



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

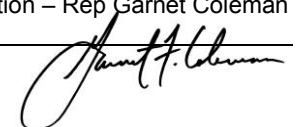
LSG Floor Report for Postponed Business – Wednesday, May 6, 2015

| Bill | Caption | Committee | Analysis & Evaluation | Recommendation |
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| HB 1018 By Rep. Geren | Relating to the prohibition of certain alcoholic beverages; creating an offense. | Licensing & Administrative Procedure | <p>HB 1018 amends the Alcohol Beverage Code to include powdered alcohol as a form of illicit alcoholic beverage. Under HB 1018 it is illegal to manufacture, import, sell, serve, or possess powdered alcohol for the purpose of sale. The FDA approved the sale of powdered alcohol last month and one packet is the equivalent of one shot of liquid alcohol. The intent of this bill is to deter minors from having access to powdered alcohol because alcohol is the most commonly used substance among Texas youth. Concerns also extend to consumers snorting the powder or adding it to liquefied alcoholic beverages, which would intensify the alcoholic content.</p> <p>While it is reasonable to deter under-age drinking or illegal substance abuse, HB 1018 makes it illegal to serve to powdered alcohol to anyone. If the intent is to deter underage use of powdered alcohol then its sale should be aligned with the legal distribution and risks associated with all other alcoholic beverages: a purchaser or consumer must be 21 years to purchase or consumer powdered alcohol. Additionally, a health warning should be placed on its label for consumer protection.</p> | 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</p> | Unfavorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org |

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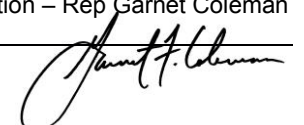
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| | | | <p>opposed to \$20,000 of goods stolen for the crime of theft. Further, there is no minimum value for the amount of cargo involved in the crime to constitute state jail felony sentencing, meaning that one could possibly be incarcerated for 6 months for transportation or possession of any amount of cargo less than \$10,000. The bill enhances the penalties to the next higher category of offense if the defendant is orchestrating or managing one or more persons to carry out the crime.</p> <p>HB 102 might help to better prosecute these cases at the intersection of theft and organized crime. Cargo theft is a concerning crime trend, which impedes the American economy, thwarts taxation by taking commercial goods off the market, and can be violent and deadly. However, with lower minimum thresholds than theft and no minimum amount of cargo required to sentence a defendant to a state jail felony, the bill 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 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 2493 By Rep. Parker, et al.</p> | <p>Relating to the self-directed and semi-independent status of the State Securities Board; authorizing fees.</p> | <p>Investments & Financial Services</p> | <p>The State Securities Board regulates the securities industry in Texas by registering securities offered or sold in Texas and overseeing the firms and individuals selling securities or providing investment advice to Texans. During the interim, opinion was given by the securities industry to the Legislature to make significant changes, including establishing the Board to function as a self-directed, semi-independent (SDSI) agency. Currently, there are eight state agencies that conduct themselves as SDSI. Allowing the Board to function as a SDSI agency will allow immediate changes be made, such as the high turnover rate that occurred between 2011-2013. Under SDSI the Board will have flexibility to obtain adequate levels of funding necessary to maintain an appropriate salary structure and career ladder for many of its complex, qualified professional positions, such as financial examiners and attorneys. HB 2493 allows the State Securities Board to be self-directed and semi-independent, in which statutory changes will be made to implement the SDSI status.</p> | <p>Will of the House Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p> |
| <p>HB 2870 By Rep. Alonzo</p> | <p>Relating to the regulation of firefighters and fire departments by the Texas Commission on Fire Protection.</p> | <p>Urban Affairs</p> | <p>HB 2870 prohibits any city employees besides full-time fire department civil service employees from being assigned to wildland fire-fighting duty, including prescribed burns. This restriction would also apply to city employees who are certified by the Texas Commission on Fire Protection. The bill does not apply to non-city employees, including those acting as members of a volunteer fire department. This would ensure that city employees assigned to handle wildfire and prescribed burns are the most qualified professionals.</p> | <p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p> |

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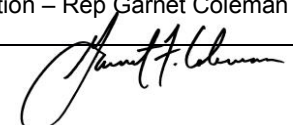
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| <p>HB 638 Anchia, et al.</p> | <p>Relating to annuity payments to surviving spouses and designated beneficiaries of persons wrongfully imprisoned.</p> | <p>Judiciary & Civil Jurisprudence</p> | <p>HB 638 will allow exonerees receiving state compensation 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><u>LSG Floor Report For General State Calendar – Wednesday, May 6, 2015</u></p> | | | | |
| <p>HB 3453 By Rep. Lozano et al.</p> | <p>Relating to participation in and rates for coverage provided under the uniform group coverage program for active employees.</p> | <p>Pensions</p> | <p>HB 3453 allows the Teachers Retirement System (TRS) to adopt a “regional rating” system in which different regions could charge different premiums. It is estimated that 62% of participating employees could see a rate increase, and these rate increases will be largely or entirely borne by the employees themselves. In 2001, the legislature passed into statute requirements that the state and school districts contribute to premium costs to help bring down TRS Active Care premiums. The districts were required to pay \$150 per month for all active employees; the state was required to pay \$75 per month for all active employees. While some school districts have increased their contribution to keep up with inflation, the state has not raised their \$75 per employee contribution at all in the past 14 years. This has caused premiums to continue to increase and TRS Active Care to become increasingly unaffordable for school employees.</p> <p>HB 3453 does not help this problem. The idea behind the “regional rating” is to combat rising healthcare costs, but HB 3453 will likely health insurance more expensive for teachers and other school employees. HB 3453 allows school districts to opt out of TRS Active Care; as districts opt out, those districts remaining in the system will see further premium increases due to the smaller risk pool. The real solution would be a significant increase in the state contribution. HB 3453 hurts teachers and school employees, continuing the pattern of pricing teachers out of TRS Active Care health insurance.</p> | <p>Will of the House with Concerns Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p> |
| <p>HB 2891 By Rep. Otto</p> | <p>Relating to certain reporting requirements for taxable entities.</p> | <p>Ways & Means</p> | <p>Under current law, Limited Partnerships are required to file a public information report with the Secretary of State every four years or else they lose their right to do business in the State of Texas. A Professional Association is required to file a similar report on an annual basis. However, that directive was put into law before these entities were required to submit an annual franchise tax return. Since both entities are required to file the franchise tax return annually, the same information required on the Secretary of State filing can be included in the public information report required with the franchise tax filing and the Comptroller's office can automatically furnish the Secretary of State the appropriate information. HB 2891 streamlines the filing process by eliminating duplicate reporting for Limited Partnerships and Professional Associations, thus reducing paperwork processed at these state agencies, and optimizing employee productivity in order to provide the most value possible to the Texas taxpayer.</p> | <p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p> |
| <p>HB 996 By Rep. Parker</p> | <p>Relating to the effect of certain agreements with a collective bargaining organization on certain state-funded public work contracts.</p> | <p>Economic & Small Business Development</p> | <p>Project Labor Agreements (PLA) are comprehensive pre-hire collective bargaining agreements made between contractors, government agencies, and construction trade unions. These agreements aim to create quality jobs with prevailing wages and health benefits in exchange for a guarantee of labor peace to protect public investments. Some people allege that PLAs are being used to force public works contracts to solely be awarded to companies who use a unionized workforce. This supposed trend is apparently used to limit competition by narrowing the number of construction companies who can bid on a project. However, PLAs are voluntary and have not been misused as indicated. They have instead offered significant contributions to communities, workers, agencies and businesses. Examples of Texas projects that have shown success from PLAs are the South Texas Nuclear Project and the Toyota Truck Plant in San Antonio.</p> | <p>Unfavorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p> |

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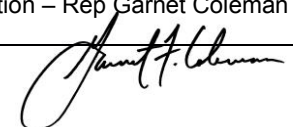


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| | | | <p>HB 996 seeks to protect contracting competition by barring a higher education institution or governmental entity awarding a state funded public work contract from: prohibiting, requiring, discouraging, or encouraging a person bidding on the contract from entering into a PLA. Additionally, a higher education institution or governmental entity is prohibited from discriminating against a person for their involvement in the agreement.</p> <p>By preventing PLA negotiations, HB 996 would unilaterally sacrifice an important option for government to generate cost savings, assure local recruitment and hiring, and obtain high-level training.</p> | |
| <p>HB 619 By Rep. Bonnen, G.</p> | <p>Relating to an exemption from and a limitation on the sales tax imposed on certain boats and boat motors.</p> | <p>Ways & Means</p> | <p>The flourishing marine industry provides significant economic benefit to the Gulf Coast. There is some concern that other states in this region have granted tax exemptions for boat purchases, placing Texas at a competitive disadvantage. HB 619 specifically provides a tax exemption for boats that are sold in Texas for use in another state or nation, and are removed from this state not more than 10 days after the date of purchase; or are docked at or placed in a boat repair facility registered with the comptroller for repairs or modifications and are removed from this state not more than 20 days after the date the repairs or modifications are finished. While we appreciate attempts to help Texas businessmen, we need to be responsible with the amount of tax revenue we are cut. Important areas such as healthcare, education, and infrastructure are already underfunded, and every dollar in tax revenue we give up is one that could have gone toward something necessary. Further, this bill does not provide tax relief to residents of Texas or visitors who want to stay and spend money in the state, but for people who wish to purchase and leave.</p> | <p><u>Will of the House with Concerns</u> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p> |
| <p>HB 2341 By Rep. Darby, et al.</p> | <p>Relating to the retention and use of sales tax revenue collected by certain retailers to provide job training and placement services to certain persons; adding provisions subject to a criminal penalty</p> | <p>Ways & Means</p> | <p>This bill is not a blanket tax cut; rather it is essentially targeted spending to help “workforce training community centers” provide job training for disadvantaged people. The qualifying agencies can apply to the comptroller, and the comptroller will verify their workforce training community center status and certify them- this certification lasts 3 years. Once certified, the agency can retain 50% of the state sales tax on the sale of donated goods, but must include the amount retained on their tax report. Under this bill, the workforce training community centers can only use the tax relief funds to provide their job training, develop written training and employment plans and monitor job retention and provide support for first 90 days of placement to aid job retention or acquisition of new employment.</p> <p>However, for the first year of certification, the agency can use the funds for infrastructure improvements and preparation to provide services. After the first year, the agency shall provide job training to at least 3 people, and successful placement to at least 2.25 people for every \$10,000 of sales taxes they retain. The agency can renew if they have complied with all requirements. The comptroller can, at any time after the first year of certification, require the workforce training community center to demonstrate that it is meeting the qualifications, and if the agency fails to comply, the comptroller shall hold a hearing and provide 20 days written notice of the hearing and reason for revocation to the agency. Should the agency’s certification be revoked, they will owe an amount in the comptroller’s discretion, but not to exceed \$3,333 per person not placed.</p> | <p><u>Favorable</u> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p> |
| <p>HB 3150 By Rep. Huberty, et al.</p> | <p>Relating to the calculation of taxable wages paid by a professional employer organization for purposes of the Texas Unemployment Compensation Act.</p> | <p>Economic & Small Business Development</p> | <p>A professional employment organization (PEO) offers office management services that employers may seek to outsource, such as payroll and workers’ compensation. Currently, unemployment insurance (UI) contributions, set by the wage base for a calendar year, are made by an employer on an employee’s wage. However, any payment by an employer to the UI Compensation Fund is not able to count toward the employee’s cap if they move their business to a PEO in the middle of a calendar year. This is unacceptable as this is an employer of the same employee, having to contribute to the UI Fund twice, essentially double-taxing any company who enrolls with a PEO mid-year. HB 3150 allows PEO’s to apply previous UI contributions paid by a company before enrollment to the total for the calendar year. This legislation will reflect federal statute. HB 3150 creates a fair system by ensuring that small business employers are not faced with paying double taxes if they choose to contract with a PEO in later months.</p> | <p><u>Favorable</u> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p> |

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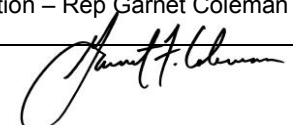


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| <p>HB 710 By Rep. Turner</p> | <p>Relating to procedures for certain persons charged with a violation of a condition of release from the Texas Department of Criminal Justice on parole or to mandatory supervision.</p> | <p>Corrections</p> | <p>In FY 2013, the Board of Pardons and Paroles held 20,662 parole violation hearings. Ultimately, the Board kept half, or 10,777, of those individuals in the community, yet each one of these individuals spent, on average, 34 days in the county jail. In FY 2013, the 10 most populous Texas county jails together paid almost \$98,000 per day to house individuals who were incarcerated as the result of warrants issued by the Parole Division of TDCJ. This is a huge cost to pay for individuals who do not present a threat to the community. Moreover, it is essential for people on parole to find and keep stable housing and employment to decrease recidivism rates.</p> <p>HB 710 allows the Texas Department of Criminal Justice (TDCJ), to issue a summons rather than a warrant to: individuals with administrative violations the year after the parole or mandatory supervision began individuals with a new Class B or C misdemeanor as long as this is their only offense after parole or mandatory supervision began, and the person has maintained steady employment and residence for at least one year</p> <p>Most low-level violations, including non-violent misdemeanors, are handled through a modification of parole conditions rather than revocation to prison. Issuing a summons allows those who are suspected of violating parole conditions to keep their jobs and rental housing while the Board of Pardons and Paroles determines the appropriate response. This will promote stability and prevent recidivism, while relieving the costly strain on county resources.</p> | <p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p> |
| <p>HB 838 By Naishtat, et al.</p> | <p>Relating to coverage for serious mental illness under certain group health benefit plans.</p> | <p>Insurance</p> | <p>HB 838 will help people who suffer from PTSD by ensuring that it is recognized as a serious mental illness. While PTSD is most commonly associated with military members returning from the battlefield, anyone who undergoes a traumatic event, such as a home invasion, car accident, rape, or natural disaster, is at risk for developing PTSD. An estimated 7.8 million individuals will experience PTSD at some point in their lives and one in five people in the US may experience a traumatic event in any given year.</p> <p>Unlike Medicaid, Medicare, and CHIP, large employer health benefit plans are currently not required to provide coverage for the treatment of PTSD. This leaves many sufferers without access to necessary treatment. The current Insurance Code currently recognizes certain illnesses as serious mental illnesses (SMI) for billing purposes. HB 838 will include PTSD as a SMI. PTSD is defined in accordance with American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders (DSM), 5th Edition, and will include subsequent edition definitions. This legislation does not apply to plans purchased through the Affordable Care Act's marketplace in Texas, as ACA is federal legislation.</p> | <p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p> |
| <p>HB 187 By Rep. Thompson, S., et al.</p> | <p>Relating to the statute of limitations applicable to unlawful employment practices.</p> | <p>Business & Industry</p> | <p>In Texas a worker who wants to file a suit of employment discrimination 6 months after the occurrence must currently take their dispute to federal court, because our statute of limitations is too short. Trying cases at the federal level is approximately three times as costly to both employee and employer as handling disputes at the state level. Additionally, many lawyers do not have the expertise or the time to try a case at the federal level, and often the amount of damages that may be recouped is not recompense for their efforts. Protecting our civil rights shouldn't be a matter of practicality.</p> <p>HB 187 changes the statute of limitations by which a complainant may seek redress for unlawful employment practices, including discriminatory pay practices and other forms of workplace discrimination, to provide a venue to try these cases at the state level. It changes the window in which one may file a suit from 180 days from the time of the alleged occurrence to the <i>earlier</i> of: 180 days from the date the employee <i>discovered</i> the unlawful practice, or the 5th anniversary of the date of the occurrence of the unlawful practice. In regards to a complaint of pay discrimination, the bill clarifies that an unlawful practice does not occur for each transaction in which a person was paid inequitably.</p> <p>Because salary is a taboo topic in many workplaces, oftentimes, the current 6 month statute of limitations runs out before a worker</p> | <p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p> |



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| | | | finds out that they are being underpaid. HB 187 provides a more reasonable statute of limitations to file a civil lawsuit for discriminatory practices at the state level. One of the purposes of this chapter of statute, spelled out in law, is to ensure freedom from discrimination to protect personal dignity. HB 187 brings meaning to those words. | |
| HB 1256 By Rep. Sheffield | Relating to the selection process for student members of the board of regents of a state university or state university system. | Higher Education | HB 1256 increases transparency in the selection process for student members of the boards of regents of public university systems and state universities in Texas. It prohibits the governor from appointing a student member to the board of regents who did not submit an application to the student government of the university. | Will of the House Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org |
| HB 1541 By Rep. Burkett, et al. | Relating to peer specialists, peer services, and the provision of those services under the medical assistance program | Human Services | <p>Experiencing mental illness or substance abuse can often isolate individuals as they recover. Peer specialists can make this experience less isolating by offering support with their own stories of success. This allows peer specialists to connect on a deeper level with clients rather than other professionals. Currently, local mental health agencies have recognized the importance and necessity of having peer specialists, but this has not been realized by state statute. This has led to individuals practicing as peer specialists to be labeled as other titles, such as assistant psychiatric nurse, in order for clients to receive services and for the specialists to receive Medicaid reimbursement. It is important to recognize and include peer specialists within statute so they can hold a title that is indicative of the services they provide and for their clients to receive services without confusion or disturbance.</p> <p>HB 1541 requires peer services to be included in the array of services provided by the Medicaid program. HHSC must establish a separate provider type for peer specialists to enroll as providers and receive reimbursement under Medicaid. Training requirements, including certification and supervision requirements, will be established for peer specialists to provide services to clients with a mental illness or substance abuse condition.</p> | Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org |
| HB 3106 By Rep. Huberty | Relating to the period of time allowed for appointment of a board of managers for a school district. | Public Education | <p>Currently, if a school district is found to be underperforming the commissioner of education is authorized to elect to appoint a board of managers—professionals such as lawyers, financial advisors, etc.—to bring the district back into performing standards. HB 3106 authorizes the commissioner of education to extend the authority of the board of managers for up to two additional years before the second anniversary of their appointment, if he or she decides the district has not made academic improvement or met financial performance.</p> <p>Concerns have been raised expressing that significant power will be given to the commissioner—entirely at his or her discretion and without a vote of or even consultation with the residents of the school district—to keep the board of managers in place for an additional two years. Permitting a longer term of governance than already prescribed by an unelected board chosen by a single distant bureaucrat is a further disenfranchisement of local district residents. Additionally, the board of managers is able to take overreaching actions to attempt to bring order to a troubled school district. The actions include being able to limit the ability of the elected board—when it regains control— to govern the district. In El Paso, this situation is currently happening, in which the board of managers is considering a major reallocation of bond money approved by the voters, diverting those funds from the purpose that voters understood when they approved the bonds. A citizens’ advisory committee voted unanimously to recommend against the action but the board of managers is allowed to do so anyway. It is clear that if this legislation passes, the community will be removed and further disengaged from the elected process that affects their schools and the children who attend these schools.</p> | Unfavorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org |

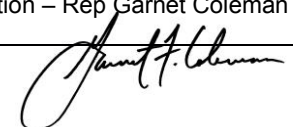
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| <p>HB 2202 By Rep. Kacal, et al.</p> | <p>Relating to requirements for certain farm vehicles when operating on a highway.</p> | <p>Agriculture & Livestock</p> | <p>HB 2202 expands the definition of what types of vehicles are classified as “implements of husbandry” to include fertilizer spreading vehicles and livestock feed delivery vehicles. The bill clarifies that a “farm tractors” and “implement of husbandry” will have width exceptions under current limitations regarding transport length, time of day, and public highways used. This will help to eliminate confusion on behalf of law enforcement as to what vehicles qualify for width exceptions.</p> | <p><u>Will of the House</u> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p> |
| <p>HB 3538 By Rep. Smithee</p> | <p>Relating to the adoption of the Uniform Interstate Family Support Act of 2008.</p> | <p>Judiciary & Civil Jurisprudence</p> | <p>The Uniform Interstate Family Support Act, or UIFSA, was first developed in 1992 as a means to facilitate the enforcement of a child support order between jurisdictions. Texas was the second state to adopt the act into law in 1992, and in 1996 the US Congress mandated that all states enact UIFSA into law. UIFSA has been amended three times since its enactment in 1992, and now Texas must adopt the third inception. This current amendment of UIFSA adopts 2008 legislation enacted under the Bush administration when the US entered into the Hague Convention; the amendment to UIFSA simply incorporates the treaty agreements with members of the Hague Convention and allows court orders made within the United States to be enforced in foreign jurisdictions. This is especially pertinent, as this will give teeth to the judgments mandated in Texas courts.</p> <p>Because HB 3538 ratifies a federal act, it must be enacted by the Texas legislature verbatim without any amendments. Should it be amended, the bill will be out of compliance. Additionally, the US Congress tied an enactment provision to UIFSA, which includes federal funding of Temporary Assistance for Needy Families (TANF). Texas received over \$400 million in TANF funding during the 2012 federal fiscal year. Should HB 3538 not pass for any reason, TANF funding could be seriously at risk.</p> <p>HB 3538 is federally mandatory. It will help state courts to enforce its child support orders in other countries, and will benefit countless Texas families and children who rely on child support payments and TANF funding.</p> | <p><u>Favorable</u> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p> |
| <p>HB 2619 By King, T., et al.</p> | <p>Relating to a sales and use tax exemption and an oil and gas severance tax credit for the use of alternative base fluids in energized fracturing operations; imposing a civil penalty.</p> | <p>Ways & Means</p> | <p>Texas has been in a drought for the last 10 years, and with increasing development and an expanding population, the water supply here in the Lonestar state is in tight supply. One way to reduce water usage is to encourage fracking companies to use materials other than fresh water to frack with. HB 2691 provides a tax exemption for the sale, use, or other consumption of alternative base fluids used in connection with a fracking well; and tangible personal property specifically used to process, reuse, or recycle alternative base fluids that will be used in a fracking well. The well operator would be entitled to receive a credit if they substitute at least 20% of the water they would be using with “alternative base fluids” such as nitrogen, carbon dioxide, and “fluids other than water.” The tax credit that the operator would receive is a percentage of the amount of taxes that would have been imposed, without the exemption. The percentage of the credit would be the same percentage as the alternative base fluid that was substituted. To apply for the credit, the fracking operator would need to apply to the comptroller with required information and would be liable for a civil penalty of the amount claimed and up to \$10,000, if they submit that documentation to the comptroller knowing that it contains a false or untrue material fact.</p> <p>We have a drought and a decimated water supply that cannot continue to sustain the population of Texas at the current rate of use. Incentivizing the Oil and Gas industry to use other liquids may be a first step in curtailing the industry’s overreliance on a critical resource.</p> | <p><u>Favorable</u> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p> |

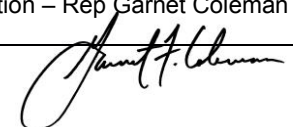
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| <p>HB 1294 By Rep. Capriglione, et al.</p> | <p>Relating to the disclosure on personal financial statements of certain contracts or subcontracts with governmental entities.</p> | <p>General Investigating & Ethics</p> | <p>HB 1294 enhances the required financial disclosure requirements of state officers, candidates for public office, and state party chair. There are concerns that current financial disclosure requirements are not stringent enough and do not require disclosure of sufficient information. HB 1294 adds that disclosures must include information related to certain contracts or subcontracts with governmental entities. Under this bill, contracts that meet certain financial minimums and contracts that may involve conflicts of interest, as specified in the bill, must be disclosed. This increases transparency and helps assuage the public's trust that individuals who are in public office or running for public office are being open and honest about their financial disclosures.</p> | <p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p> |
| <p>HB 3517 By Rep. Davis</p> | <p>Relating to requirements governing registration and authorized activities of certain lobbyists; expanding the applicability of an occupational registration.</p> | <p>General Investigating & Ethics</p> | <p>HB 3517 enhances lobbyist registration requirements. Currently, lobbying activity must be registered unless it falls under a number of exemptions in statute. Due to the recent contracting debacles, HB 3517 chips away at these exemptions to promote transparency and ethical procurement activities. It requires independent contractors to register if they engage in lobbying for purchase decisions, and removes the exception for independent contractors receiving sales commission or similar fees payable as contingent fees for lobbying on purchasing decisions. This will enhance transparency in contracting, strengthening registering requirements of persons engaged in lobbying activities.</p> | <p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p> |
| <p>HB 989 By Rep. Frullo, et al.</p> | <p>Relating to defenses and exceptions to the prosecution of the criminal offense of the possession, manufacture, transport, repair, or sale of certain prohibited explosive weapons, firearms, and related items</p> | <p>Criminal Jurisprudence</p> | <p>HB 989 clarifies that a currently illegal weapon-- such as an explosive, machine gun, or tire deflation device—is legal if it is registered in the National Firearm Registration and Transfer Record, or is classified as a curio by the US Department of Justice. Because the bill prohibits prosecution under those circumstances, it also repeals the unnecessary right to use a defense to prosecution for this offense.</p> <p>HB 989 cleans up statute to clarify under which circumstances an individual may not be prosecuted for an illegal weapon possession. Under the bill, private citizens still may not legally register these weapons in the National Firearm Registration and Transfer Record. This right is only reserved for licensed manufacturers and importers.</p> | <p>Will of the House Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p> |
| <p>HB 2186 By Rep. Cook, et al.</p> | <p>Relating to suicide prevention training for certain educators and other employees of a school district.</p> | <p>Public Education</p> | <p>Suicide is becoming a leading problem among youth nationally and is now the second leading cause of deaths between ages 15-24 in Texas. It is reported that more than 90% of suicides are related to mental health disorders and that for individuals experiencing substance abuse, in addition to having a psychiatric illness, the mortality risk increases significantly. Untreated or a late diagnosis of severe mental illness can be a significant contributor in life threatening actions. As students spend a significant part of their life in school, it is important to make sure educators and other school staff are equipped with the skills to notice signs of mental health concerns, substance abuse, and suicide so that they can appropriately intervene and direct students to adequate services. HB 2186 initiates better preparedness of faculty and staff by changing the frequency that a school district employee must participate in training regarding mental health and substance abuse promotion/intervention and suicide prevention to a minimum of once annually. Additionally, the current requirement for districts to maintain records of each employee participating in training is eliminated.</p> | <p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p> |
| <p>HB 506 By Rep. Rodriguez</p> | <p>Relating to the issuance of tax-supported bonds by certain school districts and increasing the tax rate limitation on the issuance of those bonds.</p> | <p>Public Education</p> | <p>Within the Foundation School Program (FSP) exists the interest and sinking (I&S) tax rate, a facilities funding component that assists schools in their debt from school facilities. Current law states that the I&S rate is capped at \$.50 per \$100 to pay off a bond. This threshold cap was set in 1991 and has yet to be modified to accommodate fast growth districts and the desire to build more schools to address a district's growing needs. Districts are unable to raise the cap, which results in longer repayment periods of the bond issued and higher interest rates accrued. In order to meet the needs of these rapidly expanding districts, the 50-cent cap must be updated for appropriate school campus expansion.</p> | <p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p> |

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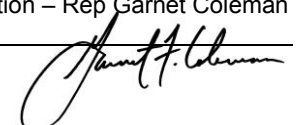


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| | | | <p>HB 506 puts forth changes to the cap to assist fast-growth districts and communities. The rate for debt service payment is raised to 20% above the cap or \$0.60. This applies to independent school districts (ISD) that demonstrate fast growth, by enrolling 3,500 new students or 10% growth over the past 5 years. Additionally, an ISD must achieve 3 out of 5 stars on the Financial Allocation Study for Texas (FAST), determining if an ISD is efficient with taxpayer dollars. Qualifying ISD's must adopt a capital improvement plan to demonstrate a need for taxpayers and indicate the bond they issue will save taxpayers money, with at least 5% savings. School districts who have currently set their I&S tax rate at \$0.45 and above must conduct a capital improvement plan as well.</p> | |
| <p>HB 416 By Rep Riddle, et al.</p> | <p>Relating to requiring personnel of abortion facilities and certain other facilities performing abortions to complete training on human trafficking.</p> | <p>State Affairs</p> | <p>HB416 is another attempt to regulate abortion clinics into oblivion. The bill requires abortion clinics to provide at least 4 hours of training of human trafficking and compelled prostitution as provided by DSHS to any volunteers who would come into direct contact with any patients of the facility. This training would need to be provided within a reasonable time after beginning work as defined by the HHSC. The stated intention behind this bill is outreach to victims of human trafficking- a serious issue that needs to be addressed. However, despite suggestions from testifying physicians and even fellow committee members, the bill was targeted for abortion clinics only, not hospitals, or plastic surgery centers, or any other state facility that victims of human traffic would be likely to come into contact with. Abortion clinics have a lot of volunteers who frequent their facilities. The language of this bill is broad in scope and includes all volunteers, which means that even a voter registrar who came to the clinic to register voters would need to undergo the training.</p> <p>To conclude, even though the bill is meant to tug at the heartstrings of those who rightfully want to combat human trafficking, it is another barely masked attack on one of the last respectable vestiges of the women's health network that we had in Texas</p> | <p>Unfavorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p> |
| <p>HB 1036 By Rep. Johnson</p> | <p>Relating to reporting requirements for certain injuries or deaths caused by peace officers and for certain injuries or deaths of peace officers.</p> | <p>Emerging Issues In Texas Law Enforcement, Select</p> | <p>Currently, there are no requirements for reporting civilian deaths or injuries caused to or by police officers. As a result, there is no singular database with clear information on which to base policy changes regarding police-related murder and injury. HB 1036 attempts to address this issue by requiring the office of the attorney general (OAG) to create a form on which law enforcement agencies must report all casualties and injuries caused by or to police officers.</p> <p>The form must include:</p> <ul style="list-style-type: none"> • the date and location of the incident, • age, race, gender, and ethnicity of the officer(s) and civilian(s) involved, • whether a death or injury occurred, • whether an officer or civilian was harmed, and • whether the civilian was carrying a weapon. <p>This report must be turned in to the OAG no more than five days following the incident. The OAG must then post the report to its website no more than five days following its receipt. Annually, a compilation of all reports must be made available to the legislature.</p> <p>The bill does not include an enforcement clause. This means law enforcement agencies will not face penalties for failure to report a death or injury, and may not be incentivized to complete each report. The bill does not require internal investigations to be conducted following these incidents, so law enforcement agencies may also tweak or conceal certain data on reports for fear of scrutiny. Furthermore, the bill only requires reporting of deaths and injuries caused by firearms. This would exclude incidents such as recently publicized events, in which a civilian was choked to death by police on camera, or in which a civilian died due to severe negligence and indirect abuse while in custody.</p> | <p>Favorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p> |

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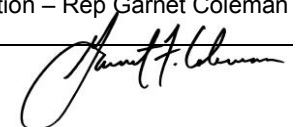


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| | | | <p>However, HB 1036 is currently the most feasible first step towards providing clear statistics to identify trends regarding police-civilian altercations. Due to a lack in reporting, the media and policy-makers are currently filling the information gap with their own prejudices, obscuring the true issue at hand. Clear and complete data will help to inform the public, enhance perceptions of procedural fairness, and bolster further policy action.</p> | |
| <p>HB 2438 By Rep. Thompson, S.</p> | <p>Relating to postconviction forensic DNA analysis.</p> | <p>Criminal Jurisprudence</p> | <p>In the 2000 case of Texas vs. Swearingen, the defendant was convicted of capital murder and sentenced to death for a crime he claims he didn't commit. He has since filed 7 writs of habeas corpus to no avail. The Court of Criminal Appeals denied the appellee's most recent writ and applied a <i>very narrow</i> interpretation of our current laws surrounding motions for DNA testing. In their ruling, they opined that the appellee could not prove that the items he wanted to be tested "contained" biological material. It begs the question of how one could readily or visually prove that sweat, skin cells, or other microscopic materials are contained in an item of evidence. The court applied our current laws both bluntly and mechanically and prevented the testing of what could be exculpatory evidence to possibly point out a catch-22 of current law.</p> <p>HB 2438 changes the type of evidence for which a convicted person may submit a motion for DNA testing to evidence that has "a reasonable likelihood" of containing biological material. It changes related statute to also provide that a convicting court may test evidence that has "a reasonable likelihood" of containing biological material suitable for DNA testing. The bill restores the original intention of our law and allows those seeking the testing of materials to more easily satisfy their burden of proof in order to scientifically prove their innocence. 52 people have been exonerated in Texas due to DNA testing. HB 2438 is integral to a criminal justice system that actually serves justice.</p> | <p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p> |
| <p>HB 1905 By Rep. Springer</p> | <p>Relating to the repeal of certain alcoholic beverage taxes and the tax on controlled substances.</p> | <p>Ways & Means</p> | <p>HB 1905 repeals the entire Controlled Substances tax code, the comptroller's Access to Criminal History Record Information tax code, and the Notice to Holders of and Levy Upon Assets Belonging to Delinquent. In addition, HB 1905 also exempts preparation and service of alcoholic beverages by the holder of an airline or passenger train beverage permit from any limited sales, excise and use taxes. The stated purpose for this tax is to relieve unnecessary burdens on these industries, however, with the advent of new technology, credit cards are used more often and tax is calculated and paid almost immediately, with no additional burden to the business. Should the cost of collecting this tax exceed the revenue, it would be on the comptroller's list of taxes to cut this session.</p> | <p>Unfavorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p> |
| <p>HB 2004 By Rep. Darby, et al.</p> | <p>Relating to a pilot project to provide emergency telemedicine medical services in rural areas.</p> | <p>Public Health</p> | <p>HB 2004 creates a pilot program to provide emergency telemedicine medical services in rural areas, particularly in West Texas. The pilot program will implement a telemedicine network to provide a higher level of expertise for trauma. In rural areas, sometimes it can take over an hour to get a trained trauma doctor to a patient. This will expedite the process and get people help faster. In West Texas, there is a high incidence rate of trauma injuries due to the oil industry's dangers, and many people in that area have a 100 mile trip to the nearest hospital. This type of program has been implemented successfully in other states, and could be successful here. If successful, this pilot could serve as the basis for a paradigm shift in the future to implement telemedicine for trauma expertise in rural and inner-city areas alike, increasing access to care and decreasing the length of time before trauma injuries can be looked at.</p> | <p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p> |
| <p>HB 839 By Rep. Naishtat</p> | <p>Relating to presumptive eligibility for Medicaid and the child health plan program for certain children.</p> | <p>Public Health</p> | <p>Juveniles in the criminal justice system often have higher rates of physical and mental health concerns than youth in the general population. Often the mental health concerns are primary factors in the entry into the justice system, as well as potential recidivism of the youth. When a person, including a juvenile, is incarcerated, Medicaid is currently terminated. When youths return to the community, it is a time-consuming and cumbersome process to reinstate Medicaid and juveniles often go up to one month without access to treatment for their physical and mental health needs.</p> <p>HB 839 expands presumptive eligibility for youths under 19 years old who qualify for Medicaid or CHIP to include juveniles who are released from detention, and stipulates that the executive commissioner of HHSC adopt rules regarding this presumptive eligibility. This</p> | <p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p> |

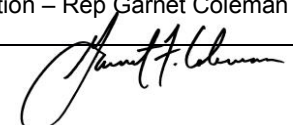


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| | | | will eliminate the wait period post-incarceration for juveniles to receive Medicaid benefits, including prescription drugs, mental health and substance abuse services, and primary care benefits. HB 839 may help prevent recidivism by ensuring youths are getting access to mental health and substance use treatment once released, thereby reducing behaviors that may lead to re-incarceration. | |
| HB 1830 By Rep. Kuempel, et al. | Relating to the regulation of amusement redemption machine game rooms. | Licensing & Administrative Procedures | Harris County was recently given authority to enforce gambling statutes in order to close down illegal game rooms. Due the sharp rise in illegal game rooms across other parts of the state, law enforcement officials have requested that all counties be granted this authority. HB 1830 answers this request by extending this authority to counties statewide. Illegal gaming is a huge problem for Texas, and counties are struggling to get a handle on it. By creating consistent regulation and enforcement throughout the state, lawbreakers will no longer have the temptation to gamble illegally in areas outside of Harris County that may appear attractive for illegal gambling operations. Under HB 1830, Texas law enforcement, counties, and prosecutors are empowered to regulate, prosecute, and punish appropriately any violators within their jurisdictions. | Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org |
| HB 2123 By Rep. King, P. | Relating to participation of the state military forces in the state group benefits program. | Defense & Veterans' Affairs | HB 2123 extends eligibility for health and dental insurance to volunteers in the Texas State Guard who have been on active duty or in state training for 60 days, instead of the current prerequisite of 90 days. The Texas Military Department will require the branch who activated the member to pay the state contribution to insurance benefits coverage. Since most volunteers serving on the Texas State Guard are doing so far from home, providing health insurance to service members and their families will lessen their burden. Many volunteers did so never expecting to be actively deployed, and providing insurance will provide much needed compensation for their service. | Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org |
| HB 483 By Rep. Capriglione, et al. | Relating to the establishment and administration of a state bullion depository; authorizing fees. | Investments & Financial Services | Currently, Texas lacks the ability to store precious metals, such as gold, and it is said that other states may be storing other high-valued metals. HB 483 establishes a state bullion depository, functioning as a state agency within the Office of the Comptroller. The depository will be directed by an appointed administrator who will oversee the depository such as holding bullion, receiving deposits, retail transactions, etc. Additionally, the Comptroller will establish procedures and requirements for the depository, including reporting, fees/ service charges and penalties. | Will of the House Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org |
| HB 595 By Rep. Clardy, et al. | Relating to the addition of certain substances to Penalty Groups 1-A and 2 of the Texas Controlled Substances Act for criminal prosecution and other purposes. | Criminal Jurisprudence | Recently, there has been a rise in use of new "designer" drugs that are similar to acid. These synthetic hallucinogens have been known thus far to cause vomiting and violent seizures. Some of these compounds have been found in the street drug "bath salt" mixes. There are currently no laws in statute to prevent their sale and use. HB 595 addresses this by updating statute to add the new compounds to Penalty Group 1-A, currently containing only LSD, and Penalty Group 2, containing hallucinogenic salts and isomers. Punishment for possession of fewer than 20 units of drugs under Groups 1-A and 2 is a state jail felony -- at least 180 days to 2 years imprisonment and a fine of up to \$10,000. The scope of effects of long-term use of these drugs has not yet been established. They possibly pose a danger, because we don't fully understand their risk and because kids may use them with the false sense of security that they are similar to LSD. HB 595 expands the definition of certain penalty groups so that law enforcement may work to curtail their use, particularly while research is being conducted. | Favorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org |

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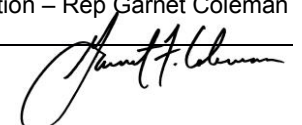


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| <p>HB 597 By Rep. Clardy, et al.</p> | <p>Relating to the designation for criminal prosecution and other purposes of certain chemicals commonly referred to as synthetic cannabinoids as controlled substances and controlled substance analogues under the Texas Controlled Substances Act; amending provisions subject to a criminal penalty.</p> | <p>Criminal Jurisprudence</p> | <p>Currently, synthetic marijuana producers have been able to legally sell their product by continuously tweaking its chemical make-up. Because of its name, synthetic marijuana deceitfully leads users to believe its effects will be similar to those of natural marijuana; however, the drug has been documented to cause convulsions, seizures, and death. HB 597 attempts to close loopholes for the legality of this dangerous drug by expanding the scope of substances listed under Penalty Group 2-A.</p> <p>Specifically, the bill adds new chemical compounds for synthetic marijuana, and adds that any compound with a chemical structure remotely similar to others listed under Penalty Group 2-A will be likewise illegal. Possessing less than two ounces of drugs listed in group 2-A is Class B misdemeanor punishable by up to 180 days in jail, a fine of up to \$2,000, or both.</p> <p>Consumers must be made aware of this new law as to not be unfairly punished due to the actions of an unscrupulous seller. However, this bill will do the important work of ensuring that synthetic marijuana manufacturers will not continue to circumvent the law and endanger consumers' lives.</p> | <p>Favorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p> |
| <p>HB 1114 By Rep. Gonzales, et al.</p> | <p>Relating to the authority with whom certain political committees must file reports of political contributions and expenditures.</p> | <p>Elections</p> | <p>HB 1114 requires specific purpose committees created to support or oppose a school district bond measure to file reports regarding political contributions and expenditures with the Texas Ethics Commission instead of with the school district. This will free up human resources in the school districts, who must currently comply with burdensome open records requests, and will ensure greater transparency regarding campaign financing since the ethics commission publishes this information online.</p> | <p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p> |
| <p>HB 3310 By Rep. Paul, et al.</p> | <p>Relating to the funding policies, actuarial valuations, and reporting requirements of certain public retirement systems.</p> | <p>Pensions</p> | <p>HB 3310 requires all state and local public pension plans to do periodic valuations, develop fiscal strategies, financial forecasting, and to report progress to the legislature. If a plan does not meet the Pension Review Board's minimum amortization rate of 40 years for three years in a row, it must develop a plan to rectify this, whereby the governing body and the pensions fund works together to come up with a solution. The state pension funds, ERS, TRS, and other public pensions systems, currently do this, as do most local pension funds, including Houston, Dallas, and San Antonio. The problem with pension funds is not lack of valuation and reporting; the problem is minor problems being ignored until they become crises, so this bill does not actually solve any problems. Further, there are concerns from some municipalities that this bill requires more than just reporting and that, because of the mandate that governing entities work with pension funds to come to a solution, current pension fund plans may be superseded. There are eleven different pension funds in the state, and each one is unique; one policy to fit all may not be prudent. HB 3310 seeks to improve reporting so that the legislature is more informed about pension funding and how actuarially sound public pension funds are. However, it may put unnecessary strain on local pension systems that have already designed systems that work, mandating additional requirements that are not warranted.</p> | <p>Will of the House Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p> |
| <p>HB 3476 By Rep. Coleman</p> | <p>Relating to the provision and reimbursement of, or benefits for, home telemonitoring services, telemedicine medical services, and telehealth services under Medicaid and certain health</p> | <p>Public Health</p> | <p>A telemonitoring pilot program for individuals with specific listed conditions participating in Medicaid is currently set to expire on September 1, 2015. HB 3476 mandates the executive director of HHSC create a pilot program to extend until 2019. Additionally, the bill expands the potential participants under the program to include elderly individuals and those with special health needs, defined as chronic physical or developmental health conditions or a terminal illness. This expansion would serve some of the most vulnerable people in the state. This program would allow the individuals in the pilot to receive telehealth and telemedicine services at their place of residence. There is also a provision in HB 3476 to allow both the State Employee Retirement System (ERS) and the Teachers Retirement System (TRS) to set up a telemedicine/telehealth pilot program to serve at least 1% of their members who are receiving benefits.</p> | <p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p> |



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| | benefit plans provided to certain retired public employees. | | It has been shown that telemonitoring is both economical and beneficial to those receiving the services. It allows health professionals to recognize medical concerns at their onset when they are easier and cheaper to treat, rather than when they become serious enough to warrant the individual to make a trip to a hospital. This pilot program will allow Texas to test the waters of expansion of telemedicine, to ensure it is economical, practical, effective, and efficient before committing to it on a large scale. | |
| HB 1305 By Rep. Bonnen, G., et al. | Relating to a program to provide a free or reduced-price breakfast to eligible students attending a public school and the method of determining the number of educationally disadvantaged students. | Public Education | <p>Currently, districts receive compensatory education funds based on the number of students that are educationally disadvantaged-determined by the number of students that are enrolled for free or reduced-price under the national School Breakfast Program (SBP). However, some districts, such as Clear Creek ISD have decided to begin their own locally funded breakfast program as an alternative to the national program. These districts no longer need federal meal reimbursements, but are not allowed to turn them down or else they will not receive compensatory education funds. HB 1305 allows school districts to develop and implement a locally funded breakfast program, instead of the national SBP to provide free or reduced-price meals to students in the school or schools eligible. To receive compensatory education allotment funds when using a locally funded breakfast program, the calculation of the number of educationally disadvantaged students is determine by averaging the best six months' eligible for enrollment in the national School Lunch Program (SLP).</p> <p>Although the concept of this legislation is acceptable, there are several concerns that may arise as unintended consequences. By allowing schools to implement a local breakfast program, high-income schools could be incentivized to drop out of the national SBP as they would now be able to receive compensatory education funds. Schools that choose to implement their own breakfast program will no longer be regulated by the nationally mandated program, which requires that meals be affordable and healthy. Schools using their own breakfast program are given autonomy in their choice of food supplies or vendors, allowing the possibility to offering meals from chains, such as Chick-Fil-A or McDonald's. Selling meals from such vendors would most likely increase the price of breakfast for students, no longer matching the pricing of the federal standards for reduced-price meals set at \$.30 for breakfast.</p> | Favorable with Concerns Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org |
| HB 798 By Rep. González, M., et. Al. | Relating to a task force to study methods to prevent the theft of desert plants. | Agriculture & Livestock | <p>HB 789 will create a task force charged with studying the sale and transportation of desert plants and methods that will prevent the theft from private property. The Chihuahu Desert is the largest desert in Texas, and an estimated 100,000 succulents are stolen annually. This is one of the largest threats to the biology and beauty of the desert regions of Texas.</p> <p>The task force will consider:</p> <ul style="list-style-type: none"> • implementing registration requirements; • sale or transport compliance agreements and plant origin documentation; • stop-sale or seizure of desert plants without proper legal requirements; • the imposition of civil, criminal, or administrative penalties for failure to comply with sale/transportation requirements; • any other necessary actions that will regulate sale and transport and prevent theft of desert plants. <p>The task force will present their findings to the Appropriations and Agriculture & Livestock committees by December 1, 2016.</p> | Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org |
| HB 1230 By Rep. Anderson, R. | Relating to the prosecution of certain offenses involving the operation of an overweight vehicle. | Transportation | <p>Many commercial trucks are choosing to drive through municipalities instead of rural areas, due to current law that municipal court jurisdiction is limited to cases regarding overweight trucks with fines less than \$500. This causes fines in municipal areas to often be lower, and fines in non-municipal areas to be higher.</p> <p>HB 1230 addresses this by repealing municipal court jurisdiction limitations to overweight truck cases with fines under \$500. As a result, overweight trucks will face the same amount of fines whether they drive through municipal or rural areas. This will lessen congestion due to commercial trucks on municipal highways.</p> | Will of the House Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org |

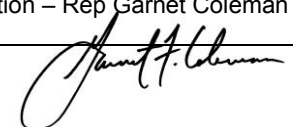
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| <p>HB 979 By Rep. Guerra, et al.</p> | <p>Relating to a grant program to reduce wait times for agricultural inspections of vehicles at ports of entry along the Texas-Mexico border.</p> | <p>Agriculture & Livestock</p> | <p>Texas is a fresh produce gateway for the United States. An estimated \$8 billion in produce cross the Texas-Mexico border annually. Bridge wait times are having a negative impact on crop deliverance, and will only get worse as trade increases. With the completion of the NAFTA super highway linking Texas to Mexico, it is estimated that 615,000 trucks will enter the US yearly by 2020, with 300,000 in Texas alone. The federal government is not hiring inspectors and bridge trade personnel to keep up with demand, and this is limiting growth and causing the destruction of massive amounts of crops as they await inspection in transport vehicles.</p> <p>HB 979 will allow TDA to grant a nonprofit organization to address issues related to reducing wait times for agricultural inspections along the border. Nonprofits are required to provide matching funds in order to be considered eligible and a grant cap will be in line with matching funds. TDA will request, evaluate, and award proposals that address diminishing wait times and best serve the processing industry. Should the federal government provide additional agricultural inspectors, or allow for additional overtime of current inspectors, reimbursement for their services shall be paid out of this grant. TDA will establish procedures for administration, including mandated performance requirements, and monitor each grant recipient. Should a recipient fail to fulfill the contracted requirements, TDA is authorized to recoup allocated grant money.</p> | <p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p> |
| <p>HB 14 By Rep. Morrison, et al.</p> | <p>Relating to the Texas emissions reduction plan.</p> | <p>Environmental Regulations</p> | <p>The Texas Emission Reduction Plan, or TERP, is the primary vehicle Texas uses to create financial incentives to eligible individuals, businesses, or local governments to reduce emissions from polluting vehicles and equipment. HB 14 provides legislation that will extend TERP's expiration from August 31, 2019 to August 31, 2023. The extension of the TERP program will allow the Texas Commission on Environmental Quality (TCEQ) to continue to use TERP incentives to help reduce ground-level ozone in targeted areas, and meet the EPA guideline for reduction of non-attainment areas. Non-attainment areas are areas considered to have worse air quality than the National Ambient Air Quality Standards.</p> <p>Further highlights of HB 14 include: Adding Bell, McLennan, and Webb Counties to the list of counties eligible to qualify for TERP grants. TCEQ will continue to provide grants and incentive opportunities to existing counties indicated in the bill.</p> <p>The Alternative fueling Facilities (AFF) program and the Clean Transportation Triangle (CTT) will be combined and retain the AFF program name. The programs provide similar, often overlapping functions. Combining the two will eliminate redundancy and streamline the effectiveness of both programs. HB 14 outlines the grant process within the bill, along with a listing of grant award eligibility for the alternative fueling facilities, which cannot exceed \$600 thousand.</p> <p>Focus is given to oil field flaring and releasing by making changes to New Technology Implementation Grants (NTIG) and expanding project funding for eligible programs. Specifically, these programs will address emission reduction from oil and gas production, storage, and transmission activities by focusing on emissions produced from stationary sources, rather than point sources.</p> <p>Automobile emission reduction is addressed through programs like The Texas Clean Fleet Program (TCFP), the Texas Natural Gas Vehicle Grants Program (TNGVGP), and the Light-Duty Motor Vehicle Purchase or Lease Incentive (LDPLI) Program, which are amended under HB 14 by streamlining documentation requirements, making information and applications available online, and eliminating delays to simplify the process for participants.</p> | <p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p> |

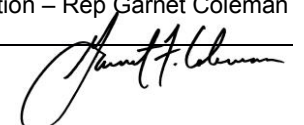
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| <p>HB 1542 By Rep. Paddie</p> | <p>Relating to the use of digital message display systems in certain public facilities.</p> | <p>Government Transparency & Operation</p> | <p>HB 1542 allows Driver’s License Offices, a facility operated by TxDMV, and the commissioners’ courts in counties to use digital display systems to promote department or county information or news items of general interest. A portion of the displayed information may be digital advertisements to fund the systems. DPS or the commissioners’ courts, respectively, may review and has the right to reject any proposed advertisements to be displayed by the system.</p> | <p><u>Will of the House</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p> |
| <p>HB 353 By Rep. King</p> | <p>Relating to the application of certain weapons laws to and liability for certain actions of volunteer emergency services personnel licensed to carry a concealed handgun.</p> | <p>Homeland Security & Public Safety</p> | <p>HB 353 allows volunteer emergency medical services and volunteer fire fighters a defense of prosecution for carrying firearms on another person’s property without consent when responding to emergencies, even in areas where guns are generally not permitted, if they are concealed handgun license holders. It exempts those individuals from offenses of unlawful carrying of a handgun by a license holder in locations guns are not generally allowed. Concerns were raised that securing a gun outside of an area where the gun is not allowed can take up valuable time when responding to an emergency, and that emergency situations may be volatile and volunteer responders may benefit from carrying a gun they are licensed to carry. However, there are also concerns that a volatile situation may be made worse by the presence of a handgun. Emotions run high at sites of emergency and the danger of a gun being taken from a licensed holder by a distraught or stressed citizen is a valid concern. While police are extensively trained in handling emergency situations, the bar for a CHL is considerably lower with less training. Furthermore, there have been many high profile incidents where a police officer has shot and killed an individual during a volatile situation even with all the training they receive. Adding guns in the hands of additional personnel in a potentially volatile situation may not be in the best interests of all involved.</p> | <p><u>Will of the House</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p> |
| <p>HB 682 By Rep. Sheets</p> | <p>Relating to an exemption from the motor vehicle sales and use tax for certain military servicemembers serving on active duty.</p> | <p>Ways & Means</p> | <p>Currently, Texas does not provide an exemption from the state motor vehicle sales and use tax for vehicles purchased by active duty service members who reside in Texas while they are deployed outside the United States. There are military sales programs that sell vehicles to our service men and women while they are deployed. The services offered to our military while they are deployed are distinctly different than the car-buying experience at a traditional dealership. These specialized services are meant to give service members a no-hassle way to purchase a vehicle to be used once their deployment is over. However, when service members take out a loan for these vehicles, the loan doesn’t cover any taxes they would owe when they return to the US. HB 682 exempts service members from that tax on their return.</p> | <p><u>Favorable</u> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p> |
| <p>HB 912 By Rep. Isaac</p> | <p>Relating to the dismissal of protests against certain decisions and actions of the Texas Commission on Environmental Quality regarding wastewater discharge permits.</p> | <p>Environmental Regulation</p> | <p>Currently, sewage and wastewater permit applicants must undergo a contested case hearing conducted by the State Office of Administrative Hearings (SOHA) in order to receive an official permit from the Texas Commission on Environmental Quality (TCEQ). The contested case hearing process is a safeguard mechanism established under the TCEQ permit process, which allows citizens and groups are able to submit evidence and testimony on the permit’s direct impact on their community. In cases where the permit is found to endanger health and safety, it will not be granted.</p> <p>The stated intent of HB 912 is to streamline the TCEQ process for sewage and wastewater permits, but in reality, it will severely limit municipalities’ ability to successfully contest a detrimental permit. The bill allows TCEQ to indiscriminately dismiss a hearing if filed in a municipality where the guidelines are less stringent than permit guidelines. The problem here is it places a one-size-fits-all approach on the contested hearing process, and doesn’t consider that the concerns being brought forth by citizens may be worth consideration, even if municipality guidelines are less stringent. Evidence brought forth could urge a municipality reconsider its guidelines to be more in-line with the permit guidelines.</p> <p>Small communities rely on the contested case hearing process because they simply lack the resources, knowledge, and time to challenge these large companies. Coming on the heels of HB 1865, HB 912 will further restrict the contested case hearing process by preventing local municipalities from ensuring the safety and protection of its citizens.</p> | <p><u>Unfavorable</u> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p> |

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| <p>HB 823 By Rep. Wu</p> | <p>Relating to criminal liability for certain federal motor carrier safety regulation violations; increasing a criminal penalty.</p> | <p>Transportation</p> | <p>Law enforcement agencies are concerned that penalty fees for violating motor vehicle safety standards -- faulty brakes, tires, or insufficient load securement – are too low to encourage compliance. HB 823 addresses this concern by instating a minimum fine of \$150. The upper limit of fines for these violations remains at \$500.</p> <p>This bill could disproportionately impact those who lack resources to pay the fine, or to have their brakes or tires fixed in a timely manner. However, it would ensure higher compliance with vehicle safety standards, and increase safety for all drivers on our roads.</p> | <p>Favorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p> |
| <p>HB 554 By Rep. Springer, et al.</p> | <p>Relating to a defense to prosecution for the offense of possessing or carrying a weapon in or into the secured area of an airport.</p> | <p>Homeland Security & Public Safety</p> | <p>HB 554 allows a person who has a CHL and brings their gun into an airport that is detected by the TSA to return the handgun to their car. Currently, if a handgun is detected by TSA, the individual is arrested and the gun is confiscated. Certain concerned individuals contend that CHL holders may forget they have the gun with them due to being accustomed to carrying in other places and should have the opportunity to return the gun to their car without being charged with a crime. While this may happen, it is concerning that anyone would forget they are carrying a lethal weapon and if someone has forgotten they have a gun on their person, perhaps the individual should not be licensed to carry it at will.</p> | <p>Will of the House with Concerns Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p> |
| <p>HB 1551 By Rep. Howard, et al.</p> | <p>Relating to money distributed by the School Land Board to the available school fund or to the State Board of Education for investment in the permanent school fund.</p> | <p>Appropriations</p> | <p>During the massive budget shortfall of 2011, HJR 109 was passed to approve the direct transfer of up to \$300 million a year from the State Land Board to the available school fund. However, the amount and timing of funds transferred from the State Land Board is currently unpredictable and opaque.</p> <p>HB 1551 addresses this issue by requiring the board to determine the date on which to transfer funds and the amount to be transferred. The board must then report its decisions to the legislature, comptroller, State Board of Education, and LBB by September 1 of each even-numbered year. This will allow the legislature time to determine how much funds are available for general revenue purposes and how much is left to fully fund public education. Establishing formal policies will increase transparency and information available to policy-makers and budget writers, while preserving the board’s discretion.</p> | <p>Favorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p> |
| <p>HB 2778 By Rep. Elkins</p> | <p>Relating to the elections for which federal postcard applicant voters may be sent ballots by e-mail.</p> | <p>Elections</p> | <p>Currently, uniformed service members, their families, and U.S. citizens overseas, may complete a federal post card application to receive balloting materials, including a ballot and instructions, via email. They may then print out the materials and return them by mail in order to vote early in a federal election. At the state level, balloting materials are only allowed to be emailed for an election in which a federal office appears on the ballot or in an emergency election to fill a vacancy in the legislature. HB 2778 removes these limitations and authorizes balloting materials to be sent by email to all eligible federal post card applicants for all elections. This measure is respectful of military and citizenry in general, and will facilitate consistency in federal and state election administration, thereby increasing civic participation in local elections.</p> | <p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p> |
| <p>HB 928 By Rep. Guillen</p> | <p>Relating to state and local planning for and responses to drought.</p> | <p>Natural Resources</p> | <p>For the last 10 years, the drought in Texas has ranged from severe to mild, but it is always there. To successfully resist the drought, we need to have clear roles and communication with TCEQ and our water suppliers. HB 928 addresses that by directing the Water Conservation Advisory Council, (WCAC), to monitor and recommend best management practices for responding to drought. The bill also allows wholesale or retail water suppliers or irrigation districts to update their own contingency plans of what worked for them and was didn’t in a significant drought and submit those plans to the WCAC. A wholesale or retail water supplier must notify the commission if they implement, change the implementation of, or cease to implement a mandatory provision of the plan. The commission must list online the public suppliers using the drought plans, as well as the severity of the drought in the service area, if there is a state or local declaration of disaster, and what drought response stage the supplier is executing. Lastly, HB 928 mandates that the WCAC review, update, and post their best practices online.</p> <p>This bill streamlines the drought response process to be all under one council and clarifies the communication process to avoid future confusion. Having a coordinated, updated plan is imperative for Texas families.</p> | <p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p> |

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| <p>HB 1324 By Rep. Israel, et al.</p> | <p>Relating to the establishment and operation of a motor-bus-only lane pilot program in certain counties.</p> | <p>Transportation</p> | <p>Traffic congestion in Texas cost us \$10.1 billion dollars in delay and fuel and about 472 million additional hours of travel time in 2012. With increased population growth and immigration, we have to implement transportation policy that meets the demands of a denser and increased population while reducing impact on the environment. HB 1324 presents an innovative mobility solution that if implemented could provide needed relief in congested urban areas, utilizing existing infrastructure.</p> <p>The bill requires TxDOT to work with DPS and participating local transit authorities in Bexar, El Paso, Tarrant, and Travis Counties to implement a pilot program, which would allow buses to use shoulders as a bypass option to congested, main-lane traffic during peak traffic times. The program operates “in slow motion,” so to speak, meaning that buses would only be allowed to use the shoulder when the speed of traffic is 35 miles per hour or less. Additionally, buses traveling on the shoulder would be restricted to going the lesser of: 35 miles per hour or no more than 15 mph greater than main-lane traffic. If traffic was at a complete standstill, a bus would then not be able to travel more than 15 mph, in respect of the speed differential mandated by the bill. The program is only allowed to operate on highways with structurally-sound shoulders that are wide enough to accommodate buses.</p> <p>The bill requires TxDOT to ensure that participating localities be provided with: bus driver safety training, public awareness and education, operating rules that require bus drivers to yield to cars and emergency vehicles; and proper signage designating the affected lane for motor-bus-only use. Mass transit entities are required to reimburse TxDOT for funds spent to implement the program, including signs and training. Additionally, the bill requires TxDOT to submit a report to the legislature describing the results of the pilot program based on local operational experience, recommending necessary changes, and providing a plan for permanent implementation.</p> <p>As our cities grow denser, we must continue to identify mobility solutions. HB 1324 provides a solution to congestion that is an efficient use of both our limited space and resources. A bus-on-shoulder program will allow for more timely and dependable mass transit in our cities, encouraging ridership and reducing the number of cars on our highways. 13 other states have safely and successfully adopted bus-on-shoulder policies. Representative McClendon has carried this legislation in the past, and twice, this bill has passed, only to be vetoed by Governor Perry. We are hopeful that with fresh leadership and at a time when we have such critical transportation needs, this legislation will be favorably advanced.</p> | <p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p> |
| <p>HB 2645 By Rep. Blanco, et al.</p> | <p>Relating to the violation of certain court orders or conditions of bond in a family violence, sexual assault or abuse, or stalking case; creating an offense.</p> | <p>Criminal Jurisprudence</p> | <p>HB 2645 adds to the offenses that constitute a violation of a bond condition for domestic violence, sexual assault, and related offenses, to include removing or attempting to remove a global positioning monitoring device. This would allow an officer to arrest a person who violates a condition of bail and poses a threat of re-offense. 62% of family violence offenders have temporary ex parte protective orders in place due to the gravity of their crimes. The bill simply modernizes code to include technology currently in use and provides an enforcing mechanism to hold offenders accountable for their actions while bonded out, punishable by a Class A misdemeanor. This simple fix could prevent a survivor from being further harmed or murdered.</p> | <p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p> |

