



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

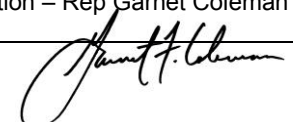
LSG Floor Report for Postponed Business – Tuesday, May 5, 2015

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
HB 599 By Rep. Anchia, et al.	Relating to the duties of a magistrate to inform an arrested person of consequences of a plea of guilty or nolo contendere.	Criminal Jurisprudence	HB 559 adds to the <i>Miranda</i> warning, requiring a magistrate to notify a non-citizen defendant that pleading guilty or “no contest” to a misdemeanor offense may affect that defendant’s immigration status and result in deportation. For felony proceedings, this admonishment is already required. HB 559 provides uniformity to ensure that defendants understand the consequence of their pleas in all criminal cases, upholding fair due process. This is critical to properly administering justice in misdemeanor cases because defendants are rarely assigned court-appointed counsel and would have no way to know that what might appear on its face to be a favorable plea bargain could dramatically jeopardize a life with their family, the opportunity to be naturalized, and have other life-altering implications. HB 559 closes a gaping loophole to equitable due process by enabling non-citizens to make informed pleas.	Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
HB 1730 By Rep. Smithee	Relating to own risk and solvency assessment by insurers and insurance groups; providing a penalty.	Insurance	<p>HB 1730 requires domestic insurers to maintain a risk management framework to assist with identifying, assessing, monitoring, managing, and reporting on the insurer's material and relevant risks. This is a direct result of the 2008 financial crisis, and is modeled on the National Association of Insurance Commissioners (NAIC) risk solvency assessment. Insurance companies, most often owned by holding companies, can be directly affected by their non-insurance operations, such as the holding company’s real estate, banking, or securities activities. An Own Risk Solvency Assessment will be an internal assessment by the insurer of the risks associated with the current business plan, and the amount of capital resources available to support said risk. Failure to comply results in an administrative, monetary penalty, with each day constituting a new violation.</p> <p>The risk and solvency assessment laid out in HB 1730 is a confidential internal assessment, appropriate to the nature, scale and complexity of the insurance group, based on the material and relevant risks associated with the insurer, the group’s business plan and sufficient capital resources available to support the risks. These assessments will be conducted annually, or any time there are significant changes to the group’s risk profile.</p> <p>Due to the sensitive nature of the information contained in the report, the commissioner, insurer, and third party consultants are required to maintain the utmost confidentiality. In addition, the commissioner and any other person who receives assessment related information may not testify in any civil action concerning information given in the assessment report. When the sharing of information contained in the report is required, such as to other state, federal, regulatory agencies, or NAIC; the recipients of the information are required to state in writing the privileged and confidential nature of the documents, and the recipients’ legal authority to maintain privilege and confidentiality.</p>	Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org

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<p>HB 3330 By Rep. Otto, et al.</p>	<p>Relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.</p>	<p>Appropriations</p>	<p>HB 3330 appropriates the funds necessary to pay certain claims and judgments against the state. These payments come from general revenue, Fund 6 (the State Highway Fund), the Game, Fish, and Water Safety Account No. 9, the State Parks Account No. 64, Compensation to Victims of Crime Account No. 469, and the Compensation Clearance Account No. 936, as appropriate.</p> <p>The bill requires that before payment, any claim or judgment must be verified by each special fund’s administrator, and approved by the attorney general and comptroller. Each claim or judgment must contain its reason, specific identification, and an invoice for unpaid goods or services. The comptroller must mail or deliver to each entity one or more warrants in payment of all claims.</p>	<p><u>Will of the House</u> Evaluated By: Tara Blagg 512-763-0031 tara@texaslsg.org</p>
<p>HB 217 By Rep. Márquez, et al.</p>	<p>Relating to the services provided by a colonia self-help center.</p>	<p>Urban Affairs</p>	<p>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.</p>	<p><u>Favorable</u> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 946 By Rep. Workman, et al.</p>	<p>Relating to painting and marking requirements for certain meteorological evaluation towers; creating an offense.</p>	<p>Agriculture & Livestock</p>	<p>HB 946 will contribute to the safety of low altitude pilots by requiring meteorological towers between 50 and 200 feet tall to be marked and painted in accordance with FAA standards. These meteorological towers are almost invisible to pilots and can be constructed in a matter of hours. Currently, towers below 200 feet in height are not required to be marked and have contributed to the deaths of several pilots. Under the bill, noncompliance in regards to marking the towers will result in a Class C misdemeanor for the owner, operator, or constructor. Should noncompliance result in the death or injury to a pilot, the penalty increases to a Class B misdemeanor. Unmarked towers are a danger to all low altitude pilots, including emergency medical service helicopters, Border Patrol agents, and firefighters. These servicemen and women provide necessary and valuable services and are often engaged in multiple tasks at once. Watching for these nearly invisible towers distracts them from the critical duties they are asked to perform.</p>	<p><u>Favorable</u> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 3692 By Rep. Landgraf</p>	<p>Relating the financing of convention center hotels in certain municipalities.</p>	<p>Ways & Means</p>	<p>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.</p>	<p><u>Favorable</u> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p><u>LSG Floor Report For General State Calendar – Tuesday, May 5, 2015</u></p>				
<p>HB 1596 By Rep. Guerra, et al.</p>	<p>Relating to the Hidalgo County Healthcare District; decreasing the possible maximum rate of a tax.</p>	<p>County Affairs</p>	<p>Last session Hidalgo County was authorized to establish a hospital district subject to voter approval. However, due to the lack of communication on the actual tax rate, voters were concerned with the maximum property tax rate of 75 cents on each \$100 valuation of property.</p> <p>Therefore, HB 1596 will create the Hidalgo County Healthcare District, and lower the cap of the district maximum property tax rate from 75 cents to 25 cents on each \$100 valuation of property. HB 1596 also authorizes the board to order an election to allow the board to increase the tax, not to exceed constitutional provisions.</p> <p>Funds generated from the healthcare district will fund the Medical School in the area and will allow medical and hospital care for the district's indigent residents. HB 1596 will lessen the tax burden on its residents by ensuring residents receive tax exemptions, and by capping the maximum tax rate. Moreover, HB 1596 permits Hidalgo County residents to be a part of the democratic processes by</p>	<p><u>Favorable</u> Evaluated by: Mya Strauss 512-763-0031 info@texaslsg.org</p>

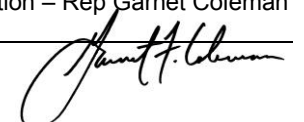
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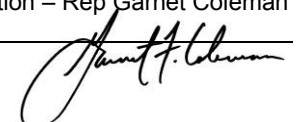
			petitioning to require an election when the question pertaining to increasing the tax amount is before the healthcare district's board.	
HB 156 By Rep. Larson	Relating to the use of proceeds of bonds sold and delivered by a home-rule municipality for a specific purpose.	Investments & Financial Services	Currently, municipalities can use any surplus from voter-approved bonds for initiatives that were not specified on the ballot for the bond election. This presupposes residents' opinion on matters that redirects money from one project to another without a vote. HB 156 restricts a governing body of a home-rule municipality to only use unspent proceeds of municipal bonds for projects only approved by voters. Unless specified on a ballot, money should not be used for projects that residents were not notified about or given the opportunity to decide whether or not a project is needed or wanted.	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
HB 1486 By Rep. Galindo	Relating to a prohibition on a vendor contact with a member of the board of trustees of certain independent school districts during the procurement process.	Public Education	Some school districts have faced challenges with misconduct from decisions made by a board, such as solidifying contracts with vendors who are in relation to a trustee. To prevent such misconduct from occurring, HB 1486 prohibits a member of the board of trustees of an independent school district in Bexar County from any communication with a bidder or offeror, outside a public meeting. Prohibited communication includes a request for proposals or an advertisement for bids, before or during the time the bid or offer is being considered for a contract. If a member is found to have any communication with a bidder or offeror then the board will not be allowed to seek a contract with that person or business. Within the bill are specified instances in which this prohibition does not apply.	Will of the House Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
HB 1944 By Rep. Simmons	Relating to coordinated county transportation authorities.	Transportation	In trying to meet the transportation needs of the Denton area, Denton County Transportation Authority (DCTA) is attempting to contract with a railroad to expand its public rail services along certain I-35 corridors. HB 1944 seeks to restrict liability for purposes of an agreement. The bill caps liability per accident at \$125 million total for both DCTA and the rail entity for all damages. Under the bill, DCTA is required to obtain the insurance, naming the rail entity as an insurer. The bill changes the amount provided to individuals for purposes of relocation should an authority need to exercise eminent domain from costs for property relocated to assistance through the relocation assistance program. Further, the bill makes changes to competitive bidding requirements for transportation construction. Concerns have been raised that in the case of a catastrophic accident, \$125 million would not adequately cover the expensive train machinery, all passengers, and collateral damages. The federal standard is \$200 million, and a recent rail accident in California in fact exceeded \$200 million. DCTA is a public entity and is protected by sovereign immunity, capping its liability. However, the rail entity still needs to be protected, as does the public who use these services under the pretext that their safety has been prioritized by the transit provider. DCTA's mission is to provide "safe, customer focused, and efficient mobility solutions for Denton County"; however, HB 1944 falls short of this aim by cutting several important corners.	Unfavorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
HB 2340 By Rep. Sheffield	Relating to regulation of prescribed pediatric extended care centers; amending a provision subject to a criminal penalty.	Public Health	HB 2340 clarifies and updates statute related to prescribed pediatric extended care centers that allow Medicaid-eligible children with medically complex conditions to receive continual medical care in a nonresidential setting. It clarifies licensure rules, stating that only those with an initial, renewal, or temporary license may operate pediatric extended care centers. HB 2340 further establishes temporary licenses and temporary license requirements. This increases oversight of pediatric extended care centers that serve a vulnerable population.	Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org

<p>HB 3225 By Rep. Murr</p>	<p>Relating to lane restrictions for certain motor vehicles in highway construction or maintenance work zones.</p>	<p>Transportation</p>	<p>HB 3225 allows the executive director of TxDOT to restrict a commercial motor vehicle to a designated lane of state highway in a construction or maintenance work zone, if a traffic study finds such a restriction will improve safety. TxDOT is required to put up traffic control devices to implement the measure before the restriction may be enforced. The restriction may be lifted, if it is no longer deemed efficacious or if the length of highway is no longer a construction or maintenance work zone. In the coming years we will have to increase maintenance and construction on our highways to meet growing demand, such precautionary measures are necessary to reduce collisions.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 3601 By Rep. Darby</p>	<p>Relating to the payment of interest by state agencies.</p>	<p>Appropriations</p>	<p>Currently, higher education agencies are exempt from paying interest amounts less than \$5 on overdue payments to vendors. These small exemptions add up to significant savings, and have been shown to have no significant impact on vendor profits. HB 3601 extends this exemption to all state agencies. This would allow all state agencies to save significantly on interest payments, while vendors will experience no substantial loss.</p>	<p>Favorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>
<p>HB 1069 By Rep. Rodriguez, E.</p>	<p>Relating to services for persons who are deaf or hard of hearing and certification requirements for interpreters for persons who are deaf or hard of hearing; providing an administrative penalty; requiring a fee and changing the rate of a fee; requiring an occupational certification.</p>	<p>Human Services</p>	<p>In Texas, interpreters for the deaf and hearing-impaired are not required to obtain certification for practice. This has caused many instances in which individuals who are deaf or hearing-impaired receive incorrect translations and have been misled with wrong information. There are certain situations, such as receiving medical treatment or attending in college, where having a qualified interpreter to translate important information is critical. HB 1069 addresses this issue by requiring DARS to establish a certification program for deaf and/or hard of hearing interpreters. Any person practicing as an interpreter, in any manner, must obtain a DARS certificate. Certificates are not required for interpreters until June 1, 2017. Penalties are imposed for any person violating the certification requirement. The deaf and hearing-impaired community deserve quality services for their needs and requiring certification ensures their needs are met with minimum standards.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>HB 170 By Rep. Alvarado, et al.</p>	<p>Relating to regulation of the sale, distribution, possession, use, and advertising of e-cigarettes, cigarettes, and tobacco products; creating criminal offenses.</p>	<p>Public Health</p>	<p>HB 170 provides a comprehensive definition for e-cigarette products, bringing statute up to date with currently available e-cigarette and “vaping” devices. This bill also puts the same restrictions on e-cigarette and vaping products that currently exist for traditional tobacco products. These restrictions include prohibiting minors from possessing, purchasing, or consuming e-cigarette products; penalties for said possession, purchase, or consumption; prohibiting persons from selling or giving e-cigarette products or devices to minors; age verification for delivery of e-cigarette devices or products purchased online; and prohibiting use of e-cigarette devices on school campuses and at school events. A product that contains liquid with nicotine, often referred to as “juice” for e-cigarette devices, may not be sold at all unless the container satisfies child resistant effectiveness standards currently in statute, or the cartridge is prefilled and sealed. Each biennium, a report must be completed by DSHS for the legislature including statistical analysis of illegal e-cigarette sales, e-cigarette controls and initiatives, and future goals and plans to decrease e-cigarette use, including educational programs.</p> <p>HB 170 is important to protect children and adolescents from e-cigarette devices. Although research is in progress on the safety or danger of these devices, there is currently enough research to warrant prohibiting minors from using them. More and more adolescents are picking up e-cigarettes even when they have never smoked a cigarette. Many e-cigarette “juices” come in flavors that are very appealing to children, including cotton candy and marshmallow. 88% of adult smokers started smoking as children, and e-cigarettes encourage children to smoke seemingly safe products. Therefore, it is concerning that e-cigarettes could once again increase youth</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

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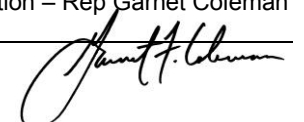


			<p>smoking rates.</p> <p>With more than 466 brands of e-cigarette products in existence, chemicals vary considerably from product to product, hampering research efforts. E-cigarettes and the liquid products that go in them are unregulated by the FDA, and have poor quality control. E-cigarette devices are not approved as smoking cessation products, despite being marketed as a “safe” alternative to smoking. Some chemicals have been linked to respiratory disease when inhaled, and some are known carcinogens. Despite e-cigarette distributors calling the juices or smoke-like substance they emit “water vapor,” water is not an ingredient in the “juices.” Further, many “juice” containers are refillable and can be filled with illegal substances. Texas is one of only 10 states that do not prohibit use of e-cigarette products to minors, and we must catch up as a state to protect young people from the potential harmful effects of e-cigarettes.</p>	
<p>HB 1357 By Rep. Sheets</p>	<p>Relating to certain title insurance policy liability and reinsurance requirements.</p>	<p>Insurance</p>	<p>Currently, large real estate transactions require title insurance, which exceeds most companies’ budgets. Companies then turn to reinsurance, and often reinsure with one another. However, projects currently overtake single-risk premium limits of the entire title insurance industry, driving many insurance companies to seek reinsurance from non-title reinsurers. HB 1357 will address this by modifying single-risk limits in accordance with the National Association of Insurance Commissioners (NAIC) model for the Title Insurers Model Act.</p> <p>In Texas, the statutory limit that a title insurance company can retain on primary or reinsurance is 50% of a company’s capital and surplus. TDI also allows an additional 40% reinsurance upon a hearing, which is very rare. In most situations, the insured simply has to self-insure when the transaction exceeds 50% of the insurer’s single risk limit.</p> <p>HB 1357 will increase limits to 50% of the sum of surplus as regards to policy holders, plus statutory premium reserves. Thus, should the single-risk limit ever be a total loss, most major underwriters will be able to continue, allowing the risk underwriting process to work as it does in many other states. In today’s fast paced commercial real estate environment, removing cumbersome barriers for the reinsurance process is essential.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 2039 By Rep. Burkett</p>	<p>Relating to the exclusion of certain information from the Department of Family and Protective Services central registry of child abuse or neglect cases and the report of certain information regarding those cases to the legislature.</p>	<p>Human Services</p>	<p>The Department of Family and Protective Services (DFPS) currently maintains a central registry of all state cases of child abuse or neglect. DFPS shares these records with local child service agencies, such as hospitals, clinics, and schools, plus other states regarding a national registration system. Although this practice is in place to ensure the safety of children who have experienced trauma, not all parents within the registry have committed child abuse or neglect.</p> <p>Some parents have been placed in the registry for relinquishing their parental rights to the state, as a last resource, so their emotionally disturbed child could receive desperately needed mental health services. These parents have exhausted all other options and because they gave up their parental rights for the emotional safety of their child they are labeled as refusing to accept parental responsibility. This is seen by DFPS as child abuse or neglect. Once on the registry, individuals cannot obtain employment at businesses that serve children. HB 2039 ensures that parents have protection in such cases by prohibiting DFPS from finding parents guilty of abuse or neglect, if the department is given conservatorship of a child whose parents were unable to obtain mental health services for a child with severe emotional disturbance. The bill also requires the central registry of child neglect or abuse cases to be reviewed for any records that hold families guilty for such instances and will then be removed. Before DFPS files a lawsuit for conservatorship of a child, the department must discuss the option of joint managing conservatorship with the parents. Parents that release their parental rights of their child to the state in order for the child to receive costly mental health services should not be punished when they are acting in the best interest for their child.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>



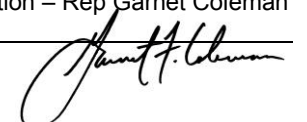
<p>HB 200 By Rep. Keffer, et al.</p>	<p>Relating to the regulation of groundwater.</p>	<p>Natural Resources</p>	<p>Establishing desired future conditions for aquifers is an essential tool in the groundwater management process. However, there is not an adequate process through which an affected party may challenge the development or approval of a desired future condition.</p> <p>HB 200 conducts the following statutory provisions:</p> <ul style="list-style-type: none"> • Clarifies vested property rights in the ownership of groundwater • Ensures ‘loser pay’ provisions apply to suits challenging groundwater districts • Establishes science as the determining factor for establishing a desired future condition (DFC), not political boundaries • Maintains the development process and timelines of DFCs as a planning tool for the continued local regulation of groundwater resources by groundwater districts • Establishes an appeal process for affected persons to challenge the reasonableness of a DFCs • Provides for a mediation period where parties may reach agreement before proceeding through the administrative process • Develops an administrative hearing process for parties in order to develop findings of fact and conclusions of law • Ensures the permitting decisions made by the districts are based on best available science, but reserved for local decisions regarding the withdrawal of groundwater. <p>HB 200 provides a much needed process to challenge development or approval of a desired future condition.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 2532 By Rep. Bell</p>	<p>Relating to a study on the effectiveness of regulations governing the design and construction of certain Type I solid waste landfills overlying aquifers.</p>	<p>Environmental Regulation</p>	<p>HB 2532 requires TCEQ to conduct a study of existing Type I landfills located over aquifers throughout the state, and to be completed no later than January 1, 2017. This study and pending results will not postpone nor delay landfill applications and permits. The premise of the study is to determine whether there are leakages in the existing landfills; and if so, whether there has been any ground water contamination. TCEQ will make recommendations to the findings and submit is study for an independent peer edit.</p> <p>Currently, Texas employs the federal standard of quarterly reviews of its landfill sensors designed to determine when leaks occur in the liners. According to Texas Campaign for the Environment, landfill liners have a thickness of approximately 15 sheets of paper and are comprised of the same material used to line the inside of a milk cartons. It has been asserted that these liners will tear easily and disintegrate if it makes contact with margarine or cooking oil.</p> <p>Solid waste proponents affirm that the quality containment of existing landfills are adequate and safe; however, evidence indicates that there may be shortcomings in the technology used to contain landfills. It is imperative to determine whether the landfills are in fact safe, and if there are any potential for hazardous contamination, this study will expose them and allow for prompt redress.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>HB 1072 By Rep. Thompson, S.</p>	<p>Relating to the eligibility of certain persons to serve on the board of a property owners' association.</p>	<p>Business & Industry</p>	<p>Currently, a property owner is ineligible to serve on a property owner’s association if they have ever been convicted of a felony or a crime of moral turpitude. HB 1072 shortens the window of ineligibility to twenty years instead of in perpetuity. This is a more reasonable measure, which reduces stigma regarding the formerly incarcerated and supports a property owner’s right to participate in decision-making involving their property.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

<p>HB 2396 By Rep. Howard, et al.</p>	<p>Relating to eliminating requirements that certain public institutions of higher education set aside portions of tuition for student loan repayment programs for certain physicians and state attorneys.</p>	<p>Higher Education</p>	<p>Currently, there are tuition set-asides for student loan repayment programs in medical and law schools that are not being appropriated for their intended purpose. One is for medical students; one is for new attorneys who work in the AG’s office. The AG’s office fund has been zeroed out with no appropriations for the next biennium, and the medical school fund is covered by smokeless tobacco taxes, so the tuition set-asides are not being used. HB 2396 removes these mandated tuition set-asides since they are not being used, eliminating a cumbersome process that is not actually benefitting anyone.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>HB 2633 By Rep. Hernandez, et al.</p>	<p>Relating to the release of a motor vehicle accident report; amending a provision subject to a criminal penalty.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>HB 2633 amends the list of eligible persons to receive a copy of an original motor vehicle incident report or a redacted report. An eligible recipient for a copy of the original report must be directly concerned or have a proper interest in the accident. Any person is eligible to receive a redacted copy of the report, which includes the location, date, and time of the accident, and the make and model of the vehicle involved in the accident. A copy of either reports costs \$6. Due to the legal nature of vehicle accidents, it is imperative that due process is allowed in resolving every accident, which includes the sensitive and confidential information disclosed in the reports.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>HB 326 By Rep. Wu, et al.</p>	<p>Relating to information provided by electronic means in support of the issuance of a search warrant.</p>	<p>Criminal Jurisprudence</p>	<p>This bill tries to “modernize” Texas law by allowing officers seeking a warrant to communicate the relevant information to the magistrate by phone; currently they are required to physically present the information.</p> <p>It’s a result of the 2013 ruling of Clay v. State where a defendant appealed to suppress forensic evidence that was obtained via an affidavit sworn out over the telephone, but the appellate court ruled in favor of the state, as the officer and judge recognized each other’s voices on the phone, and the officer’s affidavit was written and faxed to the judge for signature. A dissenting opinion asserted that it was not within judicial purview to broaden the meaning of the law but only within the Legislature’s. This bill should satisfy the dissenting judge’s opinion.</p> <p>HB 326 would allow the use of a telephone or other reliable electronic means to be used to obtain a search warrant by protocol articulated in the bill. If the magistrate considers additional testimony over the phone to issue a warrant, the magistrate is required to record the testimony into a device by a court reporter or in writing and ensure that the recording and any exhibits are transcribed and preserved. A magistrate would still need to sign the written documents in approval and include the date and time of the warrant issuance and submit the documents back to the applicant. The bill also allows for a magistrate to direct the applicant to sign the judge’s name and enter the time and date on the written original documents. The bill stipulates that evidence obtained pursuant to a search warrant provided via these methods may not be suppressed in a court of law, absent a finding of bad faith.</p>	<p>Favorable Evaluated by: Amanda Foster 512-763-0031 amanda@texaslsg.org</p>
<p>HB 510 By Rep. Moody</p>	<p>Relating to disclosure of certain information about expert witnesses in a criminal case.</p>	<p>Criminal Jurisprudence</p>	<p>The discovery process prevents “trial by ambush,” by allowing plaintiffs and defendants to exchange information regarding expert witnesses and certain evidence to be presented at trial. The Michael Morton Act changed the discovery process to a request-based system in which one side can directly request specific discovery from the other side without having to file a motion in court. However, the act failed to change the discovery of expert witnesses.</p> <p>HB 510 addresses this vestige by requiring that upon a party’s request, made no later than the 30 days before the date of jury selection or before presentation of evidence begins in a trial without jury, the party receiving the direct request must disclose expert witnesses</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

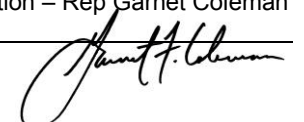


			<p>who may present evidence in the trial. The disclosure must be made in writing or by electronic means 20 days before the aforementioned date -- the bill clarifies this date, which is ambiguous in current law. HB 510 still allows either party to file a motion with a judge for earlier disclosure, which in more complex cases will allow the party time to adequately prep in instances in which an expert might be testifying on an unusual area of forensics or the evidence they will be presenting might warrant further scrutiny.</p> <p>By law, a judge must automatically grant an order of discovery for expert witnesses. HB 510 simply streamlines the discovery process by doing away with the superfluous action of filing a motion, unless the complexity of the case warrants it.</p>	
<p>HB 2504 By Rep. Phillips</p>	<p>Relating to the operation and functions of the Texas Grain Producer Indemnity Board.</p>	<p>Agriculture & Livestock</p>	<p>HB 2504 will help protect farmers from grain storage losses and harmful grain brokering practices. In an effort to control for supply and demand farmers often store grain until the market prices have risen. Over the last several years, poor grain brokering practices and grain elevator failures have cost farmers an estimated \$50 million in losses. Farmers are often unable to recoup their losses should a grain storage or elevator fail.</p> <p>HB 2504 will create a board to develop an indemnity fund for grain producers in Texas. This board will be funded by an assessment on the producers, and help insure producers against grain elevator failures. The assessment will be charged to farmers at the time of sale, and collected funds will be held to insure producers. Producers will be able to apply for a refund once the fund has reached a certain balance. The fund will award grain producers 85% of the value of grain on the claim initiation date, or the contract price of grain if it has been sold (if the grain buyer sold the grain and failed to pay the producer). Producers will not be reimbursed should they contract with a grain buyer who has a history of failures.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>HB 2291 By Rep. Parker, et al.</p>	<p>Relating to increasing the punishment for certain persons convicted of the offense of possession or promotion of child pornography.</p>	<p>Criminal Jurisprudence</p>	<p>Pedophilia is a vexing ill that is difficult to handle through the criminal justice system. HB 2291 aims to go after both the “supply” and “demand” side of child pornography. It enhances the penalty for possession of or knowingly accessing child pornography to a second degree felony upon repeat offense, and to a first degree felony, if it is found that the defendant has two or more similar offenses. The bill enhances the penalty for promotion of child pornography to a first degree felony upon repeat offense.</p> <p>While we want to protect our children from sexual predators, a longer period of incarceration is likely will not facilitate rehabilitation of the offender or reduce recidivism. Pedophilia is a classified mental disorder that requires intensive psychotherapy and often androgen medication to control. Developing empathy can be critical in reducing re-offense for pedophiles, and harsh prison environments are not conducive to this aim. While possessing or promoting child pornography is deplorable, our policies should be informed by science and not anger.</p>	<p>Will of the House Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 2212 By Rep. Wray, et al.</p>	<p>Relating to the repeal of certain state taxes; adding provisions subject to a criminal penalty.</p>	<p>Ways & Means</p>	<p>The comptroller’s office has reviewed its procedures and identified 5 areas where the cost of processing the taxes is more than the revenue received from the tax collection. HB 2212 repeals two of those taxes - the tax on bingo and the tax on compressed or liquefied natural gas. For bingo, the bill also changes the tax reporting and delinquent payment requirements to prize fee reporting and delinquent payment requirements. The bingo tax was enacted in 1991 as three percent of the gross rental of premises for the conduct of bingo games by a licensed, authorized commercial lessor or licensee. Just under 400 taxpayers remit three percent of the gross rental of premises used by an authorized lessor or licensee to conduct bingo games and in 2014 the tax produced revenue of \$1,200,587.55 allocated to the general revenue fund. Following the repeal of this tax, the Comptroller would redeploy the internal administrative cost savings to audit and enforcement efforts so that the fiscal effect of repealing these taxes would be revenue neutral.</p> <p>The tax on liquefied gas (LPG) originated in Texas in 1941. There are currently 948 prepaid liquefied gas license holders obtaining 4,669 prepaid decals annually. This produced tax revenue of \$581,887.60 in 2014. The liquefied gas tax, after making deductions for refund</p>	<p>Will of the House Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

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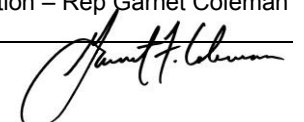


			<p>purposes and allowances, allocates 25% to the available school fund and 75% to the state highway fund. HB 2212 creates an exemption for compressed or liquefied natural gas delivered into the fuel supply tank of a motor vehicle used to provide the services of a transit company, and operated by a person who on January 1, 2015, paid the applicable tax on that compressed natural gas or liquefied natural gas. This does not include compressed or liquefied natural gas delivered into the fuel supply tank of a motor vehicle from a refueling facility accessible to non-transit company motor vehicles. HB 2212 defines liquefied gas to be a “special fuel” as regards state and tax exemptions.</p> <p>While we would like our government to optimize employee productivity in order to provide the most value possible to the Texas taxpayer, there are concerns that repeal of these taxes would not be equitable to those of us paying our fair share of taxes, and that the Texas budget cannot take another hit to the coffers with the other legislative tax cuts that we will be enduring this session.</p>	
<p>HB 1490 By Rep. Huberty, et al.</p>	<p>Relating to public school intervention for truancy and eliminating a criminal penalty and authorizing a civil penalty for truancy.</p>	<p>Juvenile Justice & Family Issues</p>	<p>At present, 47% of Class C misdemeanors are related to truancy with an astonishing 7,500 students going through the juvenile justice system for truancy issues. Current law mandates that schools refer a truant student with 10 or more absences to juvenile courts with no intermediary action to address the problem. The impact is dire for many Texas students and their families because it affects the student’s ability to receive a diploma, graduate on time, apply for college, enlist in the military, or seek employment.</p> <p>HB 1490 creates a “progressive truancy intervention” program, a tiered approach to truancy, which creates an intermediary process to address student attendance issues instead of sending students directly to juvenile system.</p> <p>The bill requires an adopted program to include at least three tiers of interventions. The first tier stipulates that if a student has 3 or more absences then a student conference with the student, parent, and school staff person will meet to address the problem and create signed attendance contract effective for 45 days that outlines consequences.</p> <p>If the first tier is completed and unexcused absences continue to accrue, HB 1490 lays out provisions for subsequent tiers but does not directly mandate chronological order to follow, but offers suggestions for “subsequent tiers” to follow. An example of a subsequent tier offers that the school staff member will refer the student to a community- or school-based counseling program that addresses the attendance issues.</p> <p>If the student misses 10 or more days in a 6 month period, or 3 or more days within a four-week period, the student and parent are referred to the local municipal court and assessed a fee; a maximum penalty of \$100 can be imposed, but the penalty cannot be considered a conviction for any reason.</p> <p>Current law mandates that schools refer a truant students with 10 or more absences to juvenile courts with no intermediary action to address the problem. The impact has proven dire for many Texas students and their families because it effects the student’s ability to receive a diploma, graduate on time, or apply for college, enlist in the military, or seek employment. HB 1490 gives school districts another tool to address truancy without bombarding the juvenile court system and allows schools to be proactive to determine and redress the cause of a student’s repeat absences.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>



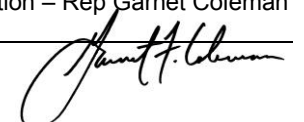
<p>HB 4034 By Rep. Darby</p>	<p>Relating to the dedication of revenue derived from the tax levied on crude petroleum production.</p>	<p>Appropriations</p>	<p>Currently, a tax is levied on petroleum production in the amount of 3/16ths of a cent per barrel to go towards general revenue. HB 4034 dedicates this tax to the oil and gas regulation cleanup fund. This fund aims to plug abandoned oil and gas wells and clean up abandoned oil field sites.</p> <p>Events such as sinkholes forming from saltwater disposal wells, and wells in three cities blowing out the tree trunks formerly used to plug them, demonstrate that these funds are direly needed. A currently levied tax on oil production is the most suitable mechanism to provide these funds.</p>	<p>Favorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>
<p>HB 638 Anchia, et al.</p>	<p>Relating to annuity payments to surviving spouses and designated beneficiaries of persons wrongfully imprisoned.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>HB 638 will allow exonerees receiving state compensation for their false imprisonment to choose an annuity payment option that will allow their spouse or beneficiary to receive their benefit upon their death. Under current law, the annuity ceases upon the exoneree's death. This is but a small step the state of Texas can take in restoring innocent citizens to wholeness. Recent DNA testing has freed men and women who have served over 20 year sentences for crimes they never committed. It is not only the exonerees that are freed, but the burden of guilt is lifted from their families as well. While financial reparation will never compensate for time and memories lost, the bill assures that the remaining spouse be financially cared for; something the exoneree was unable to provide for due to their wrongful conviction.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>HB 1232 By Rep. Lucio III</p>	<p>Relating to the regulation of groundwater.</p>	<p>Natural Resources</p>	<p>Due to an ongoing drought, development, and a growing population, water supply is rapidly dwindling. Legislators currently and in past sessions have been looking for alternative sources of water, as well as attempting to find new, and better ways to conserve the fresh water that we have. To allow legislators to make better and more informed decisions about available fresh water, HB 1232 mandates that the Texas Water Development Board, (TWDB), conduct a study of the hydrology and geology of the confined and unconfined aquifers in this state to determine the quality, quantity, and salinity of Texas aquifers; whether they are tributary or non-tributary; whether they contribute to surface flow or other aquifers in Texas; and whether they are suitable for desalination wastewater disposal.</p> <p>Prior to the study the TWDB must define 'suitability', and determine the minimum rate at which an aquifer must contribute to another aquifer in this state or to the surface flow of any water in this state in order to be included in the study.</p> <p>Furthermore, HB1232 mandates TWDB to produce the following:</p> <ul style="list-style-type: none"> • a map that identifies the area and water quality of the confined and unconfined aquifers in this state; • a map that identifies which aquifers are tributary and which are non-tributary • a report on the contribution of those aquifers to any other aquifer in this state; and • a report on the suitability of those aquifers for the disposal of concentrate from desalination facilities through the use of injection wells <p>Knowing more information about the current state of our groundwater resources is the first step to being able to manage them well. This study will provide useful, concrete information so that we can optimize our limited resources.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

<p>HB 1363 By Rep. Johnson, et al.</p>	<p>Relating to the prosecution of and punishment for the offense of prostitution.</p>	<p>Criminal Jurisprudence</p>	<p>The criminalization of prostitution is not successful in preventing future offenses because individuals need housing, support services, and another means of making a living in order to successfully quit, which are all made more difficult to access with a felony conviction. Instead, because sex workers are more likely to have a co-occurring substance abuse and/or mental health disorders or have suffered from past trauma and sexual abuse, they require rehabilitative services.</p> <p>HB 1363 promotes rehabilitation over criminalization by lowering the criminal penalties for the offense of prostitution and by adding prostitution to offenses eligible for deferred adjudication with admittance into a prostitution diversion program. While prostitution diversion programs were established in previous sessions under the Health and Safety Code, HB 1363 also codifies these programs under the Code of Criminal Procedure. The bill provides that a case may be dismissed if at the one year anniversary of the deferral the defendant has successfully completed a prostitution diversion program.</p> <p>HB 1363 decreases the penalty for a first offense of prostitution from a Class B misdemeanor to a Class C misdemeanor, for one or two prior convictions from a Class A misdemeanor to a Class B misdemeanor, and for three or more prior convictions from a state jail felony to a Class A misdemeanor. The bill retains the current penalty structure for offenses of prostitution involving a public solicitation.</p> <p>The bill adds that prostitution diversion programs also include counseling, services, and education related to commercial sexual exploitation and sex trafficking, recognizing that some defendants are or have been <i>victims</i> of sex trafficking and have been coerced into prostitution.</p> <p>Prostitution diversion programs can offer shelter, counseling for a variety of issues including drug and alcohol abuse, and a supportive environment to get an individual the proper services and job training for successful cessation and a healthy life. A diversion program in the Houston area has a success rate of 86%. While participation in a diversion program is ideal, most cities have not established these programs and by capping the offense of prostitution at a Class A misdemeanor, the bill will eliminate a barrier to rehabilitation and facilitate re-entry. HB 1363 is sound, evidence-based policy.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 618 By Rep. White, J., et al.</p>	<p>Relating to eligibility for course credit and high school diplomas of students enrolled in educational programs provided by the Windham School District in the Texas Department of Criminal Justice.</p>	<p>Corrections</p>	<p>Currently, if an inmate in a TDCJ facility is close to graduation, the jail school cannot provide those students with a high school diploma even if they complete the requisite curriculum. HB 618 corrects this by allowing students who successfully complete standard curriculum as determined by the State Board of Education or as modified by an individualized education plan, to receive a high school diploma. HB 618 also allows the Windham School District to provide a certificate of coursework to a student who successfully completed the coursework, but failed the test to receive a diploma.</p> <p>Opportunity for educational achievements facilitate all other rehabilitation programs by providing a venue for attitude change, new identity formation, often resulting in galvanizing that student to participate more fully in reintegration programs and have the hope of gainful employment upon reentry to society. If Texas truly believes in rehabilitation instead of just expensive punitive measures, we need to implement laws like HB 618 so our behavior matches our sentiment.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>HB 1269 By Rep. Springer</p>	<p>Relating to supplemental environmental projects implemented by certain local governments in lieu of administrative penalties assessed by</p>	<p>Environmental Regulation</p>	<p>Under current law, TCEQ assesses all municipalities equally when administering fines for noncompliance. HB 1269 would give TCEQ greater discretion in administering these fines by assessing the impact to the community incurring the administrative penalty. TCEQ would then make a determination if the noncompliant community should be considered for a supplemental project and implementing upgrades, in lieu of a fine.</p> <p>Presently, there are low population municipalities that could incur an administrative fine upwards of \$10,000 for an environmental</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>



	the Texas Commission on Environmental Quality.		violation, such as a faulty valve on an outdated water pump in need of replacing. In a population like Houston, such a fine would have a very small impact on the tax base, but in a small rural town like Muenster, the fiscal impact could be quite severe. HB 1269 would allow TCEQ to work with small communities with populations under 50,000 to resolve environmental hazards by using alternative approaches that will correct the problem, and avoid bankrupting the community.	
HB 1871 By Rep. Bonnen, G.	Relating to the duty of the comptroller to report sales and use tax information to certain taxing entities.	Ways & Means	<p>Current law mandates that the Comptroller report the amount of tax paid, or not paid, to the state. HB 1871 increases the depth of information the Comptroller reports by including the amounts paid, not paid, and delinquent to the municipality. Furthermore, if a municipality has determined that a person doing business within its borders has not fully collected or reported taxes due to the municipality, the bill allows the comptroller to respond with a statement that includes a description of the action the comptroller is taking to collect and allocate the delinquent tax. The statement will also include the date and periods covered by the most recent audit of the person by the comptroller, or a statement that the comptroller has not conducted an audit of the person. Also included in the comptroller reports will be certification that the person is obligated for the municipal tax, the periods for which the person is obligated, and a statement as to whether the tax due has been credited to the municipality's account.</p> <p>HB 1871 allows the Comptroller to collect a fee from local governments for requesting additional information, and provides the Comptroller with 120 days to respond to information requests, instead of the current 90 days in statute. The bill also allows a local government to preserve its ability to receive a reallocation of sales tax due to that jurisdiction for a period of four years from the time it notifies the Comptroller of a suspected misapplication of local sales tax collection statutes. Allowing local governments to have more information about their tax revenue allows them to make better, more informed planning decisions about their budget.</p>	Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org
HB 2114 By Rep. Murphy, et al.	Relating to the repeal of the inheritance tax.	Ways & Means	The comptroller's office has reviewed its procedures and identified 5 areas where the cost of processing the taxes is more than the revenue received from the tax collection. HB 2114 addresses one of those areas by repealing the inheritance tax. This tax generated just \$12,000 in 2014. While it is probably fair to say that the harm to certain Texans probably outweighs the good we could ever do with \$12,000, the LSG continues to be concerned by the continued justifications to reduce state tax revenue while we so blatantly ignore items like Medicaid Expansion. Is this good policy? It's probably a wash. There's little reason to vote against the bill, but it still rubs us the wrong way.	Will of the House Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org
HB 704 By Rep. Farrar	Relating to disclosures on selection or modification of an account by a customer of a financial institution.	Judiciary & Civil Jurisprudence	HB 704 seeks to address an interim charge given to the judiciary committee to identify alternative probate procedural options for low-income families. A workgroup convened in response to the interim charge and determined that many low-income clients couldn't receive the entire value of a decedent's bank account, due to the costs of attorney fees and other probate related expenses. Often, these expenses exceeded the value of the assets. Informing families of a streamlined process called 'paid-on-death' depository accounts, which allows a benefactor to simply establish the account, name a beneficiary, and sign disclosure statements, can help them avoid costly probate procedures. HB 704 will require banks and other financial institutions to provide disclosures of these types of accounts separately from other accounts to increase general awareness about these special accounts.	Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org
HB 1639 By Rep. Farias, et al.	Relating to providing information to the public and to purchasers of real property regarding the impact of military installations.	Defense & Veterans' Affairs	<p>HB 1639 will require residential property owners selling their property, to notify purchasers that said property is located near a military installation, which often produce high noise, and air compatible use zones. The notice to purchaser will also include information relating to high noise and compatible use zones, and the most recent Air Installation Compatible Use Zone Study or Joint Land Use Study may be found on both the military installation, county, and municipality website.</p> <p>HB 1639 also stipulates the military installation, county, and municipality work together to ensure the most recent Air Installation</p>	Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org

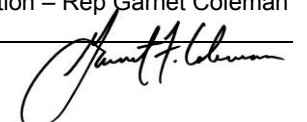
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			Compatible Use Zone Study or Joint Land Use Study is made publicly available on each entities' website.	
HB 263 By Rep. Miles	Relating to the sealing in certain cases of juvenile records of adjudications of delinquent conduct or conduct indicating a need for supervision and access by certain persons to sealed juvenile records.	Juvenile Justice & Family Issues	<p>HB 263 changes current provisions that allow a minor to seal juvenile records by adding two new requirements:</p> <p>(1) The prosecutor does not object, and</p> <p>(2) The final discharge occurs before the juvenile turns 17 years old as a new alternative to the existing requirement that two years must lapse since the final discharge.</p> <p>Under HB 263 a petition from the DA is no longer required to initiate the process; a minor's attorney, juvenile probation officer, or school attendant has the authority to file the petition and the court will approve the petition and seal the juvenile records so long as all of the above requirements are met. It will take 30 days from notice to seal the records and a copy of the order must be sent to DPS to certify and restrict access.</p> <p>There is no doubt that minors do not always practice good judgement—it is a part of growing up. But some mistakes made in one's youth can create a legal consequence that could last a lifetime. Enacting HB 263 will preclude a youth's indiscretion from becoming a lifetime consequence that could prevent them from seeking opportunities like enrolling in college, enlisting in the military, or applying for employment.</p>	Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org
HB 307 By Rep. White, J.	Relating to a study on the feasibility and potential costs and benefits of implementing a pay-for-performance contract program for certain criminal justice programs and services.	Corrections	HB 307 mandates the Texas Department of Criminal Justice conduct a study to determine the feasibility and potential costs and benefits of implementing a pay-for-performance contract program. The report must analyze whether contracting with an administrator for the operation or provision of criminal justice programs or services and paying the administrator only if specified performance requirements for and outcomes from the programs and services are achieved is beneficial to Texas. This report must include the cost effectiveness and feasibility outcomes of the study and applicable recommendations, and be submitted by Nov. 1, 2016.	Will of the House Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org
HB 335 By Rep. Thompson, E., et al.	Relating to named driver insurance policies and certain related exclusions.	Insurance	<p>Traditionally, auto insurance covered any driver in the insured vehicle. In an effort to decrease the number of uninsured motorists, insurance companies began issuing named driver only policies. These policies only cover drivers named on the policy, and will not cover damages caused by non-named drivers, even if they were given permission to drive the vehicle by the vehicle owner/policy holder. Because of this, there are now many more unknowingly uninsured motorists on the roads. Insurance companies are denying up to 50% of claims due to unnamed drivers.</p> <p>HB 335 will address this issue by prohibiting insurance companies from writing or reissuing named driver policies. An insurer may still use a named driver exclusion, if they wish to specifically exclude a driver from their insurance policy.</p> <p>The rate of uninsured motorists (the original intent of the named driver policy) has not gone down, and may have increased due to the false sense of security created by the confusion of unnamed drivers. HB 335 will decrease the potentially dangerous risk of uninsured</p>	Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org

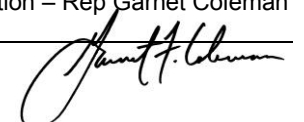
			driver involvement in accidents.	
HB 411 By Rep. Turner, C., et al.	Relating to prohibiting telemarketing calls by a credit access business; adding a provision subject to criminal penalties.	Business & Industry	<p>Payday and auto title lending businesses are predatory operations that offer small dollar loans to consumers with APR around 491%. HB 411 is a consumer protection bill that prohibits these credit access businesses from soliciting customers via telemarketing, regardless of whether the individual is on the “no call” list. To clarify, state licensees can call individuals who are on the “no call” list. Because credit access businesses are state licensees, currently they can make telemarketing calls even to individuals on the list. HB 411 closes this loophole. The bill still allows for phone calls made for the purpose of collecting debt and in the instance of a pre-established business relationship. This is a necessary measure in the absence of stricter regulation of these businesses. Texas currently does not cap APR on these loans.</p> <p>Opposition contends that borrowers have no other source to turn to in financial straits and that these businesses offer a legitimate service. However, Pew Charitable Trust reports that in states that strictly regulate these businesses, 95% of potential borrowers elect other financing options. Payday and auto title lending fuels a cycle of indebtedness and preys on the elderly and low-income families in particular; HB 411 can help to curtail these practices.</p>	Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
HB 1110 By Rep. King, P., et al.	Relating to the qualifications, duties, and limitations of Texas delegates to a convention called under Article V of the United States Constitution.	State & Federal Power & Responsibility, Select	<p>Looks like silly season has begun. A faction of conservative leaders are concerned that the current administration has become too powerful and have considered attempting to curb federal powers by ratifying the U.S. Constitution through an Article V convention. An Article V convention, if approved by at least 34 states, would allow each state’s delegates to propose and vote on amendments to the Constitution. However, this faction is concerned that the Article V convention could also be used to advance a liberal agenda. HB 1110 addresses this concern by establishing guidelines to restrict Texas’ delegate selection and responsibilities.</p> <p>The bill defines delegates as those appointed by the legislature to represent Texas at the convention, and alternate delegates as those appointed to take a delegate’s position if they are unable to attend. It requires delegate and alternate delegates’ votes and actions to be authorized by the legislature. An unauthorized vote will disqualify the delegate from continuing to serve.</p> <p>An Article V convention, however, is unlikely to be ratified by 34 states. Federal support is a crucial part of states’ budgets and operations. Moreover, federal power under the current administration has factually not exceeded those of past administrations; the current executive administration has vetoed two bills, while Franklin D. Roosevelt vetoed 635, and Bill Clinton vetoed 37. Likewise, the current administration has issued 193 executive orders, while Ronald Reagan had issued 381.</p> <p>HB 1110 is an inconsequential bill that addresses regulations that would only come into play in a very improbable situation. Let’s move along.</p>	Unfavorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org
HB 1625 By Rep. Faircloth	Relating to an exemption from the sales and use tax for certain lightbulbs for a limited period.	Ways & Means	<p>HB 1625 adds LED lightbulbs under the energy-efficient items that consumers can purchase tax-free over Memorial Weekend. This encourages low energy use, lessening the strain on our overburdened electric grid and saving Texans money.</p>	Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org

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<p>HB 2466 By Rep. Collier</p>	<p>Relating to the creation of a safety reimbursement program for employers participating in the workers' compensation system.</p>	<p>Business & Industry</p>	<p>While Texas's rate of workplace nonfatal injuries and illnesses has decreased to 2.6 cases per 100, lower than the national rate of 3.3 cases per 100, Texas alone accounts for 11% of all fatal occupational injuries nationally. These deaths could be prevented through <i>implementation</i> of more stringent safety standards. HB 2466 proposes a temporary safety reimbursement program to help make private workplaces covered by worker's compensation insurance more safe. The Division of Worker's Compensation (DWC) would administer the program, totaling \$100,000 in workplace grants, funded from fines levied for violations of the Worker's Compensation Act. Through the program DWC will reimburse eligible employers up to \$5,000 per year for: physical modifications to a worksite, safety equipment and tools, safety training, and other measures necessary to correct hazards and protect workers. Small businesses who might not have the overhead to fully implement safe conditions and those in high risk industries are eligible to participate upon submission of a proposal outlining modifications necessary to improve safety. If the DWC approves the business's request, DWC must guarantee reimbursements of items articulated in the aforementioned proposal.</p> <p>DWC already offers free safety resources for Texas employers, such as OSHA 10-hr construction classes, safety newsletters and online publications, lending materials, and onsite trainings and seminars to improve our safety standards in Texas. HB 2466 goes beyond education to allow small employers to actually take action in implementing safer working conditions.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 2366 By Rep. Goldman, et al.</p>	<p>Relating to the notation on the precinct list of registered voters that a voter voted early.</p>	<p>Elections</p>	<p>HB 2366 requires the early voting clerk to denote "early voting voter" beside each voter on the precinct list that participated in early voting and deliver the annotated precinct list before election day. Doing this in advance of polls opening will help to reduce confusion over who has already voted on election day and prevent individuals from voting twice to encourage more fair elections.</p> <p>While we approve this bill because it appears to be an innocuous way to reduce legitimate confusion at the polls, we do not in any way subscribe to the belief that there is a widespread problem of people trying to vote twice or defraud elections in any way.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 621 By Rep. Lozano, et al.</p>	<p>Relating to the termination of a volunteer deputy registrar appointment.</p>	<p>Elections</p>	<p>Currently a volunteer deputy voter registrar may be fired for failing to deliver a registration application or failing to review an application for completeness. HB 621 adds to violations that may lead to termination: destroying or altering an application and engaging in "any other activity" conflicting with their responsibilities. The latter criterion is overly broad and leaves room to terminate a volunteer registrar for any conceivable reason. The law should better articulate what constitutes a violation, respectful of volunteers committed to civic engagement.</p>	<p>Unfavorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>HB 1855 By Rep. Rose</p>	<p>Relating to training, continuing education, and weapons proficiency standards for correctional officers employed by the Texas Department of Criminal Justice.</p>	<p>Corrections</p>	<p>It is estimated that upwards of 50% of Texas offenders have a mental health disorder. In that environment, it is illogical and disgraceful that we do not already have mental health training for correctional staff. HB 1855 corrects this dearth by mandating the Texas Department of Criminal Justice (TDCJ) require its correctional officers to undergo no less than 280 hours of training within the first 24 months of service. The training must include mental health crisis intervention training (as developed by TDCJ and Texas Commission on Law Enforcement), and 140 of the 280 hours must be on the job training. Once an officer's training has been completed, a note indicating such will be placed in their file. Should an officer terminate employment and be rehired elsewhere, and has completed the training within the last 36 months, the officer will not be required to complete the training a second time.</p> <p>Correctional officers will be required to complete at least 80 hours of continuing education every 24 months. This training will be comprised of core requirements designated by TDCJ, and TDCJ must develop specialized training for correctional officers that may be credited toward continuing education requirements. HB 1855 also outlines acceptable reasons why the training may not be able to be completed by the officer in the expected timeframe, and stipulates that TDCJ ensure compliance with the training or continuing education requirements as soon as practicable after the excused incident. Additionally, TDCJ is required to define weapons proficiency; and require each corrections officer to demonstrate proficiency at least once per year.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

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			Recent events and news coverage have shown us that arbiters of the peace often perceive people with mental illness as lethal threats. Mental health training is an obvious first step towards equipping our officers with the tools that they need to do their jobs. This bill institutes much needed changes that will preserve the safety of both the correctional officers, and those who they have sworn to protect.	
HB 1681 By Rep. Bohac	Relating to training, continuing education, and weapons proficiency standards for correctional officers employed by the Texas Department of Criminal Justice.	County Affairs	More often than not, Texas families find they do not own the home that they have paid for due to individuals filing fraudulent deeds with the county clerk. State law currently prohibits a clerk from asking for identification allowing individuals to file anonymously. HB 1681 will allow a county clerk to require an individual filing real property records in person to provide some form of identification determined by the clerk at the time of filing, without charge to the individual. Additionally, the information recorded and copied must be kept confidential. Documents will not be deemed invalid if the clerk does not request identification. Authorizing clerks to request and record identification will deter future fraudulent filings, as well as streamline the process of holding individual accountable who attempt to steal real estate from hard working Texans.	Favorable Evaluated by: Mya Strauss 512-763-0031 info@texaslsg.org
HB 1874 By Rep. Zerwas, et al.	Relating to the establishment of the Palliative Care Interdisciplinary Advisory Council.	Public Health	<p>HB 1874 establishes a Palliative Care Interdisciplinary Advisory Council. Palliative care, or supportive care, is used to ease the pain and suffering individuals with severe or chronic illnesses are faced with. It is not just for end-of-life care, though that is what most people are familiar with. Palliative care can be used in inpatient and outpatient settings to relieve pain and improve quality of life. It is focused on the patient, rather than the illness or a body part, so it goes a long way in helping patients feel better physically and emotionally. Right now, it is difficult to know where palliative care is offered and what services are offered. The advisory council would assess availability and accessibility of palliative care in the state and any barriers to access, promoting awareness and understanding. The council would be interdisciplinary, including members from many different fields, including pharmacy, medical, nursing, social work, and spirituality. Members will have different specialties, including working with different populations and experience advocating for patients and patients' families.</p> <p>The bill requires HHSC to work with the council to establish a statewide palliative care consumer and professional information and education program to promote understanding of palliative care. It also makes specified information about palliative care available online as a resource to the public. HB 1874 will help promote understanding and accessibility of important services that aid individuals with chronic, severe diseases and help those patients live fuller, happier lives by improving quality of care and reducing pain.</p>	Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
HB 2507 By Rep. Kacal	Relating to a sales and use tax exemption for certain equipment used for digital audio broadcasting.	Ways & Means	Previously digital transmission equipment for television & radio stations were exempt from sales tax. Several years ago, the comptroller rescinded its longstanding confirmation of the sales tax exemption for radio stations' digital transmission equipment. However, some say that radio transmission is a critical emergency alerting technology and that the public benefits from the transition of local radio broadcast to digital transmission. HB 2507 reinstates the property sales tax if the property is necessary to provide the broadcast service.	Will of the House Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org

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