



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

LSG Floor Report For General State Calendar Senate Bills – Thursday, May 14, 2015

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
SB 498 By Sen. Taylor, L., et al. SP: Rep. Bonnen, D.	Relating to building code requirements for residential property insured by the Texas Windstorm Insurance Association.	Insurance	SB 498 allows Texas Windstorm Insurance Association (TWIA) to continue to issue or renew insurance coverage after December 31, 2015. In addition, any building that was constructed, altered, remodeled, enlarged, repaired or added on to after June 19, 2009, and is not in compliance with building code standards, can be eligible for TWIA. In order to be eligible the structure must have, or previously, been insured in the private market, and the TWIA applicant can provide proof of insurance cancellation or non-renewal, providing no changes to the structure have taken place after the cancelation or non-renewal.	<u>Will of the House</u> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org
SB 481 By Rep. Hancock, et al. SP:Rep. Smithee	Relating to consumer information concerning facility-based physicians and notice and availability of mediation for balance billing by a facility-based physician.	Insurance	When you enter your in-network hospital, determining if the specific doctor treating you is in your insurance network is not a top priority. Many patients will undergo treatment, only to discover the radiologist, emergency physician, assistant surgeon, or anesthesiologist is not in their network, and they receive a surprise bill. It is estimated that 50% of emergency physicians are not on the hospital network. Current legislation mandates mediation between hospitals and insurance companies if the amount of an out-of-network bill is over \$1000, for each health care provider that is out-of network. This can result in multiple bills of \$999. This does not apply to patients who were notified of an out-of-network health provider, and were able to give consent for treatment. However, most mediation consists of out-of-network care that came about in emergent situations. SB 481 will lower the threshold for mediation between hospitals and insurance companies to \$500, and add “assistant surgeon” to the list of facility-based physicians, which currently include: radiologists, anesthesiologists, pathologists, and emergency department physicians.	<u>Favorable</u> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org
SB 686 By Rep. Seliger, et al. SP:Rep. Clardy	Relating to the Math and Science Scholars Loan Repayment Program.	Higher Education	Recent legislation created the Math and Science Scholars Loan Repayment Program to help Texas teachers repay higher education loans if they agree to teach math or science in certain disadvantaged school districts. The program is funded by donations, grants, grants, and the interest and earnings on investments in the fund. SB 686 expands funding options for the program to include legislative appropriations, thereby improving the health of the fund and helping more teachers teach in economically distressed or otherwise high-need school districts. Additionally, SB 686 cleans up the program’s eligibility requirements in statute.	<u>Favorable</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org

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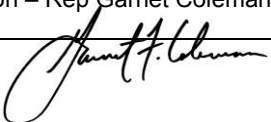
<p>SB 652 By Rep. Schwertner</p> <p>SP: Rep. Farney, et al.</p>	<p>Relating to excluding a franchisor as an employer of a franchisee or a franchisee's employees.</p>	<p>Business & Industry</p>	<p>In December of 2014, the National Labor Relations Board (NLRB) issued 13 complaints against McDonald's and some of McDonald's franchisees for unfair labor practices. While the complaints are largely directed at the individual franchisee, McDonald's came under scrutiny, because the NLRB defined them as being a "joint employer" for exercising control over much of their franchisees' labor relations policies. The franchisor/franchisee relationship is complex in that in the protection of a trademark, franchisors might exert enough control or possession over a franchisee to be construed as a joint employer, thus carrying liability for the operations of its franchisees and franchisee employees. Franchisors often set standards commanding employee wages, hours, productivity levels, and working conditions, and even the number of employees required to work each shift, the duration of shifts and their times, and so forth.</p> <p>The NLRB has expanded its definition of a joint employer (franchisor) to include those that exert direct <i>or indirect control</i> of working conditions, or have the unexercised power to do so, and whom are essential to meaningful bargaining for a business. There has been talk that the federal department of labor (DOL) may soon do the same.</p> <p>SB 652 seeks to more clearly define the franchisor and franchisee relationship in the state of Texas, in response to, and counter to, the NLRB's expanded definition. It clarifies that a franchisor is not considered an employer of a franchisee or a franchisee's employees, for purposes of provisions relating to:</p> <ul style="list-style-type: none"> • Employment discrimination, • Payment of wages, • The Texas Minimum Wage Act, • The Texas Workers' Compensation Act, including provisions relating to worker's health and safety, • Professional employer organizations, and • The Texas Unemployment Compensation Act. <p>The bill does provide that with respect to a specific claim for relief under any of the aforementioned laws that this new delineation might not apply to a franchisor, who has been found by a court to have exercised a type or degree of control over the franchisee or the franchisee's employees not customarily exercised for protection of trademark.</p> <p>While this bill does not then provide blanket immunity for franchisors, it seems to condone a franchisor who shirks responsibility in regards to labor conditions. It might actually discourage the franchisor from setting minimum standards, fearful of making themselves liable by the caveat provided in the bill.</p> <p>The Wage and Hour Administrator for the DOL, Dr. David Weil, publicly asserted that businesses have shifted liabilities and labor costs to their smaller entities to subvert compliance with labor standards, presumably to maximize profit with reduced liability. When employers at the top are not held liable, it exposes workers on the ground to abuse. SB 652 may erode the rights of working Texans. When claims for relief from discrimination or unlawful practice are made, it might be best to let the courts determine a franchisor's relationship with its franchisees and franchisee employees, rather than the provisions set forth in this bill.</p>	<p><u>Unfavorable</u> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>SB 746 By Rep. Whitmire, et al.</p> <p>SP: Rep. Turner, S.</p>	<p>Relating to the civil commitment of sexually violent predators; amending provisions subject to criminal penalties.</p>	<p>Criminal Jurisprudence</p>	<p>The Office of Violent Sex Offender Management (OVSOM) received a scathing audit by the state for failure to maintain financial records, fiscal mismanagement, failure to comply with competitive bidding practices, and, most importantly, failure to monitor the treatment of offenders under its supervision. Not one of the 360 violent sex offenders in the OVSOM's civil commitment programs has been released in 15 years, calling into question the constitutionality of such programs. Since the audit, the executive director of the board was forced to resign.</p> <p>SB 746 seeks to address the history of mismanagement of this office and its programs, in order to promote rehabilitation and increased</p>	<p><u>Favorable</u> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

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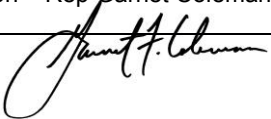
			<p>public safety. It first changes the name of the office to the Texas Civil Commitment Office to reflect the programs within the office’s purview. A civil commitment program is that designed to remove repeat sexually violent offenders from society until deemed safe for re-entry. The bill further articulates that the office is responsible for developing and implementing sex offender treatment programs for committed persons. It increases the number of members on the office’s multi-disciplinary team, to include involvement of mental health and rehabilitation professionals and a DPS officer, and requires training of these members so that they may make better informed determinations on who to target for civil commitment.</p> <p>It moves court hearings regarding the civil commitment of offenders out of the hands of the Montgomery County district court, which was found to be biased and which mishandled cases. The bill requires an agreed order of civil commitment, requiring that the person submit to treatment and supervision.</p> <p>The bill eliminates use of outpatient programs that were historically mismanaged, until the final phase of the program, and requires the Texas Civil Commitment Office to develop a tiered program which transitions offenders from total confinement, to less restrictive housing, and eventually back into society. It suggests use of one facility for such offenders and prescribes procedures for movement between tiers of restriction. <i>It is imperative that such a facility be monitored for proper administration of programs and humane treatment of individuals in its supervision.</i> The bill fails to prescribe a method of, or guidelines for, therapeutic intervention.</p> <p>The bill further establishes a petition process for offenders to appeal to move to less restrictive housing and supervision and for release. HHSC is required to coordinate with the office to provide psychiatric services, disability services, and housing for committed persons with IDD or a mental or physical disability. While this respect for rights is a great improvement from our current model, the bill also requires that the cost of imprisonment, treatment, tracking, and other services are the responsibility of the committed individual.</p> <p>There is valid evidence to support that further institutionalization and overreaching restriction will not achieve the desired aim of rehabilitation and successful re-entry for this population. The state of Minnesota, like Texas, has never released one of its 600 civilly committed individuals. There is little motivation for an offender to change under a system in which the chance of freedom seems minute. It is important that as our tiered approach is being developed and refined that we self-scrutinize and closely track participants’ treatment and the effectiveness of our approaches, or we are recreating a failing system. We must also actually follow through with the tiered supervision levels and move offenders away from incarceration so that they may learn to successfully self-regulate behaviors.</p> <p>This is undeniably a difficult population to handle, but if we continually self-scrutinize, hopefully we can shape programs that actually achieve rehabilitation. SB 746, while not completely perfect, presents a solid approach to better management of sexually violent offenders.</p>	
<u>LSG Floor Report For Postponed Business – Thursday, May 14, 2015</u>				
HB 3325 By Rep. Gutierrez	Relating to requirements for barber schools and private beauty culture schools.	Licensing & Administrative Procedures	HB 3325 establishes less stringent requirements for barber and private beauty schools to receive permits. It authorizes the Texas Department of Licensing and Regulation (TDLR) to grant permits to all barber schools that provide adequate classroom space and offer instruction to those seeking a Class A certificate. It also authorizes TDLR to grant permits to private beauty schools if they provide a permanent and adequate space in a building divided into an area for instruction and an area for clinical practice. Under the bill, stringent requirements now only apply to schools granting operator licenses to students.	<u>Favorable</u> Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org

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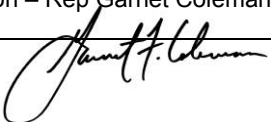
			Lessening regulation on barber and private beauty schools will encourage entrepreneurship and training in this area, and will foster the creation of jobs and opportunities.	
HB 1485 By Rep. Rodriguez, E., et al.	Relating to the establishment of a grocery access investment fund program.	Economic & Small Business Development	<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">• for-profit or nonprofit entity• demonstrate the capacity to successfully implement the project and the likelihood that the project will be economically self-sustaining• demonstrate the ability to repay any loan required to be repaid• agree, for a period of five years, to accept WIC and SNAP benefits• 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• comply with all data collection and reporting requirements established by the department• promote the sale of fresh produce, including Texas-grown fruits and vegetables, and fresh Texas-raised meat, poultry, and seafood products <p>promote the hiring of local residents.</p>	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org

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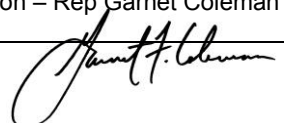
HB 3846 By Rep. Smithee	Relating to the confidentiality of certain information regarding procedures and substances used in the execution of a convict.	Government Transparency & Operation	<p>HB 3846 requires identifying information of any person involved in the execution procedure, including people who 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. 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. 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 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 8th amendment, and this is an 8th 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, 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. 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. There is already a caveat in statute allowing for confidentiality of suppliers on a case-by-case basis 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. Obscuring the process destroys public trust and takes away the right to know where lethal drugs are produced.</p>	Unfavorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
HB 1490 By Rep. Huberty, et al.	Relating to public school intervention for truancy and eliminating a criminal penalty and authorizing a civil penalty for truancy.	Juvenile Justice & Family Issues	<p>At present, 47% of Class C misdemeanors are related to truancy with an astonishing 7,500 students going through the juvenile justice system for truancy issues. Current law mandates that schools refer a truant student with 10 or more absences to juvenile courts with no intermediary action to address the problem. The impact is dire for many Texas students and their families because it affects the student’s ability to receive a diploma, graduate on time, apply for college, enlist in the military, or seek employment.</p> <p>HB 1490 creates a “progressive truancy intervention” program, a tiered approach to truancy, which creates an intermediary process to address student attendance issues instead of sending students directly to juvenile system.</p> <p>The bill requires an adopted program to include at least three tiers of interventions. The first tier stipulates that if a student has 3 or more absences then a student conference with the student, parent, and school staff person will meet to address the problem and create signed attendance contract effective for 45 days that outlines consequences.</p> <p>If the first tier is completed and unexcused absences continue to accrue, HB 1490 lays out provisions for subsequent tiers but does not directly mandate chronological order to follow, but offers suggestions for “subsequent tiers” to follow. An example of a subsequent tier offers that the school staff member will refer the student to a community- or school-based counseling program that addresses the attendance issues.</p> <p>If the student misses 10 or more days in a 6 month period, or 3 or more days within a four-week period, the student and parent are referred to the local municipal court and assessed a fee; a maximum penalty of \$100 can be imposed, but the penalty cannot be considered a conviction for any reason.</p> <p>Current law mandates that schools refer a truant students with 10 or more absences to juvenile courts with no intermediary action to</p>	Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org

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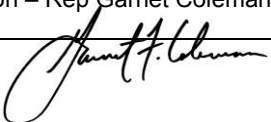
			address the problem. The impact has proven dire for many Texas students and their families because it effects the student's ability to receive a diploma, graduate on time, or apply for college, enlist in the military, or seek employment. HB 1490 gives school districts another tool to address truancy without bombarding the juvenile court system and allows schools to be proactive to determine and redress the cause of a student's repeat absences.	
HB 2351 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	<p>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.</p> <p>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 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 & 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>	<p><u>Favorable</u></p> <p>Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
HB 1069 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; requiring a fee and changing the rate of a fee; requiring an occupational certification.	Human Services	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><u>Favorable</u></p> <p>Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

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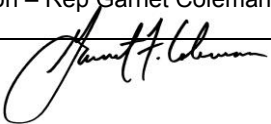
HB 1543 By Rep. Alvarado, et al.	Relating to the creation of the Advisory Council on Hispanic Affairs in the office of the governor.	International Trade & Intergovernmental Affairs	<p>HB 1543 attempts to address the needs of Texas' increasing Hispanic population by establishing the Hispanic Advisory 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>	<u>Favorable</u> Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org
HB 2688 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.	<u>Favorable</u> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org
HB 2114 By Rep. Murphy, et al.	Relating to the repeal of the inheritance tax.	Ways & Means	The comptroller's office has reviewed its procedures and identified 5 areas where the cost of processing the taxes is more than the revenue received from the tax collection. HB 2114 addresses one of those areas by repealing the inheritance tax. This tax generated just \$12,000 in 2014. While it is probably fair to say that the harm to certain Texans probably outweighs the good we could ever do with \$12,000, the LSG continues to be concerned 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.	<u>Will of the House</u> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org
HB 27 By Rep. Button, et al.	Relating to state economic development measures, including administration of the Texas Enterprise Fund, the abolishment of the Texas emerging technology fund, and the disposition of balances from the Texas emerging technology	Economic & Small Business Development	<p>HB 27 is legislation that is a component of HB 26. The changes in the Texas Enterprise Fund and the abolishment of the Texas Emerging Technology Fund are necessary to support the initiative to reform economic development in the state to ensure efficiency and effectiveness. These changes are an opportunity to garner more interest in the state, bringing business operations and increase job growth.</p> <p>Restructuring Texas Enterprise Fund. The governor is required to adopted rules for awarding grants and other procedures, as well as provide grants to higher education institutions for projects relating to the commercialization of intellectual property or other property from research developed by the institution.</p> <p>Eliminating Texas Emerging Technology Fund. The Texas Emerging Technology Fund and the respective advisory committee will be abolished. Any remaining balance from the fund will be moved to the Texas Research Initiative Program (TRIP), the Texas Research University Fund (TRUF), and the comptroller.</p>	<u>Favorable</u> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org

	fund.			
HB 28 By Rep. Button, et al.	Relating to an audit by the state auditor of certain programs and funds providing economic development incentives to entities and other persons.	Economic & Small Business Development	During the interim, the Select Committee on Economic Development Incentives revealed that there is no formal review or audit process for many state programs. HB 28 requires audits to be conducted on 21 programs once every 12 years from their specified dates. The state auditor is authorized to determine the structure and the objective of the audit, consistent with government auditing standards. If an audit exception is scheduled and warranted, the auditor must notify the Legislative Audit Committee and legislative committees responsible for economic development. It is necessary to systematically review state incentive programs to ensure transparency and effectiveness.	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
HB 3692 By Rep. Landgraf	Relating the financing of convention center hotels in certain municipalities.	Ways & Means	Currently, certain eligible municipalities may use municipal hotel occupancy tax (HOT) revenue for the construction of a convention center hotel. HB 3692 would expand the eligibility of municipalities in West Texas to rebate or refund the HOT revenue collected from a privately-owned hotel that is constructed within 1000 feet of a municipally-owned convention center facility. HB 3692 affords local government with the ability to diversify their economy using hotel occupancy dollars as a means to incentivize local economic development.	Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org
<u>LSG Floor Report For Major State Calendar – Thursday, May 14, 2015</u>				
HB 2433 By Rep. Burkett	Relating to the continuation and functions of the Department of Family and Protective Services and procedures applicable to suits affecting the parent-child relationship, investigations of child abuse and neglect, and conservatorship of a child; affecting fee amounts and authorizing an administrative penalty.	Human Services	<p>The Department of Family and Protective Services (DFPS) is a health and human service (HHS) agency that works to protect children and vulnerable adults by conduct investigations on alleged abuse and neglect. The state agency provides adult protective services (APS), child protective services (CPS), child care licensing, statewide intake, and prevention and early intervention. The Sunset Advisory Commission recently reviewed DFPS along with all other HHS agencies and recommended all agencies be consolidated. HB 2433 contains the recommendations that Sunset provided if DFPS were to continue as a separate agency.</p> <p>The bureaucratic procedures that currently exist within DFPS have prevented caseworkers from performing quality work by overloading caseloads and burdensome paperwork requirements, and thus has resulted in a high employee turnover rate. The bill addresses this issue, as well as focuses on improving basic process and management to effectively serve the agency’s clients. Below are the major provisions that occur in HB 2433:</p> <p>Eliminates, clarifies, or streamlines burdensome and prescriptive statutory requirements that affect Child Protective Services’ ability to do its job by:</p> <ul style="list-style-type: none">• Reducing unnecessary caseworker and overall agency workload,• Providing DFPS with additional flexibility to make its processes more efficient,• Conforming state law with federal law to eliminate confusion, and• Repealing archaic or unnecessary language and clarifies disorganized statutes	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org

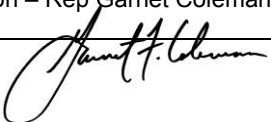


			<p>Makes changes to improve safety, permanency, and well-being of children in DFPS conservatorship, including changes to improve educational stability and opportunity for foster youth. Children in the guardianship of the state must be made a priority, especially when it comes to serving their unique needs.</p> <p>Requires CPS to implement an annual business planning process to focus its overall goals for improvement and demonstrate results. It’s important that the agency plan their goals and desired results to that it remains focused in the overall mission.</p> <p>Requires DFPS to develop and maintain a long-range foster care redesign implementation plan to mitigate inherent risks of this outsourcing approach to administering foster care. Redesigning the foster care system requires DFPS to develop a comprehensive strategic plan for its prevention and early intervention programs.</p> <p>Strengthens DFPS’ child care licensing enforcement efforts by:</p> <ul style="list-style-type: none">• Authorizing the agency to assess administrative penalties for high-risk licensing violations without first having to pursue non-monetary administrative sanctions;• Requiring DFPS to develop an enforcement policy in rule to guide child care licensing enforcement efforts; and• Granting cease-and-desist authority to DFPS for taking action against unlicensed child care facilities. <p>Gives DFPS flexibility in setting child care licensing and administrative fees, and establishes a child care license and registration renewal process.</p>	
<p>HB 1759 By Rep. Aycock, et al.</p>	<p>Relating to the public school finance system.</p>	<p>Public Education</p>	<p>After the 5.4 billion dollar cut to Texas public education funding in 2011, finance lawsuits—representing over 500 school districts and 3 million students—were brought to the state to seek justice. The district court ruled in the favor of the districts, concluding that the Texas school finance system was unconstitutional on the grounds that it is inequitable, inadequate, and inefficient. The state’s failure to meet the needs of economically disadvantaged and English language learner (ELL) students was a reoccurring theme in the judge’s ruling. The lawsuit was appealed to the state supreme court and is currently pending final decisions. Since then, Texas has spent the past several months deciding how to address the unconstitutionality of the school finance system. HB 1759 attempts to solve the state’s issue by making the following changes:</p> <ol style="list-style-type: none">1. Eliminates:<ul style="list-style-type: none">-the cost of education index-the high school allotment-the additional state aid for staff salary increases-the 1992-93 hold harmless2. Revises the formulas of the small and mid-size district adjustment3. Changes the calculation of the compressed maintenance and operation (M&O) tax rates for some school districts4. Reduces the 2005 hold harmless5. Creates a transitional stop-loss aid	<p><u>Unfavorable</u></p> <p>Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

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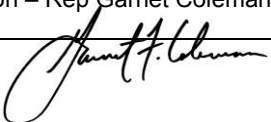


			<p>It is assumed the savings from the above strategies will be used to increase the basic allotment. However, because this bill does not increase the basic allotment in statute, any increase to the basic allotment will actually be made in the appropriations act and are potentially temporary. HB 1759 also does not solve the problems of inequitable and inadequate funding for economically disadvantaged and English Language Learners (ELL) students.</p> <p>One of the biggest concerns is that inequity will increase among the highest and lowest wealth districts due to the changes made in HB 1759. Under this bill, it is projected that in 2016 there will be a \$207 per WADA (weighted average daily attendance) gap and in 2017 there will be a \$210 per WADA gap, between the bottom wealth quintile and the top wealth quintile. These gaps are significantly different from the WADA gaps that would occur under current law, whereas in 2016 there would be \$124 per WADA gap and in 2017 there would be a \$210 per WADA gap. Additionally, the bill does not make suitable provisions for economically disadvantaged and ELL students. At present there are 60% economically disadvantaged students and 17% ELL students in Texas. These students are considered a vulnerable population that require sufficient funding to assist their specific needs. To make positive changes to the current system, there should be an increase—or a study to determine appropriate weights increases—in the Compensatory Education Weight and the Bilingual Education Weight.</p> <p><u>There are several changes that can be made to improve adequacy and equity in school funding:</u></p> <ul style="list-style-type: none">• Increase the Basic Allotment• Update the weights, allotments, and Cost of Education index• Increase the guaranteed yield on the Copper Pennies• Adjust the Basic Allotment for Inflation <p>Because the public education system is known as “the great equalizer,” it would behoove lawmakers to make appropriate changes to ensure the system is actually equitable. Whereas all of our students could have equal opportunity in their later socioeconomic mobility, we find that many of our economically disadvantaged and ELL students remain in the cycle of poverty. With inadequate funding we limit them in the quality of their education. This system can promise gateways to opportunity for all children, if and only if, we make the necessary changes that allow everyone to start on the same playing field.</p>	
<u>LSG Floor Report For Constitutional Amendments Calendar – Thursday, May 14, 2015</u>				
HJR 77 By Rep. Miller, R., et al.	Applying to the Congress of the United States to call a convention under Article V of the United States Constitution for the limited purpose of proposing one or more	State & Federal Power & Responsibility	A faction of conservative leaders are concerned that the current administration has become too powerful, and have considered attempting to curb federal powers by ratifying the U.S. Constitution through an Article V convention. An Article V convention, if approved by at least 34 states, would allow each state’s delegates to propose and vote on amendments to the Constitution. HJR 77 submits an application to the US Congress to call an Article V convention in order to propose amendments that would impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit federal officials’ and congress members’ terms.	<u>Unfavorable</u> Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org



	amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.		<p>An Article V convention, however, is unlikely to be applied for by the required 33 other states. Federal support is a crucial part of states' budgets and operations. Moreover, federal power and jurisdiction under the current administration has factually not exceeded those of past administrations; the current executive administration has vetoed two bills, while Franklin D. Roosevelt vetoed 635, and Bill Clinton vetoed 37. Likewise, the current administration has issued 193 executive orders, while Ronald Reagan had issued 381. Regarding the proposed need for fiscal restraints, the federal budget deficit has already dropped more than 50% from its high point during the most recent recession.</p> <p>HJR 77 is a wasted effort that addresses low-priority, largely illegitimate concerns.</p>	
HJR 26 By Rep. Martinez Fischer	Proposing a constitutional amendment establishing an increased minimum wage.	Business & Industry	<p>HJR 26 proposes a constitutional amendment to require an employer in Texas to pay no less than \$10.10 per hour or the federal minimum wage, whichever is greater. The current federal minimum wage is a paltry \$7.25 per hour. The resolution exempts certain employees from payment of at least the minimum wage: patients and clients of mental health or mental retardation services, employees of religious orders, babysitters, inmates, and many other types of employees, as already provided for in law. These exemptions may be repealed or limited but may not be expanded by the legislature.</p> <p>Texas is home to 4 of the 10 most economically segregated U.S. metros: Austin, San Antonio, Houston, and Dallas. We literally have a growing class divide, with our poor and rich physically separated. While we conceptualize the economically disadvantaged as being different than us, a life-course analysis reveals that 58.5% of Americans will experience poverty at some point over the course of their lifespan. Further, the conditions of poverty have deleterious effects upon health, life expectancy, and mortality. We spend more to shoulder the costs of healthcare, providing proper nutrition, and social services to meet very basic needs of people who are very diligently working. If we were to raise the minimum wage approximately 15% of single mothers and their children would benefit. Nearly 50% of minimum wage earners live in households with children.</p> <p>Bringing a family of 2 or more individuals above the federal poverty level and ameliorating their immediate circumstances is obviously the right thing to do. We can choose to ignore stagnating wages, but it comes with direct and unforeseen macroeconomic costs and a reduced quality of life felt by all Texans. HJR 26 provides for working Texans and puts the choice in the hands of working Texans.</p>	Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
<u>LSG Floor Report For General State Calendar – Thursday, May 14, 2015</u>				
HB 2082 By Rep. Laubenberg, et al.	Relating to developing a program to provide telemedicine medical services to certain children.	Public Health	<p>HB 2082 requires SC 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. Telemedicine will help doctors catch problems quicker and intervene sooner, resulting in fewer emergency room visits and better health outcomes for the children.</p>	

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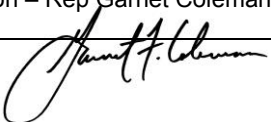


HB 2286 By Rep. Parker, et al.	Relating to the eligibility of certain victims of trafficking of persons for an order of nondisclosure; authorizing a fee.	Criminal Jurisprudence	Certain person are eligible to petition the courts for an order of non-disclosure to prohibit release of their criminal record, 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 begin to piece their lives back together.	
HB 234 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>	
HB 681 By Rep. Sheets, et al.	Relating to the eligibility for service retirement annuities of certain persons, including elected officials convicted of certain crimes.	Pensions	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. 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.	
HB 3396 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>	

HB 2558 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 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>	
HB 4182 By Rep. Lucio III, et al.	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.	County Affairs	<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>	
HB 548 By Rep. Johnson, et al.	Relating to the consideration of criminal history record information regarding applicants for state employment.	Government Transparency & Operations	<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>HB 548 prohibits state agencies from asking about an applicant’s criminal background in the initial employment application. There is a carve-out for specified jobs, such as those working with children or where a background check question is mandated by law. This only affects state agencies. It does not apply to private businesses or local governments. 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. 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.</p>	
HB 3374 By Rep. Morrison, et al.	Relating to information regarding Down syndrome.	State Affairs	<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 & Spanish & include:</p> <ul style="list-style-type: none"> • physical, developmental, educational, and psychosocial outcomes, life expectancy, clinical course, and intellectual and functional development • available treatment options • contact information for national and local Down syndrome education and support programs, services, and organizations, 	

			<p>including organizations in Houston, Dallas, San Antonio, and Austin, and information hotlines, resource centers, and clearinghouses</p> <ul style="list-style-type: none">• any other information required by the department <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. Laws should not interfere with the ability of physicians to determine appropriate treatment options 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>HB 3074 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 & 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 & 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">• hasten the patient's death• 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• result in substantial irremediable physical pain not outweighed by the benefit of the provision of the treatment• be medically ineffective in prolonging life• be contrary to the patient's or surrogate's clearly documented desire not to receive artificially administered nutrition or hydration <p>A person can be fined up to \$10,000 if you don’t provide a horse with food & water, there is no such provision for humans.</p>	
<p>HB 1892 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</p>	

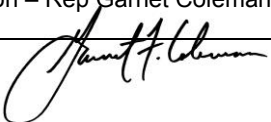
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			contracting, which will act as a technical provider in the implementation of the school plan. TEA is required to establish benchmarks and performance measures to determine the progress of a transitioning school and analyze how the community school 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 order to ensure a stable funding process for Texas community schools.	
HB 2020 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>Currently paramedics and licensed paramedics 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. Paramedics will be licensed and only perform the skills they are trained to perform; in addition they will be supervised by physicians. In accordance with department rules, a hospital must authorize the paramedic to work in the hospital. 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>	
HB 2205 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"> • average ratio of supervisors to candidates completing student teach, clinical teaching, or an internship in the program and • percentage of teachers employed under a teaching certificate after one year of completing the program. <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>	
HB 1624 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</p>	

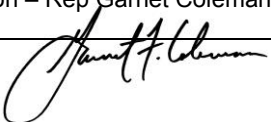
			correct reports of inaccurate information.	
HB 3781 By Rep. Crownover, et al.	Relating to the creation of the Texas Health Improvement Network.	Public Health	HB 3781 creates the Texas Health Improvement Network (THIN), a multidisciplinary and multi-institution network to serve Texans, administratively attached to the University of Texas System. THIN would develop initiatives and translate research into best practices, to be disseminated to healthcare institutions and professionals. THIN would have stated goals of reducing per capita healthcare costs, improving the experience of care, and improving the health of Texans. 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. The network shall work to reduce health disparities, improve quality of life, and reduce healthcare costs.	
HB 799 By Rep. Capriglione, et al.	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.	State & Federal Power & Responsibility, Select	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. 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.	
HB 1265 By Rep. Wu, et al.	Relating to a deceptive act or practice involving a solicitation in connection with a good or service.	Business & Industry	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. 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.	
HB 71 By Rep. González, M., et al.	Relating to the prosecution of the offense of indecency with a child.	Criminal Jurisprudence	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.	

HB 2150 By Rep. Alvarado, et al.	Relating to the organization of a grand jury and qualifications for service as a grand juror.	Criminal Jurisprudence	<p>This bill updates the juror selection rules for grand juries to more closely align with the rules for petit juries. Currently, a challenge to a grand juror can only be made if the juror is not qualified or if he is the prosecutor of an accusation against the challenging party. HB 2150 adds to the causes by which an oral challenge may be made to attempt at impaneling a more competent grand jury. HB 2150 adds the following causes to challenge a grand juror:</p> <ul style="list-style-type: none">• insanity• suffers mental or physical defect• legally blind• is the witness in an investigation of the grand jury or served on a petit jury on another trial for the same conduct• reflects bias or prejudice toward the person accused• established a conclusion regarding innocence or guilt of the accused• is related to the accused within 3rd degree• demonstrates a bias against law relevant to the indictment. <p>HB 2150 also allows the recusal of a juror during the grand jury proceeding; an oral challenge would require the recusal of the juror until the cause no longer exists. If the juror refuses, they will be in contempt. HB 2150 also increases the number of alternate jurors from 2 to 4 and adds a cause of unavailability when a juror demonstrates unwilling or neglect in to serving.</p>	
HB 603 By Rep. Davis, S., et al.	Relating to the creation of the offense of unlawful dissemination of certain visual material; providing penalties.	Criminal Jurisprudence	<p>Revenge porn is the fairly recent criminal phenomena in which a retaliative person publicly shares sexually explicit visual material without consent of the person depicted in the material. HB 603 addresses revenge porn by creating a criminal offense for knowingly:</p> <ol style="list-style-type: none">1) Disseminating materials of another engaged in sexual conduct or containing exposed intimate parts;2) Obtaining the materials under circumstances that a reasonable person would have understood to be private;3) Disseminating the materials without the individual’s consent; and4) Disseminating the visual material in which the depicted person’s identity may be discerned from any information in the video. <p>The bill provides a defense to prosecution if the dissemination is made in the lawful course of medical treatment, law enforcement, or a legal proceeding; if it was made in reporting unlawful activity; if the visual material is set in a commercial or public place; or the actor is an interactive computer service and the material was provided by another person. An offense of revenge porn is a state jail felony, punishable by a possible prison sentence of up to 6 months to 2 years and a fine of up to \$10,000.</p> <p>Concerns have been raised that “exposed intimate parts” might need to be more narrowly tailored in the bill, than intimate parts that are “visible through less than fully opaque clothing.” Opponents of such a law also questions its constitutionality. However, our Supreme Court upholds child pornography statute that is based upon <i>intentional action</i> and not the material itself, which is protected speech. This bill is based upon the active transgression of disseminating this material against another’s consent.</p> <p>Revenge porn degrades and dehumanizes women and often affects younger women who are more naïve in making life choices. It has become so pandemic that the major social media sites have all crafted policy preventing these obvious violations against persons. It’s time that we implement such a policy, as our laws should keep pace with technological advances and their abuses. It is imperative that</p>	



			HB 603 be adopted to stop subjecting Texas families and women to flagrant harassment and cruelty.	
HB 211 By Rep. Rose	Relating to resuming a criminal case after a defendant is determined to be competent to stand trial.	Criminal Jurisprudence	<p>When someone is found incompetent to stand trial, they can then be sent for psychiatric treatment at the state hospital or to an out-patient program in order to restore their competency. Once competency is temporarily regained, they are sent back to the county jail, where once again their mental health capacity to stand may have deteriorated as they wait to stand trial. HB 211 seeks to establish a humane timeline for such proceedings. The bill requires the court to notify the defendant's counsel within 24 hours of the defendant's return to the county. The defendant's attorney and the defendant must confer within three days of this notification to evaluate if there is a suggestion of incompetency present. The court must take action 5 days after the defendant returns to the court, or 20 days from the date that notification was made to the court that the defendant's competency period was set to expire, which ever date is earlier. Court proceedings must resume within two weeks of the date that it was determined the victim's competency was restored.</p> <p>Establishing a short timeline for adjudication for defendants with severe mental illness is necessary for a host of reasons: 1) county jails can't force medication on detainees, and their policies can leave gaps in treatment; 2) delays in adjudication congest jails; 3) these patients are particularly expensive to house and care for; and 4) protracted proceedings, sending a defendant back and forth to restore competency, presents potential for a civil rights lawsuit. All persons have the right to a speedy trial. HB 211 promotes quicker adjudication for those who need it most, mindful of county resources, and more importantly, mindful of the health and well-being of the presumed innocent.</p>	
HB 2356 By Rep. Bohac	Relating to the territory that may be included in a single county election precinct.	Elections	<p>HB 2356 allows authorities to more easily combine county election precincts, nullifying statute requiring that each county election precinct or consolidated precinct only contain each of the following: a commissioners precinct, a justice precinct, a congressional district, a state representative district, a state senatorial district, or a State Board of Education district. This might mean that for consolidated precincts, an election official might be handling separate electronic ballots for the precincts represented, which they currently do on Election Day.</p> <p>The bill applies to a county with a population of fewer than 250,000 people and with only 500 registered voters in the precinct. Allowing these smaller counties to combine precincts will enable them to effectively pool resources (election personnel, equipment, and supplies) for an election, avoiding unnecessary costs.</p> <p>However, the bill also somewhat illogically applies to a county with a population of greater than 250,000 people but without a limit set as to the number of registered voters in the precinct. The election code caps the number of registered voters in a precinct at 5,000, and that cap would prevail here. However, this could still create a cumbersome precinct if the county over-consolidates, causing confusion and long lines at a polling location. We are concerned about deterring voting.</p>	
HB 2221 By Rep. Huberty, et al.	Relating to the procedures for municipal annexations.	Land & Resource Management	<p>Texas' current annexation laws were put in place as a grand compromise following Houston's annexation of Kingwood earlier in the 90's. The law is designed to encourage regional cooperation, and it has worked very well. This bill will undo all of that and does not exist.</p> <p>While there are understandably issues with unfettered annexation, there are also issues with limiting annexation. Unincorporated areas immediately outside city boundaries will proliferate with residents who access city services without having to pay for them. That is why the current legal structure works so well: it balances the competing interests in a way that is fair for both urban and rural Texans.</p>	

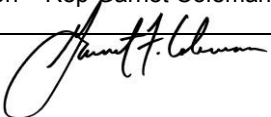
			<p>It’s one thing to tweak or update the law; HB 2221 instead dismantles it.</p> <p>HB 2221 will establish new procedures for and restrictions on annexation by municipalities. This bill prohibits municipalities from annexing an area for the limited purposes of applying its planning, zoning, health, and safety ordinances in the area. A municipality may annex an area that is noncontiguous to the boundaries of the municipality, if the area is in the municipality's extraterritorial jurisdiction (ETJ). The municipality must negotiate a written agreement for the provision of services in the area with the owners of land in the area.</p> <p>Additionally, if the population of the area in question is less than 200, consent for annexation must be provided by 50% of the registered voters. If they do not own 50% of the land in question, then consent must be made by at least 50% of landowners. The bill sets out a 60-day petition period, and requires the petition be verified and residents will be notified of the results. Two public hearings will also be required, in addition to required number of signatures allowing for annexation. If the municipality does not garner enough signatures, they must wait one year before attempting to annex again.</p> <p>In areas with a population of 200 or more, consent, petition, and waiting period requirements are the same. However, two additional public hearings are required for final approval of annexation.</p>	
HB 2303 By Rep. Kuempel	Relating to a landowner’s liability for injuries incurred during certain recreational activities.	Judiciary & Civil Jurisprudence	HB 2303 seeks to add off-road vehicles to the list of acceptable recreational activities under the Civil Practice and Remedies Code. Landowner’s of agriculture lands that are designated for recreational use are not liable for injuries sustained by parties partaking in recreational activities; an exception to liability is if the landowner is willfully or grossly negligent.	
HB 2703 By Rep. Simmons, et al.	Relating to the establishment of the Texas Board of Behavior Analyst Examiners and the requirement to obtain a license to practice as a behavior analyst or assistant behavior analyst; imposing fees; providing an administrative penalty; creating a criminal offense.	Public Health	<p>HB 2703 creates the Texas Board of Behavior Analyst Examiners and requires licensure to practice as a behavior analyst or assistant behavior analyst. It clearly defines what is and is not under the purview of behavior analysis. It specifies membership requirements and the breakdown of the board; designates how often the board shall meet; and lays out training requirements for board members. The bill lays out provisions for when the board will issue licenses, perform disciplinary actions, and how filed complaints will be handled. It also provides title protection to the terms “licensed behavior analyst” and “licensed assistant behavior analyst,” specifying that only those who are licensed may use that title.</p> <p>21 states already require behavior analysts be licensed. Currently, there is no licensing or regulating body for behavior analysts in Texas. This has resulted in some behavior analysts and assistant behavior analysts being well-trained and others being untrained or poorly trained. These individuals work with children with Autism and other developmental delays, teaching life skills and working toward therapeutic goals. With Autism and other disorders, it is crucial to get proper services early for the best life outcomes. When parents cannot find qualified professionals because of a dearth of licensure requirements, the children suffer.</p> <p>Behavior analysis, or applied behavior analysis (ABA), is often expensive and, when done correctly, can be of tremendous value for children with Autism. Parents deserve to get the qualified services they are paying for, which could be helped by better regulation of behavior analysis in Texas. HB 2703 empowers parents to make informed decisions about the therapeutic services for their children, and protects children from being treated inappropriately by untrained individuals.</p>	



HB 3750 By Rep. Simmons	Relating to interim studies on real property owned by the state.	Land & Resource Management	<p>Of the 19 state agencies and numerous higher education institutes, no comprehensive list of real property held by the state exists. This lack of information is irresponsible and causes many problems, including the inability to properly insure state property. No successful business would operate for long without knowing the full degree of assets held, or if they were properly insured. Texas cannot afford to function so blindly.</p> <p>HB 3750 will require an interim study on insurable state assets to be conducted by the State Office of Risk Management (SORM). The study must be conducted using information provided by the LBB, which is required to collect a comprehensive list of real property data in conjunction with state agencies. In this way, SORM may develop a statewide strategy to ensure all state property is properly insured. SORM will also consolidate the LBB's information in a database by June 1, 2016, making it accessible to all legislators, state agencies, and institutes of higher learning.</p> <p>Additionally, Senate and House select committees on State Real Property Data Collection, Reporting, and Assessment will be created. These committees must study the factors specified in the bill in order to adopt recommendations and provide a report to the legislature.</p>	
HB 2318 By Rep. Ashby, et al.	Relating to a credit or refund for diesel fuel taxes paid on diesel fuel used in this state by auxiliary power units or power take-off equipment.	Ways & Means	<p>HB 2318 states that if a motor fuel tax license holder or person paid tax on diesel fuel and the diesel fuel is used in Texas by auxiliary power units or power take-off equipment on any motor vehicle, that license holder can take a credit on a return. A person who does not hold a license may file a refund claim with the comptroller. The comptroller can use a percentage determination for ascertaining the amount of fuel that was purchased and is to be used for the aforementioned purposes, or they can use a device that measures the fuel separately from the fuel used to propel the vehicle should such a measurement be available. HB 2318 prohibits a credit or refund for the climate-control air conditioning or heating system of a motor vehicle that has a primary purpose of providing for the convenience or comfort of the operator or passengers</p> <p>This tax is specifically to pay for construction & maintenance of highways and roads, and tax comes from the fuel used to propel the vehicles own those roads. The state previously provided a tax refund for both gas and diesel, not just gas. This bill reinstates the provision. One small Texas business owner has 80 refrigerated trailers for food and pharmaceuticals that run on diesel. Last year, he bought 38,000 gallons of diesel fuel for them. The tax paid was roughly \$10,000, which could be a huge loss to a small company like his.</p> <p>However, while this seems like a reasonable cause to allow someone a tax exemption, there are some who are concerned that this-- combined with all the other 'reasonable' tax exemptions, and sales tax and franchise cuts-- will leave Texas with a budget deficit in future years.</p>	
HB 3835 By Rep. Isaac	Relating to the use of certain alternative fuels by state agency motor vehicles.	Energy Resources	<p>Currently 50% of Texas's fleet is required to use alternative fuels. HB 3835 wants to remove the option for ethanol or ethanol/gasoline blends of 85 percent or greater to be one of those alternative fuels. According to some reports, some fleets have been getting around the alternative fuels requirement by renting or leasing vehicles using traditional fuels. This bill requires the leased or rental vehicles to use alternative fuels as well. HB 3835 also disallows a state agency from purchasing or leasing a vehicle designed or used primarily for the transportation of individuals, including a station wagon, that has a wheelbase longer than 113 inches or that has more than 160 SAE net horsepower unless it will be converted to use the allowable alternative fuels, excluding ethanol or ethanol/gasoline blends of 85 percent or greater, and biodiesel or biodiesel/diesel blends of 20 percent or greater. Further, the bill removes an agency's air quality reporting requirement in its annual financial report to the legislature.</p> <p>The premise behind such a bill is that ethanol and biodiesels don't burn as cleanly and aren't as good for the environment as the other</p>	

			fuels available. There has been much debate on that and the results are still inconclusive. Closing the leasing loop is great, and allowing fleets time to achieve this new standard is also reasonable. However, without conclusive evidence that this fuel is better for the environment, this may be more bureaucracy for little benefit.	
HB 2525 By Rep. Coleman	Relating to the appointment of counsel to represent indigent defendants in criminal cases.	Criminal Jurisprudence	Current law does not designate which county is responsible for appointing counsel for an indigent person on an out-of-county warrant. This has led to arrestees remaining in jail for longer periods than necessary, particularly where the warrant-issuing county does not transport the arrestee to the warrant issuing count's jail or communicate with the arresting county. The legislation fills a gap in state law regarding which county is responsible to appoint counsel for an indigent person in custody on an out-of-county warrant. HB 2525 provides that the county that issued the warrant has the primary duty to appoint counsel for an out-of-county warrant. The bill creates a process for the arresting county to send the request for counsel to the warrant-issuing county. Upon receipt of the request, the warrant-issuing county has the same time limits for appointment of counsel that apply to other appointments of counsel under Texas law. If the county responsible for the warrant does nothing for more than ten days after the arrest of the person, the bill also provides that the arresting county has a duty to appoint counsel for the person for limited purposes related to release from custody. The arresting county may also seek reimbursement for the cost of this appointment of counsel from the warrant-issuing county. This bill clarifies an area of confusion for the counties regarding appointment of counsel on out-of-county warrants and creates an incentive for counties to transport arrestees to the county where the warrant originated in a timely manner.	
HB 2571 By Rep. Johnson	Relating to the establishment and governance of certain regional transportation authorities.	International Trade & Intergovernmental Affairs	<p>When agencies produce strategic plans for the biennium, they currently do not take into account changes in weather patterns, climate variability, and water availability. HB 2571 addresses this concern by requiring the Texas state climatologist to provide a report detailing these items for use in pertinent agencies' strategic plans. The report must include water availability, weather changes, and climate variability for a five year projected period and a 20 – 50 year projected period. The state agencies this bill applies to are:</p> <ul style="list-style-type: none">• Department of Agriculture• Texas Commission on Environmental Quality• General Land Office• Texas Department of Housing and Community Affairs• Texas Department of Insurance• Parks and Wildlife Department• Department of Public Safety• Public Utility Commission of Texas• Office of the Comptroller• Texas A&M Forest Service• Texas Water Development Board <p>These agencies must incorporate into their strategic plans an analysis of the climatologists' data, a plan to manage risks associated with these projections, and any financial resources that will be needed to manage these risks.</p> <p>Incorporating weather, climate, and water projections will ensure that agencies are best prepared to face issues that will directly impact their planning and financial need. This is especially pertinent in light of Texas' frequent droughts.</p>	

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HB 2646 By Rep. Giddings	Relating to the disclosure of information regarding communicable diseases to first responders and certain entities.	Public Health	<p>HB 2646 stipulates that medical or epidemiological information regarding cases or suspected cases of communicable diseases or health conditions is authorized to be released to government entities, providing first responders who need to be aware that they are potentially coming into contact with a highly contagious disease. Information regarding cases or suspected cases of communicable diseases is also authorized to be released to health authorities and health departments.</p> <p>HB 2646 comes as a result of the ebola outbreak in the last year, in which it became clear that a more uniform policy was needed in dealing with such diseases. This bill is tightly worded to protect both first responders and the individuals with the communicable diseases. First responders shall be informed that the individual they are to attend has a communicable disease, but after the monitoring period for the disease expires, the individual's identifying information will be removed from any computer database it was put in for responders. HB 2646 is a good balance of protecting patient privacy and public health.</p>	
HB 2684 By Rep. Giddings	Relating to the creation of a model training curriculum and to the required training for school district peace officers and school resource officers.	Juvenile Justice & Family Issues	<p>HB 2684 will mandate a school-site peace officer to undergo training specific to working within a school community with diverse cultural, socio-economic, and behavioral needs. Training is comprised of a 16 hour curriculum that is created, developed, and adopted by Texas Commission on Law Enforcement (TCOLE). The training must be completed 120-days prior to site placement and the officer with receive a certificate of completion upon meeting all training requirements. TCOLE will update the training curriculum every four years.</p> <p>In today's public school climate, on-site police officers play a multi-faceted role within the school community. While their role in the course of a day can span from law enforcement officer to mediator, or counselor, often these officers are working with adolescents for the first time. More significantly, when disruptions occur in a classroom setting or a disciplinary intervention is required immediately, it is more likely that the peace officer is the first responder. This officer is tasked with the role of problem solving the root of the student's behavior, determining whether there are issues at home, and essentially talking the student off the ledge, so when he returns to class, he will no longer be a disruption to learning. The presence of a peace officer within a school community can have a tremendously positive impact on students and staff alike, if the officer is equipped with the proper tools.</p> <p>Consideration should be given to working with TEA, so that educational practitioners who are experienced in working with adolescents are involved in the development and training aspects of the curriculum. Further, training hours should be renewed every year, as new issues arise annually in working with adolescents. Teachers and peace officers alike need as much professional development as possible to be ready and equipped to best serve Texas' student population.</p>	
HB 2609 By Rep. Farney	Relating to providing training academies for public school teachers who provide mathematics instruction to students in kindergarten through grade three.	Public Education	<p>In the school year 2013-2014, only 33% of third graders passed the STAAR test, and scored most poorly on the math section. Basic math is an essential component for children to learn, and teachers are struggling to help students succeed in this subject. Further, science, technology, engineering and math (STEM) fields are currently in need of more graduates than the Texas school system is producing. It is important for teachers to learn and develop skills and techniques in math that can assist them in their teaching.</p> <p>HB 2609 addresses this by requiring the commissioner of education to develop and create mathematics achievement academies. The academies will train K – 3 grade level teachers in effective and systematic instructional practices of math. The commissioner will decide criteria for selecting teachers eligible to attend an academy, but priority must be dedicated to selecting teachers whose district has 50% or more educationally disadvantaged students. A stipend will be provided for teachers attending the academies. Regional education service centers are required to assist the commissioner and the Texas Education Agency with activities relating to the development and operation of mathematics achievement academies, if requested.</p>	

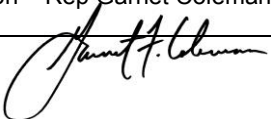
HB 3082 By Rep. Oliveira	Relating to increasing the amount of burial benefits required to be paid by an insurance carrier under the workers' compensation system.	Business & Industry	HB 3082 increases the burial benefits a worker's compensation insurance carrier is required to pay from \$6,000 to \$10,000, or the actual cost of the burial if it is less than \$10,000, when an employee's death is resultant of a compensable injury. It is unfair that Texas families' should shoulder the financial burden of a burial on top of the loss of their loved one, when we have failed to protect that worker. Texas has a high fatal occupational injuries rate, with 508 deaths reported in 2013. HB 3082 accounts for inflation, more accurately reflects funeral costs, and provides necessary relief to Texas families.	
HB 2969 By Rep. Herrero	Relating to the provision of funding for indigent defense services.	Criminal Jurisprudence	<p>The need for indigent defense services is only increasing. However, since counties fund indigent defense through their property tax base, smaller counties are struggling to appoint counsel where it is desperately needed. Rural counties appoint attorneys for misdemeanors at a rate of 27%, compared to the 41% state average. HB 2969 seeks to assist counties in providing indigent defense services by providing 50/50 matching funds from the state when two or more counties enter into a partnership with a law school or non-profit indigent defense services office to provide lacking effective legal counsel. The bill requires Texas Indigent Defense Commission (TIDC) to determine eligible entities in a county to distribute grants to: the county, legal clinics within law schools, and/or a regional public defender. Each county that enters into an agreement to create or designate and to jointly fund a regional public defender's office would submit operational costs directly to the office, alleviating TIDC of an additional administrative burden of handling payment.</p> <p>HB 2969 maps a means to establish reliable indigent defense services for citizens in rural counties. It has been stated that the grants proposed under the bill will be continual, so as not to disrupt efforts and momentum made in these areas and to sustainably support programs. As a state we passed the Texas Fair Defense Act to better serve justice and to uphold the 6th Amendment rights of Texans, but we have largely left the counties to shoulder the cost. This bill uses existing resources to thoughtfully address the dearth of indigent defense in rural Texas.</p>	
HB 3163 By Rep. Cyrier, et al.	Relating to civil suits filed against board members of a groundwater conservation district and the liability of a member for certain actions taken by the board.	Natural Resources	<p>We are generally wary of putting immunity into law when our common law precedent is already appropriate, and this bill provides blanket immunity with no exceptions for malicious actions. Immunity from lawsuit for official actions is fine, but we want to be sure that this does not shield those who act outside their normal course of service and in a harmful manner.</p> <p>When resources get scarce, tensions rise. Texas has been in drought for over 10 years and as the population keeps growing the demand for water keeps rising and conflicts arise between property owners and the Ground Water Conservation Districts (GCD), elected to manage water in that region. HB 3163 aims to protect GCD directors and board members from individual liability when tempers escalate into litigation. HB 3163 classifies a GCD director as a district employee regardless if that director does not receive fees. The bill also grants immunity from suit and liability for official votes and actions for district board members.</p>	
HB 3316 By Rep. Miller, D.	Relating to the time for recording a durable power of attorney for certain real property transactions.	Judiciary & Civil Jurisprudence	HB 3316 seeks to prevent breaks in title of real property by mandating that the power of attorney (POA) for a real property must be filed on or before the 10 th day of the transaction or it will be void. Unfortunately, this does not account for persons who are unable to file the POA with the ten day designation because they are on military deployment or have another viable reason to not meet the deadline. Of course, these concerns are measured and interest parties do not advocate for allowing years to pass that would allow someone to show up and file a POA. 10 days does not seem to be a reasonable time delay; however, there is merit to ensuring there are procedural safe guards that will protect the rightful owner's chain of title.	

HB 1891 By Rep. Rodriguez, E., et al.	Relating to Texas community schools.	Public Education	<p>When a school cannot meet achievement standards, there are limited options on how to improve the campus. Only a few schools have taken the initiative to transition into a community school. These types of schools seek partnership with the community to provide an array of resources beyond academic instruction. The schools that transitioned are now successfully meeting and surpassing standards and have significantly increased participation of staff, parents, students, and the community. Integrating social services with education curriculum is the best method of ensuring that students get quality attention in and out of the classroom, which increases the likelihood of student success.</p> <p>HB 1891 allows schools that meet specified requirements—such as creating a community partnership team—to transition to a Texas community school. If a school transitions, it must satisfy stipulations of hiring an employee to implement and direct the transition and seek assistance from community resources. After the transition, the new Texas community school will hold meetings for the community, describing the school’s progress and seek improvements. Schools can receive support from gifts, grants, donations, and funds from federal or state agencies and private sponsors. The transition of becoming a Texas community school will be considered with existing options for a low-performing campus by a campus intervention team, and the commissioner of education is allowed to provide Texas community schools as an alternative to restoring a campus. Campuses labeled as unacceptable for two consecutive years can choose to transition to a Texas community school, as opposed to reconstitution by the commissioner, if the campus notifies the commissioner within two weeks of his order of reconstitution. Additionally, the commissioner is prohibited from closing an unacceptable campus, if he has not allowed the opportunity for the campus to transition to a Texas community school and successfully do so in two years.</p> <p>Allowing campuses to transition to Texas community schools, if facing significant challenges, offers schools the opportunity for restoration in a way that brings back success and liveliness into the once failing schools.</p>	
HB 2641 By Rep. Zerwas, et al.	Relating to the exchange of health information in this state; creating a criminal offense.	Public Health	<p>HB 2641 allows medical and health professionals to access health information regarding their patients through Health Information Exchanges that meet national interoperability standards and can “talk” to each other fluidly, rather than having to go through multiple channels that are not easily accessible or efficient. Currently, patients with complex medical needs that see several specialists may have disjointed care because the specialists may not communicate well with each other. HB 2641 would help providers by standardizing how data is shared and help patients, who could avoid having additional unnecessary treatments, such as vaccines that had already been administered. HB 2641 promotes interoperability so that patients get the best possible care, while maintaining patient confidentiality standards.</p>	
HB 2475 By Rep. Geren	Relating to the establishment of the center for alternative finance and procurement within the Texas Facilities Commission and to public and private partnerships; authorizing a fee.	State Affairs	<p>HB 2475 directs the Partnership Advisory Commission to establish the center for alternative finance and procurement to assist government entities in providing current best practices for procurement and financing of qualified projects. In addition, the center would assist in the receipt of proposal negotiations of interim and comprehensive agreements and the management of qualifying projects. HB 2475 also requires a responsible governmental entity to receive assistance from the center to adopt and make publicly available guidelines before requesting or considering a proposal for a qualifying project. The entities must include criteria for the center’s involvement in the procurement and delivery of the qualifying project and allows the responsible government entity to charge fees for the center’s review and consultation.</p> <p>Going forward, capital investments may be difficult as states and local governments face budget deficits, revenue shortfalls and opposition to new taxes. Some say that Texas will need to invest \$46 billion in the next 20 years- \$34 in water, and the rest in wastewater, just to maintain the current standards. Local governments in Texas, when confronted with the need to replace obsolete</p>	

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			<p>assets, build new facilities, while facing ever increasing Federal regulatory standards will need every financing tool available to upgrade and maintain municipal and utility systems.</p> <p>HB 2475 is an excellent way to make sure that private public partnerships are fair, transparent and take into account the public’s best interest. It is a resource that enables mayors, county executives and agency leaders to conduct a thorough financial review and analysis of the potential public/private initiatives.</p>	
HB 964 By Rep. Howard, et al.	Relating to the calculation of the rollback tax rate of a school district.	Ways & Means	HB 671 gives school districts the flexibility to raise property tax rates without an election as long as it is within limits already approved by voters. Currently school districts must have a Tax Rate Election (TRE) any time they raise the property tax rate. If rates are lowered in a time of surplus, the district must bear the cost of another election to raise rates again, even if it is within limits previously approved.	
HB 215 By Rep. Harless, et al.	Relating to waiving the fee for a fishing license for residents of this state who are at least 65 years of age.	Culture, Recreation & Tourism	HB 215 amends the Texas Parks and Wildlife code to allow senior citizens waivers for the resident fishing license.	
HB 2804 By Rep. Aycok	Relating to evaluation of public school performance.	Public Education	<p>HB 2804 reduces reliance on standardized testing for measuring school performance by making three major additions: (1) revised domains for evaluating district, (2) new indicators for quality of learning and achievement to assess districts and campuses, and (3) campus A-F performance ratings.</p> <p>The bill requires the commissioner of education to adopt achievement indicators that evaluate school districts and campuses based on five domains. The current performance rating system has four performance indexes, which are very similar to the proposed 1-4 domains in this bill, but certain additional information is added to each. HB 2804 adds a fifth domain that considers community and student engagement. The new domain requires districts and campuses to choose three programs or categories, in which the district and campus will be evaluated. As of today, campuses must meet all 4 indexes to be deemed acceptable. If one of the indexes is not successfully achieved, the campus is labeled unacceptable.</p> <p>When determining a campus rating, domains are weighted as such: 55% for domains 1-3, 35% for domain 4, and 10% for the newly added fifth domain. Based on all five domains, each district and campus will be given an overall performance rating A-F. Additionally, a separate performance rating will be given based on the first four domains.</p> <p>Furthermore, in this bill the commissioner is required to adopt indicators of the quality of learning and achievement to measure and evaluate school districts and campuses in the following:</p> <ul style="list-style-type: none">• improving student preparedness for success in subsequent grade levels and entering the workforce, the military, or postsecondary education• reducing, with the goal of eliminating, student academic achievement differentials among students from different racial and ethnic groups and socioeconomic backgrounds• informing parents and the community regarding campus and district performance in the five domains, with the fifth domain in	



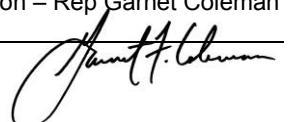
			<p>accordance with local priorities and preferences.</p> <p>Although this bill makes necessary changes to evaluate schools a bit more holistically, the performance rating of A-F for districts and campuses is a system that stigmatizes schools which serve impoverished communities. School campuses who are most likely to receive an unacceptable rating are lower-income schools with majority of educationally disadvantaged students and ethnically minority students, who have limited resources and continuously struggle. In addition to this concern, districts are unable to receive an 'A' performance rating, if any of the campuses within the district receive a 'D' or 'F' rating. The district is thus reprimanded by not being able to achieve an exemplary rating because of campuses that were labeled unacceptable.</p>	
HB 1754 By Rep. Pickett	Relating to the conveyance of property by a municipality for the public purpose of economic development.	Economic & Small Business Development	<p>Through HB 1754, municipalities with an economic development agreement are permitted to transfer real property or an interest in real property to an entity. The transfer is only authorized if the entity who receives the property uses it to promote the economic development of a municipality. Before the transfer is initiated, the municipality will publish two notices in a newspaper that describes the real property and location, ten days before the property is transferred. Allowing municipalities to transfer properties to businesses encourages local economic growth that can open up opportunities such as employment.</p>	
HB 777 By Rep. Riddle, et al.	Relating to the punishment for the offense of indecent exposure.	Criminal Jurisprudence	<p>Obviously sex-related crimes are horrible, but we often run into the problem of people receiving a correspondingly severe penalty for actions that are not in the spirit of the law. There are obvious distinctions between an individual exposing themselves and someone caught reliving themselves in public or a college student doing something common-but-dumb. While neither instance is appropriate, we were all young and obviously these acts are not the target of our laws. We therefore hesitate to recommend increasing the severity of these laws – particularly for a one time offense – without further justification that this is necessary or even helpful.</p> <p>HB 777 enhances the penalty for the offense of indecent exposure. It makes it a Class A misdemeanor if the defendant has previously been convicted of the offense, or a state jail felony if the defendant has been convicted two or more times previously. Currently, the offense of indecent exposure is a Class B misdemeanor, regardless of how many times the person has been convicted. There are concerns that this creates a loop of continuous re-offenses because of the lack of stringent penalties.</p> <p>However, a felony is a serious concern that can block people from getting a job or housing when they are dinged on a background check. People committing minor crimes often do not consider the long-term consequences. A felony can ruin someone's life. Indecent exposure is not necessarily a major crime and may be committed when a person is intoxicated or otherwise impaired, or even by a person with an intellectual or developmental delay.</p>	
HB 2088 By Rep. Rodriguez, J., et al.	Relating to an interim study regarding the method by which certain trial and appellate judges are selected.	Judiciary & Civil Jurisprudence	<p>HB 2088 establish an interim committee for the 2016-17 biennium to review methods of fairness, effectiveness, and desirability by which judges and justices are selected to the Texas judiciary. The committee will be comprised of senators and house representatives, who will be selected by the Lieutenant Governor and Speaker of the House, respectively. Membership from each chamber must include three members each from the minority and majority parties. The Lieutenant Governor and Speaker of the house will each select a co-chair. The interim committee will be called to session by the co-chairs.</p> <p>Justices and judges comprise the most powerful body of the judiciary branch, so it is imperative that the selection of these officers to the Texas courts are of the upmost integrity and impartiality in their duties. Additionally, given the high rate of Blacks and Latinos incarcerated in Texas jails, single mothers as heads of household, concerns regarding border security and immigration, and disparities between rural and urban municipalities, it would be of equally great benefit to see women and people of color selected to the committee.</p>	

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HB 3481 By Rep. Goldman	Relating to a fishing license fee waiver for certain residents.	Culture, Recreation & Tourism	HB 3481 waives the resident fishing license fee for individuals aged 65 years older.	
HB 1845 By Rep. King, S.	Relating to increasing the criminal penalty for causing certain assaultive physical contact with a child.	Criminal Jurisprudence	HB 1845 increases the penalty from a Class C misdemeanor to a Class A misdemeanor when assault involving physical contact is committed against a child. This enhanced penalty will bring statute in line with how assault against elderly and disabled individuals is penalized. Since children are a vulnerable group similar to the elderly and disabled populations, it is inconsistent to treat offenses against children differently. HB 1845 moves to better protect children by strengthening the laws protecting them.	
HB 3977 By Rep. Dukes	Relating to increasing the penalty for causing injury to a child; changing the eligibility for community supervision.	Criminal Jurisprudence	<p>HB 3977 enhances penalties for first degree felony offense of serious bodily injury to a child. It increases the incarceration term to at least 10 years, rather than five years, and removes eligibility for community supervision in the form of probation. Parole would still be an option.</p> <p>The charge most often filed when addressing child fatalities due to abuse is “injury to a child causing serious bodily injury.” This would only apply to those who knowingly and intentionally caused the serious disfigurement or death of a child, and it would not extend to recklessly or accidentally causing the death or disfigurement of a child.</p> <p>HB 3977 will more severely punish individuals who cause the permanent disfigurement or death of a child, bringing Texas statute in line with other states. Child abuse is a serious crime and punishment needs to fit the crime.</p>	
HB 1777 By Rep. Giddings	Relating to prohibiting an employer from accessing the personal online accounts of employees and job applicants through electronic communication devices; establishing an unlawful employment practice.	Business & Industry	HB 1777 prohibits employers from accessing personal social media and other online accounts of employees and job applicants, or from requesting account information or passwords from employees or job applicants. There are exceptions for individuals in the financial sector who have a written agreement with the employer, as well as for those who update social media platforms for the employer or accounts used to conduct business. In recent years, there have been an increasing number of incidents in which employers are mandating that employees or job applicants give out their password and user account information for personal accounts. This violation of privacy puts employees and applicants in a difficult position: Give up their right to private personal lives or lose their job or job opportunity. Additionally, access to such information could give rise to incidents of discrimination against potential employees on the basis of sexual orientation, age, disability, nationality, or religion. HB 1777 protects employees from unnecessary and unlawful invasions of privacy and discrimination, while protecting employers’ rights to monitor how employer-issued technology is used on company time.	
HB 3579 By Rep. Alonzo	Relating to the expunction of records and files relating to an offense for which a person is arrested.	Criminal Jurisprudence	<p>In current Texas statute, the terms “arrest,” “charge,” and “offense” are used almost interchangeably, creating confusion regarding expunction laws. For example, if a person is arrested and charged with multiple offenses and one of those charges is unjustly accused, can that one charge be expunged or is it an issue of the whole arrest staying on record or being expunged? Many Texas courts took the former as the spirit of the law, allowing individual charges to be expunged when they were inappropriate. However; a recent court case interpreted the statute more stringently, resulting in the needing to keep arrests on the books if any charge is valid. Because background checks are required for most employment opportunities, most housing units, and professional licensure application, even a dismissed case can negatively impact an individual’s life. For that reason, it is important that individual charges that were unjustly accused be expunged.</p> <p>HB 3579 updates statute to clarify what may and may not be expunged from public record. It clarifies what records and files may be</p>	

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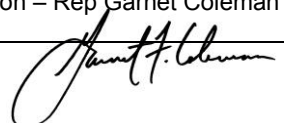


			expunged, to include dismissed cases, as well as conditions that must be met for expunction. It reduces the wait time for expunction when a person has met all other conditions for expunction: a person is entitled for expunction for a Class C misdemeanor after 30 days, rather than 180 and for a Class B or Class A misdemeanor after 90 days rather than one year. HB 3579 expands the information an individual is entitled to have expunged from their records to include identifying information of the person in another person's arrest, including if the other person falsely identified themselves as the non-implicated person. HB 3579 upholds the spirit of the law, maintaining the standard of innocence until proven guilty. It prevents innocent individuals from having their names tarnished with something they were accused, but never convicted, of.	
HB 2503 By Rep. Zerwas	Relating to examination requirements for certain applicants for a license to practice medicine.	Public Health	HB 2503 requires each physician applying for license to practice medicine to pass the whole medical examination within 12 attempts. The bill does not affect current statute that each individual section must be passed within 3 attempts. It solely specifies that the collective exam must be passed in 12 attempts. The bill also gives an applicant who is (1) licensed in another state, (2) specialty board certified by a specialty board that is approved by the American Board of Medical Specialties or the American Osteopathic Association, and (3) is to practice in a medically underserved area for at least three years, five attempts to pass each section. HB 2503, in essence, encourages out-of-state qualified doctors to come to Texas to practice, relieves some of the burden in health professional shortage areas, and brings care to underserved populations.	
HB 2893 By Rep. Frullo	Relating to the licensing of insurance agents and adjusters; providing a penalty.	Insurance	Recently, there has been an increased demand for agent and adjuster licenses in Texas. This, coupled with the greater complexity of certain filings, has strained agency resources and TDI's ability to deliver licensing services in a timely manner while simultaneously providing high-quality customer service. HB 2893 subjects license renewals for a license issued by TDI for surplus lines agents, insurance agents, and insurance adjusters to the same expiration schedule as newly issued licenses and specifies that each such license expires on the second anniversary of the date the license is issued to or renewed by a person. In effect, the license acquired by an insurance adjusters shall be in need of renewal, every two years, on their birthday, whether they received licensure on even or odd number years. This will alleviate confusion on behalf of the licensee, and create an easier remembered license renewal date. Additionally, HB 2893 mandates that continuing education requirements for insurance licensure is increased and TDI's purview over continuing education is expanded. It clarifies waiting period provisions for license reapplication after a revocation or denial. It authorizes TDI to grant licensure to individuals who were licensed in another state and move to Texas, if the license is comparable and certain requirements are met. HB 2893 improves and cleans up insurance licensure statute.	
HB 3010 By Rep. Simmons, et al.	Relating to the consideration of ownership interests of certain persons with disabilities in determining whether a business is a historically underutilized business for purposes of state contracting.	State Affairs	HB 3010 expands the definition of 'economically disadvantaged person' to include persons with a disability for the purposes of qualifying as a historically underutilized business (HUB). Currently HUBs consist of business where at least 51% of the stock, ownership, assets or interest are held by an economically disadvantaged person. Economically disadvantaged people for the purpose of HUB include people of color, women, and veterans. State agencies are encouraged to contract with HUBs, and HUBs are eligible for the mentor-protégé program to foster long-term relationships between prime contractors and historically underutilized businesses.	

HB 3500 By Rep. Thompson, S.	Relating to judicial proceedings on a petition to set aside a conviction or an order of expunction of criminal history record information for certain victims of trafficking of persons or compelling prostitution who are convicted of prostitution.	Criminal Jurisprudence	<p>HB 3500 would allow for convictions related to prostitution committed as a trafficking victim to be set aside and expunged if the victim can prove that criminal activity was compelled of the victim by a trafficker. HB 3500 sets up a process for victims to petition to get these convictions set aside. The petition will be heard in court if there are reasonable grounds to believe that the facts alleged in the petition are accurate. All due process and rights to the defendant, including counsel if the defendant is indigent, apply to the petition hearing. If the records that are to be expunged are needed to apprehend and try the trafficker or traffickers that compelled the victim to engage in criminal acts, law enforcement agencies may retain the expunged records solely for that purpose providing the victim's identifying information is redacted.</p> <p>HB 3500 would protect victims who have been sexually abused by pimps and traffickers, who engaged in prostitution under duress, from further violations of civil rights. Victims convicted of prostitution often struggle to find work, to be able to rent an apartment, and from going to college because felony convictions often preclude people from accessing those things. This makes it difficult, sometimes impossible, for victims to move on with their lives. HB 3500 provides an avenue so that these individuals can successfully start over.</p>	
HB 3980 By Rep. Frullo	Relating to requiring a coverage summary or other informational material to accompany certain insurance policies; adding a provision that may be subject to a criminal penalty.	Insurance	Current residential or automobile insurance can be difficult for everyday Texans to understand. It is very difficult for anyone not an expert in insurance policy matters to fully comprehend the policies being purchased. HB 3980 seeks to alleviate some of the confusion by requiring insurance companies to issue a coverage summary, or other informational material, that helps the policyholder understand the insurance policy when policy is delivered.	
HB 4047 By Rep. Allen	Relating to the extension to open-enrollment charter school employees of certain rights granted to school district employees.	Public Education	HB 4047 protects open-enrollment charter school teachers, extending protections currently given to public school teachers. It stipulates that teachers at charter schools shall not be coerced or otherwise forced to join any group, club, committee, or organization. It also states that educators at charter schools have the right to join or refuse to join any professional association or organization they wish. HB 4047 extends equal protection under the law to charter schools, which are operated partly on taxpayer dollars and should be treated equally.	
HB 1124 By Rep. Workman	Relating to adjudicating of claims arising from written contracts with state agencies.	Judiciary & Civil Jurisprudence	<p>HB 1124 creates continuity across existing statutes by waiving sovereign immunity when a breach occurs between state agencies in contracts with engineering, architectural, or construction services. This only applies in situations in which the amount of controversy is not less than \$250,000. If the state is in breach of a contractual obligation, then it should be responsible to the parties with which it contracted.</p> <p>HB 1124 also amends current adjudication awards owed by the state for breach of contract by removing the necessity for an express provision for compensation. It adds that compensation owed to a contractor must be paid based on additional work owed as per the contract, along with reasonable attorney's fees and certain consequential damages.</p>	
HB 3196 By Rep. Miller, D., et al.	Relating to the prosecution of the offense of improper photography or visual recording; increasing a	Criminal Jurisprudence	Photography and visual recording is generally construed to be protected speech, but when a person's photography or recording violates another person's right to reasonable privacy, it becomes problematic. There have been instances in which a person has photographed or recorded another person's intimate or sexual parts up skirts or in changing rooms under doors. Cell phone cameras make this much easier, and people have been coerced into having photographs taken of their intimate parts or else photographs were taken without the victim's knowledge.	

	criminal penalty.		<p>HB 3196 clarifies what is considered improper photography or visual recording of another person. The act of knowingly being involved in the photography or visual recording, broadcasting, or transmitting inappropriate images, defined as another person's clothed or unclothed intimate or sexual parts, for sexual gratification or other sexual purposes when a reasonable person would believe that the person's sexual or intimate parts or sexual conduct would not be visible to the public is a state jail felony. If a minor is the victim, it is a third-degree felony. Without consent is defined to include if the victim is unable to consent due to intoxication or unconsciousness; being under 18 years old; if the victim was compelled to consent through violence or threat of violence; the victim lacks the mental capacity to consent and the actor knows this; and/or the actor uses their position as a public official to coerce a person to participate.</p> <p>HB 3196 makes positive strides to protect people from being photographed or recorded in sexually explicit ways without their knowledge or consent.</p>	
HB 2012 By Rep. Sheets	Relating to occupational license application and examination fees for certain military service members, military veterans, and military spouses.	Defense & Veterans' Affairs	<p>While many veterans take advantage of Hazelwood and GI, not all veterans wish to attend college. Many veterans already have families, and need to provide for them upon discharge. Often, duties and training in the military go above and beyond training received by civilians as it related to licensure training for certain jobs, such as welding or mechanics. In addition, military spouses also have the undue burden of having to resubmit to examination and licensure for certain professions when the military spouse is relocated to Texas. Requiring our veterans to undergo the examination and licensure process for skills they in which they have the military equivalent is unnecessary and burdensome.</p> <p>HB 2012 will waive the examination and license fees for a member of the military, or veteran, whose service, training, and education meet the requirements set forth in the license. Military spouses will also be exempt, should they hold a current license issued by another jurisdiction that is substantially equivalent to the Texas licensure requirements.</p> <p>This bill will allow for an easier transition into civilian life for those exiting the military, and allow spouses to more quickly provide for their families.</p>	
HB 3090 By Rep. Miles	Relating to the regulation of for-profit legal service contract companies, administrators, and sales representatives; providing an administrative penalty; authorizing a fee; requiring an occupational registration.	Licensing & Administrative Procedures	<p>HB 3090 updates outdated statute relating to the licensing and regulation of for-profit legal service contract companies. HB 3090 establishes a mandatory review process for companies seeking legal contract services through TDLR. Under HB 3090, for-profit legal entities will need to submit to TDLR a deposit of surety, and upon registration and renewal, undergo an audit process laid out in the bill. TDLR can impose penalty against companies that are not complicit. In the event the legal company becomes bankrupt or cannot perform in good faith, TDLR has authority to distribute funds trust. HB 3090 also lays out provisions for group service legal contracts and cancellation of contracts.</p>	
HB 2852 By Rep. Nevárez	Relating to municipal fees charged to public school districts for water and sewer service.	Natural Resources	<p>Water bills are normally based on the amount of water an entity has used, as well as applicable taxes and fees. In 2009, however, the school districts, La Feria ISD and La Villa ISD, were charged per head each employee and student on top of the volume of water consumed. At one point, the bills were so excessive that one of the schools had to temporarily shut down services.</p> <p>HB 2852 prohibits municipally owned utilities from taking advantage of school districts in this fashion and mandates that a municipally</p>	

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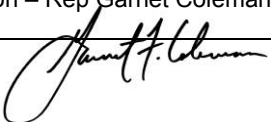
			<p>owned utility that provides retail water or sewer utility service to a public school district may not charge the district a fee based on the number of district students or employees in addition to the rates the utility charges the district for the service. Furthermore, the bill provides unfairly charged schools a recourse via filing a petition with the Public Utility Commission (PUC), with burden of proof of compliance held by the municipality.</p> <p>This bill was originally meant to be local and consent, but it was expanded to make sure that other schools in Texas are not taken advantage of.</p>	
HB 2594 By Rep. Parker, et al.	Relating to the modification or termination of restrictions by petition in certain real estate developments with certain amenities.	Business & Industry	<p>Currently, there are restrictions that prevent unused or unkempt golf courses and country clubs in neighborhoods from being used for any other purpose, which has led to some golf courses and country clubs becoming rundown because upkeep is not tended to, thus driving property values down. HB 2594 allows an unused neighborhood golf course or country club to be repurposed for alternative use provided it has been unused and/or unkempt for the previous 36 months and a petition with at least 75% of the homeowners affected approving of the alternative use using a restricted dedicatory instrument. Dedicatory instruments that already have provisions in place to allow for modification or termination of a golf course or country club with 100% of residents' approval are exempt from HB 2594. The bill lays out rules and regulations for the circulation of a petition, including who may circulate it, what a petition must include, and how the petition may be circulated. HB 2594 allows communities to decide by petition and majority agreement how <i>unused or dilapidated</i> property in the neighborhood may be used.</p>	
HB 108 By Rep. Guillen	Relating to certain lottery prize winners' choice to remain anonymous.	Licensing & Administrative Procedures	<p>HB 108 allows lottery prize winners to preserve anonymity from the general public. The lottery winner or winning entity may remain anonymous so long as the prize is equal to or greater than \$1 million and not paid in installments. If installment payments are made, then after 30 days, the Texas Lottery Commission (TLC) can disclose the winner's identifying information. TLC can disclose the winner's city and county of origin; this does not preclude federal tax provisions.</p>	
HB 2642 By Rep. Thompson, S.	Relating to the transfer of the licensing and regulation of charitable bingo to the Texas Department of Licensing and Regulation and regulation by counties of amusement redemption machine game rooms on bingo premises; requiring an occupational permit; authorizing fees and taxes; creating civil and administrative penalties; increasing a criminal penalty.	Licensing & Administrative Procedures	<p>The Texas Legislature convened a special committee during the last biennium to review the licensing and regulation of charitable bingo, based on concerns that the state was profiting more than the charitable bingo establishments or local municipalities. HB 2642 proposes the greatest reform to charitable bingo legislation that Texas has seen in 30 years.</p> <p>The reform strategy proposed under HB 2642 would adopt the following:</p> <ol style="list-style-type: none"> (1) A three-tiered system requiring charities to meet specific performance standards established in the bill (2) Convert the state prize tax into a player contribution that is deposited directly into the charity's general fund instead of routing through state coffers, which are time consuming and costly to local municipalities (3) Regulation through the Texas Department of Licensing and Regulation (TDLR), which will give local municipalities greater enforcement over illegal gaming rooms <p>Enacting HB 2642 will allow charitable bingos to receive enough money under the tiered system to make a profit and successfully compete against illegal gaming operations. This tiered approach will be phased in over approximately 3 years.</p>	

HB 3443 By Rep. Laubenberg	Relating to a written policy of certain state agencies on the collection and possible sale of an individual's personal information.	Government Transparency & Operations	HB 3443 mandates state agencies that use or sell personal information must adopt policy to govern the collection, use and sale of such data. Further, the agencies must post on their websites the policy and a disclaimer that personal information collected by the agency is used or sold. HB 3443 increases transparency in government by alerting the public as to when personal information may be collected, used, or sold by state agencies.	
HB 2762 By Rep. Laubenberg, et al.	Relating to certain petitions prescribed by law outside the Election Code.	Elections	<p>HB 2762 allows citizens to file a petition to repeal a city ordinance, order, or resolution no later than 90 days after the later of the passage or publishing of the order. If the municipal authority responsible for verifying the authenticity of the petition finds that there are not enough valid signatures, the authority is required to provide all grounds for invalidating a signature. If a petition is invalidated and refiled, the authority may not make a second determination of invalidity based on grounds that existed but were not expressed for the initial petition. These changes would not apply to municipal charters.</p> <p>The bill requires the municipality to make a petition form available on their website that complies with all applicable state and local law. A filed petition may not be invalidated for failure to supply information that the municipality's form did not provide or did not request. While framed to encourage democracy, HB 2762 seems to be proposed in response to recent fracking bans, equality ordinances, and other ballot initiatives.</p>	
HB 339 By Rep. Farias	Relating to leave for certain veterans returning to state employment.	Defense & Veterans' Affairs	<p>There are often numerous duties a service member must complete when returning from active duty. Reintegration programs are beneficial to veterans returning to employment, as readjusting to civilian life can be difficult. The need for post-deployment leave or reintegration time for returning state employees who are veterans is currently not adequately addressed.</p> <p>HB 339 will grant service members, who were employed by a state agency, who return work after military service to be granted 15 days each fiscal year to attend to reintegration requirements and needs. This allows veterans time to obtain medical or mental health care and receiving employee assistance counseling. The veteran will be granted the 15 days with no penalty to sick time, vacation days, or a decrease in salary. This will help veterans better adjust to life after military duty, and help create a more stable home and work environment for all associated with said veteran.</p>	
HB 1181 By Rep. Shaheen	Relating to the maintenance of information entered into a fee record.	Criminal Jurisprudence	Counties often have outstanding debt on their books when court fines and fees cannot be collected. HB 1181 authorizes officers who have reason to believe that a defendant is deceased, serving a life sentence, or has a fee that has gone unpaid for 10 years, to request that such debt be designated as uncollectable. This will allow counties to write off these uncollected fees to provide for more accurate financial reporting and to quit wasting human resources seeking out fees that cannot reasonably be recouped.	
HB 2161 By Rep. Simmons	Relating to the regulation of certain private security companies and occupations; expanding the applicability of an occupational license.	Homeland Security & Public Safety	HB 2161 strengthens licensing requirements for private security companies that install camera equipment in homes, schools, and businesses. It prohibits any person from acting as a camera services company without being licensed to do so. HB 2161 requires that all people representing themselves as camera system installers have a background check done on them in the last year verifying that the individual has no sexual offenses or Class A misdemeanors or felonies in their past. Currently, there are concerns that some installers have criminal backgrounds, including child molestation charges, because current regulations do not necessarily require background checks. While it is important that employers not discriminate based on criminal background, it is equally important that children and the public be protected from individuals who are prohibited from working with or around children due to past offenses. Licensure and oversight is important and needs to be used to protect the public, but overzealously presuming that any individual who commits any Class A misdemeanor is unsuitable might not be wise.	

<p>HB 934 By Rep. Dale, et al.</p>	<p>Relating to the disqualification from receiving unemployment benefits of certain individuals who are terminated from employment after giving notice of resignation.</p>	<p>Economic & Small Business Development</p>	<p>HB 934 prohibits an individual from collecting unemployment benefits after voluntarily leaving work if one of the following reasons occur:</p> <ul style="list-style-type: none"> • an individual left their last employer after giving advance notice to the employer of the individual's resignation • an individual left for a reason that isn't considered qualifying circumstances for individual to not be disqualified for such benefits • an individual's employer terminated the employee before the date stated in an advance notice of resignation. <p>Disqualification for unemployment benefits applies regardless of whether the employer paid the individual for the entire notice period.</p> <p>Although, this bill is intended to address a loophole for legitimate concerns, it inevitably causes another loophole. The language from the bill allows an employee who gives their employer significant advance notice of resignation, such as six or nine months ahead of time, to be disqualified for unemployment benefits if he or she is fired within the time before they leave their position. The effort is conducted in a considerate and polite manner, but may easily be taken advantage of. This bill sends the message that employees should not give notice unless absolutely required, otherwise you risk losing employment benefits.</p>	
<p>HB 37 By Rep. Cook, et al.</p>	<p>Relating to the reporting of certain contributions and political expenditures by certain persons; adding provisions subject to a criminal penalty.</p>	<p>State Affairs</p>	<p>Current law requires Political Action Committees, (PACs), to disclose their political expenditures and contributors, but some groups do not meet the technical definition of a PAC, even though they are spending a considerable amount of money to influence campaigns. HB 37 closes the gap on current campaign money disclosure laws and seeks to protect voters. The bill requires all non-PACs to report on its expenditures if it accepts one or more contributions over \$2,000 during a reporting period, or spends more than \$25,000 in a calendar year to influence elections.</p> <p>The initial report disclosing contributions in an amount between \$2,000 or \$25,000 must include all contributions in connection with campaign activity accepted from a person that exceed \$2,000, as well as, all political expenditures made in the immediate preceding 12 months of the contribution, or the making of the political expenditure that triggers the reporting requirements.</p> <p>This legislation is necessary to make political expenditures and contributions more transparent. It is imperative to make changes requiring everyone to play by the same rules, so that Texas can maintain the transparency in its democracy. More importantly, elected officials need to be held to a higher standard because they hold great influence and the public needs be informed if their political leaders are working for the citizens of Texas or working out of someone else's pocket.</p>	
<p>HB 4105 By Rep. Bell, et al.</p>	<p>Relating to the issuance, enforcement, and recognition of marriage licenses and declarations of informal marriage.</p>	<p>State Affairs</p>	<p>HB 4105 bars state and local officials from granting, enforcing or recognizing marriage licenses for gay and lesbian couples even if the U.S. Supreme Court strikes down the state's ban on same-sex marriage. Furthermore, if a state agency finds that a marriage fee or a declaration of informal marriage fee was collected, then \$30 or \$12.50 respectively shall be remitted to the comptroller by the country clerk.</p> <p>There is nothing good about this bill. HB 4105 would bring to Texas the same firestorm of criticism that swept through Indiana and other states that have passed bills promoting discrimination against gay and transgender people and their families. Passing bills that make Texas look intolerant and unwelcoming will harm the state's brand and undermine its economy by alienating businesses, tourists and national organizations that will refuse to come here.</p>	

			<p>Texas would be constitutionally bound by a Supreme Court ruling striking down state bans on same-sex marriage. But litigation to overturn bills like HB 4105 would be costly and could take months or even years. This lengthy litigation would impose great financial burden on Texas tax payers, many of whom do not agree with the discrimination of LGBT couples that this bill fosters.</p> <p>Equality is good for individuals and good for the economy. Let’s not exacerbate the legal discrimination mistakes that we have made in the past.</p>	
<p>HB 1048 By Rep. Farias, et al.</p>	<p>Relating to the redesignation of veterans court programs as veterans treatment court programs, the administration of those programs, the expunction of arrest records and files for certain participants who successfully complete a program, and the issuance of orders of nondisclosure for participants convicted of a misdemeanor; changing a fee.</p>	<p>Insurance</p>	<p>Too often, our men and women returning from combat suffer from emotional and physical issues, such as PTSD and traumatic brain injury. Treatment and care at VA clinics is woefully inadequate, leading many service members to self-medicate, either through alcohol, tobacco, or prescription drugs. Although illicit drug use is lower among U.S. military personnel than among civilians, heavy alcohol and tobacco use-- and especially prescription drug abuse-- are much more prevalent and are on the rise. Veterans who enter the criminal justice system often reflect these needs and addictions. Recognizing the issues faced by our veterans, Texas has a significant number of court programs currently operating. These programs offer an alternative to jail or prison for eligible veterans who enter the criminal justice system, many of whom are dealing with drug or substance dependence. The programs mimic drug and mental health courts, but are specifically tailored to suit the need of veterans.</p> <p>HB 1048 will allow more veterans access to these courts by widening the criteria for inclusion. Now included are veterans convicted of any misdemeanor or felony offense who are placed on deferred adjudication community supervision for their offense(s). This bill also removes the eligibility requirement that a brain injury, illness, disorder, or trauma (sexual or non) must have occurred in a combat zone or other similar hazardous duty area, and makes all veterans with such conditions eligible. In addition, a veteran will be included in the program should it be determined that their rehabilitation will ensure public safety, based on the veteran’s conduct, personal and social background, and criminal history.</p>	
<p>HB 2701 By Rep. Pickett</p>	<p>Relating to the regulation of motor vehicles by the Texas Department of Motor Vehicles and the Department of Public Safety; creating and modifying criminal offenses; amending provisions subject to a criminal penalty; imposing, authorizing, and increasing fees.</p>	<p>Transportation</p>	<p>HB 2701 is omnibus legislation related to the regulation of motor vehicles by the Texas Department of Motor Vehicles (TxDMV). The bill updates current statute, revises lemon laws, and is peppered throughout with proposed bills, regarding: vehicle titles, registration, fees, and permitting, motor carrier safety enforcement, and creative solutions for continuing to support transportation infrastructure and funding.</p> <p>Cleans up “Two Steps, One Sticker” legislation. Consolidating vehicle registration and inspection into one sticker negatively impacted commercial vehicles who do interstate travel. The bill clarifies language to allow commercial vehicles, which might be located out-of-state, to be registered without traveling back to Texas to comply with our new laws. It exempts vehicles that are a part of the international registration program that pay apportioned registration fees, based upon operational distance covered, from the inspection component of the program. The bill allows commercial fleet buyers to receive a 2 year inspection. The bill authorizes TxDMV to refund any customers who may have accidentally been overcharged for inspection, and reinstates a Class C misdemeanor for failure to comply with inspection.</p> <p>Updates vehicle titling, registration, & fees. The bill adds the definition of “autocycle,” to code to enable the titling and registration of newer three-wheeled motorcycles currently in production, such as the Polaris Slingshot. <i>The bill instates a one-time registration fee for semitrailers of \$105, replacing their \$15 annual fee.</i></p>	

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			<p>Explores expansion of overweight corridors and addresses specialized permits. The bill requires TxDOT to establish minimum requirements for determining the feasibility and economic impact of additional overweight corridors within a statewide plan of freight mobility. TxDOT must make recommendations for additional overweight corridors beneficial to the state, include recommendations in the international trade corridor plan, and create a pavement management plan for corridors to address erosion of roadways. HB 2701 allows for 24-hour overweight vehicle permits, splitting revenues between counties and Fund 6. The bill also allows 1) municipal courts to hear oversize/overweight violation cases with penalties in excess of \$500 -- cases currently heard by counties; 2) over-length loads to obtain an annual permit instead of the current available permits lasting 30, 60, or 90 days; and 3) a permit to be issued for ready-mix concrete trucks that meet axle weight restrictions by adding axles to redistribute extra weight.</p> <p>Recreates the Texas Department of Motor Vehicle Fund, which was created and abolished by prevailing legislation. TxDMV Fund was originally created as an opportunity for the operations of TxDMV to be funded separately from the state highway fund in order to end diversions. HB 2701 would recreate this fund which is within the state treasury, technically dedicated funds, but outside of the general revenue fund. It is fueled by revenues collected by TxDMV for titling and registration of vehicles, issuance of license plates and disabled parking placards, and registration and regulation of commercial vehicles. Like other state agencies, TxDMV is still subject to the appropriations process. While outside of GR, TxDMV would receive the allocation as determined in the appropriations process, and any funds remaining within TxDMV Fund would be distributed into the state highway fund.</p> <p>Looking ahead – The bill requires TxDMV to produce an annual report on the number of alternatively fueled vehicles in the state. This data could be used to inform future legislation to tax road use for fuel-efficient and electric vehicles to more fairly fund infrastructure maintenance and expansion.</p>	
HB 2467 By Rep. King, P., et al.	Relating to excluding certain premiums, revenues, and fees from the determination of certain insurers' taxable gross premiums or revenues; affecting certain taxes.	Insurance	<p>The Affordable Care Act (ACA) stipulates that all healthcare insurance and HMOs are subject to a health insurance provider fee. This fee is often passed down to policyholders. The fee may be collected either through a line item in billing, or an adjusted premium increase. Because premium and maintenance taxes are imposed on gross premium receipts, the provider fee is rolled into the amount subject to tax. In effect, the tax is taxed. HB 2467 excludes the health insurance providers' fee from the determination of an insurer's taxable gross premiums or a HMO's taxable gross revenues.</p>	
HB 915 By Rep. Howard	Relating to quarterly financial condition reports on collected and anticipated state revenue.	Appropriations	<p>Texas is currently one of only 12 states that do not conduct periodic state financial condition reports. Given Texas' size and rapid growth, a mechanism to continuously monitor state finances is critical. HB 915 addresses this need by requiring the comptroller to issue a quarterly report on the state's financial condition in addition to the biennial revenue estimate. The report must include (1) total net revenue at the end of each quarter, (2) a comparison of total net revenue with projections, (3) indicators of state economic trends and their impacts, and (4) adjustments to current biennium projections.</p> <p>HB 915 will allow the legislature to more knowledgeably strategize appropriations, anticipate shortfalls, and plan accordingly. In this way, there will be more time to identify alternate funding sources so services will not need to be cut.</p>	

HB 1620 By Rep. Galindo	Relating to the prohibition of certain employment discrimination regarding an employee who is a volunteer emergency responder.	Business & Industry	<p>HB 1620 protects a volunteer emergency responder from being discriminated against or fired for being late or absent from their regular place of employment to uphold their duties as a volunteer emergency responder. An employee cannot be absent from the workplace for more than 14 days due to their volunteer position, unless the absences are approved by the employer. The employee is required to give reasonable notice of tardiness or absence. If the emergency impedes such notice, the employer can request an excuse signed by their emergency response services supervisor, including information about the emergency. An employee fired after the effective date of the bill is entitled to reinstatement of a comparable position, compensation of wages lost due to the suspension or termination, and reinstatement of any benefits.</p> <p>The bill makes explicit in statute that an employer may reduce wages for any work time lost to the volunteer emergency response services. Articulating this in law might actually alert many employers to the fact that they don't have to pay for this time and encourage them to not compensate them for this time. In lieu of reducing wages, an employer can require the employer to use other accrued leave.</p> <p>Volunteer emergency responders dedicate their time and risk their own safety to serve necessary functions within our communities – public services that we won't adequately fund through taxes. While HB 1620 attempts to protect our volunteer emergency responders, making it clear that an employer can reduce their wages is maybe not to their benefit.</p>	
HB 1503 By Rep. Canales	Relating to the rights of certain defendants who successfully complete a term supervision.	Criminal Jurisprudence	<p>Law regarding a judge's actions following a defendant's discharge from community supervision is currently unclear. HB 1503 clarifies that a judge must withdraw the defendant's plea and dismiss the charges against the defendant by 30 days following the defendant's discharge. Following the dismissal of charges, the defendant will not be considered to have been convicted of the offense, and may not be denied an occupational license or benefits on those grounds. The defendant must still pay any fees or costs required by the court.</p> <p>HB 1503 reduces recidivism by ensuring that defendants are given a chance at successfully reintegrating into society and pursuing gainful employment.</p>	
HB 1575 By Rep. Guillen	Relating to the requirements for reporting unclaimed mineral proceeds to the comptroller of public accounts.	Energy Resources	<p>Currently, oil or gas producers report unclaimed royalties to the state without reporting the producing well's location. HB 1575 requires that the producing well's location also be disclosed in an attempt to improve the chances of rightful original owners being able to claim their royalties.</p>	
HB 2071 By Rep. Workman	Relating to payment of covered claims based on assignment.	Insurance	<p>HB 2071 will restore the Texas Department of Insurance (TDI's) ability to transfer customers from an impaired insurance company to a solvent one without a gap in coverage. It also restores the ability of a premium finance company, which finances policies written by an impaired insurance company, to become whole. In 1971, Texas Property and Casualty Insurance Guarantee Association (TPCIGA) was created to this effect, and has carried out its duties sufficiently. Over the last 20 years, 70 companies have become impaired, and TPCIGA honored its purpose by paying out on assignments to clients.</p> <p>However, A 2011 3rd Court of Appeals case broadly determined that no assignment could be made on a covered claim by TPCIGA. Because of the unintended consequences, TDI no longer has the ability to protect the consumers, nor the insurance premium finance industry's, ability to use traditional industry practices of using the assignment of claims as collateral in the very policies they are financing.</p>	

			HB 2071 will restore TPCIGA's ability to pursue its purpose by establishing that a person has a covered claim under the Texas Property and Casualty Insurance Guaranty Act, if the person holds a valid assignment of a covered claim for unearned premiums.	
HB 1250 By Rep. Murphy, et al.	Relating to the requirements regarding creation of qualifying jobs for the purpose of eligibility for a limitation on appraised value of property for ad valorem tax purposes under the Texas Economic Development Act.	Ways & Means	HB 1250 lowers the salary qualifications of the jobs from 110% of the county's average manufacturing wage to the lesser of: the state median annual wage for manufacturing jobs in the state, or the average weekly wage in a county for manufacturing jobs or for all jobs multiplied by 52. This means that if the average for the state is \$45,000, and the project is in Dallas with a higher than usual county annual average of \$50,000, then the salary calculation will be based on the lower wage of \$45,000. Conversely, if the project is in Cameron County, with a county annual average of \$32,641, then the company can use \$32,641 to calculate the rate of pay. This means that the counties with the higher average rates of pay would lose out on higher paying jobs, and the counties with lower rates of pay would not be receiving a bump up. The tax breaks that these companies are receiving are not insubstantial. In exchange, the people of Texas are supposed to be receiving adequately paying jobs. This legislation allows the companies to keep their benefits but apply the old switcheroo to the Texas people.	
HB 1205 By Rep. Dutton, et al.	Relating to the age of criminal responsibility and to certain substantive and procedural matters related to that age.	Juvenile Justice & Family Issues	<p>Under current law, a juvenile is classified as 10 years old to 17 years old. In 2013, over twenty-five thousand seventeen year-olds were arrested and placed in the Texas adult criminal justice system. The majority of the crimes were non-violent offenses worthy of a fine or rehabilitative services. HB 1205 increases the maximum age of a juvenile offender of criminal offenses from 17 years to 18 years. Any child that commits a criminal offense and is in a juvenile detention facility cannot be moved to an adult facility until their 20th birthday.</p> <p>The Prison Rape Elimination Act (PREA) mandates that detention facilities must separate certain populations based on age as follows: 16 years old as a single population; 17 and 18 year olds are housed to together; 19 and 20 year olds are housed together, and 21 years old and up are housed together. County municipalities report that placing minors in their facilities places a tremendous burden on the adult facilities. The problem with housing minors that are under 18 years old and younger in adult facilities is many beds go unused because the minors have to be housed separately. Additionally, these minors do not receive rehabilitative services that would be available to them in the juvenile facilities.</p> <p>HB 1205 also requires the Texas Juvenile Justice Board (TJJB) to establish an advisory board to monitor and evaluate the provisions adopted under this bill. The board will Texas Juvenile Justice Department (TJJD) in the implementation, fiscal needs, and problems concerning counties undertaking the adoption of the provisions laid out in this bill.</p> <p>There is substantial research that concludes that charging minors as adults and placing minors in adult jails may cause them significant risk of harm, abuse, rape, and injury and have long-term implications on their ability to fully reintegrate into society. The reality is that many minors who are charged or placed in adult facilities have been so due to non-violent crimes (i.e. alcohol possession, theft, or marijuana possession). Nevertheless, their age predicates that they must be charged as adults and placed among the adult population, despite law which suggests they are not old enough to vote, rent a vehicle, or buy alcohol. Further, previously nonviolent minor offenders become exposed to, and begin to demonstrate, violent and illicit behavior after time in adult facilities as a means of coping and fighting for survival among adults.</p>	

HB 1872 By Rep. Murphy, et al.	Relating to the authority of general-law municipalities to restrict sex offenders from child safety zones in the municipality.	Urban Affairs	<p>HB 1872 allows a general-law municipality to create a restricting ordinance preventing a registered sex offender from going in, on, or within a specified distance, but not more than 1,000 feet, of a child safety zone in the municipality, excluding a church. Under the bill, offenders are allowed to enter child safety zones for legitimate purposes only, such as transporting a child that the registered sex offender is legally permitted to be with, or work-related travel, and other work-related purposes. Procedures are stipulated within the bill allowing for a registered sex offender to apply for and receive an exemption from the ordinance.</p> <p>HB 1872 will severely affect not only ex-offenders but their families as well, especially in smaller towns. Many families will be uprooted from their homes in order to comply with this law, and may be subjected to unfair scrutiny and contempt by neighbors and townsfolk. While this bill seeks to protect future victims, it in no way does so. Statistically, nearly 90% of victims know their attacker, which is most likely a trusted friend or family member, rather than a stranger. This bill may have the unintended consequence of further isolating families that have sexual abuse occurring under their roof, and making such abuse less likely to be noticed by friends and neighbors.</p>	
HB 1897 Bu Rep. Villalba	Relating to the punishment for certain offenses involving family violence; changing the eligibility for parole and mandatory supervision for those offenses.	Corrections	<p>HB1897 increases the penalty for those convicted of a domestic violence offence to include payment for the cost of confinement or supervision. The payment will be remitted to the supervising or confining agency. The intent of this bill is to more strongly criminalize domestic violence in the hopes of curbing the increase in domestic violence incidences. In 2011, 102 women were killed by their intimate partner. Additionally, 26 of the victims' family, friends and co-workers were also killed during the same incidents.</p> <p>HB1897 provides payment exceptions for indigent offenders, and will consider employment status, financial resources, and other obligatory pecuniary obligations, (like child support), when deciding whether to reduce the fee amount.</p> <p>HB1897 also mandates that a defendant granted community supervision or deferred adjudication community supervision on their second offense submit to a period of confinement equal to two years. Since it is a second offence, jail time must be served.</p>	
HB 1795 By Rep. Turner, S.	Relating to the eligibility for indigent status for purposes of the driver responsibility program.	Homeland Security & Public Safety	<p>HB 1795 allows that any person found indigent for purposes of qualifying for appointed counsel also be found indigent for the surcharge related to the Driver Responsibility Program. Currently, the judge has to find the individual indigent to qualify for counsel and again to be found not responsible for the surcharge connected to the Driver Responsibility Program. HB 1795 reduces the redundancy in the judicial system by allowing the judge to find the individual indigent just once. It will also prevent instances in which a person is found indigent in one area but not indigent in another. If a person in poverty is ordered to pay a fee they cannot afford, this starts a cycle of continual legal troubles because unpaid fines often result in additional charges and fines. HB 1795 both reduces the burden of the legal system of having to find a person indigent in two instances for the same charge and increases the chance that an indigent person be able to successfully complete a court-ordered Driver Responsibility Program.</p>	
HB 2770 By Rep. Martinez, "M".	Relating to emergency response employees or volunteers and others exposed or potentially exposed to certain diseases or parasites.	Urban Affairs	<p>Emergency personnel routinely become exposed to blood and bodily fluids as a part of their duty. While exposure to infectious diseases or parasites is commonplace, there is no system in place for EMS personnel to receive notification or confirmation of their exposure. Rapid notification is essential for rapid treatment and possible containment of any communicable disease.</p> <p>HB 2770 requires various emergency responders to designate a qualified infection control officer and an alternate officer, who will receive notification of a potential exposure to a reportable disease from a health care facility. They must then notify the appropriate healthcare providers of this potential exposure and act as a liaison between the provider and the entity's emergency response employees or volunteers who may have been exposed to the disease. The officer will also provide the emergency responder with information regarding the destination hospital of the infectious patient. They must also investigate and evaluate the exposure incident using current evidence-based information, and monitor follow up treatment provided to the emergency responder.</p>	

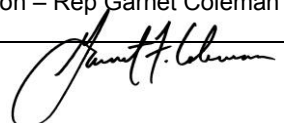
			<p>Medical information regarding cases, or suspected cases, of diseases will be made available, along with the testing orders or requests to DSHS. Using this information, DSHS may then order testing of another person who may have exposed the employee or volunteer to a reportable disease. The bill requires that a patient be tested for certain conditions after an emergency response employee or volunteer is accidentally exposed to the patient's blood or bodily fluids. Should a patient die at the scene or during transport, reportable diseases shall be tested for. A justice of the peace or medical examiner will be required to take steps to ensure testing and report findings to the control officer. Should emergency responders be accidentally exposed during an arrest, the same requirements for testing will apply.</p> <p>This bill removes the stipulation that next of kin be notified of any testing results by the control officer, and instead requires DSHS or local health authority be the notifying agency. In addition, this bill authorizes the release of test results for AIDS and other related disorders to the control officer of an affected emergency responder.</p>	
HB 2198 By Rep. Smithee	Relating to the investigation by the commissioner of insurance of acts of insurance fraud and other offenses.	Insurance	<p>As technology increases, so does the ability to commit insurance fraud. Currently, the Texas Department of Insurance (TDI) is working with an updated Penal Code which reflects the increasingly sophisticated and complex insurance fraud schemes. However, an outdated reference with regard to the investigation of insurance fraud still exists. HB 2198 will update this reference in order to maintain consistency across statute.</p> <p>Specifically, HB 2198 will broaden the commissioner of insurance's authority to investigate insurance fraud to include the investigation of any offense under the Penal Code. The commissioner will aid in the enforcement and investigation of fraud by providing technical or litigation assistance to other governmental agencies</p>	
HB 2298 By Rep. Pickett	Relating to prohibiting certain public places from excluding peace officers or special investigators from carrying weapons on the premises.	Homeland Security & Public Safety	HB 2298 allows peace officers and special investigators to carry their licensed weapons with them off-duty, even in or at private businesses, including amusement parks and sports venues, that restrict the carrying of weapons in their establishment. HB 2298 seeks to give special privileges to officers when they are off-duty and tramples on the rights of private businesses to restrict weaponry in their establishment by displaying "30.06" signage. While we trust our peace officers and are comfortable that they carry their weapons responsibly on and off duty, we are also sensitive to the fact that private business owners should have the final say as to whether weapons are allowed inside or not.	
HB 226 By Rep. Guillen	Relating to certain offenses relating to carrying concealed handguns on property owned or leased by a governmental entity; providing a civil penalty.	Homeland Security & Public Safety	HB 226 creates a civil penalty for verbally communicating that guns are not allowed or posting a "30.06" sign on government property where it is not permitted to ban concealed handguns. Before penalties may be assessed, it must be investigated by the Office of the Attorney General and determined that a penalty is warranted. Proponents argue that this will protect CHL-holders' rights to carry. Opponents argue that there are sometimes events held on government property where guns may be disallowed, and that this puts organizers of those events at risk of penalty for posting a sign for the event only.	
HB 2220 By Rep. Coleman	Relating to mental health first aid training for school district employees and school resource officers.	Public Education	<p>We expect the adults who work closely with our children to know what to do during a crisis. Whether it's deescalating a classroom fight or holding a fire drill, Texas educators work every day to prevent bad situations from becoming worse, and healthcare—including mental healthcare—is no different. It is important that teachers and staff know how to identify and respond to the signs of an asthma attack, just as they should be able to identify and respond to the signs of an emotional crisis. Mental health first aid training is currently available for teachers, giving them the tools they need to respond effectively to signs of mental illness and potentially find help for students who may be at risk of suicide.</p> <p>HB 2220 makes the mental health first aid training program available for all school district employees who see our kids daily, in addition</p>	

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			to the teachers currently eligible. It also gives school districts more flexibility to find grant funding for the program, allowing access to districts that may not otherwise be able to afford it.	
HB 2323 By Rep. Blanco	Relating to mandatory spinal screenings for children in certain grades attending public or private schools.	Public Education	HB 2323 changes the grades for mandatory spinal screening for students. Females will be screened during the 5th and 7th grade and males during the 8th grade. Currently, all children attending public or private school are required to be screened in the 6th and 9th grade. Revising the grades in which students are assessed for spinal deficiencies closely aligns with the new prescribed grades with medical research.	
HB 2556 By Rep. White, M.	Relating to the prosecution and punishment of certain outdoor burning violations.	County Affairs	HB 2556 revises the criminal penalties for the certain burning of waste and combustible material to be prosecuted under the municipal ordinance providing which violations constitutes Class A, B, and C misdemeanors based on the individuals number of prior offenses. Currently, offenders are going unpunished due to insufficient penalty options available to authorities as well as contribute to the overpopulation of Texas jails. HB 2556 will continue to safeguard the states air resources from pollution as well as relive tax dollars for the over population of Texas jails by creating these additional misdemeanor offenses.	
HB 891 By Rep. Klick, et al.	Relating to establishing an interstate voter registration crosscheck program.	Elections	<p>HB 891 establishes an interstate voter registration crosscheck system to determine whether registered voters in the state of Texas are also registered in another jurisdiction or out-of-state to vote in an attempt to prevent duplicate votes. Once our voter roll is compared with those around the country, those who have caused “a hit” are asked to confirm their residence and voter state.</p> <p>There are two types of crosscheck system. 1) The Kansas system is free but uses a “soft match” and can produce inaccurate data. The bill implies use of this program. Often common names like John Smith and Maria Gonzalez inadvertently cause a hit in programs that use “soft matches” due to the sheer volume of residents with those names. The SOS office estimates that it will cost \$208,000 per biennium to hire two employees to clean this data before they are able to turn it over to counties. 2) There is a “hard match” program available through Pew Charitable Foundation that checks 4 data points for more accurate results. The Pew program requires that all voters found, who have not registered, be mailed a registration card, which drives up the cost of such a program. While costly, this is the better option if forced to implement such a system.</p> <p>Many states do not have a process by which to take yourself off their voter roll when moving. As long as an individual is not voting in two states, being registered in both should not prompt concern. Given that our society is increasingly mobile, and with the vast immigration to Texas, HB 891 proposes a cumbersome process that creates problems where none may exist. We need all of those who move (from California) to Texas to vote.</p>	
HB 2725 By Rep. Goldman	Relating to the operation of a movable temporary branch polling place during early voting.	Elections	<p>HB 2725 requires a mobile polling place to be open for no fewer than 2 days before changing location, and it requires that early voting at such a location be conducted for at least 8 hours each day it is open. The bill addresses the practice of “rolling polling,” or voter targeting. Some school districts have abused this practice in order to pass school bond issuances. They will keep a mobile polling place open on an inconsistent basis, such as for the duration of a PTO meeting, to gain votes from some segments of the electorate at the exclusion of others in order to pass the issuance.</p> <p>Mobile voting when implemented properly, however, can help to serve those in underpopulated communities in rural counties and makes voting more convenient in primary and general elections in many areas. Two days is not reasonable for such a location to remain open in an under-populated area. There simply isn’t the demand. This bill should be amended to one day so that we are not placing an</p>	

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			undue burden on counties, which might cause them to discontinue use of this helpful practice altogether.	
HB 2754 By Rep. Capriglione, et al.	Relating to filing requirements for candidates for certain judicial offices.	Elections	HB 2754 repeals the law requiring that those running for judicial offices or for justice of the peace in urban counties must submit a petition with 250 registered voter signatures and pay a filing fee, or submit a petition with 500 registered voter signatures in lieu of the fee. This additional step in the application process is not required of other elected offices and imposes a barrier to fresh candidacy. This bill duplicates the provisions of engrossed bill, HB 3880, but this bill if enacted would take effect on September 1, 2015, instead of January 1, 2016.	
HB 2774 By Rep. Smithee, et al.	Relating to the annual state salary supplement for certain county judges.	Judiciary & Civil Jurisprudence	HB 2774 increases county judges' salaries from \$15,000 per year to 25% of the district court judge salary, so long as 40% of their duties are judicial in function. This aligns county and district court judge salaries more evenly.	
HB 2937 By Rep. Schofield, et al.	Relating to the cancellation of a person's voter registration on notice that the person has acknowledged that the person is not a citizen.	Elections	HB 2937 authorizes a voter registrar to cancel a voter's registration immediately, upon receiving a list of persons excused or disqualified from jury service due to citizenship status. Under the bill, either self-disclosure or a designation made by a governmental entity acknowledging that the voter is not a citizen of the US is grounds for termination of voter registration. Current law allows that if an actual non-citizen unwittingly registers, the voter registrar sends them notification that their registration will be terminated and gives them a chance to take corrective action. So there is already a process in place for non-citizen removal. People sometimes make excuses to evade jury duty when they receive a jury summons. The bill targets this population. They might not be able to make ends meet without proper compensation for their time served, or it makes it more difficult to balance a precarious schedule or to take care of a dependent family member, and so forth, so they tick the field for "non-citizen." They could also be lying because they just don't want to do their duty as a citizen. While lying to shirk jury duty is unethical and should be penalized, nothing should trump a citizen's right to vote. HB 2937 should not be the consequence of evading jury duty, and people should at least be warned that making a non-citizen designation on a jury summons will cause them to lose voting rights. The bill fails to allow citizens to take corrective action before automatically stripping them of a basic civil right. It is overly harsh and seeks to suppress votes.	
HB 2624 By Rep. Turner, C.	Relating to the effects of default on a student loan administered by the Texas Higher Education Coordinating Board on renewal of certain licenses.	Higher Education	HB 2624 requires licensing agencies to submit annually all names of licensees to the Texas Higher Education Coordinating Board (THECB). THECB must then provide notification to each professional, state-issued licensing agency with a list of individuals licensed by that agency who have defaulted on their loans. HB 2624 prohibits the licensing agency from renewing the licenses of individuals with defaulted loans. It allows the Coordinating Board to enter into a loan repayment agreement with the defaulter, at which point the license may be renewed. When a repayment agreement is entered, the Board shall issue a certificate to the person who is repaying the loan, verifying that the loan is no longer in default and that repayment is in progress so that the license may be renewed. Most professional licenses are multi-year and this would give individuals time to enter a repayment agreement before their license expires; thus, they would not be restricted from practicing as long as they re-entered a payment agreement before the renewal date.	

HB 3118 By Rep. Goldman	Relating to the canvassing of primary elections.	Elections	<p>HB 3118 modernizes the canvass process for local elections. It mandates that, instead of by mail and on paper, the following information shall be posted on specified websites:</p> <ul style="list-style-type: none"> the time of the local canvass; primary election results; names and addresses of nominees for county and precinct offices along with certification by the county chair; names and addresses of nominees for statewide offices along with certification of secretary of state; election results; any additional information the secretary of state deems necessary. <p>The county chair and secretary of state shall develop a notation system to certify nominees and identify the status of each candidate. All notations will be on the website by a specified date to ensure accurate printing of ballots. HB 3118 also allows that affidavits with the county clerk, state chair, and secretary of state may be completed digitally.</p> <p>HB 3118 streamlines the canvassing process to make it more efficient, and makes information on candidates more readily available to the public by posting it online. Additionally, it encourages counties to be green and act in more environmentally friendly ways.</p>	
HB 3124 By Rep. Schofield	Relating to the use of voting stations accessible to persons with disabilities in certain elections.	Elections	<p>HB 3124 streamlines the special and runoff election process by allowing county or political subdivisions to more easily waive federal requirements for making voting stations accessible to people with disabilities. It does so by extending the deadline for requesting a disability access waiver from 90 days before the election is ordered to 10 days afterwards.</p> <p>It is undemocratic and discriminatory to bar an entire class of citizens from accessing a voting station, despite contention from some political and county subdivisions that providing disability access to voting stations is burdensome during unanticipated elections.</p>	
HB 2892 By Rep. Murr	Relating to the procedure by which a state agency may issue an opinion that a watercourse is navigable.	Natural Resources	<p>In Texas, all navigable streams, including dried streams beds, belong to the state and are available for public use. As a result, landowners have raised concerns about individuals utilizing their private property's dried stream banks to camp on. Currently, TCEQ determines whether a landowner's stream can be considered navigable or not. HB 2892 addresses landowners' concerns by allowing any state agency to offer an opinion on whether the stream portion in question can be considered navigable. To do so, the agency must have a licensed surveyor determine the boundaries of a navigable stream. Alternatively, the General Land Office may offer a written opinion on whether the contested portion is a navigable stream.</p> <p>The issuance of a state agency's opinion requires a public meeting. The meeting must be held in the county of the contested stream 45 days after putting out a written notice. Anyone negatively affected by the opinion may appeal it within 60 days by filing a petition in that county's District Court.</p> <p>This bill would make it easier for streams to be deemed unnavigable and thus unavailable for public use. However, this is concerning for indigent populations otherwise unable to find a safe place to stay for the night.</p>	
HB 2868 By Rep. Martinez, "M.", et al.	Relating to the imposition of additional fees for filing civil cases and for recording certain documents in Hildalgo County.	Judiciary & Civil Jurisprudence	<p>HB 2868 authorizes Hildalgo County to impose a fee for the planning of a new court house by imposing a fee of \$20 in the county, district, and probate courts on a 12-month cycle until October 1, 2030. A fee of \$10 will be imposed for filing with real property records.</p>	

HB 2934 By Rep. Wu, et al.	Relating to prohibiting the use of a mechanical or physical restraint on a child during a judicial proceeding in the juvenile court.	Juvenile Justice & Family Issues	Many organizations domestically and internationally contend that shackling offenders, especially juveniles, is an inhumane practice the beckons to the days of institutionalized slavery and should be abolished in practice. HB 2934 seeks to address this barbaric practice by restricting the use of shackles on juveniles during judicial proceeding. The court is afforded discretionary authority to order shackles, upon consultation with the juvenile's attorney, if the juvenile is a threat to self or others; the intent here is that the need is dire and there is no alternative to prevent harm other is available.	
HB 2999 By Rep. Landgraf, et al.	Relating to restrictive covenants regarding firearms or firearms ammunition.	Homeland Security & Public Safety	HB 2999 prevents property owners' associations from imposing limits on the firearms or firearms ammunition for individuals living on property governed by the property owners' association. HB 2999 protects the rights of gun owners from having their gun and ammunition possession, transport, and storage infringed upon. One concern is that property owners' associations generally represent the desires of the property owners, and property owners who wish to live in a gun-free environment should be able to govern that. However we are also concerned with homeowners associations restricting the rights of individuals generally, regardless of our enthusiasm with the particular subject.	
HB 3015 By Rep. Geren	Relating to production requirements for holders of winery permits; establishing minimum annual production requirements for permit holders.	Licensing & Administrative Procedures	HB 3015 establishes regulatory provisions for winery permit holders, which allow compliance within state regulatory oversight without a need for federal permit. The bill requires winery permit holders to bottle 200 gallons (or 10 cases) of wine per year for a minimum of three years. The provisions under HB 3015 are requirements that are separate and apart from facility permits. Texas is becoming a major player in the wine market, so regulatory oversight will help establish and maintain a quality brand for Texas wineries. These are the same production requirements stipulated for Texas breweries.	
HB 3256 By Rep. Farias	Relating to a database for prospective employers to qualify veterans' military service experience and employment qualifications.	Defense & Veterans' Affairs	<p>When returning to civilian life, military veterans often face very high unemployment rates; roughly 5% for men and 11% for females. These high unemployment rates are unacceptable, especially as many of our veterans learned skills in the service that could easily be transferred to civilian jobs. Linking veterans to employers that need and can use their skills has created a challenge. While a database by the Texas Workforce Commission (TWC) exists to connect trained veterans with jobs seeking their applicable skills, no employer database exists. Additionally, it can take long to verify veterans' credentials to obtain employment.</p> <p>HB 3256 mandates the TWC to develop and maintain a web-based, searchable database for prospective employers to qualify a veteran's military service experience and employment qualifications related to specific skills. This database will convert learned military skills into the civilian equivalent. Information that could identify the veteran is not to be included in the database.</p>	
HB 3608 By Rep. Guillen	Relating to the award of certain financial assistance administered by the Texas Department of Housing and Community Affairs.	Urban Affairs	<p>The HOME program, which is administered by the Texas Department of Housing and Community Affairs (TDHCA), provides grants to increase home ownership and affordable housing opportunities for Texans. It's been said that there is a significant lack of funding during the predevelopment phase of housing and difficulty in obtaining complex environmental reviews, which oftentimes is the reason for failing to submit application changes.</p> <p>HB 3608 will require TDHCA to review any substantially complete application for financial assistance, no later than the 90th day after the date of receipt of the application, and to provide to the applicant any necessary technical assistance. TDHCA is permitted to issue a community housing development organization a project-specific predevelopment loan, which will assist with development of projects. The development organization must be certified by TDHCA, and would be considered a feasible project under the terms of the federal HOME Investment Partnerships Program Recommendation.</p>	

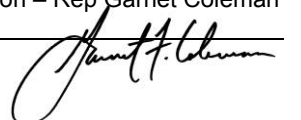
HB 3239 By Rep. Fletcher	Relating to the procedures applicable to the revocation of a person's release on parole or to mandatory supervision.	Corrections	<p>To prevent rampant overcrowding of jails, HB 3239 allows a county magistrate to release a person on bond pending their hearing if:</p> <ul style="list-style-type: none"> the person is arrested or held in custody only on an administrative violation of release charge and the division included notice on the warrant for the person's arrest that they are eligible for release on bond and the magistrate determines that the person is not a threat to public safety <p>The division will include notice of eligibility for release if the person meets the following requirements:</p> <ul style="list-style-type: none"> has not been previously convicted of: <ul style="list-style-type: none"> robbery a felony offense an offense involving family violence is not on intensive supervision or super-intensive supervision is not a fugitive is not a threat to public safety. <p>Not only does this prevent the cost of overcrowding in jails, the person in question can still be a part of society, caring for their family and being a hard working taxpayer.</p>	
HB 3324 By Rep. Larson	Relating to the requirements for obtaining an interbasin water transfer permit.	Natural Resources	<p>Texas is a vast state of differing climates, and features. At times, some parts of the state has access to more fresh water than others due to temperature, rainfall, demand or other factors. HB 3324 proposes water basin transfers based on equal or greater quantity of reclaimed or desalinated water. There would be no net loss of water to the basin of origin.</p> <p>This bill ensures an alternative water supply to dryer regions of Texas when there is a dearth of water resources, with the understanding that water will be redirected back to the source when possible. There is concern that there seem to be no limits in this bill on how much water can be diverted, and that substantial amounts may upset the delicate ecological balance of flora and fauna in the origin basin.</p>	
HB 3649 By Rep. Smith	Relating to a lifetime hunting license for certain nonresidents; authorizing a fee.	Culture, Recreation & Tourism	Lifetime hunting licenses are currently only available to Texas residents. HB 3649 extends the availability of a lifetime hunting license to non-resident landowners if their first relative has owned Texas property for at least 15 years prior to the license's purchase. This bill only affects licenses purchased after September 1, 2015 (if enacted) and previous licensee holders will not be granted a refund.	
HB 2909 By Rep. Springer, et al.	Relating to the regulation by a municipality or county of the rental or leasing of housing accommodations.	Urban Affairs	<p>Some municipalities, including Austin, have passed ordinances requiring private property owners to participate in the federal housing choice voucher program, commonly referred to as the Section 8 program. Other municipality ordinances have passed that prevent private rentals from denying an applicant based solely on their source of income, including Section 8 voucher status.</p> <p>HB 2909 repeals these ordinances. Under the bill, neither a municipality nor county may prohibit an owner, lessee, sub lessee, or assignee from refusing to lease or rent the housing accommodation to a person because of the person's income or Section 8 voucher status. Likewise, a private rental property is not required to participate in the Section 8 program.</p> <p>HUD is not responsible for any damages on behalf of voucher holders, and recouping losses after damages occur can be very difficult, especially for property owners who only own one or two rental properties. However, the existing ordinances provide for fair housing</p>	

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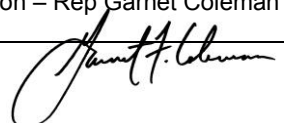
			practices. Roughly 90% of private rental properties do not accept HUD vouchers. The ability to live in economically stratified areas has a major effect on education and employment, and allowing voucher holders more freedom in determining living location is a major step in self-determination. It should also be noted that HUD does not stipulate rental amounts. HUD is responsible for a certain amount of rent per property, and the voucher holder is responsible for the remainder. If the voucher cannot account for the difference on their application, the owner does not have to rent to them. HUD is also much more prompt in payment than most individuals, which will aid those relying on said property for income.	
HB 3726 By Rep. Farias	Relating to establishing a veterans services coordinator for the Texas Department of Criminal Justice and a veterans rehabilitation dorm program for certain state jail defendants confined by the department.	Defense & Veterans' Affairs	<p>Too often our men and women returning from combat suffer from emotional and physical issues, such as PTSD and traumatic brain injury. Treatment and care at VA clinics is woefully inadequate, lending many service members to self-medicate through alcohol, tobacco, or prescription drugs. Although illicit drug use is lower among U.S. military personnel than among civilians, alcohol, tobacco, and especially prescription drug abuse is more prevalent and on the rise. Veterans who enter the criminal justice system often express addictions derived from emotional and physical suffering post-suffering.</p> <p>H.B. 3726 establishes the Veteran Dorm program, a veteran rehabilitation and transition program for certain inmates and state jail defendants confined by the TDCJ. The Veteran Dorm program is designed to mimic the squadron structure familiar to veterans. Program participation is voluntary and requires offenders to take responsibility for their criminal actions. Rehabilitation programming includes developing healthy relationships, anger management, substance abuse treatment, Alcoholics Anonymous, and Narcotics Anonymous.</p> <p>H.B. 3726 allows each veteran offender to be matched with a veteran peer coordinator. The peer coordinator helps veteran offenders upon release to safely navigate through reintegration. Peer coordinators can offer assistance in securing housing, upgrading military discharge status, enrolling for health benefits through the Veterans Benefits Administration, seek substance abuse or PTSD treatment, and access local employment services.</p>	
HB 3711 By Rep. Márquez	Relating to the administration of oaths and issuance of subpoenas in certain county or sheriff department employee grievance proceedings; creating a criminal offense.	Urban Affairs	<p>Under the Fire and Police Employee Relations Act, the arbitrator lacks the authority to subpoena necessary documents, witnesses, or administer oaths. This puts the hearing officer at a great disadvantage, and makes it difficult to perform his or her duties.</p> <p>HB 3711 will grant arbitrators or hearing officers, working under the Fire and Police Employee Relations Act, the power to administer oaths, and subpoena witnesses and documents. This power is necessary while hearing collective bargaining and grievances proceedings. Requests for subpoenas must be made at least 10 days before the date of proceedings. The hearing officer or arbitrators may not subpoena any documents of the person(s) representing the party or related case documents. Should an individual fail to comply with the subpoena, he or she will be subject to a misdemeanor offense punishable by a fine up to \$1,000 or a 30 day jail confinement. If a person fails to appear as required by the subpoena, his or her misdemeanor may be punishable by both the fine and confinement.</p>	
HB 232 By Rep. Farrar, et al.	Relating to the promotion of breast-feeding and the prohibition against interference with or restriction of the right to breast-feed; creating a civil action.	Business & Industry	<p>HB 232 affirms the right of mothers to breastfeed their children anywhere the mother and child are permitted to be. It states that a mother may not be asked to leave an area just because she started to breastfeed. State agency workplaces must develop policies that support worksite breastfeeding to retain the designation of being "mother-friendly." It further establishes that mothers should be informed of their right to breastfeed and that the Comptroller shall provide, by mail and electronically, notification to that effect at least annually. HB 232 allows that a mother may bring a civil action against any person who is alleged to have violated her right to breastfeed.</p> <p>Currently, 40% of breastfeeding moms feel anxiety about being discriminated against due to their breastfeeding. Women are often erroneously told they have to go to another room, such as a dirty restroom, to feed their babies, or otherwise told they may not feed</p>	

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			their babies in public establishments. This is most often due to proprietors of businesses being unaware of the law that allows mothers to breastfeed wherever and whenever. This bill will allow Texas law to better protect a woman’s right to breastfeed by making that right more enforceable. It will also increase awareness that it is a mother’s right to breastfeed her child anywhere she and the child are allowed to be.	
HB 3567 By Rep. Sanford, et al.	Relating to the rights of certain religious organizations and individuals relating to a marriage that violates a sincerely held religious belief.	State Affairs	<p>There is no purpose for HB 3567. The authors muse that it protects the religious freedom of the clergy, however, these protections are entirely unnecessary. Freedom of religion is a constitutional right, which is additionally protected by the Texas Religious Freedom Restoration Act. Current law already guarantees that clergy can decline to perform a marriage that they disagree with.</p> <p>However, HB 3567 does more than just redundantly enforce an existing law. Its imprecise language opens the door to confusion over implementation and costly litigation. The bill states that “a religious organization, an organization supervised or controlled by or in connection with a religious organization, an individual employed by a religious organization while acting in the scope of that employment, or a clergy or minister may not be required to solemnize any marriage or provide services, accommodations, facilities, goods, or privileges for a purpose related to the solemnization, formation, or celebration of any marriage if the action would cause the organization or individual to violate a sincerely held religious belief.” It is unclear what “celebration” or “solemnization” means under the law. In addition the bill’s broad language includes organizations like religious hospitals, adoption agencies, universities and social services agencies. It is unclear why we would need to protect adoption agencies or hospitals from performing a marriage. Further, if the Supreme Court decides that same sex marriage is a constitutional right, and these universities and hospitals receive state funds, are they able to deny same sex couples their constitutional rights? Finally, the bill does not limit blanket protection from litigation to only when clergy are acting as clergy, so if a clergyperson undertakes a civic position and denies a same sex couple rights that their marriage guarantees under the law, are they still protected?</p> <p>This bill brings up more questions than it answers, while providing the beginnings of a foundation for broad discrimination of the LGBT community. We have already seen how singling out LGBT people for discrimination has backfired in Indiana, Arizona, and Arkansas, making these states seem hostile and unwelcoming. Texas must not make the same mistake. Passing HB 3567 would give Texas a reputation for intolerance, signaling to businesses considering relocation that their LGBT employees and customers aren’t valued. Tourists may avoid our state for fear that they or their families would not be welcomed, or would face discrimination if they need hospital care or other service. If we want to stay competitive in the market, Texas can’t afford HB 3637.</p>	
HB 1222 By Rep. Lucio III	Relating to the authority of the Texas Water Development Board to provide financial assistance to political subdivisions for water supply projects.	Natural Resources	HB 1222 is a clean-up bill to provide methods of funding for certain water supply projects not funded by the Texas Water Development Board (TWDB). It authorizes the safe drinking water revolving fund to provide this funding. Currently, the projects are eligible for funding, but there is no method to actually finance them.	
HB 1260 By Rep. King, S.	Relating to creation by rule of the Department of Aging and Disability Services of a schedule of support services a state	Human Services	HB 1260 requires the Health and Human Services executive commissioner to establish a list of services that individuals with developmental disabilities can receive from state supported living centers (SSLC). The list will be used by Department Aging and Disability Services (DADS) to create, maintain, and amend a schedule of fees for services that an SSLC is allowed to charge. The fee schedules must use reimbursement rates for services under Medicaid. A public hearing must be held in order to modify a rate. Additionally, an SSLC can charge a fee for a service that wasn’t established on the fee schedule, if permitted by negotiations between	

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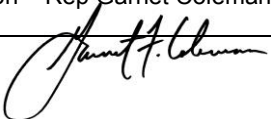
	supported living center may provide and procedures for establishing applicable fees for those services.		the center and a managed care organization. The passage of HB 1260 allows the community to be aware of the services and the fee schedules that an SSLC offers.	
HB 3304 By Rep. Darby	Relating to the temporary exemption of certain tangible personal property related to certain multi-user data centers from the sales and use tax.	Ways & Means	<p>The Department of Information Resources (DIR) employs Texas’s collective buying leverage to get cheaper software and hardware prices for state agencies. However, since these purchases are subject to sales and use taxes, this negates part of the leverage of the collective purchasing power.</p> <p>HB 3304 defines “Data center services program” as the program operated by the DIR to provide fully managed server, mainframe, and bulk print and mail services. Additionally, "state data center services provider" is defined as a person with which the DIR contracts to provide hardware, software, tools, or technical staff to state agencies or for state agency use under the data center services program. HB 3304 also exempts from sales taxes tangible personal property sold to or used by a state data center services provider if the sale or use is on behalf of a state agency and it is used to provide services to the state agency under the data center services program.</p>	
HB 1557 By Rep. Alonzo, et al.	Relating to creation of a search and rescue task force in each disaster field response region.	Homeland Security & Public Safety	HB 1557 stipulates that the Texas Division of Emergency Management shall establish and operate a search and rescue task force in each disaster field response region of the state. These task forces shall assist in search, rescue, and recovery efforts before, during, and after natural and man-made disasters. HB 1557 seeks to make search and rescue efforts more uniform and accessible across the state.	
HB 284 By Rep. Springer	Relating to the handgun proficiency required to obtain or renew a concealed handgun license.	Homeland Security & Public Safety	HB 284 allows that a handgun proficiency test required when obtaining or renewing a CHL may be completed with a handgun of .22 caliber, rather than .32 caliber, or higher. This allows the licensee to complete the proficiency test with the caliber weapon the licensee will be using on a regular basis, and allows individuals with disabilities or preferences for lower caliber weapons to complete the proficiency test successfully. The concern is that an individual may test with a .22 and elect to carry a .32 instead. Just like we don’t allow someone with a regular driver’s license to be able to drive motorcycles or 18-wheelers, it might not be wise allow someone who obtained a license for a .22 to be able to carry higher caliber weapons. If they can properly handle the higher caliber weapon, then the test should be with that weapon. Nothing prevents them from practicing with their own weapon whenever they want. If they cannot, then perhaps an amendment should be offered to make available a new .22-only CHL license.	
HB 1742 By Rep. Márquez	Relating to certain convention center hotel projects.	Ways & Means	<p>The program under which eligible central municipalities receive certain tax rebates for qualified hotel projects has a track record of producing economic development benefits for both the state and the municipalities.</p> <p>HB 1742 strikes the language that excluded El Paso from the program and returns the distance requirement back to the uniform 1,000 feet. Last session a bill was passed that unintentionally excluded El Paso from participation in the state economic development program. This bill simply allows the State of Texas to rebate El Paso’s portion of such taxes generated from the convention center hotel for a period of up to 10 years.</p>	
HB 955 By Rep. Turner, C., et al.	Relating to the creation of an offense for failing to secure certain children in a rear-facing child passenger safety	Transportation	The leading cause of death for small children is vehicle crashes. The American Pediatrics Association and prolific research have concluded that a child secured in a rear-facing car seat is much less likely to be killed or severely injured in a car accident. Many hospitals have introduced programs to educate new parents on rear-facing car seat installation and safety to ensure that a child’s head and spine are protected against fatal injury. HB 955 makes the failure to secure a child two years old or younger in a rear-facing seat a misdemeanor with a fine between \$25 and \$250. This does not apply to children under two whose height and weight exceed the seat’s	

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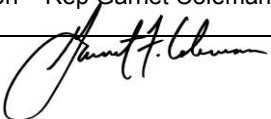


	seat system.		<p>manufacturer-set limits.</p> <p>Children under two have underdeveloped spines and musculature, meaning that upon impact in a car crash, they are at much higher risk of a severed spinal cord. Evidence supports that children under two years are 75% less likely to be severely injured or die if properly restrained in a rear-facing seat. HB 955 prioritizes a child's safety over political doctrine regarding liberty, and protects children from preventable death.</p>	
HB 1978 By Rep. Miller, R.	Relating to the requirements for a candidate's application for a place on the ballot.	Elections	<p>HB 1978 requires a candidate's application for placement on an election ballot to be signed and sworn before a notary public. An accompanying petition affidavit must also be signed by the circulator before a notary public, swearing to the fact that all petition signatures for candidacy are authentic. The bill upholds minimum standards for candidates of public office and helps to prevent fraud.</p>	
HB 986 By Rep. Capriglione	Relating to the creation of a chief innovation officer position for the Legislative Budget Board.	Government Transparency & Operations	<p>HB 986 creates the chief innovation officer position within the LBB. HB 986 may lead to improved government function and will encourage an environment that fosters creativity and use of innovation</p> <p>The chief innovation officer shall:</p> <ul style="list-style-type: none"> • Develop procedures and processes to improve government efficiency and performance; • Develop methods to improve experiences of residents, businesses, and local governments in their interactions with state government; examine inefficiencies in state government procurement and improve procurement practices; cooperate with DIR to increase use of technology by state agencies to improve services and reduce expense and inefficiency; • Provide state agency personnel with training to support innovation; • Provide state agency managers with training to support innovation; and <p>Develop and apply measures to document improvements in innovation.</p>	
HB 2449 By Rep. Turner, S.	Relating to a grant available to school districts to provide services to students residing in care and treatment facilities and residential placement facilities.	Public Education	<p>HB 2449 requires the commissioner of education to make grants available for school districts educating students residing in residential care and treatment facilities. The grants will be comprised of appropriated funds, federal funds, or other available monies. Districts are eligible for a grant if the district does not receive sufficient funds to pay for students' educational services. The grant may include the cost of training personnel to provide education services. A district receiving a grant must educate the students in the least restrictive environment that is still appropriate for the needs of students.</p> <p>Residential care and treatment facilities go further than educating students; they provide 24-hour care for individuals who have unique behavioral or cognitive needs. Current funding for these treatment or residential facilities to offer these specialized services is insufficient. This bill takes necessary measures to make sure that these children aren't neglected because of the severity of their needs.</p>	
HB 2671 By Rep. Thompson, S., et al.	Relating to penalties for certain criminal offenses regarding operating a motor vehicle; imposing a fee and changing a surcharge.	Homeland Security & Public Safety	<p>HB 2671 allows a judge to dismiss a charge of driving without a license if the defendant obtains a driver's license within 60 business days of the charge. This is not applicable to persons operating a motor vehicle without a CDL. HB 2671 also allows a judge to dismiss a charge of driving without liability insurance if the defendant obtains the minimum state mandated insurance within 20 business days of the offense. It limits any administrative fee imposed upon a dismissal of either offense to not exceed \$50. The Driver Responsibility Program (DRP) surcharge for driving with an invalid license (if there are previous convictions), with a suspended license, or without liability insurance are increased from \$250 to \$650 if it is not dismissed. The DRP surcharge for driving without a valid license is raised from \$100 to \$300.</p> <p>HB 2671 increases fines for operating a motor vehicle while intoxicated; increasing the penalty of drunk driving. Finally, the bill mandates that information about DRP, including fees associated with it, be included in all driver education curricula. HB 2671 expands</p>	

			driving offense penalties by providing drivers without a license or insurance be given an opportunity to rectify the situation before penalties are assessed, which is particularly valuable for low-income Texans. It also appropriately increases penalties if action is not taken by these offenders and increases penalties for drunk drivers. HB 2671 protects the public and provides fair penalties for various driving offenses.	
HB 3700 By Rep. Guerra, et al.	Relating to the establishment of a pilot program in certain school districts to develop computer science education and professional development opportunities.	Public Education	<p>HB 3700 requires the commissioner of education to develop and implement a computer science development pilot program. This program will allow participating districts' students to satisfy the third math or science credit of the foundation high school program by successfully completing an advanced computer science course. The participating school districts must focus the computer science course on the creation and use of software and computing, and offer increased opportunities for teachers to be certified as computer science teachers.</p> <p>Statistics have shown that our education system will not be producing enough graduates to satisfy increasing needs in STEM fields. Further, over half of STEM jobs are in computing occupations. Creating a computer science pilot program expands the career-oriented classes that a high school can offer, encouraging students to consider these in-demand STEM professions.</p>	
HB 1531 By Rep. Geren	Relating to the making and receiving of referrals for legal services by certain legislators and executive officers; creating a criminal offense.	General Investigating & Ethics	HB 1531 mandates a Class A misdemeanor for certain elected officials, including members of the legislature and executive officers elected in statewide elections, who make or receive referrals for legal services for personal financial gain. An exception is when the referral complies with State Bar of Texas rules and is evidenced by a written contract between parties. HB 1531 only applies to officials who are members of the State Bar of Texas. HB 1531 seeks to increase transparency and minimize conflict of interest issues between an individual's personal profession and an individual's responsibility as an elected official.	
HB 3191 By Rep. Phillips	Relating to the penalty for delivery of certain miscellaneous substances under the Texas Controlled Substances Act; increasing a criminal penalty.	Criminal Jurisprudence	<p>HB 3191 increases the penalty from a Class A misdemeanor to a state jail felony for adults selling or giving a controlled substance to a minor or any primary or secondary student.</p> <p>It is important to hold adults more accountable in drug transactions with minors. However, a felony is a very serious offense to have on record, and will likely bar the offender from successfully reintegrating into society. This would be especially detrimental to young adults who share drugs with their slightly younger peers and are unaware of the severity of their punishment.</p>	
HB 3974 By Rep. Darby	Relating to the records of certain disciplinary actions against health care professionals.	Public Health	<p>HB 3974 allows healthcare professionals to apply for the removal of minor disciplinary actions from their licensing entity's public website. To be eligible for expunction, the following conditions must be met:</p> <ul style="list-style-type: none">• the disciplinary action must be the only disciplinary action the health care professional has been subject of;• the disciplinary action was an administrative, clerical, or other minor violation that did not cause harm to a patient;• the disciplinary action did not result in the suspension or revocation of a license;• there is no indication that continued practice may risk harm to a patient;• the disciplinary action occurred at least five years ago. <p>This may result in decreased accountability for healthcare professions, and decreases transparency to the public.</p>	

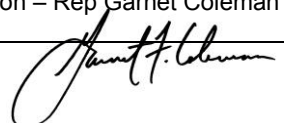


HB 2908 By Rep. Parker	Relating to authorizing patients with certain terminal illnesses and severe chronic diseases to access certain investigational drugs, biological products, and devices that are in clinical trials.	Public Health	<p>HB 2908 permits doctors to prescribe investigational or experimental drugs, devices, or biological products to patients with terminal illnesses and severe, incurable chronic illnesses with significant functional impairment or severe pain without fear of reprisal. Terminal illnesses and severe, incurable chronic illnesses shall be designated by the executive commissioner of HHSC. The executive commissioner may approve investigational treatments. Health insurance plans are not required but may elect to cover investigational treatments</p> <p>Patients with terminal or severe chronic illnesses may elect to try experimental drugs at their doctor’s advice but must give informed consent acknowledging the potential risks of taking the medication. Patients may opt to pursue non-FDA approved experimental treatments if it is shown that FDA approved treatments are unlikely to yield any improvement and/or the patient is likely to die without life-sustaining procedures.</p>	
HB 3341 By Rep. Peña, et al.	Relating to a requirement that school district superintendents report information relating to the use of restraints against students and student arrests; creating a criminal offense.	Juvenile Justice & Family Issues	<p>Around the country, there have been continuous reports of excessive police force that has resulted in the death and injury of countless young people, mostly Black and Latino. Although media attention has not been directed towards police force used in schools, schools are contracting increasing numbers of officers. As a result, incidents of restraints and arrests have grown. Students are not criminals. They expect school to be a safe place to learn, free from the intimidation of uniformed officers carrying guns where disciplinary action is administered without severe repercussions.</p> <p>HB 3341 addresses the need for greater transparency when it comes to law enforcement officials using restraint on students while on or near school grounds. HB 3341 addresses the following:</p> <ul style="list-style-type: none">• Defines restraint as the use of a baton or club, pepper spray, or a taser.• School districts are mandated to keep records of any use of restraint used by law enforcement on a student• Schools are required to notify immediately the parents of the student that restraint was used• School districts will need to enter into a memoranda of understanding with law enforcement agencies which they contract making them aware of the data collection• School districts will submit reporting data to TEA at the end of the year• TEA will compile the data and release it to the public <p>With there being a greater need for training for law enforcement working at school sites, there is an even greater need for transparency in reporting police incidents of excessive force on students.</p>	
HB 3460 By Rep. Murr	Relating to provisions in the dedicatory instruments of property owners' associations regarding display of flags.	Business & Industry	<p>Current statute indicates the types of flags a property owners’ association may not prohibit or restrict homeowners from displaying. HB 3460 adds the following to that list:</p> <ul style="list-style-type: none">• variations of a Gold Star, Silver Star, or Blue Star service flag• variations of a POW/MIA flag• any historical flag of the state of Texas <p>The property owners’ association may adopt or enforce restrictions that prohibits displaying more than 3 flags.</p> <p>A confederate flag is a historical flag of the state and a property owners’ association should have the right to restrict its display within their community. We can debate the “heritage v. hate” argument all day long, but it is a fact that many people – especially black</p>	

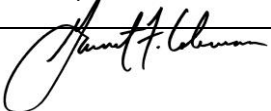


			<p>people – understandably consider the flag to be offensive. You do not have to agree that the flag is offensive in order to agree that property owners’ associations know that many people do and therefore want to restrict its use. If a property owners’ association wants to allow homeowners to fly Confederate flags, then fine. But it is completely unnecessary to prohibit them from restricting the use of a symbol that offends so many people.</p> <p>We have no problem with the other kinds of flags listed, so an amendment should be offered that specifically lists the specific historic flags the bill is referring to. There aren’t that many; it shouldn’t be hard to do.</p>	
HB 1966 By Rep. Keffer, et al.	Relating to an account or bond for construction retainage under certain contracts.	Business & Industry	<p>Our current laws require a private property owner or developer to retain 10% of the contract price on commercial construction projects until all work on the project has been performed. This “retainage” is withheld from the general and subcontractors for 30 days to ensure that terms of the contract are met and that the project is up to standard before full payment is made. However, our laws do not specify how the retainage should be kept by the developer, and as a result, this debt trickles down to the contractors who lose out on 10% of their payment. The developer borrows from the bank in order to make installment payments to contractors on the project. If they go into default, this retainage fee is lost, as the bank keeps this portion as an unfunded loan commitment – they have superior lien rights here. All contractors, who have already performed the labor, supplied equipment and materials, and otherwise fulfilled their end of the bargain, are forced to eat the amount of unmet obligations.</p> <p>HB 1966 protects contractors working on large-scale, commercial construction projects involving a borrowing developer and a bank. It exempts residential home building. The bill requires the borrowing developer to set aside the 10% retainage in a “construction trust fund” account, with contractors set up as designated beneficiaries. It extends certain rights to the beneficiaries, including access to financial statements and account records. It prohibits these trust accounts to be subject to seizure by the bank or creditor. The bill provides for an alternative method for ensuring capture of the retainage, allowing the owner/developer to purchase a surety bond. If an owner fails to comply with these provisions, a contractor/beneficiary may give 10 day notice and then has the right to suspend labor on the contract.</p> <p>While developers have voiced dissent about driving up the costs of projects, securing a bond would impose an additional 1-2% on top of the retainage amount. It’s important that contracts are taken seriously and are honored and that our laws not condone bad actors in myriad institutions. HB 1966 presents a sensible solution to more fairly balance the interests of large, risk-taking developers, rapacious banks, and the mechanics and artisans who make their ventures possible.</p>	
HB 4045 By Rep. Faircloth	Relating to the issuance of certain search warrants.	Criminal Jurisprudence	<p>HB 4045 clarifies that any magistrate may issue a search warrant in a county that does not have a municipal court of record with a courtroom located in the county. Some small counties may have only one judge forced to be on call 24/7 to issue warrants. This exception in law was created to better serve counties with such limited judicial resources. The bill provides for a more reasonable use of human resources.</p>	
HB 2477 By Rep. Miller, R.	Relating to requirements for the issuance of a driver's license or personal identification certificate.	Homeland Security & Public Safety	<p>HB 2477 mandates that personal identification certificates, or ID cards, issued by the DMV shall meet all requirements of a driver’s license except for the driving test. Currently, ID cards do not require proof that an applicant is eligible for a social security number and they do not expire for individuals over 60 years old. Under HB 2477, ID card issuance will require a social security number and ID cards of individuals age 60 or older will expire. HB 2477 further mandates that an individual may have an ID card or a driver’s license, but may not have both.</p> <p>While the idea behind HB 2477 is to bring Texas statute in line with the Real ID Act, passed by US Congress to reduce fraud, the result is</p>	

OK for Distribution – Rep Garnet Coleman



			<p>increased disenfranchisement of people who cannot obtain identification. Without identification, many areas of life for the average Texan is unnecessarily compromised:</p> <ul style="list-style-type: none">• Older adults rely on ID cards because they do not expire and it makes it easier for them to write checks.• It is difficult for older adults to access the DMV to renew their cards, especially those who no longer drive.• Parents cannot pick up their children from school or daycare because most schools require a proof of ID upon picking up a child, especially at the beginning of the school year.• Adults will not be able to vote, order a drink at a bar, pick up medications, or even enter a county courthouse. <p>HB 2477 disenfranchises vulnerable and poor populations, including the elderly, disabled (most rely on identification cards rather than driver’s licenses), and undocumented immigrants.</p>	
<p>HB 3130 By Rep. Farney, et al.</p>	<p>Relating to coverage provided by certain health plans and health benefit plans for abortions.</p>	<p>State Affairs</p>	<p>Every woman should be able to make the personal decision to privately purchase the best insurance plan she thinks is best for her and her family. A woman along with her family is in the best position to make personal decisions about personal reproductive health care. Every woman should have access to contraception to prevent unintended pregnancies, access to prenatal care to ensure healthy pregnancies and healthy children, and if necessary, access to a safe and timely abortion. When it comes to one’s care, health and safety should always come first. HB 3130 is a political interference with the free market health care exchange and a woman’s personal right in making medical decisions.</p> <p>State removal of insurance coverage for abortion from the health insurance exchange creates a barrier to safe medical care. These barriers can lead to delays in care and increase health risks. Banning insurance coverage for abortion from the exchange means that a pregnant woman may not be able to access a licensed, qualified health provider in a timely manner. Every pregnancy is different and we must respect physicians to treat their patients and trust families to make the decisions that are best for them.</p> <p>Many things can happen in pregnancy that are beyond a woman’s control, which certainly beyond her comprehension to predict at the time she purchases insurance. For this reason, it is important to ensure every woman has coverage for all her health care needs. If a woman needs to end her pregnancy, it is important that she has access to safe medical care. HB 3130 provides very narrow exceptions when a pregnant woman is at risk of dying or serious bodily impairments will result from the pregnancy. There is exception for pregnancies that are the result of sexual assault. A woman facing an unintended pregnancy should not have to make the decision about whether or not to end her pregnancy based on what procedures her health insurance covers – it should be based on what is best for her health and her family’s circumstances. Further, a physician’s ability to treat patients should be according to best medical judgment and the needs of the person they treat.</p> <p>Restrictions on abortion coverage have a disproportionate impact on low-income Texans, Texans of color, immigrant Texans, and young Texans. A woman participating in the health insurance exchange’s health care services should not receive inferior services that are available to a woman with more money. A woman in Texas who buys health insurance should be able to expect ALL procedures to be covered by her health insurance without carve-outs for specific health care or the necessity to buy a rider in order to get full coverage for the range of health care she might need. Simply put: All insurance coverage should provide a full range of legal medical procedures, including abortion, so a woman can make the best decision for her circumstances.</p> <p>HB 3130 states that abortions cannot be offered with plans on the healthcare exchange—period It further states, on an individual or group plan, abortion coverage can only be offered separately from regular coverage if an immediate</p>	



		<p>abortion is necessary to prevent death, or a delay in performing an abortion creates a serious risk of substantial and irreversible physical impairment of a major bodily function. The separate coverage available requires a separate signature and a separate premium. The state then determines how the premium is calculated with the following directive: A health benefit plan issuer that provides coverage for abortion shall calculate the premium for the coverage so that the premium fully covers the estimated cost of abortion per enrollee, determined on an average actuarial basis, and may not provide a premium discount to or reduce the premium for an enrollee for coverage other than coverage for abortion on the basis that the enrollee has health benefit plan coverage for abortion.</p> <p>This bill is insulting to every woman, and everyone who respects them. This is a perverse manipulation of the intent of medical care, unabashedly wielded by the very representatives that are sworn to serve and protect us.</p> <p>In matters of health care, an individual will always be in a better position than the Legislature to evaluate what care is best for them and their family.</p>	
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