospital authorities but with all the same safeguards as the Public Fund Investment Act. This helps hospital authorities continue to offer services in a community to help promote healthcare and healthy living.	Will of the House Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
HB 2499 By Rep. Thompson, S., et al.	Relating to the electronic filing of bail bonds in certain counties.	Criminal Jurisprudence	HB 2499 allows bail bonds to be filed electronically with the court, magistrate, or other such authority. It is a cost-effective and green measure that counties <i>may</i> choose to implement for timelier and more secure processing of bonds.	Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
HB 2634 By Rep. Kuempel, et al.	Relating to the construction manager-at-risk used by a governmental entity.	Government Transparency & Operations	HB 2634 prohibits a construction manager-at-risk to be simultaneously employed as an engineer or architect for the same project. Currently, as long as two separate procurement processes are used to contract the engineer or architect and the manager-at-risk, the same person can serve in both contracts. This is a conflict of interest and may even create competitive disadvantages for companies involved; HB 2634 would eliminate this potential bias.	Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
HB 2587 By Rep. Oliveira	Relating to a study regarding employers who do not participate in and injured employees who are not covered under the workers' compensation system.	Business & Industry	Texas prides itself on being business friendly, but this comes at a price. We are the only state in the country that doesn't mandate our businesses to cover their workers with workers' compensation insurance. Uncompensated care costs from injured employees being dumped at our emergency rooms cause our insurance premiums to rise and increase property tax rates, as public hospitals recover expenses by increasing local healthcare district tax rates. Lowering property taxes in a sustainable manner might actually look more like insuring our population. HB 2587 requires the Texas Department of Insurance (TDI) to conduct a study to identify industries that tend to not use worker's compensation insurance, to identify the rationale behind said decision, and to determine the impact of displacing this burden onto the public. It authorizes TDI to require entities to submit data for this purpose. We currently allow businesses to elude liability for their injured employees and allow responsible businesses to be undercut by bad actors who cut corners to keep costs down. While we all pay, a workplace injury can be financially devastating to the retail employee or construction worker affected by lack of regulation. The data provided by HB 2587 can help inform more stringent policy.	Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
HB 2704 By Rep. King, T.	Relating to the sale or use of an incorrect weighing or measuring device; amending	Agriculture & Livestock	HB 2704 will help protect consumers from inaccurate or fraudulent weighing or measuring devices, such as fuel pumps, livestock scales, and grocery scales. Previous legislation added the requirement that parties must "knowingly" commit fraud or negligence, limiting TDA's ability to protect consumers. This bill strikes "knowingly" from the code, returning TDA's strict liability enforcement.	Favorable Evaluated by: Cathryn Taub 512-763-0031

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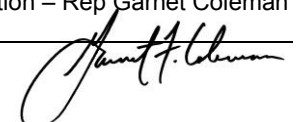
	provisions subject to a criminal penalty.			cathryn@texaslsg.org
HB 3337 By Rep. Clardy, et al.	Relating to training and education for state agency administrators and employees.	General Investigating & Ethics	<p>Currently, there is a lack of strong policy and a dearth of lax enforcement of what policies exist when it comes to state agencies paying for the higher education of its employees. Often, agencies front the costs without keeping track of whether the employee successfully completes the coursework. Other times, agencies are paying for coursework in fields unrelated to the individual's job. Additionally, some agencies are paying for courses to be taken at expensive private universities and colleges even when the same degree is available significantly cheaper at a nearby state university.</p> <p>HB 3337 seeks to address these issues by strengthening policy related to coursework. Agencies will only reimburse tuition costs for employees if the executive head of the agency has approved the expense and the course has been successfully completed. Each agency is required to create its own policy that must be clear and objective; include guidelines for reimbursement of nontraditional courses. HB 3337 creates needed transparency so that funds are not being squandered inappropriately while still benefitting employees who need courses to help them do their jobs better.</p>	Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
HB 2812 By Rep. Springer	Relating to the limit on junior college courses that a high school student may enroll in for dual credit.	Public Education	Dual credit courses provide an opportunity for students to receive college credit simultaneous with their high school curriculum. In Texas, over 100,000 students every year enroll in dual credit courses. More students are starting to take advantage of this opportunity due to the rising costs of college tuition. A typical full-time student enrolls between 12-15 hours of courses. A student attending Houston Community College as a full-time student would pay approximately \$372-\$465 semester and students at Austin Community College would pay approximately \$804-\$1005 semester. Current statute puts a limitation on the number of courses that a high school student may enroll in, if the junior college doesn't have a service area that includes the student's high school. HB 2812 repeals the service area limitation on enrollment of dual credit courses for high school students. Eliminating this provision will allow more students to take advantage of this cost-savings academic opportunity.	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
HB 2844 By Rep. Raney	Relating to the application of the sales and use tax to the lease or rental to a full service event business of certain tangible personal property.	Ways & Means	<p>This bill eliminates an instance where double taxation occurs, which we always want to avoid. However, fixing the problem imposes a cost that is not made up elsewhere. We are very concerned by the apparent willingness of this legislature to spend down (as tax cuts) or set aside certain GR funds to pay for items in this time of surplus. We all know that we might not have such a surplus come next Legislature, and the reason (excuse) that will be given for having to defund critical items (education, healthcare, mental health) will be because "we cannot afford it and now is not the time to raise taxes." We are stomping a hole in our budget that will come back to bite us later on and we need to stop.</p> <p>Currently if a full service event business purchases an item to lease, rent or sell to customer, they pay the sales tax on it. When the customer purchases, rents, or leases that item, they also pay sales tax on it. HB 2844 would exempt the business from paying sales tax on the original item, assuming that a customer later down the line will be paying the owed tax. The House just passed legislation lowering the sales tax, and business can already write off much of their sales taxes. We cannot base our tax code on the assumption that someone else will take care of it.</p>	Will of the House with Concerns Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org

<p>HB 2826 By Rep. Murphy</p>	<p>Relating to the eligibility of certain property located in multiple school districts for a limitation on appraised value for school district maintenance and operations ad valorem tax purposes under the Texas Economic Development Act.</p>	<p>Ways & Means</p>	<p>An appraised value limitation is an agreement in which a taxpayer agrees to build or install property and create jobs in exchange for a ten-year limitation on the taxable property value for school district maintenance and operations tax purposes. Sometimes there are projects spanning multiple school districts and there has been confusion about their eligibility for this tax credit. Currently the comptroller doesn't compute multidistrict eligibility on the aggregate value of a project- instead each project has to qualify separately in each district. A portion of the project may be ineligible since it does not meet the incremental threshold, although the whole project would meet it in aggregate. HB 2826 would have the base determination of a project's investment on the entirety of the project, including those associate elements in other school districts, and the multidistrict project would be considered as if it was residing in the district with the highest value threshold for tax purposes.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 408 By Rep. Turner, C., et al.</p>	<p>Relating to the retirement benefits for certain elected officials.</p>	<p>Pensions</p>	<p>Currently, there is a loophole that allows certain elected officials to transfer time served while elected from the "elected class" to the "employee class" in order to meet "rule of 80" to make them eligible for state annuity. As a result, these individuals can receive both a state salary and service annuity payments concurrently, without ever leaving office. Elected officials are stewards of the public trust and taxpayer money, and should not be allowed to "retire" while in office, resulting in being paid twice while in office. Texas is the only state that allows this practice. HB 408 closes this loophole so that time served in the elected class cannot be transferred to the employee class, until the elected official no longer holds that position, which would eliminate officials being paid twice for the same job. This does not affect the retirement of retired state employees who later run for public office. This is not retroactive.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 3027 By Rep. Zerwas</p>	<p>Relating to the establishment of the Texas Competency-Based Education Grant Program for certain students enrolled in competency-based baccalaureate degree programs at certain institutions of higher education.</p>	<p>Higher Education</p>	<p>HB 3027 establishes a Texas Competency-Based Education Grant Program. This program will award grants to institutions of higher education that engage in competency-based education, specifically for baccalaureate programs; the institutions of higher education in turn will award grant moneys to eligible students. Competency-based education measures learning rather than time in the classroom and students advance by demonstrating mastery in coursework. Competency-based learning is particularly beneficial to adult, or non-traditional, learners because it allows for life experience to count as credits if mastery in content areas has been achieved. Individuals engaged in competency-based learning currently often are excluded from other state financial aid, and this program can help these students pay for classes and graduate sooner and successfully.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 3241 By Rep. Price, et al.</p>	<p>Relating to state agency contracting; creating an offense.</p>	<p>State Affairs</p>	<p>An enormous part of our state budget is spent through contracts ranging from tiny amounts to over a billion dollars. For instance, DSHS contracts out for almost all of the services that they directly delivered 30 years ago, but no new accountability or oversight mechanisms were established. Guidance is needed not just in DSHS, but across Texas government there is a need to make sure all necessary processes and safeguards are up to date to ensure that tax payer dollars funneled through these contracts are spent appropriately, efficiently and effectively.</p> <p>HB3241 is an extensive bill that does the following:</p> <ul style="list-style-type: none"> • Directs the state auditor to work with Medicaid/CHIP Division to review performance on HHSC contracts worth over \$100 million/ year • Directs the state auditor to work with governor's budget and policy staff to conduct a study about the practicability of 	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

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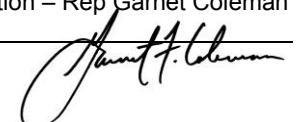


			<p>consolidating state purchasing agencies.</p> <ul style="list-style-type: none"> • Outlines document retention requirements • Provides 2-year waiting period before a state employee who managed contracts can work for the entity who received the contract and vice versa. • Includes “solicitations and contracting” under Enterprise Resource Planning • Details expanded training requirements, including ethics training • Mandates state agency conduct performance review and report of terminated or completed contract and specifies how vendors can protest a review. • Dictates that comptroller manage tracking system and contract database for agencies to enter performance reviews • Restricts state agencies that buy goods & services listed as schedule or state agencies buying goods off their specialized list from establishing contracts over \$1 million and provides bid structure for eligible contracts • Requires state agencies to develop, execute and post statements of work for contracts exceeding \$50,000 • Summarizes disclosure of conflict of interest requirements for TXDOT and Higher Education including posting requirements for transparency • Defines requirements for Higher Education and TXDOT contracts exceeding \$1million and \$5 million • Requires each state agency develop and implement risk analysis procedure and publish their contract management handbook • Adds a member from TEA, TXDOT and TCEQ to the Contract Advisory Team (CAT), and expands their duties to include determining justification for contract price increases of 20% or more, and reporting to the comptroller if justification was not found. • Mandates that CAT submit a quarterly report to LBB about number of contracts and whether CAT recommendations were followed. • Dictates that the Board of Regents for Higher Education prescribe framework for code of ethics, policies for internal audits, disclosure rules for outside activities etc. <p>Are the contracts the state is entering into ethically procured and efficiently borne out? Additional oversight requirements, scrutiny, fairness, competitive processes, ethical training, transparency & accountability are all greatly needed to make sure the answer to that question is a yes.</p>	
<p>HB 4168 By Rep. Bonnen, D.</p>	<p>Relating to composition of the board of directors and the powers of the Gulf Coast Water Authority.</p>	<p>Natural Resources</p>	<p>The Gulf Coast Water Authority (GCWA), supplies raw surface water to many of the major industries in the municipal and Ag interest in the lower basin of the Brazos River. The area served by GCWA includes Galveston, Fort Bend & Brazoria Counties- one of the most rapidly growing parts of our state. More than 40% of the authority’s total contracted water volume is from outside Galveston County- it’s from Brazoria and Fort Bend Counties. The name of the authority was changed in 1991 from the Galveston county water authority, to GCWA to allow for a better relationship with Brazoria and Fort Bend as a reflection of who the authority supplies. To continue with that more equitable relationship, HB 4168 changes the make up to the district directors from 7 to 9- 4 from Galveston instead of its current 5, 2 from Fort Bend instead of their one, and 3 from Brazoria instead of their one. This bill also strikes the requirement that any of the board members be engineers. Instead, they are all either representing industrial interests, Ag interests, municipal interests, or the county at large and no formal education or expertise is required.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>



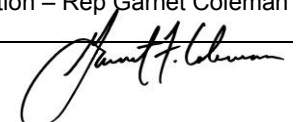
			<p>In addition, HB 4168 allows the GCWA to enter into agreements for the purchase or sale of electric power connection with the acquisition of water. Because of restrictions related to subsidence, neither the GCWA nor its customers have ground water resources as an alternative source of water. Limited water availability from the Brazos River, increased demand due to industrial expansion and population growth, all exacerbated by the drought, require the GCWA to pursue all available alternative water resources. Marine seawater is a potential source for public water supply available and within the GWCA service area. Treatment of marine seawater requires integration with power projects as the substantial energy cost power desalinization associated with continuing to treat seawater to potable conditions. HB 4168 allows GCWA to buy & sell electricity when that expense investment is associated with water supply projects.</p> <p>This will allow these counties to more effectively use alternative water resources to meet the demand of Texas' growing population.</p>	
HB 3791 By Rep. Geren	Relating to the provision of recordings of certain interactions with a peace officer relating to intoxication offenses.	Homeland Security & Public Safety	HB 3791 allows individuals who have been stopped or arrested on suspicion of certain intoxication offenses to receive a copy of any video made by the arresting officer documenting the stop, arrest, conduct of person stopped, and the taking of the person's breath or blood specimen. This will protect citizens by promoting accountability and transparency in police activity.	Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
HB 3692 By Rep. Landgraf	Relating the financing of convention center hotels in certain municipalities.	Ways & Means	Currently, certain eligible municipalities may use municipal hotel occupancy tax (HOT) revenue for the construction of a convention center hotel. HB 3692 would expand the eligibility of municipalities in West Texas to rebate or refund the HOT revenue collected from a privately-owned hotel that is constructed within 1000 feet of a municipally-owned convention center facility. HB 3692 affords local government with the ability to diversify their economy using hotel occupancy dollars as a means to incentivize local economic development.	Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org
HB 3325 By Rep. Gutierrez	Relating to requirements for barber schools and private beauty culture schools.	Licensing & Administrative Procedures	<p>HB 3325 establishes less stringent requirements for barber and private beauty schools to receive permits. It authorizes the Texas Department of Licensing and Regulation (TDLR) to grant permits to all barber schools that provide adequate classroom space and offer instruction to those seeking a Class A certificate. It also authorizes TDLR to grant permits to private beauty schools if they provide a permanent and adequate space in a building divided into an area for instruction and an area for clinical practice. Under the bill, stringent requirements now only apply to schools granting operator licenses to students.</p> <p>Lessening regulation on barber and private beauty schools will encourage entrepreneurship and training in this area, and will foster the creation of jobs and opportunities.</p>	Favorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org
Amendment To HB 3325	By Rep. Schaefer	841249	This amendment further reduces barber and private beauty school permit requirements by repealing minimum standards for school square footage, number of chairs, and number of sinks. Schools would be required to only meet health and safety standards established by the commission.	

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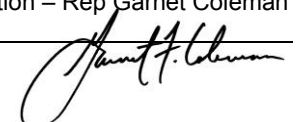
<p>HB 966 By Rep. Crownover, et al.</p>	<p>Relating to the creation of an optional consumer-directed health plan for certain individuals eligible to participate in the group benefits program provided under the Texas Employees Group Benefits Act and their qualified dependents.</p>	<p>Pensions</p>	<p>HB 966 implements Health Savings Accounts (HSAs) in the ERS Group Benefit Health Plan in which more than 436,000 active employees, retirees, and elected officials participate. Implementation of HSAs negatively affects the risk pool of the comprehensive plan because younger, healthier people tend to leave the comprehensive plan for the HSAs. This causes the risk pool of the comprehensive plan to be smaller, older, and sicker, making costs rise exponentially and thereby making the comprehensive plan unaffordable. Although HB 966 states a legislative intent that risk pools in the HSA and comprehensive plans be combined, there is no guarantee that practice will occur. It is likely that financial pressure will lead to separation of HSA and comprehensive plans.</p> <p>In Indiana in 2006, an HSA plan was implemented for state employees and the dangers above played themselves out. In 2006, a family coverage annual premium in a comprehensive plan was \$3,500; just 9 years later in 2015, the same plan was \$16,450 and offered fewer health plan benefits. This made Indiana’s plan unaffordable and inaccessible. There are serious concerns that implementing an HSA in the ERS Group Benefit Health Plan will cause the same adverse selection results and hurt state employees (including legislative staff, many community college and university employees, and even some legislators). This bill allows the legislature to ignore its responsibility to help with rising health insurance costs for state employees. It is a vague bill with no numbers, relying on the promises and goodwill of the ERS system administrators rather than specified details. This hurts those who rely on the comprehensive plan, including older individuals and those with complex health needs.</p>	<p>Unfavorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 1079 By Rep. Thompson, S., et al.</p>	<p>Relating to the distribution of certain civil penalties, payments, and civil restitution received by the attorney general.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>HB 1079 seeks to expand upon the Chief Justice Pope Act enacted in the 83rd Session to improve access to the courts for persons with limited income who cannot afford basic legal services for civil disputes; this does not include criminal cases. Under HB 1079, civil penalties and restitutions received by the Attorney General will be transferred to the judicial fund and made available for civil legal aid services to indigent families. Justice Guzman testified that civil legal aid is a priority for the Texas Supreme Court because legal aid funding has declined drastically. The primary source of state based legal aid funding comes from the Texas Access to Justice Foundation. Since 2007, the foundation has experienced a loss of over \$99M due to decreasing interest rates. Additionally, Texas ranks 50th in the nation for attorneys available to provide free legal services. There is approximately one legal aid attorney available for every 11,000 Texas families. Legal aid adversely impacts the poor and indigent citizens of Texas; without legal aid services, the courts become flooded with impertinent matters that are a drain on the court’s time and resources. Legal aid services encourages self-sufficiency because parties are informed of legal options available to them; once informed, many choose mediation options rather than appearing before the court.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>HB 1474 By Rep. VanDeaver, et al.</p>	<p>Relating to the placement of money in the state instructional materials fund and payment of the instructional materials allotment.</p>	<p>Public Education</p>	<p>During the 82nd Legislature, SB 6 established the instructional materials allotment (IMA) for schools to purchase instructional materials, technological equipment, and technology-related services. The IMA is available to each school district and open-enrollment charter school. Although this legislation has helped schools in funding their materials needed for instruction, an unintended consequence arose in splitting the distribution of the allotment between the first and second year of the biennium. Many schools have faced challenges in purchasing their instructional materials as the costs of textbooks and other items have exceeded the appropriate amounts for the year. HB 1474 allows districts to receive their IMA funding on a biennium basis as opposed to the current annual basis. By giving districts their full amount of IMA funding on a biennium basis districts are able to eliminate the uncertainty of having enough money to purchase materials for the school year.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 2293 By Rep. Darby</p>	<p>Relating to the certification by the comptroller to the commissioner of education of the taxable value of property in each</p>	<p>Public Education</p>	<p>Current statute requires the comptroller to determine and report taxable values to TEA for the purposes of property value certification, including some obsolete values. HB 2293 allows the comptroller and TEA to enter into a memorandum of understanding (MOU) to determine which taxable values the comptroller reports to the TEA. Through the MOU the comptroller will report filed taxable values for each school district, adjusted as necessary to give effect to the school funding provisions of the Education Code. This offers increased flexibility in reporting the necessary information needed for certification.</p>	<p>Will of the House Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

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	school district.			
HB 2675 By Rep. Larson	Relating to excepting manufacturers engaged in certain commercial research and development from certain provisions of the Texas Controlled Substances Act.	Public Health	HB 2675 allows certain manufacturers located in secure facilities engaged in certain commercial research and development activities to be exempt from the stringent reporting requirements for chemical laboratory apparatus. Currently, anyone who sells, transfers, or otherwise furnishes chemical laboratory apparatus, including beakers and flasks, must keep detailed and accurate records of all transactions related to the apparatus. This was originally to help curtail illicit manufacture of controlled substances, but places an unnecessary burden on manufacturers who are engaged in legal activities and are located in a high security environment and that are following, or willing to start following, stricter federal guidelines. HB 2675 helps these companies focus more on the research and development, as they will spend less time on paperwork.	Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
HB 2731 By Rep. Bonnen, G.	Relating to the exemption of nonprofit ambulance companies from motor fuel taxes.	Ways & Means	Unlike ambulances managed by local governments, non-profit ambulances are not eligible for fuel tax exemptions. These non-profit ambulances are usually established because the city is not able to afford one, and quite often, the ambulances are managed by volunteers. HB 2731 exempts nonprofit entities that are organized for the sole purpose of, and engage exclusively in, providing emergency medical services, from paying tax on gasoline if they use the gasoline exclusively to provide emergency medical services, including rescue and ambulance services. Angleton Area Emergency Medical Corps spends approximately \$2,000 on fuel per year and is one of many non-profit operations that would be greatly helped by this tax relief.	Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org
HB 217 By Rep. Márquez, et al.	Relating to the services provided by a colonia self-help center.	Urban Affairs	HB 217 expands the services colonia self-help centers may provide to its residents. Currently, these centers are able to provide assistance to individuals and families, who live in poverty, with home loan assistance, help with home construction and maintenance, as well as obtaining alternative housing outside of a colonia's area. This bill expands the provided services to include the goal of improving living conditions. To fulfill this goal, the self-help center will be able to assist residents with securing employment, establishing or expanding small businesses, or managing personal finances. HB 217 allows for each self-help center to determine the best course of action for those it serves, and enact these measures accordingly.	Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org
HB 1394 By Rep. Burns, et al.	Relating to the composition, governance, and authority of a regional tollway authority that has or proposes to have projects located in counties that are not part of the authority.	Transportation	HB 1394 establishes that a county in which a regional tollway authority is located becomes a part of that authority, if the county contributes at least 4% to the authority's collections and the county makes up at least 4% of the total population currently served by the authority. If the authority is going to undertake a project that affects a county outside of its membership, the bill requires the regional tollway authority to put together an advisory committee composed of specified members and representatives of affected counties outside of the RTA's membership. It allows the advisory committee to adopt rules regarding its operations. This measure ensures that counties affected by toll projects are represented and instrumental in the planning of toll projects, which greatly impact those counties' residents and businesses.	Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
HB 763 By Rep. King, S.	Relating to a petition to a state agency for adoption of rules.	Government Transparency & Operation	HB 763 limits the participation in petitions to be majority Texas residents. The bill mandates that if a state agency requires signatures on a petition, at least 51% of the signatures must be from Texas residents. An interested person who creates a petition must also be a resident of Texas, a business entity located in Texas, a governmental subsidy located in Texas, or a public or private organization in Texas that is not a state agency. The impetus for this bill was a petition in 2013 filed with the Texas Parks and Wildlife Department to reconsider the use of gasoline as a way to harvest Western Diamondback Rattlesnakes in which 74% of the petition signers were	Will of the House Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org

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			<p>residents in other states. If there are only 100 people signing, less than 51% being Texans may be insignificant. However, if a petition gets over 200,000 signatures and only 50% of them are from Texas, that's still 100,000 Texans who are fighting for something. This bill hampers the democratic process and creates unnecessary complications for petitions, which are generally housed on websites that are accessible to people all over the country. There is no rule that states that if a petition garners X number of signatures, a state agency must comply with the petition requests, therefore HB 763 is unnecessary.</p>	
<p>HB 831 By Rep. Giddings</p>	<p>Relating to disclosure of home mortgage information to a surviving spouse.</p>	<p>Investments & Financial Services</p>	<p>Statute currently limits home mortgage loan information to surviving spouses that are specifically named or described as a party involved with a home mortgage loan. This creates a loophole for surviving spouses who need to obtain mortgage information and are unable to because they are not clearly identified in relation to the loan. In these cases surviving spouses are being required to seek judicial action to receive basic information of the loan.</p> <p>In order to alleviate this burden, HB 831 requires a mortgage servicer of a home loan to provide a surviving spouse, of a deceased person who possessed a loan, information that the mortgagor would receive as their monthly statement. The servicer must provide this information within 30 days after receiving a request from the surviving spouse. Information in the statement would include balance information, delinquent amounts, loan number, and any escrow deposit. A surviving spouse must submit specified information to receive this mortgage information and the servicer is not liable for the estate of the mortgagor. HB 831 grants surviving spouses the mortgage information necessary to continue living in their home, without the emotional and financial burden of a obtaining a judicial action.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 764 By Rep. King, S., et al.</p>	<p>Relating to the use, collection, and security of health care data collected by the Department of State Health Services.</p>	<p>Public Health</p>	<p>HB 764 improves the operations of the Texas Health Care Information Council (THCIC), which was established by the legislature approximately 20 years ago to collect and aggregate statewide health care quality data at hospitals and ambulatory surgical centers in Texas. The bill's improvements are based on the DSHS Sunset Commission Report. HB 764 requires all information in the database be de-identified; however, it allows DSHS to continue to use identifying sensitive information to continue other legislatively mandated reports and programs. This bill also requires that health care providers inform patients that their de-identified information will be added to the THCIC database. THCIC must use all current best practices and national standards for public research and consumer use of health care data. All data collected and used by THCIC will be used for the good of the public, and HB 764 prohibits the sale of data. DSHS must create a transition plan to continue funding operations of THCIC, because current funding comes from sale of data. HB 764 will improve THCIC and its research developments, potentially improving the health outcomes of Texas.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

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