



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

**LSG Floor Report For Postponed Business – Tuesday, May 12, 2015**

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 3787</b> By Rep. Bonnen, G.	Relating to a claim filing period and contractual limitations period in certain property insurance policies.	Insurance	<p>HB 3787 will shorten the period for homeowner/property owners to file insurance claims. Currently, claims must be filed within four years of discovery of the loss. This bill will shorten the claim limitation time to one year from date of loss. HB 3787 also stipulates the contractual limitations period from ending two years from the date the insurer accepts or rejects the claim, or three years from the date of the loss that is the subject of the claim. An authorized policy form or endorsement for residential or commercial property insurance will notify applicants and insured of contractual limitations.</p> <p>This bill comes as a result of an increase of insurance claims in conjunction with a lawsuit for losses almost at the end of the statute of limitations. After almost four years, it is difficult for insurance companies to adequately investigate claims. By shortening the filing time, insurance companies claim they can more adequately investigate claims, and better prevent fraudulent claims resulting in payouts. Ensuring proper payout will benefit both insurers and insureds, as prompt payment will allow insurers to repair damages, and insurance companies will have fraudulent claims reduced, lowering premium costs.</p> <p>Unfortunately, HB 3787 also comes with serious concerns. <b>Because the claim limit will be contingent on the date of loss, instead of discovery, property owners may not have adequate time to realize the damage before time expires.</b> Texas weather is unpredictable to say the least. An area may experience several damaging hailstorms one spring, then not experience significant rainfall for over a year. It is possible a property owner may know about damage until another significant weather event occurs. Additionally, this bill will disallow any future contracts allowing for additional length of time between policyholders and insurers; something that should be allowable. This short limitation may also result in forced unnecessary filings, as policyholder get closer to the payout deadlines, and they are trying to close on a settlement.</p>	<b>Unfavorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org
<b>HB 1069</b> By Rep. Rodriguez, E.	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;	Human Services	<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>	<b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org

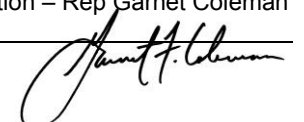
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	requiring a fee and changing the rate of a fee; requiring an occupational certification.			
<b>HB 2769</b> By Rep. Rodriguez, E., et al.	Relating to the date of expiration of a certain pilot revolving loan program established under the Loanstar revolving loan program to provide for energy efficiency measures and renewable energy technology for certain organizations.	Energy Resources	In the 82 <sup>nd</sup> session, legislation was passed establishing a pilot program offering loans to promote renewable and energy efficient technology for non-profit organizations & churches. HB 2769 extends this program two years to end on Dec. 31 <sup>st</sup> , 2017 instead of the current expiration date on Dec. 31, 2015. Utility bills are often some of the largest expenses for non-profit agencies and places of worship. This bill would help to alleviate those costs, allowing these organizations to focus their funds on serving the community.	<b>Favorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org
<b>HB 506</b> By Rep. Rodriguez	Relating to the issuance of tax-supported bonds by certain school districts and increasing the tax rate limitation on the issuance of those bonds.	Public Education	<p>Within the Foundation School Program (FSP) exists the interest and sinking (I&amp;S) tax rate, a facilities funding component that assists schools in their debt from school facilities. Current law states that the I&amp;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>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&amp;S tax rate at \$0.45 and above must conduct a capital improvement plan as well.</p>	<b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
<b>HB 3113</b> By Rep. Gonzales, L., et al.	Relating to the authority of certain municipalities to pledge revenue from the municipal hotel occupancy tax for the payment of obligations related to hotel projects.	Ways & Means	HB 3113 is a local bill that allows the cities of Taylor and Round Rock to dedicate a portion of the hotel occupancy tax to construct a convention center hotel project. This bill would only affect the regions of Round Rock and Taylor.	<b>Will of the House</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org

<p><b>HB 963</b> By Rep. Bonnen, G., et al</p>	<p>Relating to the designation of certain optometrists, therapeutic optometrists, and ophthalmologists as preferred providers.</p>	<p>Insurance</p>	<p>Currently, when optometrists, therapeutic optometrists, and ophthalmologists first start practice, very few health insurance providers are willing to add them to their network. HB 963 allows these licensed professionals that join an existing practice to enter the provider network of the existing practice.</p> <p>This bill will allow existing eye care practices to hire additional doctors as needed, with the certainty that they will be able to join the same preferred provider panels the practice already accepts. With so few doctors remaining in Texas after residency and licensure, it is essential for the health of our state to create a more appealing and less restrictive environment for our physicians.</p>	<p><b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p><b>HB 2039</b> 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><b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p><b>HB 2114</b> By Rep. Murphy, et al.</p>	<p>Relating to the repeal of the inheritance tax.</p>	<p>Ways &amp; 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 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 with further justifications to reduce state tax revenue while so many important areas remain underfunded. 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.</p>	<p><b>Will of the House</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p><b>HB 1944</b> By Rep. Simmons</p>	<p>Relating to coordinated county transportation authorities.</p>	<p>Transportation</p>	<p>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.</p> <p>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</p>	<p><b>Unfavorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

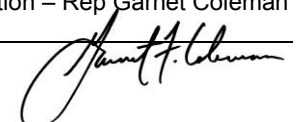
			provider. DCTA's mission is to provide "safe, customer focused, and efficient mobility solutions for Denton County"; however, HB 1944 falls short of this aim by cutting several important corners.	
<b>HB 2688</b> By Rep. Workman, et al.	Relating to a common characteristic or use project in a public improvement district in certain municipalities.	Urban Affairs	In 2011, the City of Dallas was the first city to create a tourism public improvement district. It is comprised of hotels within the city, and allows for hotels in the district to perform self-assessments for additional funding for improved marketing and incentives to attract businesses, such as conventions and group business. HB 2688 will expand tourism public improvement districts to Arlington, Austin, and San Antonio. Austin and San Antonio will keep current requirements that only hotels in excess of 100 rooms will be considered part of the district, while Arlington may include hotels with 75 or more rooms. Dallas has shown marked improvements in closure rates, and other cities would like a similar opportunity to improve.	<b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org
<b>HB 599</b> 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.	<b>Favorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
<b>HB 2847</b> By Rep. Crownover, et al.	Relating to policies and training regarding the use of epinephrine auto-injectors by school districts and open-enrollment charter schools; providing immunity.	Public Education	Recently, many states have taken the initiative to put forth legislation that offers schools legal authority to keep a supply of epinephrine auto-injectors (epi-pens) on their campus; specifically, 46 states currently have a form of school-access legislation. The increase in support for this problem has come from the many deaths of students who had an extreme allergic reaction, known as anaphylaxis, during school and required an immediate response with an epi-pen, but were unable to receive the medicine as schools were not allowed to keep stocks of the epi-pens. This is an unfortunate case as 25% of students who have an allergy reaction in school have not been diagnosed with known allergies. Thus, schools have to rely on EMS, which typically takes too long before the allergic reaction turns fatal. It's imperative that Texas takes steps to pass life-saving legislation that will ensure schools preserve the health and safety of the recorded 160,000 children in Texas with a diagnosed food allergy and many others currently undiagnosed.  HB 2847 authorizes school districts and open-enrollment charter school to store epi-pens on school grounds under specified stipulations. Schools must adopt and implement policy on the maintenance, administration, and disposal of epi-pens that detail information on personnel authorization, training, number of supply and many other necessary requirements. Specifically, districts and charters must have an authorized and trained school personnel to administer an epi-pen to a person believed to experience anaphylaxis on a school campus, an off-campus school event, or while in transit to or from a school event. Provisions for when immunity from civil or criminal liability is granted a person who takes or fails to take action in such instances are laid out.	<b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
<b>HB 2351</b> By Rep. Harless, et al.	Relating to conflicts of interest and discrimination policies for an ethics or medical committee review of an advance directive.	State Affairs	Given the intricacy of end-of-life care, Texas' Advance Directives Act needs clarity. Currently, an ethics committee reviews a doctor's decision when there is a disagreement between the family of a patient and a doctor over treatment decisions, but current statute does not offer any definite policy or guidance for an ethics committee to implement for conflicts of interest arising during an assessment or for the consideration of a patient's permanent physical or mental disability during an assessment.  HB2351 directs each health care facility that provides review by an ethics or medical committee to adopt a policy to prevent financial and health care professional conflicts of interest that may arise during a review under that section. Each facility must also adopt a policy	<b>Favorable</b> Evaluated by: Nakia Winfield 512-763-0031 nakia@texaslsg.org

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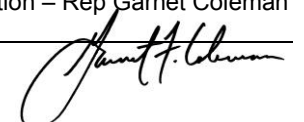
			<p>to prohibit consideration of a patient’s permanent physical or mental disability during a review unless the disability is relevant in determining whether a medical or surgical intervention is medically appropriate.</p> <p>HB2351 requires health care facilities to adopt and implement policies to prevent financial conflicts of interest and discrimination based on disability. These committees need to be operating with the highest ethical standards. This is a reasonable first step toward more transparency in the composition &amp; decision processes of ethics committees, without overreaching by setting policy that every hospital in Texas would have to comply with, regardless of regional differences and local communities. This bill recognizes that decisions regarding treatment should be made through the lens of inherent sanctity of human life, while understanding that sometimes major medical conditions do have an impact on the effectiveness or appropriateness of a given medical intervention. The approach in HB 2351 is reasonable, implementable, and enforceable and protects the most vulnerable among us.</p>	
<b>HB 1066</b> By Rep. Goldman	Relating to the regulation of certain motor vehicle auctions.	Licensing & Administrative Procedures	<p>Currently, wholesale vehicle auctions are allowed solely for licensed motor vehicle dealers to buy and sell vehicles at an auction. Additionally, an auction company must hold a regulatory license number from TDLR and TxDMV. HB 1066 will end dual-agency licensing for auctioneers by allowing auctioning companies to be licensed by one of the two current licensing options. Texas Wholesale Automobile Auction Association contends that these auctions are limited to dealers only and do not include the general public.</p>	<b>Favorable</b> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org
<b>HB 3048</b> By Rep. Deshotel	Relating to the creation and operations of health care provider participation programs in certain municipalities.	Public Health	<p><b>HB 3048 creates a Local Provider Participation Fund (LPPF) program in the Beaumont area.</b> This program would require all institutional healthcare providers (nonpublic hospitals that provide inpatient services) to pay a fee to the municipality, to be deposited into a LPPF, established by the municipality for the program. HB 3048 designates how the funds will be collected and used, including how they may not be used. This fund will be used for intergovernmental transfers to contribute to the nonfederal share of Medicaid funding and for subsidizing indigent healthcare services. <b>This will help Beaumont fund 1115 Medicaid Waiver (or similar waiver) programs, which are reliant on local government funds and therefore harder to implement in areas without public hospital districts where such funds are usually generated.</b></p> <p><b>HB 3048 will help indigent individuals access healthcare and decrease the costs of uncompensated care in the Beaumont community.</b> In 2013, the legislature passed similar legislation for three South Texas counties that, like Beaumont, lack a public hospital district. This has helped those counties access more federal dollars for Medicaid Waiver programs, solving local health problems with local solutions. HB 3048 would merely extend this type of program to Beaumont, where uncompensated care rates are high and solutions to serve indigent populations are needed. <b>HB 3048 provides increased healthcare options without raising tax dollars locally and without asking the legislature for additional dollars.</b></p>	<b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
<b><u>LSG Floor Report For General State Calendar – Tuesday, May 12, 2015</u></b>				
<b>HB 678</b> By Rep. Turner, S., et al.	Relating to advance notice regarding the housing of sexually violent predators at a new location in various counties of this state.	Corrections	<p>Recently, a State Representative received calls from his constituents expressing their anger that more than two dozen violent sex offenders, under the purview of the Office of Violent Sex Offender Management (OVSOM), moved into a boarding home near their residences in his district. Several notices were mailed to the constituents informing them that several violent sex offenders were now living nearby, while also including the offense, photo and other information regarding the violent sex offenders. If a sex offender is labeled a Violent Sex Offender, DPS is required to notify the community by sending a postcard containing information about the offender - within 7 days. The representative was caught off guard. Constituents requested to know not <i>if</i>, but <i>when</i> he would take immediate action to remove these individuals. If the representative received notice in advance of their arrival, he could have intervened by discussing their placement with the OVSOM.</p>	<b>Favorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org

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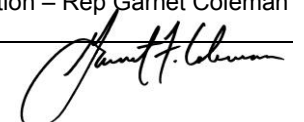
			<p>There is no question that OVSOM is facing a significant housing crisis, which must be addressed. These individuals are civilly committed and cannot be housed in an institution. HB 678 ensures that in the future, legislators are made aware and remain informed of the sex offenders that are moved into their area, so that neither OVSOM, the constituents, nor the sex offenders will face any sort of harassment. Specifically, the bill requires OVSOM to provide legislators a minimum of 30 days-notice in writing, before the transition of sex offenders to a facility not previously used to house sex offenders takes place. A similar notice will be given to legislators if OVSOM enters into a contract to construct or renovate a residence that would begin serving sex offenders. Thirty days is reasonable time for legislators to have sufficient time to review and assess violent sex offenders that may be moving into their legislative district.</p> <p>B 678 also allows OVSOM a 72 hour exception to the 30 notice in circumstances regarding medical emergency or serious behavioral or health and safety issues, as well as in instances in which an offender is released from a secure correctional facility.</p>	
<p><b>HB 1340</b> By Rep. Blanco</p>	<p>Relating to the placement of certain occupational specialty codes on certain notices of state agency employment openings.</p>	<p>Defense &amp; Veteran's Affairs</p>	<p>Obtaining gainful employment is a crucial step for veterans re-integrating to civilian life. Current state laws mandate that state agencies must exercise veteran's employment preference practices until at least 40% of the employees are veterans. Despite this, <b>veteran employment rates have decreased since 2009</b>. With such a large population of veterans residing in Texas, ensuring their access to employment is vital to both their well-being, and the economy of Texas. Many skills learned in the military can translate into to civilian occupations, however, there is currently no way to track military skills.</p> <p>The Texas Workforce Commission (TWC) is the central processing agency for state jobs. <b>HB 1340 will require a state agency, should they have a position that correlates to a military occupational specialty, to include the military occupational specialty code on the listing.</b> This will allow veterans to better navigate in their job search, and enter fields in which they are best suit for.</p>	<p><b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p><b>HB 1136</b> By Rep. Israel</p>	<p>Relating to the creation of the Transportation Safety and Access Advisory Committee.</p>	<p>Transportation</p>	<p>HB 1136 establishes the Transportation Safety and Access Advisory Committee, which will include members from groups including DADS, DSHS, AARP, organizations that represent bicyclists and disabilities, the Texas Association of Counties, and the Texas Municipal League, among others. The committee shall be tasked with studying ways to improve safety and access for all people, including bicyclists, pedestrians, and those with disabilities, for state and federally funded transportation projects.</p> <p>HB 1136 is important because three Texas cities rank high on lists of most dangerous cities for pedestrians. Further, access to bike lanes and sidewalks can encourage more physical activity among citizens, improving overall public health. It will also help cities become more user-friendly for those with disabilities, improving quality of life for differently-abled individuals. This advisory committee will be able to study where there are deficits and recommend changes to improve communities, which can lead to more dynamic cities that encourage consumer involvement, improve property values, and foster economic development.</p>	<p><b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p><b>HB 1390</b> By Rep. Thompson, S.</p>	<p>Relating to remedies for discrimination by a public employer against a public employee in connection with a claim for workers' compensation.</p>	<p>Business &amp; Industry</p>	<p>The Texas labor code prohibits discrimination against employees. However, a public employee injured on the job who files a worker's compensation claim can be fired. They may have no recourse because the state has sovereign immunity. HB 2067 rectifies this by waiving sovereign and governmental immunity and expressly allowing public employees who allege discrimination to sue the state or local governmental entity as recourse.</p> <p>Often worker's compensation cases occur through no fault of the injured. These employees still have to endure pain, surgery, and rehabilitation. Some may have chronic pain that never goes away. Some may also receive lower pay for being out sick from work, and face potential job loss. HB 2067 is critical in ensuring that public employees are given their right of support following a workplace accident.</p>	<p><b>Favorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

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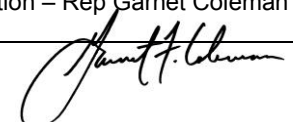
<p><b>HB 1267</b> By Rep. Thompson, S., et al.</p>	<p>Relating to the eligibility of certain persons for the supplemental nutrition assistance program.</p>	<p>Human Services</p>	<p>Current federal law does not allow a person convicted of a felony drug offense to be eligible for supplemental nutrition assistance program (SNAP) benefits. However, individual states are authorized to pass legislation revising eligibility for people in this population. It is important that Texas consider the serious limitations that current state statute provides regarding the current restriction. People who have committed a drug offense should not be ineligible for SNAP. When individuals are caught and sentenced for their actions, they receive a number of negative life-long impacts, such as limited job and housing opportunities, in addition to the federal limitation on SNAP. Without money, housing, or the ability to obtain food, people with drug convictions will struggle with reintegrating into society and be susceptible to reoffend. It is time that Texas considers the systemic challenges that many people convicted of a drug offense after their conviction and offer them some sort of relief. HB 1267 considers these hardships and changes Texas law to only deny SNAP benefits for two years after a person is convicted of a felony offense that is related to possession, use, or distribution of a controlled substance.</p>	<p><b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p><b>HB 1513</b> By Rep. Fletcher</p>	<p>Relating to the minimum size of a tract of land used to raise or keep bees in order for the tract to be eligible for appraisal for ad valorem tax purposes as qualified open-space land.</p>	<p>Agriculture &amp; Livestock</p>	<p>Present law states that individuals who keep bees for agricultural use and ad valorem tax purposes must utilize 5 acres for said purpose. HB 1513 lowers the acreage limit to two acres. While tax cuts may be alarming, the rapid loss of bees has had a huge impact on our crops and natural plants. By lowering the threshold, this will allow more individuals to keep bees, which will increase pollination and crop production.</p>	<p><b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p><b>HB 1403</b> By Rep. Sheets, et al.</p>	<p>Relating to the scope and contents of an expert report for a health care liability claim.</p>	<p>Judiciary &amp; Civil Jurisprudence</p>	<p>HB 1403 removes the action of filing a claim against an employee under the Texas Workers' Compensation Act for survivorship damages for the spouse of an employee who was injured or died while in the course or scope of employment. The bill also reduces the scope of filing a health care claim by requiring that the health care claim against a provider must also state at least one theory of direct liability against the staff person or the provider.</p>	<p><b>Favorable with Amendments</b> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p><b>HB 1668</b> By Rep. Workman, et al.</p>	<p>Relating to the status of a subcontractor as an employee for the purposes of workers' compensation insurance coverage.</p>	<p>Business &amp; industry</p>	<p>In response to the Texas Supreme Court ruling in the case of Entergy Gulf States v. Summers, HB 1668 seeks to clarify statute regarding when a subcontractor and a subcontractor's workers are covered under a general contractor's worker's compensation insurance. The bill stipulates that the general contractor's worker's compensation benefits apply only if the general contractor and subcontractor enter into a written agreement in affirmation.</p>	<p><b>Unfavorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p><b>HB 1670</b> By Rep. Sheets, et al.</p>	<p>Relating to the possession and removal of a placenta from a hospital or birthing center.</p>	<p>Public Health</p>	<p>HB 1670 mandates that hospitals and birthing centers allow mothers to take their placentas home after giving birth. Currently, hospitals classify the placenta as medical waste and some refuse to let mothers take their placentas home. Many mothers bury it. Others consume it in a variety of ways, citing health benefits to doing so, including improved mood, enhanced milk supply, and reduced post-birth pain.</p> <p>HB 1670 includes safeguards to protect the public, including mandates that a woman may only take her placenta home if she:</p> <ul style="list-style-type: none"> <li>• tests negative for infectious disease</li> <li>• signs a form acknowledging she has received educational materials detailing dangers of blood-borne diseases and ingesting formalin, as well as the proper handling of a placenta;</li> <li>• signs a form acknowledging that the placenta is only for personal use (e.g. it will not be sold).</li> </ul>	<p><b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

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			Many women elect to ingest or bury their placenta for personal or religious reasons and they should be permitted to do so. HB 1670 merely requires hospitals to respect a woman’s wishes regarding her placenta.	
<b>HB 1955</b> By Rep. Parker	Relating to false or misleading packaging, labeling, or advertising of certain abusable synthetic substances; providing civil penalties; creating a criminal offense.	Criminal Jurisprudence	<p>Synthetic “designer” drugs can be lethal and cause a vast array of harmful side effects, including tachycardia, vomiting, tremors and seizures, kidney damage, cardiac issues, and so forth. Manufacturers have been able to elude law enforcement by tweaking the chemical structure of these compounds and selling the new “legal” compounds, in forms like potpourri, herbal incense, and as other deceptively-packaged, novelty items. HB 1955 defines an “abusable synthetic substance” and prohibits a person in the course of business from knowingly producing, distributing, selling, or offering for sale a mislabeled abusable synthetic substance. The bill creates a criminal offense -- a Class C misdemeanor for initial offense, and a Class A misdemeanor upon repeat offense. It also creates a civil cause of action, enabling the attorney general or the county, city, or district attorney to take an offender to court to collect a civil penalty of \$25,000 per day for each offense. A penalty recovered in a suit initiated by a local government would then be paid to that local government. The bill allows for the court to make certain considerations in determining the penalty of the defendant, and it allows the defendant certain affirmative defenses, if applicable.</p> <p>The public and targeted businesses should be educated on the toxicity of synthetic abusable substances, as well as informed on all statute enacted and both the civil and criminal penalties involved with the manufacturing and sale of these mislabeled products. Provided that information is made available to small businesses that may unwittingly sell such items, HB 1955 will provide needed relief to the counties and help to curb the supply of these dangerous products.</p>	<b>Favorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
<b>HB 2081</b> By Rep. Laubenberg, et al.	Relating to the physician assistant board.	Public Health	<p>HB 2081 increases the physician assistant board to consist of 13, rather than 9, members. The board shall include 7, rather than 3, practicing physician assistants (PAs) who each have at least five years clinical experience as a PA. The board’s presiding officer shall be a physician assistant. This will help the Physician Assistant Board, as there has been tremendous growth in the number of PAs in Texas recently. This has stretched the board too thin.</p> <p>HB 2081 will allow the board to more easily complete its duties, which include regulating licensed PAs, approving applicants for licensure, and holding disciplinary proceedings for and taking action against licensees when required.</p>	<b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
<b>HB 1998</b> By Rep. Coleman	Relating to the definition of "non-physician mental health professional" for purposes of the Texas Mental Health Code.	Human Services	<p>Many of us take for granted the extra effort it can take for someone with mental illness to do the basic things we do every day, from getting out of bed in the morning to imagining a future for ourselves. As more mental health patients seek out community and team-based treatments, it is more crucial than ever to make sure that they have easy access to professionals across the treatment spectrum. Psychiatrists prescribe medication, while psychologists and other non-physician mental health professionals provide psychotherapy. For some patients though, it takes more work to learn—perhaps for the first time—how to effectively function in society. Just like an amputee has to learn to live a normal life with a prosthetic limb, many mental health patients have to learn to live their lives with what was once a debilitating illness. These are the types of skills that occupational therapists (OTs) help their patients to learn. Even though OTs serve in inpatient settings, they are not recognized as mental health professionals and are largely excluded from serving patients with mental illness in community settings.</p> <p>HB 1998 classifies OTs as non-physician mental health professionals, allowing mental health patients greater access to therapy, regardless of where they choose to seek treatment. <b>It does not allow OTs to provide any services they do not already provide; in fact, it reaffirms the limitations of the profession.</b> A single patient may see multiple mental health professionals at different stages of treatment and recovery, especially in team-based treatment models, and it is important for Texas to recognize the varied roles these</p>	<b>Favorable</b> Evaluated by: Eric Schroeder 512-463-1260 eric.schroeder@house.state.tx.us

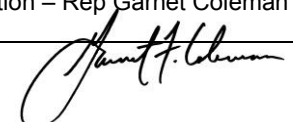
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			professionals play in rebuilding lives.	
<b>HB 3190</b> By Rep. Villalba	Relating to persons authorized to direct, consent to, or disapprove a trustee's decisions.	Business & Industry	<p>HB 3190 provides a statutory framework to support directed trusts that is modeled after Delaware law. Delaware's trust laws assist wealthy families in planning and protecting their estates by maximizing investments, minimizing taxes, and allowing the trustee to hold overly concentrated stock or very high risk stock portfolios, without fear of liability. <b>In this schema, a division of labor is employed among trust participants executing the trust, in order to reduce or "silo" liability.</b> The bill distinguishes between a trustee, who assumes an administrative function, and an investment advisor, who ensures that the assets of the trust are invested and managed. Under the bill, <b>the trustee who "acts in accordance with the direction of" or who makes decisions "with the consent of" an investment advisor is not liable for any loss resultant of those decisions,</b> except in cases of willful misconduct. The bill then <b>fails to hold the trustee accountable</b> for their actions when making joint decisions or acting in concert with the investment advisor, <b>when both parties may be culpable.</b></p> <p>Further, if the terms of the trust are such that the trustee has to act in accordance with the direction of the advisor <b>the trustee does NOT have the duty to monitor the conduct of the advisor or communicate with or warn any beneficiary or third party if the trustee has been directed to act in a manner discordant with that exercised in their own discretion.</b> This insulates the trustee and beneficiaries from loss and from liability.</p> <p>A trustee should have a sacrosanct duty to be transparent with beneficiaries of a trust and a fiduciary responsibility to protect the trust from malfeasance. This bill makes it harder to protect the beneficiaries' interest in a trust.</p>	<b>Unfavorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
<b>HB 3093</b> By Rep. Guillen	Relating to the value of a residential dwelling that may be offered or awarded as a prize at a charitable raffle.	Licensing & Administrative Procedures	<p>HB 3093 raises the value limit of a residential dwelling that may be offered or awarded as a prize at charity raffle from \$250,000 to \$2,000,000. Since there is no limit on the value of real estate that may be donated for raffles, restricting the value of real estate to be raffled is unnecessary.</p> <p>Nonprofit charities must often raise funds through fundraisers, auctions, or raffles. These organizations often fill in needed cracks in services provided by state agencies. Limiting the amount they can raise will limit the good works they are able to accomplish.</p>	<b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org
<b>HB 3987</b> By Rep. Farney	Relating to programs in public schools designed to facilitate planning and saving for higher education and facilitate personal financial literacy instruction.	Public Education	<p>College tuition and fees are dramatically rising, causing an ever increasing debt to students and families. Saving money for college has a huge impact on attendance; research has shown students with as little as \$500 invested for college savings are three times more likely to attend. Much of today's public education focuses on reading, math and history, however, few applicable life skills (such as learning how to do taxes or balance a checkbook) are even considered. Offering students the basic fundamentals of handling finances, such as a college savings account, grants students the opportunity to get ahead of the curve, especially economically disadvantaged students. It is critical to pass legislation that creates the option for schools to pursue programs teaching students basic financial literacy knowledge and skills, as the impact could be life-changing.</p> <p>HB 3987 authorizes a school district or open-enrollment charter school to establish a school-based savings program for the purpose of educating students on the importance of saving for higher education and to facilitate personal financial literacy instruction. The bill allows for the program to make any partnerships with public or private business, nonprofit and community organizations to help students pursue the opportunity to learn financial literacy and begin a college savings. The school-based savings program can work with</p>	<b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org

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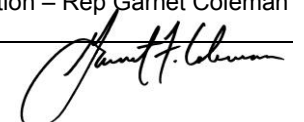
			financial institutions to offer access and information on savings accounts, certificates of deposit, certain bonds, for the purpose of helping students initiate college savings.	
<b>HB 3439</b> By Rep. Riddle	Relating to the donation of property from a state agency to an assistance organization or a local governmental entity.	State Affairs	HB 3439 allows the Texas Facilities Commission (TFC) to donate surplus property to an assistance organization or local governmental entity, if it has determined that the state will sufficiently benefit from donation of such property. Additionally, the bill allows the commission to charge the qualified organization a handling fee in an amount that covers the cost associated with the donation. A state agency may only donate surplus or salvage property that could be resold, if the agency notifies the commission and provides sufficient information to confirm the benefit to the state. A state agency that donates is responsible for notifying the comptroller of the donation and any benefit received that must be reported.	<b>Favorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org
<b>HB 3677</b> By Rep. Workman	Relating to the authority of a peace officer to apprehend a person for emergency detention and the authority of certain facilities and physicians to temporarily detain a person with mental illness.	Public Health	HB 3677 allows a hospital, free standing emergency room, or inpatient mental health facility to hold a voluntarily admitted individual with mental illness for up to four hours after they have decided to leave. This hold would only occur if the treatment team believes that individual, because of the diagnosed or suspected mental illness, is at substantial risk for serious harm to him/herself or others if he/she left. Currently, hospitals must either let the individual go as soon as their mind is changed or hold the person unlawfully. This four hour window would give hospitals time to contact police to obtain an Emergency Detention Order if necessary. The physician who intends to detain the individual must inform the patient that he/she will be detained. The physician must also document the decision to detain as well as the reason for detainment in the patient’s medical record. For purposes of eligibility for a concealed handgun license, this would not be considered involuntary psychiatric hospitalization.  Things can change quickly for a patient with mental illness, and this gives a hospital the time needed to address mental health challenges, including fear and paranoia about medical personnel. It protects the patients from harming themselves and gives hospitals time to get a detention order if involuntary hospitalization is necessary. Just as a doctor would not allow a patient suffering from a heart attack to leave the hospital, a patient who is a danger to him/herself due to psychosis or suicidal intentions should be held for observation and treatment.	<b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
<b>HB 3777</b> By Rep. Collier, et al.	Relating to the establishment and governance of certain regional transportation authorities.	Transportation	Currently, governance of regional transport authorities’ subregional boards is determined by the most recent federal census count in the subregion’s principal municipality. Federal census counts are conducted every five years. Since the last census was conducted in 2010, many Texan cities’ population have grown significantly, such as Fort Worth. HB 3777 updates statute to reflect this growth. In this way, subregional boards may continue to operate within their municipalities’ population brackets.  To accomplish this, the bill increases the population threshold of a subregion’s principal municipality from 800,000 to 1.1 million. The bill also adjusts number of board members proportionate to population growth. It mandates that municipalities with 10,000 or less who withdraw from their authorities by election forfeit all real estate fully or partially owned. The bill specifies criteria for these withdrawn municipalities’ further financial obligations.	<b>Will of the House</b> Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org
<b>HB 3846</b> By Rep. Smithee	Relating to the confidentiality of certain information regarding procedures and substances used in the execution of a convict.	Government Transparency & Operation	HB 3846 requires identifying information of any person involved in the execution procedure, including people who use, supply, or administer lethal injection drugs and people who manufacture, transport, test, procure, compound, prescribe, dispense, or provide any lethal injection drug used in execution to be kept confidential and exempt from disclosure requirements. <b>This bill takes away transparency and accountability, allowing pharmacies and manufacturing plants that dispense or produce substances used in lethal injection to avoid public scrutiny.</b> Recently, there have been several high-profile cases in other states related to botched executions when using experimental drugs or drug combinations, often because the combinations were concocted in secret. With that in mind, it is	<b>Unfavorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org

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			<p>unconscionable that we would allow suppliers and compounders anonymity when such mistakes are being made. The Constitution protects against cruel and unusual punishment in the 8<sup>th</sup> amendment, and this is an 8<sup>th</sup> amendment issue.</p> <p>There are concerns that credible threats to suppliers and compounders of lethal injection substances have caused some suppliers to fear for their safety and stop supplying the drugs. However, <b>many pharmacies that have declined to supply the lethal injection drugs have done so for moral reasons related to the drugs' use in executing people.</b> Since 2001, 9 companies have released statements indicating they would no longer produce or dispense drugs used in lethal injection, or that they do not want their drugs used in lethal injection because they do not want a part in the execution process. If suppliers indeed feel threatened, law enforcement can step in, but obfuscating the process is not the answer. <b>There is already a caveat in statute allowing for confidentiality of suppliers on a case-by-case basis</b> if there are concerns for physical safety. Blanket confidentiality is not necessary. Death is the ultimate punishment the state can wield and it should do so with utter transparency. <b>Obscuring the process destroys public trust</b> and takes away the right to know where lethal drugs are produced.</p>	
<b>HB 3248</b> By Rep. Davis, Y.	Relating to state agency procedures and policies to protect and properly destroy certain information that identifies an individual.	Government Transparency & Operation	HB 3248 mandates state agencies to ensure all potentially identifying information, including information electronically stored, is properly secured. State agencies will implement security strategies developed by the Department of Information when appropriate. HB 3248 also mandates how information shall be destroyed when it is no longer required to be retained by law or policy of an agency. Although associated costs could be significant, this will protect individuals from identity theft and fraud who trust the government to safeguard their information appropriately.	<b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
<b>HB 3043</b> By Rep. Thompson, S.	Relating to the licensing and regulation of a journeyman lineman.	Licensing & Administrative Procedures	HB 3043 clarifies the definition of a journeyman lineman and clarifies the scope of the type of work performed by a journeyman lineman. HB 3043 also gives Texas Department of Licensing and Regulation (TDLR) the authority to create a journeyman lineman examination based on the Institute of Electrical and Electronics Engineers and adopt the national Electrical Safety Code that is published every five years. HB 3043 provides regulatory oversight and examination provisions to the state's largest electrical service contract association in the state.	<b>Favorable</b> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org
<b>HB 3039</b> By Rep. Darby	Relating to requiring certain metal building, roof, and component retailers to register with the comptroller; imposing a civil penalty; authorizing a fee.	Licensing & Administrative Procedures	<p>In order to make reporting and collecting of agricultural sales tax a more efficient process, HB 3039 prescribes new requirements to be taken for certain retailers in the agricultural industry.</p> <p>HB 3039 requires a metal building, roof, and component retailer selling, altering, or fabricating metal buildings or roofs, to register with the comptroller. Each retailer must provide the name and Texas address of the retailer, the location of all distribution offices or other places of business of the retailer in Texas, and other information required by the comptroller. Any retailer who doesn't register can receive a civil penalty in an amount not more than \$500.</p>	<b>Will of the House</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
<b>HB 3028</b> By Rep. Frullo	Relating to regulation of certain conduct by discount health care program operators, or concerning discount health care programs, that relates to prescription drugs or prescription drug benefits; authorizing	Insurance	<p>Over the last several years, community pharmacies have been seeing a rise in discount prescription drug cards. These cards will have the pharmacy logo, and some contain ID and Group #s. The cards are so convincing, some pharmacy employees, and customers, have believed them to be new insurance cards (which cover risk). These cards offer discounts of up to 75% off the pharmacy's cash price. Pharmacy Benefit Managers start the discount card program, and implement said program without notifying the pharmacies or negotiating a contract. When the pharmacy contacts the PBM, they are often denied any negotiation abilities in regards to the discount cards, and must accept the card or be denied access to the network. Opting out is not an option. TDI requires card operators to register with the state, but TDI holds no authority to regulate operator actions.</p> <p>HB 3028 will:</p> <ul style="list-style-type: none"> <li>• Limit deceptive practices by the discount card operators, such as displaying ID and group # which can be mistaken for an insurance card;</li> </ul>	<b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org

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	administrative and civil penalties.		<ul style="list-style-type: none"> <li>• Mandate PBM card operators will negotiate contracts with pharmacies and cannot require pharmacies to participate in discount card program as a condition of participation in another provider network; and</li> <li>• Prohibit kickbacks or payments to providers for patient's use of pharmacy discount cards.</li> </ul> <p>The current actions on behalf of the PBMs hurt local and privately owned pharmacies. Small pharmacies often provide much needed planning and assistance to customers, in a way that large box stores cannot, and garner much smaller profit margins. <b>Small pharmacies, who have often served generations of customers, are being run out of business, and ill or infirmed Texans, who rely on their services, are paying the price.</b></p>	
<b>HB 2346</b> By Rep. Pickett	Relating to granting limited state law enforcement authority to commissioned law enforcement officers of a Federal Reserve bank.	Homeland Security & Public Safety	<p>Currently, Federal Reserve Bank law enforcement personnel do not possess the power to arrest, search, and seize under federal law for all felonies and most misdemeanors. This puts officers in a difficult situation because they are liable if they arrest someone. If they choose not to, they have to contact local law enforcement.</p> <p>HB 2346 addresses this by establishing that a commissioned law enforcement officer of a Federal Reserve Bank is not a peace officer under Texas law, but does have the power to arrest, search, and seize as to any felony or misdemeanor offense committed on the grounds of a Federal Reserve Bank or the Federal Reserve System.</p> <p>While arguments were made against expanding powers to arrest to Federal Reserve Bank officers because they are security guards, it is important to remember that these officers are highly trained professionals and many of them are former Texas peace officers. These are not rent-a-cop security guards, and in fact, Federal Reserve Bank officers often provide training to local police department law enforcement personnel.</p>	<b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
<b>HB 2271</b> By Rep. Sheffield, et al.	Relating to a pilot program for donation and redistribution of certain unused prescription medications; authorizing a fee.	Public Health	<p>Currently, the United States wastes as much as one billion dollars annually on unused medications. Often, drugs are left unused and discarded, particularly for in nursing homes and assisted living facilities, because of a change in prescription, the death of the patient, or the transfer of a patient from one facility to another. Often, these medications that are unused remain in the blister pack packaging that is sealed and tamper-evident and could be used for another patient, but instead gets wasted. Some states have programs to recycle unused medications so they can be used rather than waste taxpayer dollars.</p> <p><b>HB 2271 establishes a prescription drug donation and redistribution pilot program.</b> DSHS shall be required to accept, store, and distribute donated drugs and establish and maintain a searchable electronic database of donated drugs for use by medical professionals. In the pilot program, drug donors will include licensed nursing facilities; licensed hospices, hospitals, physicians, and pharmacies; certain pharmaceutical sellers and manufacturers; and licensed healthcare professionals who administer drugs in penal institutions. These donors will be allowed to donate certain prescription drugs to DSHS for redistribution. The same licensed groups shall be permitted to administer drugs to patients that have been redistributed to them from DSHS. Because of the inherent risks related to prescription drugs, there are significant safeguards in place that describe when and how drugs may and may not be donated. DSHS may not charge to collect the drugs, nor shall they sell the drugs when they distribute them. <b>HB 2271 is designed to save taxpayers' money by redistributing in a hygienic, responsible way unused drugs that would otherwise be discarded.</b> DSHS shall report to the legislature on the results of the pilot program, including health and safety concerns that may come up and recommendations going forward.</p>	<b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org

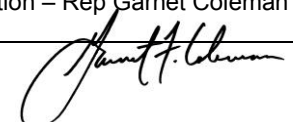
<p><b>HB 2392</b> By Rep. Anchia, et al.</p>	<p>Relating to the establishment of a residential energy efficiency loan program.</p>	<p>Energy Resources</p>	<p>In Texas, almost 300,000 residents each year will have to fix a roof, air conditioner, or a water heater. This creates opportunities to upgrade to more energy efficient options, but oftentimes, the large initial cost of the upgrade puts the energy efficient option out of reach of the consumer. <b>HB 2392 puts those energy efficient upgrades in reach of Texas homeowners.</b> HB 2392 requires the State Energy Conservation Office (SECO), and the comptroller to establish and administer a self-sustaining loan program for improvements that increase the energy efficiency of residences that are not newly constructed. SECO must also evaluate the effectiveness and quantify energy savings and emissions reductions as a result of this program.</p> <p><b>This is a market based, voluntary program that will improve energy efficiency and help Texas families reduce their monthly utility bills.</b> HB 2392 will also enable contractors and installers to provide attractive financing to their consumers, unlocking demand and allowing them to grow. <b>The money HB 2392 provides is not a grant- it's an investment that pays the state back.</b> This program will provide homeowners with the low cost financing they need in order to purchase high quality appliances and make other upgrades that will save them water, energy, and money. It will dramatically increase Texas energy conservation and, in aggregate, these improvements would advance important policy goals, including increased electric grid reliability, improved air, and improved water quality.</p>	<p><b>Favorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p><b>HB 2398</b> By Rep. White, J.</p>	<p>Relating to the establishment of judicial donation trust funds to assist needy children and families appearing before justice and municipal courts, dismissal of charges related to school attendance, and expunction of truancy records.</p>	<p>Juvenile Justice &amp; Family Issues</p>	<p>It is no secret that Texas has criminalized truancy from school. In an attempt to address the poor attendance of many students, Texas has prosecuted twice as many truancy cases than all other states combined. From a young age, children who are found to be truant obtain a criminal record and later face severe consequences. It is time for Texas to reconsider the conditions that a student may be found as truant, such as family instability resulting from financial problems, or lack of school and parental support. Cases that are related to external factors are oftentimes overlooked, and students fall subject to the consequences. HB 2398 takes initiative for judges to consider students situations holistically when they arrive in court.</p> <p>HB 2398 creates a trust fund, comprised of charitable donations, to offer financial relief to truant children and their families. The judge of a justice or municipal court will be allowed to award money from the trust fund to eligible children if they appear before the court for truancy, curfew violations, or another proceeding. The money will be used to alleviate any financial burdens that the judge may find attributed to the student's absence. Additionally, the bill holds a provision that allows any juvenile who possesses a truancy charge, to have their record automatically expunged when they turn eighteen. The bill also allows a judge to have more discretion when truancy cases come before them, and to decide if it was the truly the juvenile's actions that led to the truancy; or if it was from circumstances beyond their control.</p>	<p><b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p><b>HB 2524</b> By Rep. Coleman</p>	<p>Relating to legal services provided by a district or county attorney to county and precinct officials.</p>	<p>County Affairs</p>	<p>Currently, county auditors are afforded legal opinions or legal advice, either verbally or in writing, from their county or district attorneys. However, current statute has not been interpreted consistently throughout the state, leaving county auditors without any statutory legal support when upholding financial statutes. HB 2524 clarifies that county auditors are county officials, and are entitled to receive legal opinions and legal advice from the county or district attorney in writing. The bill clarifies that a county or district attorney, upon receiving a written request from a county official, is required to respond within thirty days. The county or district attorney shall state whether they will grant the request and provide the written opinion or advice by a specified date, or deny the request in writing stating why the attorney's written opinion or written advice cannot be provided by the date prescribed. HB 2524 further states that if the county official does not implement the advice of the county or district attorney, that the county official will not be entitled to legal representation.</p>	<p><b>Favorable</b> Evaluated by: Marisela Gomez 512-463-0760 marisela.gomez_HC@house.state.tx.us</p>

<p><b>HB 2486</b> By Rep. Keffer, et al.</p>	<p>Relating to the right of a person to enter the person's residence or former residence accompanied by a peace officer to recover certain personal property; creating an offense.</p>	<p>Judiciary &amp; Civil Jurisprudence</p>	<p>In a domestic violence situation, victims flee their homes in heightened moments of distress, not thinking about anything other than their personal safety or that of others facing the abuse. Although the moment of distress called for a quick decision, many necessities are left behind that may be essential to the livelihood of the victim. Important items such as medicines, financial documents, or identification records may be left in the residence that the domestic violence situation occurred. At this point, the victim will usually seek an officer's assistance in retrieving their personal property from their former residence. However, because the instigator of the crime has not yet being convicted, a peace officer may not enter without a search warrant. A process is severely needed for individuals who have been victims of domestic violence and are retraumatized as they lose their necessary items. HB 2486 creates the legal remedy needed to help people access their items from a former residence in a safe and civil manner.</p> <p>HB 2486 allows a household member who was denied entry into their home, to apply for a court order authorizing entry if the applicant:</p> <ul style="list-style-type: none"> <li>• attests that they are unable to enter the home,</li> <li>• specifies each item that is intended to be retrieved (only certain items are eligible for retrieval)</li> <li>• certifies that he or she is not legally enjoined from accessing the home</li> <li>• states the harm may come as a result if the application is denied</li> </ul> <p>If an applicant is granted access to enter their former residence, they must be accompanied by a peace officer when they go to retrieve their items.</p>	<p><b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p><b>HB 2465</b> By Rep. Smith</p>	<p>Relating to the licensing and regulation of plumbers; amending provisions subject to a criminal penalty.</p>	<p>Licensing &amp; Administrative Procedures</p>	<p>With continuing technological advances, the need to update codes and standards must occur to account for these changes. HB 2465 will update the Plumbing License Law to better reflect current advancements. Under this bill, a master plumber, who supervises a drain cleaner, drain cleaner-restricted registrant, journeyman plumber, and residential utilities installer will now be a responsible master plumber.</p> <p>In addition, the Texas State Board of Plumbing Examiners will be reconfigured to include a member who has been a responsible master plumber for at least five years, with at least 10 years' experience as a licensed journeyman plumber or master plumber, removing a member who is a plumbing contractor with at least five years' experience. The plumbing examiner will hold a license issued under the Plumbing License Law, and have applicable knowledge pertaining to licensure, municipal ordinances, and be an experienced plumber. Plumbing is often an overlooked and underrated profession. Having well-trained and experienced plumbers is necessary for a functioning society.</p>	<p><b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p><b>HB 2544</b> By Rep. Lozano</p>	<p>Relating to adverse possession of real property by a cotenant heir against other cotenant heirs.</p>	<p>Judiciary &amp; Civil Jurisprudence</p>	<p>HB 2544 extends the ability of someone who to "adversely possess" property – the process by which an individual can claim a property that is not their own by conspicuously making claim to that property without any complaint from the actual owner. In Texas, interest in adverse possession came to the forefront when Hurricane Rita struck and cotenant heirs who lived on the land and other cotenant heirs who lived out of state were unsuccessful in filing FEMA claims. Cotenant heirs challenged that they lived on the land, paid taxes, and had a legitimate right to FEMA benefits; however, they had no claim to the title. HB 2544 will allow cotenant heirs of the rightful title holder to lay claim to the right of other cotenant heirs if they can prove (1) uninterrupted possession for 10 years, (2) paid taxes on the property; (3) used the property for personal use and enjoyment. Procedural requirements of filing for a possessory title with the county records is laid out in the bill.</p>	<p><b>Will of the House</b> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>

<p><b>HB 2950</b> By Rep. Klick, et al.</p>	<p>Relating to the Task Force on Infectious Disease Preparedness and Response.</p>	<p>Public Health</p>	<p>HB 2950 makes the Infectious Disease Preparedness and Response Task Force a permanent entity. This task force was created as a temporary entity by Gov. Perry to respond to the ebola outbreak. Even though ebola is under control, threats to Texans from infectious disease remain and this group is an important part of the state’s response to infectious disease. The bill mandates this task force to:</p> <ul style="list-style-type: none"> <li>• provide evidence-based assessments, protocols, and recommendations related to the state response for infectious diseases;</li> <li>• develop a comprehensive plan to ensure Texas are prepared for a widespread outbreak of an infectious disease and can respond rapidly and effectively;</li> <li>• evaluate supplies and resources available to address an infectious disease outbreak</li> <li>• serve as a source of information and education for all Texans.</li> </ul> <p>Texas was unprepared for ebola. This will help avoid that unpreparedness in the future, potentially saving lives and minimizing consequences of infectious diseases.</p>	<p><b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p><b>HB 2739</b> By Rep. Capriglione</p>	<p>Relating to the use of a concealed handgun license as valid proof of personal identification.</p>	<p>Business &amp; Industry</p>	<p>HB 2739 prohibits an individual from denying the holder of a concealed handgun license (CHL) access to goods, services, or facilities because the person presents a CHL in lieu of a driver’s license. The bill does not apply to renting a car or otherwise furnishing proof of ability to operate a motor vehicle.</p>	<p><b>Will of the House</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p><b>HB 2835</b> By Rep. King, S.</p>	<p>Relating to the name of the program serving certain persons with special health care needs and prioritizing services provided under the program.</p>	<p>State Affairs</p>	<p>HB 2835 will kick undocumented children and adults with special healthcare needs to the back of the line for our program designed to treat these special healthcare needs. The current concern is that there is a waitlist of almost 200 people and citizens and legal permanent residents are not being given priority. But that is not the fault of undocumented children who do not choose to be here; it is the fault of this Legislature that knows our state’s healthcare program is drastically underfunded but is trying to pass a \$4+ billion tax cut instead of funding healthcare.</p> <p>In addition to already having the available resources to better fund healthcare, the federal government is still ready and waiting to pour billions of its money into our state in the form of Medicaid Expansion or some other alternative if we would only ask. But we won’t, and we all know the reason why. Until we actually make a respectable effort to fund Texas healthcare, we have no business making it harder for anyone – undocumented or not – to receive care, particularly when those most affected are <b>children with special healthcare needs</b>. An amendment should be offered to at least exempt those under 18 from having their spot in line determined by their legal status.</p>	<p><b>Unfavorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p><b>HB 2891</b> By Rep. Otto, et al.</p>	<p>Relating to certain reporting requirements for taxable entities.</p>	<p>Ways &amp; 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><b>Favorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

<p><b>HB 65</b> By Rep. McClendon, et al.</p>	<p>Relating to disease control pilot programs to reduce the risk of certain communicable diseases; authorizing fees.</p>	<p>County Affairs</p>	<p>A large number of individuals are unaware that they have been struck with an infectious and communicable disease that can be spread very easily, such as HIV, Hepatitis B, and Hepatitis C, causing huge effect on Public Health. The Department of State Health Services currently has no programs in place that are preventative in nature, and a large sum of indigent healthcare costs are used to only relieving symptoms.</p> <p>HB 65 authorizes Bexar, Dallas, El Paso, Harris, Nueces, Travis, and Webb counties, or a hospital district in those counties, to establish disease control pilot programs. These pilot programs would reduce transmission of blood borne diseases and the number of injuries of innocent victims, such as first responders and law enforcement, by authorizing an organization to implement a safe needle exchange outreach program to collect and properly dispose of used hypodermic needles and syringes in exchange for new clean hypodermic needles and syringes. The needle exchange program would also allow the organization's employees or volunteers the ability to reach out to those struggling with addiction and the opportunity to encourage the program participants to recover from habits and take better care of themselves while directing those individuals to the proper resources to do so. Additionally, the pilot program would have the capability to safely dispose of the used hypodermic needles and syringes in accordance with applicable laws and regulations.</p> <p>An organization is ordered to register with the county or hospital district to be able to distribute hypodermic needles and syringes and that county or hospital district may charge a reasonable fee for registration. Participating organizations are further authorized to solicit or accept gifts, grants or donations to fund the programs and charge a capped fee to program participants for each hypodermic needle or syringe.</p> <p>Although those in opposition to the bill believe the pilot program enables those addicted to drugs to engage in bad habits, it is imperative for the sake of public health to allow those struggling with addiction to receive both education and treatment. Moreover, it will impact public health by providing safe disposal of used needles that are typically found in public places in the area.</p> <p>Under HB 65, organizations that operate the pilot program, would be required to compose an annual report to DSHS and the county or hospital district, informing them of the effectiveness of the program and its impact on the spread of communicable diseases and the use of injected drugs within the area. Operators of the program are authorized to receive hypodermic needles and syringes from licensed authorized distributors, and are to store, dispose and properly secure the needles and syringes allowing limited access from authorized program employees and volunteers. The bill provides a safeguard to the offense of possession or delivery of drug paraphernalia for those dispensing or delivering the hypodermic needle or syringe for a medical purpose or exchange in a disease control pilot program. Those protected include the manufacturer, and an employee, volunteer, authorized agent or participant of the disease control pilot program.</p> <p>Implementation of such pilot programs in other states have proven to reduce infections and the spread of diseases, as well as facilitate recovery and improve the health of the participants.</p>	<p><b>Favorable</b> Evaluated by: Mya Strauss 512-463-0760 mya.strauss_HC@house.state.tx.us</p>
<p><b>HB 114</b> By Rep. Flynn</p>	<p>Relating to the issuance of certain capital appreciation bonds by political subdivisions.</p>	<p>Investments &amp; Financial Services</p>	<p>Capital appreciation bonds have been frequently used for the development needs of schools. However use of these bonds have led to high repayment costs and few benefits. HB 114 addresses the issues that many schools have faced.</p> <p>The bill specifies that capital appreciation bonds cannot be issued if they are secured with ad valorem taxes, unless the following stipulations exist: the bonds have a maturity date that is not later than 25 years after the date of issuance; the governing body of the</p>	<p><b>Will of the House</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

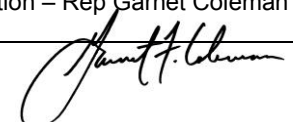
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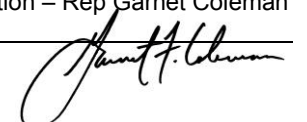
			<p>political subdivision has received a written estimate of the cost of the issuance, including specific details; the governing body of the political subdivision determined in writing whether any personal or financial relationship exists between the members of the governing body and any financial advisor, bond counsel, bond underwriter, or other professional associated with the bond issuance; and the governing body of the political subdivision posts prominently on the political subdivision’s Internet website and enters specific information in the governing body.</p> <p>If a personal or financial relationship exists between a member of the governing body and any financial advisor, bond counsel, bond underwriter, or other professional associated with the bond issuance, the governing body must submit information to the Texas Ethics Commission. If any proceeds are not spent from the completion of a project that was determined for the bond use, it can only be used for purposes that are stated on the website, unless it is used by the voters of the political subdivision at an election held for that purpose. The entire amount of capital appreciation bonds is not allowed to exceed 25% of the political subdivision’s total outstanding bonded indebtedness at the time of the issuance. A local governmental entity is prohibited from extending the maturity date of an issued capital appreciation bond, unless under specified circumstances such as TEA certifying that the solvency of the permanent school fund’s bond guarantee program would be threatened without extension.</p>	
<p><b>HB 2131</b> By Rep. Davis, S., et al.</p>	<p>Relating to the designation of centers of excellence to achieve healthy fetal outcomes in this state.</p>	<p>Public Health</p>	<p>HB 2131 establishes a Fetal Diagnosis &amp; Therapy Advisory Council, appointed by HHSC, to advise DSHS and healthcare professionals on fetal diagnosis and fetal therapy. The Fetal Diagnosis &amp; Therapy Advisory Council will also advise DSHS in the process of designating certain healthcare centers as centers of excellence for fetal diagnosis and therapy. HB 2131 aims to improve the health outcomes of mothers and babies, particularly for at-risk pregnancies and babies with fetal anomalies. The centers for excellence will be given that designation, based on rules developed by DSHS, because they offer comprehensive maternal, fetal, and neonatal services for women with high-risk pregnancies or where there is one or more fetal abnormality. HB 2131 will help Texas lead the nation in fetal diagnosis and therapy, giving babies the best shot at high quality of life after birth.</p>	<p><b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p><b>HB 1733</b> By Rep. Smithee</p>	<p>Relating to automobile liability insurance for transportation network company drivers.</p>	<p>Insurance</p>	<p>Under current law, drivers for Transportation Network Companies (TNCs) are dependent on their personal automobile insurance policy as their primary insurance when they are driving around with the TNC application on searching for riders. If a driver has an accident while trolling for riders, the TNCs currently offer coverage only after the private insurance policy has been denied or depleted.</p> <p>HB 1733 establishes what insurance coverage is required for TNC drivers and companies, and clarifies when such coverage must be in effect. TNC drivers are involved in a commercial activity from the moment they turn on the TNC application, and are ready for passengers, until the application is off and the driver is no longer accepting riders. The bill sets minimum amounts for coverage while driver’s application is on but no match has been made with a rider, and requires a total aggregate limit of liability of \$1 million for death, bodily injury, and property damage for each incident after a match has been made and the rider is in the vehicle. This will close the “gaps” in insurance coverage during each phase of service; from waiting for a rider request, when a driver is en route to pick up a rider, and when rider is in the vehicle.</p>	<p><b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p><b>HB 1268</b> By Rep. Frank, et al.</p>	<p>Relating to monetary assistance by the Department of Family and Protective Services provided to foster parents and relative or designated caregivers for</p>	<p>Human Services</p>	<p>HB 1268 requires DFPS to provide monetary assistance to a relative, designated caregiver, or foster parent for day-care, regardless of the type chosen. In addition, DFPS is prohibited from denying monetary assistance based on the number of hours the responsible guardian works per week. This legislation addresses the current method, in which foster parents are eligible for financial assistance to cover full-time day-care only. If foster parents wish to enroll their child in half-day day-care, they will not be given financial assistance because current law only allows for money to be used for full-time and nothing else. This leaves caregivers with the decision to either enroll the child in full day-care, even if it’s not needed, or no day-care at all. The bill will allow for more families to receive appropriate financial assistance for day care costs, while alleviating costs to the state by letting foster parents choose the type of day-care they wish</p>	<p><b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

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	day-care services.		to enroll their child.	
<b>HB 867</b> By Rep. Hernandez, et al.	Relating to the establishment and operation of the Texas Women Veterans Program.	Defense & Veterans' Affairs	<p>As more and more women join the ranks of the military, the needs of women upon returning to civilian life are becoming greater as well. Women returning from theaters of war have an 11.2% unemployment rate, 5% higher than their male counterparts. Texas has an estimated 198,000 female veterans, the highest in the nation. Another concern to female veterans is the lack of women's healthcare services in the VA. There are roughly 60-70 thousand female veterans of child bearing age. Most of these women are unable to receive any type of reproductive care within the VA, forcing them to seek outside care.</p> <p>HB 867 will address these growing needs of our female veterans. This bill will implement a permanent Texas Women Veterans Program (TWVP) that is designed to aid women in having equitable access to federal and state veterans' services and benefits. The program will collaborate with federal, state, local, and private agencies that provide services to women veterans. The TWVP will conduct assessment studies to better understand local factors that affect veteran women as they attempt enter the workplace and access public and private veteran-eligible benefits. This research will provide critical information for reviewing existing programs and projects on their effectiveness in addressing the needs of the female veteran community, a function that existing temporary initiatives simply can't provide. Of the six states with large female veteran populations, Texas is the only state lacking such a program.</p>	<b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org
<b>HB 1396</b> By Rep. Workman	Relating to strict construction of certain statutes that create or define criminal offenses and penalties.	Criminal Jurisprudence	<p>Approximately 1,500 crimes exist in law outside of the Penal Code, including lying in a fishing tournament, mislabeling citrus fruit, thrashing a pecan tree branch or otherwise causing pecans to fall, and so forth. HB 1396 proposes to apply the rule of lenity to outlier offenses, which clarifies that when the language or intention of criminal law is ambiguous the court should resolve in the defendant's favor. In many instances, to charge an individual with one of these nontraditional offenses would be absurd. <b>However, there are many other offenses existing outside of the Penal Code that relate to white collar crimes and charges of public corruption. Bringing the rule of lenity to the attention of a jury for such a charge is more like to obfuscate jurors, causing the defendant who has committed malfeasance to be let off on a technicality.</b></p> <p>To apply this rule so broadly to every offense outside of the Penal Code is as absurd as convicting one of a felony for collecting oysters. A well-intentioned bill would prune the code to eliminate archaic nontraditional offenses.</p>	<b>Unfavorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
<b>HB 1842</b> By Rep. Aycock, et al.	Relating to the intervention in and sanction of a public school that has received an academically unsuccessful performance rating for at least two consecutive school years.	Public Education	<p>HB 1842 makes changes to pursue an intervention for failing schools. The commissioner of education is instructed to order a campus turnaround plan, as opposed to ordering the reconstitution of a school campus when the campus has been labeled as unacceptable for two consecutive years. A campus intervention team that is established for failing campuses must assist in developing an updated targeted improvement plan, including a campus turnaround plan to be implemented by the campus. The turnaround plan must include the following:</p> <ul style="list-style-type: none"> <li>• description of the academic programs that will be offered at the campus detailing instructional methods, length of the school day and year, academic credit and promotion criteria, and programs serving special student populations</li> <li>• the term of a charter that has been authorized to a campus</li> <li>• written comments from the campus-level committee, which includes parents and teacher from the campus</li> <li>• description of the budget, staffing, and financial resources required to implement the plan</li> </ul>	<b>Favorable with Concerns</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org

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			<p>The turnaround plan must to take effect within the school year following the third consecutive school year that the campus received an unacceptable performance rating. The commissioner will be allowed to approve a campus turnaround plan, only if it is determined that the campus will meet all student performance standards before the second year the campus receives a performance rating after the plan is implemented. If it is determined that a campus would be unable to make improvements after the plan would be implement, the commissioner may order an appointment of a board of managers to govern the district, alternative management of the campus, or closure of the campus.</p> <p>HB 1842 allows for more to be done before a serious order of reconstituting a campus is instructed. Schools have more of an opportunity to identify and address their challenges and seek assistance from an intervention team, so turn their campus around. <b>However, appointing a board of managers rises concerns about this legislation.</b> Board of managers are instructed by the commissioner to help schools under failing circumstances and have been given significant power that have long-lasting impacts on the school and community. The authority that is bestowed upon them can easily overthrow the voice of the community, as for the instance with El Paso in which the board diverted funds for which the purpose was already decided upon by voters and have continue to go against the community's desires. The disengagement that is likely to come with a board of managers, may lead struggling campuses to close or reconstitute at earlier stages to avoid the peril of the board.</p>	
<p><b>HB 177</b> By Zedler, et al.</p>	<p>Relating to the research, collection, and use of adult stem cells.</p>	<p>State Affairs</p>	<p>Stem cell research has gotten a bad rap in the US because of interest groups trying to connect it to abortion. Despite that, there is strong evidence that stem cell-derived neurons could be used to treat a variety of neurological disorders such as ALS, Parkinson’s disease, epilepsy and stroke. Adult stem cell research evades the stigma, but still allows for great strides to be made towards better medical treatments. However, adult stem cells isolated from fat tissue are now considered a drug by the FDA and must be regulated as such.</p> <p>HB 177 creates the Texas Adult Stem Cell Research Coordinating Board and specifies qualifications for the appointments of its 7 members. HB177 directs the Texas Adult Stem Cell Research Coordinating Board to establish a consortium of institutions of higher education and businesses, and provides administration guidelines for the program to:</p> <ul style="list-style-type: none"> <li>• make grants and loans to consortium members for adult stem cell research projects and the development of their facilities</li> <li>• support consortium members in all stages of the process of developing treatments and cures based on adult stem cell research,</li> <li>• establish appropriate regulatory standards and oversight bodies for consortium members for adult stem cell research projects and the development of their facilities</li> <li>• assist consortium members in applying for grants or loans</li> </ul> <p>HB177 further directs the research coordinating board to develop research priorities, guidelines, and procedures for providing grants and loans on a competitive, peer review basis for specific research projects conducted by consortium members. HB 177 stipulates funding through gifts, grants and donations, and directs the consortium to solicit them.</p> <p>The research coordinating board shall submit a report of the board’s activities and recommendations to the Texas Higher Education Coordinating Board and to specified members of the legislature. HB 177 defines adult stem cells, allows them to be collected by a blood bank contingent on consent of the donor, and provides guidelines for their use once collected- specifically authorizing a hospital to use</p>	<p><b>Favorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

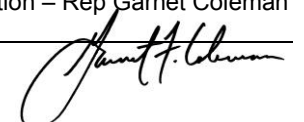


			<p>adult stem cells in a procedure if a physician providing services at the hospital determines that such use is appropriate and the patient consents in writing to the use.</p> <p>This bill would allow for further investigation and use of stem cells that could lead medical advances to better treatment and possibly cure degenerative diseases, birth defects, repair spinal cord injuries, replace or repair damaged organs, and play a major role in cancer treatment.</p>	
<p><b>HB 1091</b> By Rep. Schofield, et al.</p>	<p>Relating to special three-judge district courts convened to hear certain cases.</p>	<p>Judiciary &amp; Civil Jurisprudence</p>	<p>Introducing greater oversight and transparency to the adjudication process is favorable to all parties concerned because more legal minds addressing the problem are more inclined toward greater impartiality and fortitude in solving the problem in a manner that is reasonable and fair. HB 1091 seeks the creation of a three-judge panel to specifically oversee redistricting and school finance cases in which the state is a defendant. The bill would give the AG discretion over requesting the three-judge panel so long as the following three provisions are met: the state is a defendant in the suit; it is a case arising under school finance or redistricting; and meet a discretionary proceeding, or informally referenced as the three-prong test. If all three factors are met, the Chief Justice of the Supreme Court would select two of the judges on the panel. <b>There are strong concerns regarding the three-prong test and the appointment of the Chief Justice as selector of two of the judges to sit on the panel.</b></p> <p>Firstly, the three-prong test requires the claim has the potential to significantly impact (1) state finances; (2) state policies or programs; or (3) it is so exceptional that it should not be decided by one district judge. This appears to a catch-all provision that could extend the potential adjudication of the panel to include eminent domain cases, Texas tort law cases, contract actions against the state, or any kind of administrative appeal brought under state licensing. While, one can't be certain that these cases will be brought, <b>the statutory language is simply too vague and should be more clear in indicating cases that are precluded from being brought before the three-judge panel.</b></p> <p>Secondly, giving discretionary authority to the AG's office to opt-in for the panel court and empowering the Chief Justice, who will sit as final adjudicator if the case proceeds to the highest court, to select two of the three judges, offers an unfair balance to the proposed proceeding and suggests an unintended impropriety. While the panel court proposed under HB 1091 is closely aligned to the federal statute, which has ample precedent in anti-trust, railroad, and civil rights cases, this statute defers in logistical matters pertaining to procedural impartiality.</p> <p>HB 1091 has good intentions in raising the bar in adjudicated matters that concern all Texans and should certainly be considered as a way to offer more transparency and fairness in proceedings concerning the state; however, greater consideration should be given to the following:</p> <ol style="list-style-type: none"> <li>1. The trial judge, should be requesting for the three-judge panel, not the AG as defender to the State</li> <li>2. Consolidating similar cases without the consent of the parties is problematic to maintaining transparency to the proceeding</li> </ol> <p>The discretionary proceeding, or three-prong test is too broadly construed and should be reconsidered so to eliminate cases coming before the court that could be a waste of judicial time and resources.</p>	<p><b>Unfavorable</b> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>

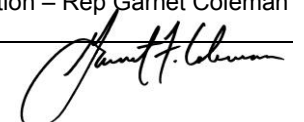
<p><b>HB 1485</b> By Rep. Rodriguez, E., et al.</p>	<p>Relating to the establishment of a grocery access investment fund program.</p>	<p>Economic &amp; Small Business Development</p>	<p>It is common to overlook the luxuries of being able to drive down the street to H-E-B, Randalls, or Krogers and having plentiful options of food to purchase to make homemade, fresh, healthy meals. Unfortunately this is not the case for more than 3.4 million Texans living in an underserved area with limited or no grocery store access. The inability to have fresh, healthy foods can significantly increase the rates of costly chronic diet-related diseases such as heart disease, stroke, diabetes, and certain cancers. Chronic diseases such as obesity affect many Texans, 20% of children and ⅓ of the adult population are struggling with obesity. This has a detrimental impact on the state, costing Texas businesses more than \$1.1 billion a year. If Texas continues to ignore the desperate need for grocery stores in rural and impoverished communities, then the state will have rapidly worsening health conditions and increasing costs.</p> <p>HB 1485 requires the Department of Agriculture (TDA) to establish the Texas grocery access investment fund program to finance the construction, rehabilitation, or expansion of grocery stores in underserved, low-income or moderate-income communities. The bill specifies that “underserved area” is based on the most recent U.S. Bureau of the Census data and the United States Department of Agriculture’s (USDA) determination of an area with low supermarket access by the agency’s Food Access Research Atlas, or another governmental and philanthropic healthy food initiative. The fund is comprised of appropriated money, federal, state or private grants or loans, federal tax credits, plus any other additional monies. The fund is required to use 25% of the funds at minimum to provide grants or forgivable loans distributed under the program. Additionally, a maximum of 10% of the fund can be reserved for administrative or operational costs for the program. Before December 15, 2015 TDA is required to contract with at least one nonprofit or a community development financial institution to administer the program. The following are requirements necessary for financing the construction, rehabilitation, or expansion of grocery stores:</p> <ul style="list-style-type: none"> <li>• for-profit or nonprofit entity</li> <li>• demonstrate the capacity to successfully implement the project and the likelihood that the project will be economically self-sustaining</li> <li>• demonstrate the ability to repay any loan required to be repaid</li> <li>• agree, for a period of five years, to accept WIC and SNAP benefits</li> <li>• allocate 30 percent of the retail space for the sale of perishable foods, which may include whole grains, fresh produce, meat, poultry, seafood, and fresh or frozen dairy products</li> <li>• comply with all data collection and reporting requirements established by the department</li> <li>• promote the sale of fresh produce, including Texas-grown fruits and vegetables, and fresh Texas-raised meat, poultry, and seafood products</li> </ul> <p>promote the hiring of local residents.</p>	<p><b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p><b>HB 1630</b> By Rep. Romero, Jr.</p>	<p>Relating to certain limitations on settlement agreements with a governmental unit.</p>	<p>Judiciary &amp; Civil Jurisprudence</p>	<p>HB 1630 removes non-disclosure agreements in court settlements, whereby the settlement exceeds \$30,000, mandates a non-disclosure clause. When the state of Texas and local municipalities use taxpayer dollars to settle these suits, they should also be forced to disclose reason for its use. HB 1630 will help enhance government transparency and keep taxpayers abreast of important information about how their hard earned tax dollars are being spent, especially if it involves securing silence for government impropriety. Since 2009, 30 million taxpayer dollars were used to settle 3,000 cases; one-third of those were listed as “confidential.”</p>	<p><b>Favorable</b> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>

<p><b>HB 1829</b> By Rep. Thompson, E.</p>	<p>Relating to increasing the punishment for assault committed against certain sports participants.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1829 makes an assault against a sports participant by an adult who is not a sports participant a Class A misdemeanor, rather than a Class B misdemeanor. Currently, sporting event staff, volunteers, coaches, sports officials, and even adult athletes are not affected by the assault enhancements. HB 1829 seeks to protect athletes from being assaulted in retaliation for the victim's performance in a sporting event and protect athletes from being assaulted while performing duties or responsibilities as a sports participant. This enhanced assault offense is to help prevent violent incidents at sporting events. It closes the loophole that prevented sports officials, coaches, event staff, and adult athletes from being prosecuted under the enhancement. While protecting athletes is important, it is unclear why sports-related assaults should be considered differently than non-sports-related assaults.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p><b>HB 2187</b> By Rep. Smith, et al.</p>	<p>Relating to the regulation of metal recycling entities; imposing an administrative penalty; amending provisions subject to a criminal penalty.</p>	<p>Environmental Regulation</p>	<p>HB 2187 would create a penalty, not to exceed \$1000, for recycling facilities not reporting stolen metals by instituting a cash transaction card to complete buy-back transactions. Currently, Houston has implemented such regulation, but it doesn't extend to rural areas where there is limited regulation and no enforcement. Theft of metal is not only about the cost of the metal, but the cost of safety and replacement that is transferred to the consumer. Creating preventive methods that will regulate metal buy-back and eliminate metal theft is positive legislation.</p>	<p><b><u>Favorable</u></b> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p><b>HB 2578</b> By Rep. Price</p>	<p>Relating to the efficiency and consolidation of powers and duties within the health and human services system.</p>	<p>Human Services</p>	<p>HB 2578 requires the internal audit program, as required under the Texas Internal Auditing Act, to be operated by Health and Human Services Commission (HHSC) for the commission itself and all other health and human services agencies as a consolidated internal audit program.</p>	<p><b><u>Favorable</u></b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p><b>HB 938</b> By Rep. Rose</p>	<p>Relating to increased oversight by the Department of State Health Services of hospitals that commit certain violations.</p>	<p>Public Health</p>	<p>HB 938 establishes protocol to allow DSHS to require the hospital that has committed a violation to create and implement a plan to address internal deficiencies. Examples of internal deficiencies that this will affect are improper use of restraints and medication mistakes. When a violation is committed and it is determined that the adverse outcome was preventable, the hospital will be required to develop and implement a DSHS approved plan to avoid such outcomes in the future. The plan may be required to include additional training and education, supervision of certain staff, increased staffing, increased reporting to DSHS, and a review and amendment of hospital policies and procedures. DSHS will be responsible for monitoring the hospital and making sure the plan is carried out. This additional oversight will protect patients, prevent future violations that have adverse consequences, and potentially save lives.</p>	<p><b><u>Favorable</u></b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p><b>HB 1150</b> By Rep. White, J., et al.</p>	<p>Relating to the sale of fireworks on and before certain holidays; affecting provision subject to a criminal penalty.</p>	<p>County Affairs</p>	<p>Currently fireworks can only be sold during three time periods throughout the year. HB 1150 expands the times in which fireworks can be sold by fireworks permit holders. HB 1150 adds Texas Independence Day, San Jacinto Day and Memorial Day among the days in which a permit holder may sell fireworks to the public. The bill requires that the Texas Forest Service be available during firework seasons and respond to any requests from the county on whether drought conditions exist. Furthermore, the bill includes dates in which the county commissioners court must adopt an order restricting the sale or use of fireworks in specified areas if drought conditions exist.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Marisela Gomez 512-463-0760 marisela.gomez_HC@house.state.tx.us</p>
<p><b>HB 1125</b> By Rep. González, M.</p>	<p>Relating to a study on the availability of natural gas utility service in certain counties.</p>	<p>Energy Resources</p>	<p>Texas is larger than many countries. Having a state that is this vast means that there are wide variations in the land, resources, culture, population, economics, cost of living, quality of life and just about every other local feature that you can find, all under one government. This means that residents of urban cities like Houston, Dallas, or San Antonio are often surprised to know that there are counties with over 250 communities without natural gas, sewers, running water or sidewalks. One of these communities attempted to obtain natural gas service because it is a far cheaper way to heat their homes than electricity or propane, which many use now. The average family of four in some regions of El Paso County pays \$300 a month for propane, while it would pay only \$160 for natural gas.</p>	<p><b><u>Favorable</u></b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

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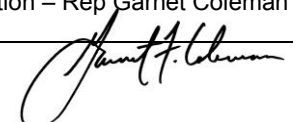


			<p>Texas Gas told the community residents requesting service would have to identify all of the lots that would be covered, and owners of at least half of them would have to sign a petition asking for it and promise to pay infrastructure costs. In addition, residents would also have to get clearance from the Texas Railroad Commission and TxDOT. Texas Gas originally estimated that it would cost \$4 million to extend service to the area, but continued to revise the estimate multiple times. The latest figure is four times what the company said the job would cost five months prior.</p> <p>HB1125 requires the Railroad Commission of Texas (RRC), to conduct a study on the availability of natural gas utility service in each border county in Texas that has a population of more than 800,000. This study must find each census-designated place that has a population of at least 500 and that lacks natural gas utility service, consider why they don't have natural gas, estimate the cost of getting natural gas out to them, an study the methods for doing so. This bill is a direct first step toward raising the quality of life for Texas families.</p>	
<p><b>HB 1532</b> By Rep. Geren</p>	<p>Relating to quarterly reporting of political contributions and expenditures by certain candidates, officeholders, and political committees; adding provisions subject to a criminal penalty.</p>	<p>State Affairs</p>	<p>HB 1532 requires the statutory threshold amounts of political contributions and expenditures for a person who files a quarterly report to be divided by two and requires the Texas Ethics Commission to adopt rules to implement this provision.</p> <p>HB 1532 specifies requirements of candidates for, holders of and specific-purpose committee supporting or opposing a candidate for, statewide office, the office of state representative, or state senator. Those individuals or entities must file quarterly reports covering the first day of the annual quarter, the day the candidate's campaign treasurer appointment is filed, the day the officeholder takes office, or the first day after the period covered by the last report required to be filed, and continuing through the last day of the quarter. The reports are due no later than:</p> <ul style="list-style-type: none"> <li>• April 15<sup>th</sup> - First quarter</li> <li>• July 15<sup>th</sup> - Second Quarter</li> <li>• October 15<sup>th</sup> – Third Quarter</li> <li>• January 15<sup>th</sup> – Fourth Quarter</li> </ul> <p>HB 1532 further requires a campaign treasurer of a general-purpose to report political contributions and expenditures on the same frequency and schedule detailed above.</p> <p>While some might say these requirements are burdensome, this is a large stride in the direction of the transparency directive that governor Abbot made at the beginning of the session. Transparency in government increases trust in government.</p>	<p><b>Favorable</b> Evaluated by: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p><b>HB 1132</b> By Rep. Workman</p>	<p>Relating to the regulation of certain policy forms used for insuring certain large risks.</p>	<p>Insurance</p>	<p>Currently, insurers providing commercial general liability insurance with premiums defined as "large risks" are permitted to attach manuscript endorsements to those policies without review by TDI. Manuscript forms contain specific terms or conditions that have been negotiated between the insurer and the insured and are applicable to a particular policy, which is used to alter the terms and conditions of said policy. The increase of this practice has resulted in contractors and subcontractors becoming increasingly unsure of the coverage they are purchasing, as insurance coverage negotiation and language can often be confusing to non-insurance experts.</p> <p>HB 1132 will help to alleviate some of the misconceptions and confusion for purchasers. This is accomplished by raising the minimum monetary thresholds on total insured property values, total annual gross revenues, and total premiums for which insurance policy forms are used to trigger certain exemptions, meaning exemptions will be harder to obtain. Minimum monetary thresholds will be raised in the following ways: total insured property values of \$10 million or more, rather than \$5 million; total annual gross revenues of \$20 million or more rather than \$10 million; total premium for property insurance of \$100,000 or more rather than \$25,000; general liability</p>	<p><b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>



			<p>insurance from \$100,000 or more rather than \$25,000; and total premium for multi-peril insurance of \$100,000 or more rather than \$50,000.</p> <p>HB 1132 will help contractors be more aware of the insurance they are purchasing and help them make more informed decisions on liability coverage.</p>	
<p><b>HB 1308</b> By Rep. Schofield, et al.</p>	<p>Relating to the method of returning a ballot to be voted by mail.</p>	<p>Elections</p>	<p>HB 1308 allows an early voter who has received a ballot by mail to deliver their ballot in-person to the early voting clerk while polls are open on election day. If opting for in-person delivery, the voter must show appropriate identification. This will allow those voters who intended to mail their ballot in a timely fashion to still be able to participate in an election. HB 1308 makes voting more convenient and accessible.</p>	<p><b>Favorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p><b>HB 1543</b> By Rep. Alvarado, et al.</p>	<p>Relating to the creation of the Advisory Council on Hispanic Affairs in the office of the governor.</p>	<p>International Trade &amp; Intergovernmental Affairs</p>	<p>HB 1543 attempts to address the needs of Texas' increasing Hispanic population by establishing the Hispanic Advisory Council. This Council would serve to advise the governor and act as a voice for the Hispanic community in economic, social, legal, and political matters.</p> <p>The bill requires the Council to be made up of nine members -- one former member of the legislature appointed by the lieutenant governor for a two-year term, another former member of the legislature appointed by the speaker of the house for a two-year term, and seven members appointed for the governor for staggered four-year terms. The Council's key duties are focused on monitoring programs and legislation to ensure equality for the Hispanic community. For example, strengthening Hispanic employment opportunities, analyzing the equality of workplace policies for Hispanics and other minorities, working to lessen Hispanic school dropout rates, and addressing equal treatment of Hispanics in judicial systems. The Council must meet at least quarterly every year. Hispanics comprise more than 40% of Texas' population and growing. Despite this, Hispanics make up only 23% of the Texas legislature. Further, Hispanic household median incomes are between \$35,000 and \$37,000, while white household median incomes fall between \$60,000 and \$64,000. This is a problem for the entire state's economy. If the Hispanic population continues to grow but is not afforded greater opportunities for economic advancement, state poverty rates could increase from 14.4% to 17.7% in 2050. The establishment of the Hispanic Advisory Council could help ameliorate some of these issues, and use the potential of a growing Hispanic community to strengthen Texas' economy and competitiveness. The Council could also serve as a springboard for other underrepresented minorities to gain a similar voice in Texas government.</p>	<p><b>Favorable</b> Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>
<p><b>HB 1810</b> By Rep. Giddings</p>	<p>Relating to the sale of prison-made products to certain persons.</p>	<p>Corrections</p>	<p>The Texas Government Code charges Texas Correctional Industries (TCI), a department within the Texas Department of Criminal Justice (TDCJ), with two objectives: provide offenders with marketable job skills to help reduce recidivism, and reduce the agency's costs. To achieve these objectives, programs within TCI train and employ approximately 5,000 incarcerated offenders to manufacture goods and perform services to sell to governmental entities. Under current law, TCI generally may sell goods and services only to certain governmental entities. It may not sell goods or services on the open market to most private businesses, including private prison vendors that are under contract with the TDCJ. Additionally, TCI may not sell goods to current or retired state employees. These statutory restrictions impede the programs from achieving their potential.</p> <p>HB 1810 requires the Board of Criminal Justice adopt rules and develop best practices governing the purchase of articles and products by a private vendor that contracts with the TDCJ, as long as the articles and products are staying in Texas and not being resold to facilities that aren't contracted with TDCJ at the time. In addition, the articles and products cannot be sold to a private vendor if they currently purchase the articles or products from a private Texan business. This stipulation preserves Texas private industry jobs. HB</p>	<p><b>Favorable</b> Evaluated by: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

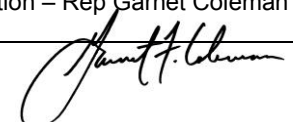
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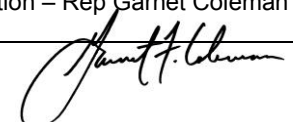
			1810 further requires the board to have a private vendor identify the businesses with whom the vendor currently purchases or purchased the same or similar items for the preceding 12 months and report any savings realized by a private vendor to the legislature in the department’s annual fiscal year review. The board will also provide guidance for the sale of articles and products to retired employees of state agencies.	
<b>HB 1913</b> By Rep. Burkett	Relating to public meetings of joint airport boards.	Transportation	In the 82 <sup>nd</sup> session, legislation was passed enabling municipal governmental bodies to post meeting notices electronically. Most airports are owned and operated by a single municipality. However, DFW is owned by multiple municipalities. HB 1913 requires joint airport boards to also post meeting notices on a physical or electronic bulletin board and on the internet, expanding the purview of these requirements to include DFW.	<b>Favorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
<b>HB 283</b> By Rep. Fallon, et al.	Relating to the requirement that certain governmental bodies make audio and video recordings of open meetings available on the Internet.	Government Transparency & Operations	<p>HB 283 requires local governmental bodies, including school boards, county commissioners courts, and other elected governing bodies, to make a video and audio recording of each regularly scheduled open meeting and make these recordings available online within seven days of the meeting. The archived meetings will remain online for at least two years. HB 283 does not require live streaming. This bill will apply to counties and municipalities with populations of 50,000 or more as well as independent school districts with enrollment of 10,000 or more students. Exceptions for technical breakdowns and natural disasters or other catastrophes are spelled out.</p> <p><b>HB 283 is important to increase transparency and help citizens who may not be able to attend meetings be more involved in and aware of government happenings.</b> For citizens without cars and for citizens who are homebound due to illness or injury, as well as for citizens who may work long hours or shift work, this is very important. It is often vulnerable citizens who cannot make meetings and this can be an important step to helping them remain invested in their communities and engaged in civic activism. While there have been some concerns raised about unfunded mandates on local communities, it is important to note that meetings can be filmed with existing technology, such as an iPhone, and posted on websites such as YouTube that already have the infrastructure for archived content. There are also vendors that can provide equipment for and archiving means for as little as \$1,000 per year. The technology has been around for decades and this is not a burden on communities. Many counties and municipalities of varying sizes already provide these services, and by mandating it, <b>HB 283 encourages government participation for citizens and government transparency for officials.</b></p>	<b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
<b>HB 2082</b> By Rep. Laubenberg, et al.	Relating to developing a program to provide telemedicine medical services to certain children.	Public Health	HB 2082 requires HHSC to develop and implement a plan to deliver telemedicine services to children using Medicaid with complex or chronic medical needs. It allows for children with complex or chronic medical needs to be treated with telemedicine that is reimbursable by Medicaid plans in tandem with traditional medicine. Many medically fragile children in Texas see multiple specialists and sometimes these specialists are several hours away from the children’s homes, particularly in rural Texas. HB 2082 would help physicians stay in contact with their charges more regularly and eliminate some of the arduous journeys that are hard on the children, as well as minimize exposure to germs. <b>Telemedicine will help doctors catch problems quicker and intervene sooner, resulting in fewer emergency room visits and better health outcomes for the children.</b>	<b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
<b>HB 2286</b> By Rep. Parker, et al.	Relating to the eligibility of certain victims of trafficking of persons for an order of nondisclosure; authorizing a fee.	Criminal Jurisprudence	Certain person are eligible to petition the courts for an order of non-disclosure to prohibit release of their criminal record, if placed on deferred adjudication community supervision for the offense. HB 2286 expands the eligibility for non-disclosure to include those who have been placed on deferred adjudication community supervision for compelled prostitution -- so those <i>victims of human trafficking, who have been criminally, sexually exploited</i> . After a hearing verifying that the person was a victim of sex trafficking, the court would be required to prohibit criminal justice agencies from releasing information regarding the victim’s criminal record related to the offense except to certain exempted agencies. HB 2286 allows those victims to more easily obtain employment and housing so that they may	<b>Favorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org

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			begin to piece their lives back together.	
<b>HB 234</b> By Rep. Farrar, et al.	Relating to certain costs associated with court proceedings for cruelly treated animals; authorizing fees and costs.	Judiciary & Civil Jurisprudence	<p>Upon an adjudication that an owner has cruelly treated its animal, HB 234 allows the municipal court the authority to order the owner to pay administrative court costs and reasonable attorney’s fees. Costs for the animal's impoundment, investigation, and expert witnesses are considered administrative court costs. Often, court fees in animal cruelty hearings are used as a negotiation tool to avoid the case going to the bench and having a cruelty order rendered against the owner.</p> <p>This may seem like a questionable practice, but the notion of receiving a cruelty judgment is far worse because it could land a pet owner in the criminal court system, whereas, the use of attorney’s fees offer the district attorneys a mediation approach that is generally effective in getting the owners to correct problems related to the treatment of their pets. A lot of the abusers qualify for indigent status or enter into payment agreements with court recognized non-profits. Due to the limited number of attorneys that handle these cases, HB 234 seeks to protect the costs allocated to the proceedings, despite the decrease in personnel available to oversee them.</p>	<b>Favorable</b> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org
<b>HB 681</b> By Rep. Sheets, et al.	Relating to the eligibility for service retirement annuities of certain persons, including elected officials convicted of certain crimes.	Pensions	<p>HB 681 prohibits a member of the elected class of the ERS who holds or held a state office or is or was a member of the legislature from receiving a service retirement annuity if the member was convicted of a qualifying felony (specified in the bill and including bribery, embezzlement, and perjury), committed while in office and connected directly to official duties of that elected office. HB 681 provides that, in the event of an overturned conviction, the individual is entitled to all previously withheld payments and interest earned, as well as future payments. It also provides that an innocent spouse of a convicted member of the elected class is entitled to up to half of the service retirement annuity. HB 681 only affects service retirement annuity related to time in office, and does not affect any other retirement payments. Members of the elected class are elected to serve the best interests of the people. <b>It is an abuse of the public’s trust to commit a felony while serving public office. HB 681 prevents an individual from financially continuing to benefit from a state-funded pension after being convicted of doing disservice to the state and, by extension, its citizens.</b></p>	<b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
<b>HB 3396</b> By Rep. Phillips	Relating to the reporting requirements for a person who makes direct campaign expenditures.	State Affairs	<p>Currently, if a person wants to make a direct campaign expenditure- such as buying an ad in the paper to support or undermine a candidate, if that expenditure is more than \$100, they would need to file a campaign expenditure report with the Texas Ethics Commission, (TEC). According to the author of HB 3396, this is burdensome and the law is not well known so people who do this may not know that they are committing a crime if they don’t file.</p> <p>To that end, HB 3396 changes the \$100 threshold to \$1000 expenditure before a person is required to file a campaign expenditure report with the TEC. Filing a report with the TEC is not particularly burdensome and does not suppress freedom of speech. In addition, moving the threshold from \$100 to \$1000 does nothing to increase awareness that the report must be filed. HB 3396 may have trouble meeting the goals it purports to be created to address.</p>	<b>Unfavorable</b> Evaluated by: Nakia Winfield 512-763-0031 nakia@texaslsg.org
<b>HB 2558</b> By Rep. Isaac	Relating to the length of a billing month for a propane gas customer.	Energy Resources	<p>Limits on the length and frequency of billing cycles are common in the utilities industry, but there are currently no billing cycle restrictions on captive propane providers. Currently, captive propane providers are not prohibited from billing their customers in irregular time intervals. This creates a “loophole” in the way that their prices are regulated, allowing captive propane companies to “game” the system by extending billing periods when propane prices are high and shortening billing periods when prices are low.</p> <p>HB 2558 provides uniformity and consistency in billing for propane gas customers. The bill restricts a propane invoice from including</p>	<b>Favorable</b> Evaluated by: Nakia Winfield 512-763-0031 nakia@texaslsg.org

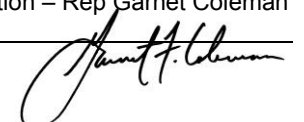
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			<p>charges for more than 31 or 32 days, excepting during extreme conditions.</p> <p>HB 2558 prevents Texas Families from being taken advantage of.</p>	
<p><b>HB 4182</b> By Rep. Lucio III, et al.</p>	<p>Relating to the creation of the Cameron County Healthcare District; granting the authority to impose a tax and issue bonds; granting the power of eminent domain.</p>	<p>County Affairs</p>	<p>Cameron County has among the highest number of uninsured individuals. Currently, the county is responsible for administering the indigent care program. HB 4182 allows the county voters to create a healthcare district, and along with the newly established University of Texas Rio Grande Valley School of Medicine, the county will be able to administer quality indigent care. The healthcare district would be authorized to contract with providers for health care delivery, as well as cap the maximum tax rate to 25 cents per \$100 valuation of all properties in the county. HB 4182 would enhance the ability of the county to provide to the community's most disadvantaged residents with quality health care services and provide a foundation for the UT RGV medical community.</p>	<p><b>Favorable</b> Evaluated by: Mya Strauss 512-463-0760 mya.strauss_HC@house.state.tx.us</p>
<p><b>HB 548</b> By Rep. Johnson, et al.</p>	<p>Relating to the consideration of criminal history record information regarding applicants for state employment.</p>	<p>Government Transparency &amp; Operations</p>	<p>A major part of rehabilitation and successful re-entry into society for individuals with criminal convictions is being able to work. Formerly incarcerated individuals who have jobs are significantly less likely to re-offend than those who cannot find gainful employment. Unfortunately, many otherwise-qualified individuals are discounted for employment before they even get to the interview stage. It is common practice for job applications to ask about criminal background and it is illegal for an applicant to lie about past convictions. Once an applicant admits to a criminal conviction, that individual's application is usually discarded. This makes re-entry into society difficult and can lead to increased recidivism rates.</p> <p><b>HB 548 prohibits state agencies from asking about an applicant's criminal background in the initial employment application.</b> There is a carve-out for specified jobs, such as those working with children or where a background check question is mandated by law. <b>This only affects state agencies. It does not apply to private businesses or local governments.</b> State agencies may ask about, and consider, criminal background history at a later point in the application and hiring process, after it has been otherwise determined that the applicant is qualified for the job and the individual has either been offered conditional employment or has been offered an interview. <b>HB 548 will increase employment opportunities for qualified individuals who may have past criminal convictions, which in turn may lead to reduced recidivism and improved re-integration into communities for formerly incarcerated individuals.</b></p>	<p><b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p><b>HB 3374</b> By Rep. Morrison, et al.</p>	<p>Relating to information regarding Down syndrome.</p>	<p>State Affairs</p>	<p>Anecdotal evidence, as well as published academic studies, find that many women want but do not receive current, accurate information about Down syndrome and Down syndrome associations during their prenatal or postnatal diagnosis.</p> <p>HB 3374 requires DSHS make available certain information about down syndrome that is evidence-based and has been reviewed by medical experts and local Down syndrome organizations. The information must be published in English &amp; Spanish &amp; include:</p> <ul style="list-style-type: none"> <li>• physical, developmental, educational, and psychosocial outcomes, life expectancy, clinical course, and intellectual and functional development</li> <li>• available treatment options</li> <li>• contact information for national and local Down syndrome education and support programs, services, and organizations, including organizations in Houston, Dallas, San Antonio, and Austin, and information hotlines, resource centers, and clearinghouses</li> <li>• any other information required by the department</li> </ul>	<p><b>Will of the House with Concerns</b> Evaluated by: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

			<p>HB 3374 mandates healthcare providers who test for or diagnose Down syndrome to provide the information detailed above to any expectant parents or parents of children with Down syndrome. A health care provider may provide additional information about Down syndrome that is current, evidence-based and has been reviewed by medical experts and national Down syndrome organizations.</p> <p>While we support providing medically accurate, current information and resources to expectant parents who have received a positive diagnosis of Down syndrome, there are concerns that the legislation mandating how this is to be provided actually hinders physicians from providing that. <b>Laws should not interfere with the ability of physicians to determine appropriate treatment options</b> and have open, honest, and confidential communications with their patients. Laws should also not interfere with the patient’s right to be counseled by a physician according to the best currently available medical evidence and the physician’s professional medical judgment.</p>	
<p><b>HB 3074</b> By Rep. Springer, et al.</p>	<p>Relating to the provision of artificially administered nutrition and hydration and life-sustaining treatment.</p>	<p>State Affairs</p>	<p>Current statute lacks clarity for this complex, end of life situation. Right now the law allows food &amp; water to be withdrawn with no medical standard for their withdrawal. This has been an issue for 12 years and during that time, no state or Federal laws prohibit the withdrawal of food or water. Life sustaining treatments are appropriate when benefits outweigh burdens. However, there are times when the physician recommends against certain life-sustaining treatment that the family wishes to continue. At this time, should the doctor refuses to comply with an advance directive or other request for life-sustaining treatment because of the physician’s judgment that the treatment would be medically inappropriate, the case is reviewed by the ethics board. If the ethics board sides with the doctor, then the doctor will help the family find another doctor or facility and provide the family with information about referral groups to help with the transfer.</p> <p>HB 3074 requires patients to receive food &amp; water for the first 10 days after notification of the ethic board’s decision unless based on reasonable medical judgment, providing artificially administered nutrition and hydration would:</p> <ul style="list-style-type: none"> <li>• hasten the patient's death</li> <li>• be medically contraindicated such that the provision of the treatment seriously exacerbates life-threatening medical problems not outweighed by the benefit of the provision of the treatment</li> <li>• result in substantial irremediable physical pain not outweighed by the benefit of the provision of the treatment</li> <li>• be medically ineffective in prolonging life</li> <li>• be contrary to the patient's or surrogate's clearly documented desire not to receive artificially administered nutrition or hydration</li> </ul> <p>A person can be fined up to \$10,000 if you don’t provide a horse with food &amp; water, there is no such provision for humans.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p><b>HB 1892</b> By Rep. Rodriguez, E., et al.</p>	<p>Relating to the establishment of a Texas community school grant program.</p>	<p>Public Education</p>	<p>HB 1892 requires the Texas Education Agency (TEA) to create a competitive grant program for schools to transition into Texas community schools. Texas community schools are campuses that seek partnerships between the school and the community, offering an array of resources in addition to academic instruction. From appropriated funds, TEA will award two-year grants for up to \$85,000 per academic year to schools transitioning, of which no more than \$60,000 will be for a full-time community school coordinator’s salary and no more than \$25,000 will be used to develop and implement a community school plan. The plan must demonstrate campus improvement and be approved by 75% of campus faculty and staff, 75% of parents whose children are student of the school, and the board of trustees. Ten percent of the funds appropriated to TEA for Texas community schools must set aside for public or private contracting, which will act as a technical provider in the implementation of the school plan. TEA is required to establish benchmarks and performance measures to determine the progress of a transitioning school and analyze how the community school will perform once the award is expired. The transition of a school will be monitored by TEA so that any deficiencies are addressed. This bill is critical in</p>	<p><b><u>Favorable</u></b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

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			order to ensure a stable funding process for Texas community schools.	
<b>HB 2020</b> By Rep. Martinez, "M." et al.	Relating to the scope of duties of an emergency medical technician-paramedic and a licensed paramedic.	Public Health	<p><b>HB 2020 allows paramedics and licensed paramedics to work in an ER as a second job.</b> Currently, they can work in a hospital, but only as an orderly, which does not allow them to use the skills they have cultivated and been trained to use. Paramedicine does not allow for much room for advancement, and this would provide an additional avenue of work for them, especially as paramedics get older and the fieldwork becomes too strenuous. Paramedics are already trained to do this type of work and this would just allow them to use their skills. This is a policy that already exists in some other states, such as Florida, and has been successful. <b>Paramedics will be licensed and supervised by physicians, and only perform the skills they are trained to perform.</b> This would not take away from other professionals in hospitals, but add to the wealth of professional knowledge.</p> <p>Paramedicine is a young career, and it is often a career for the young. It requires a lot of physical stamina. If a paramedic gets injured on the job, their career is often over because climbing in and out of trucks, into ditches, and into dangerous environments requires able-bodied individuals. Giving paramedics a place to work in emergency rooms can help them by allowing them to continue to use their skillset when it is no longer feasible to do so in the field.</p>	<b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
<b>HB 2205</b> By Rep. Crownover	Relating to educator preparation programs and appointment to the State Board for Educator Certification, including the appointment of a nonvoting member with experience and knowledge of alternative educator preparation programs.	Public Education	<p>HB 2205 changes the number of members of the State Board of Educator Certification (SBEC) to 15 members from 14 members. Immediately after passage, the Governor is required to appoint a nonvoting member to SBEC, who is not affiliated with a higher education institution and has experience with an alternative educator preparation program. The rules for educator preparation programs regarding sanction measures must include the Board's procedures on changing accreditation status of programs. The bill expands the required information SBEC must make available for each educator preparation program to include:</p> <ul style="list-style-type: none"> <li>• average ratio of supervisors to candidates completing student teach, clinical teaching, or an internship in the program and</li> <li>• percentage of teachers employed under a teaching certificate after one year of completing the program.</li> </ul> <p>Teachers are a significant influence in a student's life and it is important that legislation such as HB 2205 passes so educator preparation programs can be held accountable for preparing quality teachers to enter the workforce.</p>	<b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
<b>HB 1624</b> By Rep. Smithee	Relating to transparency of certain information related to certain health benefit plan coverage.	Insurance	<p>Under current law, health insurance providers update their provider directories quarterly, leading to inaccurate or outdated information. In addition, health insurance providers do not post complete or easily accessible prescription drug formularies online and there is often no information about cost-sharing for prescription drugs under the plan available for shoppers until after a plan is purchased. This can leave a consumer with incomplete information when deciding on what insurance plan is right for them. HB 1624 ensures that the list of covered prescription drugs (called the drug formulary) is easily accessible by requiring a direct link to the formulary on the health insurance website. TDI will work with insurance companies to create a standardized formulary template that will include information about cost-sharing for each drug, and any requirements that the insurance company has before a certain drug can be accessed. The provider directory list must be updated monthly, as opposed to the current quarterly mandate, and easily accessible online. In addition, this bill will require provider directories to display a phone number or email address for consumers to report inaccurate information, and require plans to follow up within a week. Currently, plans have no obligation to respond to, and correct reports of inaccurate information.</p>	<b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org

<p><b>HB 3781</b> By Rep. Crownover, et al.</p>	<p>Relating to the creation of the Texas Health Improvement Network.</p>	<p>Public Health</p>	<p>HB 3781 creates the Texas Health Improvement Network (THIN), a multidisciplinary and multi-institution network to serve Texans, administratively attached to the University of Texas System. <b>THIN would develop initiatives and translate research into best practices, to be disseminated to healthcare institutions and professionals.</b> THIN would have stated <b>goals of reducing per capita healthcare costs, improving the experience of care, and improving the health of Texans.</b> It will have the authority to fund pilot programs, fund internships, and conduct research. The network shall be made up of faculty of general academic and health-related public and private institutions who have expertise in a variety of subject areas, including public health, mental health, nursing, social work, biostatistics, engineering, and computer science. <b>The network shall work to reduce health disparities, improve quality of life, and reduce healthcare costs.</b></p>	<p><b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p><b>HB 799</b> By Rep. Capriglione, et al.</p>	<p>Relating to a study conducted by the Legislative Budget Board on the impact to state agencies of federal regulations and mandates enacted by federal law.</p>	<p>State &amp; Federal Power &amp; Responsibility, Select</p>	<p>HB 799 addresses concerns that federal regulations and mandates over state agencies are costly and inefficient. It establishes that the Legislative Budget Board (LBB) must conduct a study over the fiscal effects of federal regulations and mandates for each state agency. The report must include a cost-benefit analysis of federal regulations, a list of all federal mandate costs lacking federal reimbursement, and recommendations for reducing the federal regulatory burden. This report must then be provided to the legislature.</p> <p>Federal regulations and mandates are necessary to continue receiving federal matching contributions which comprise a large portion of the state's budget. While more information is never a bad thing, we worry about the difficulty of seeing a report that is unbiased and informative. We do not agree with the premise that federal regulations and mandates are costly and inefficient in the first place.</p>	<p><b>Will of the House</b> Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>
<p><b>HB 1265</b> By Rep. Wu, et al.</p>	<p>Relating to a deceptive act or practice involving a solicitation in connection with a good or service.</p>	<p>Business &amp; Industry</p>	<p>In 2014 the attorney general received 67 complaints regarding commercial entities that sent solicitations by mail, imitating governmental forms. Ironically, many of these entities fraudulently pretend to be the attorney general's office. The notices often carry insignia similar to the state's and threaten criminal penalties should the victim fail to remit payment. HB 1265 adds to the Deceptive Trade Practices Act statute, expanding the purview of misleading practices to include: delivering or distributing a solicitation imitating government and sending a solicitation resembling a check or invoice, unless labeled "SPECIMEN-NON-NEGOTIABLE." Some concern has been raised that this disclaimer will not be readily understood by the lay person, and something to the effect of "this is an ad" might work better.</p> <p>Deceptive mail solicitation often targets the elderly, who might not have the faculties to discern such deceit. HB 1265 will assist the attorney general in going after these bad actors and will hopefully put a stop to duplicitous tactics that diminish the brand of our state and government and extort our most vulnerable.</p>	<p><b>Favorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p><b>HB 71</b> By Rep. González, M., et al.</p>	<p>Relating to the prosecution of the offense of indecency with a child.</p>	<p>Criminal Jurisprudence</p>	<p>When one is charged with indecency with a child, there is an affirmative defense to the accusation, if the actor is not more than three years older than the victim – colloquially known as the "Romeo and Juliet" defense. Currently, this defense is only available if the defendant is of the opposite sex of the victim. HB 71 removes this specificity, allowing for those of same or opposite sex from the victim protection under law. We don't want to criminalize teen relationships, nor should we discriminate against young LGBT individuals, who are already at higher risk of suicide and depression. HB 71 applies current law more fairly. Further, it will relieve social workers and other mental health professionals from the discriminatory duty of having to report when a client is 17 years old and in a relationship with a 16 year old of the same sex.</p>	<p><b>Favorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

