



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

### LSG Floor Report For Postponed Business – Wednesday, May 20, 2015

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<b>SB 1173</b> By Sen. Nichols  SP: Rep. Phillips	Relating to commercial driver's licenses and commercial learner's permit and the operation of commercial motor vehicles; creating a criminal offense; amending provisions subject to a criminal penalty; authorizing fees.	Transportation	<p>In 2008, a commercial bus operating in violation of safety rules made national news by losing treading and crashing in north Texas. 17 people died and 39 were seriously injured. Potentially tragic incidents such as these, along with new federal updates to the Commercial Motor Vehicle Safety Act of 1986, necessitate SB 1173. The bill revises state law to comply with tightened federal minimum standards regarding the issuance of commercial driver's licenses and permits. Major provisions of the bill include:</p> <ul style="list-style-type: none"> <li>• Changes the definition of Commercial Driver Learner's Permit and Driver License (CDL) to address the new Commercial Learner's Permit (CLP)</li> <li>• Requires each applicant to obtain a CLP and hold it for a minimum of 14 days before obtaining a CDL</li> <li>• The CLP must be a separate document from the CDL or non-CDL</li> <li>• CLP's must contain the same information as a CDL</li> <li>• CLP's may only have certain endorsements for purposes of training</li> <li>• Strengthens the legal presence requirements and increases documentation for the issuance of a CDL and CLP applicants to demonstrate legal presence in the United States</li> <li>• Limits the renewal period for CDLs and CLPs</li> <li>• Identifies when an applicant must surrender a CDL or CLP</li> <li>• Revises the term "Non-Resident CDL" to "Non-domicile CDL"</li> <li>• Establishes a process to downgrade commercial drivers that do not comply with federal medical requirements</li> </ul> <p>With the tightened standards mandated by SB 1173, commercial bus drivers will be more properly trained in both driving and safety rules. Compliance with federal standards will also ensure that valuable federal highway funds will not be lost. Noncompliance would result in an expected loss of \$233,548,495 in federal funds over the 16-17 biennium.</p>	<b>Favorable</b> Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org
<b>SB 268</b> By Sen. Watson, et al.  SP: Rep. Anchia	Relating to the duties of a magistrate to inform an arrested person of consequences of a plea of guilty or nolo contendere.	Criminal Jurisprudence	<p>SB 268 adds to the <i>Miranda</i> warning, requiring a magistrate to notify a non-citizen defendant that pleading guilty or "no contest" to a misdemeanor offense may affect that defendant's immigration status and result in deportation. For felony proceedings, this admonishment is already required. SB 268 provides uniformity to ensure that defendants understand the consequence of their pleas in all criminal cases, upholding fair due process. This is critical to properly administering justice in misdemeanor cases because defendants are rarely assigned court-appointed counsel and would have no way to know that what might appear on its face to be a favorable plea bargain could dramatically jeopardize a life with their family, the opportunity to be naturalized, and have other life-altering implications. SB 268 closes a gaping loophole to equitable due process by enabling non-citizens to make informed pleas.</p>	<b>Favorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org

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<p><b>SB 1282</b> By Sen. Eltife  SP: Rep. Parker</p>	<p>Relating to the regulation of consumer credit transactions and the regulatory authority of the Office of Consumer Credit Commissioner; amending provisions subject to a criminal penalty.</p>	<p>Investments &amp; Financial Services</p>	<p>SB 1282 is a technical corrections bill for the Office of Consumer Credit Commissioner (OCCC). It enables the commission’s duties to be performed more effectively and with oversight. Below are the key changes:</p> <ul style="list-style-type: none"> <li>• makes clarifications and improvements to regulatory procedures and replaces regulatory burden, providing compliance alternatives</li> <li>• revises the necessary statutory to allow the OCCC to maintain regulation of the credit industry</li> <li>• allows the OCCC may release confidential examination or investigation in certain circumstances</li> <li>• changes various Finance code provisions</li> <li>• allows a car dealer to add accessories and services related to the sale to itemized charges, where current law restricts</li> </ul> <p>The bill removes a research component that is currently required of the Office of Consumer Credit Commissioner. This research component requires that the consumer credit commissioner to plan a program that addresses alternatives to high-cost lending in Texas. Removing this section reduces the transparency and accountability that financial and lending services severely need.</p>	<p><b>Will of the House</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
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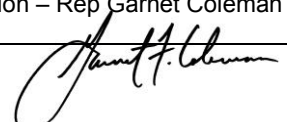
**LSG Floor Report For Constitutional Amendments Calendar – Wednesday, May 20, 2015**

<p><b>SJR 22</b> By Sen. Creighton, et al.  SP: Rep. Ashby</p>	<p>Proposing a constitutional amendment relating to the right to hunt, fish, and harvest wildlife.</p>	<p>Culture, Recreation &amp; Tourism</p>	<p>SJR 22 will amend the Texas Constitution to ensure the right to hunt, fish, and harvest wildlife in accordance with current laws. This “right” would be enshrined in the state’s Constitution along with other provisions guaranteeing the right to assembly, equal rights, and freedom to worship. Frankly, it’s just weird. Yes, Texas has a “rich and vibrant” hunting tradition. So does every other state. Hunting or fishing isn’t going anywhere and hopefully neither is this SJR.</p> <p>If you respect our state’s Constitution, don’t treat it like a toy.</p> <p>More importantly, the SJR language is imprecise and causes more problems than the zero it solves. We do not know what the “traditional methods” for hunting are that are explicitly guaranteed, nor are we comfortable with the qualification that the laws to which these new hunting/fishing rights are subject are apparently only those “to conserve and manage wildlife.” Any cursory reading of this SJR will make obvious the potential for unintended consequences. The absolute best-case scenario for this SJR is that it will be a harmless and odd addition to our state’s most important document. Look at Article I of our Constitution and see if you can find any other provision as silly as this one. There isn’t any; let’s not start now.</p>	<p><b>Unfavorable</b> Evaluated by: Amanda Foster 512-763-0031 amanda@texaslsg.org</p>
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**LSG Floor Report For General State Calendar – Wednesday, May 20, 2015**

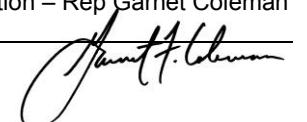
<p><b>SB 18</b> By Sen. Nelson, et al.  SP: Rep. Zerwas</p>	<p>Relating to measures to support or enhance graduate medical education in this state, including the transfer of certain assets from the Texas Medical Liability Insurance Underwriting Association to the</p>	<p>Higher Education</p>	<p><b>SB 18 establishes a permanent fund to support graduate medical education in Texas</b>, which will be made up of appropriated funds from the legislature; gifts and grants contributed to the fund; and returns received from investment of money in the fund. The fund will be managed by the Texas Treasury Safekeeping Trust Company. Grant money shall be distributed only to institutions that comply with all reporting requirements. SB 18 provides Graduate Medical Education Planning and Partnership Grants to medical sites that are developing, or want to develop, new graduate medical education programs that include first-year residency positions. Grants will be distributed through a competitive process where innovation is rewarded. SB 18 provides that, under certain conditions, critical health shortage areas will be prioritized when awarding grants.</p> <p>SB 18 additionally mandates that the comprehensive health professions resource center conduct research: to identify medical</p>	<p><b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
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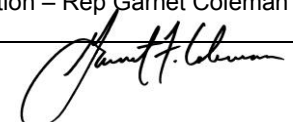
	permanent fund supporting graduate medical education and the authority of the association to issue new policies.		specialties and subspecialties that are at critical shortage levels, and where they are at shortage levels; and reviewing the overall supply of physicians in the state and the ability of the state to meet current and future healthcare needs. It requires that an actuarial study be conducted to determine the amount of assets needed for: the Joint Underwriting Association’s insurance claims and costs associated with the claims; and the administrative expenses of the Joint Underwriting Association, including liabilities for employee retirement plans. Any assets held by the Joint Underwriting Association not expressly needed for the two above needs shall be transferred to the permanent fund to support graduate medical education. It allows the Commissioner of Insurance to prohibit the Association from issuing new insurance policies if the Commissioner deems it necessary, based on the actuarial study, notice, and hearing. <b>SB 18 aims to enhance graduate education and make it easier to fill residency spots in Texas, therefore keeping medical professionals in Texas rather than outsourcing them to other states after we have trained them.</b>	
<b>SB 24</b> By Sen. Zaffirini, et al.  SP: Rep. Zerwas	Relating to training for members of the governing board of a public institution of higher education.	Higher Education	<b>SB 24 updates training requirements for members of governing boards of public institutions of higher education.</b> Specifically, within the first year a person is on the governing board of a university or college, he/she must attend at least one training program as described in statute. Board members who hold an appointed position within the board must attend, as soon as possible after being appointed, an intensive short orientation course and any available training course sponsored or coordinated by the office of the governor with a curriculum designed for training newly appointed state officers, board members, or high-level executive officials.  New board members who hold an appointed position and whose first year of service began on or after September 1, 2015 are prohibited from voting on budgetary or personnel matters until the intensive short orientation course is completed. The orientation must include: training on ethics; training on limitations on the authority of the governing board; training on FERPA requirements; and all other requirements currently in statute. SB 24 lays out requirements for the intensive short orientation course, including best practices of general academic teaching institutions and university systems; best practices of governing boards and administrators for general academic teaching institutions and university systems; and ethics, conflicts of interest, and board member roles within the governing structure. <b>SB 24 improves the training requirements of board members for higher education governing boards, which will translate to better, more capable board members for our colleges and universities.</b>	<b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
<b>HB 918</b> By Sen. Nichols  SP: Rep. Otto	Relating to the procedure for claiming an exemption from ad valorem taxation of the property of a veteran's organization.	Ways & Means	The annual application for veteran's organizations, such as the American Legion and Veterans of Foreign Wars (VFW's), can be an unnecessary hardship on these organizations whose executive board typically changes annually. SB 918 simplifies the property tax exemption procedures for veteran's organizations, so that once allowed, the claim does not need to be filed in subsequent years unless the property changes ownership or the person’s qualification for the exemption changes. The chief appraiser retains the right to confirm the person or agency’s current qualification for the exemption by delivering a written notice that a new application is required, accompanied by an appropriate application form.	<b>Favorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org
<b>SB 367</b> By Sen. Garcia  SP: Rep. Geren	Relating to the unauthorized use of an alcoholic beverage permit or license; providing a criminal penalty.	Licensing & Administrative Procedures	SB 367 will create an enforcement mechanism for TABC to criminally penalize individuals who lawfully acquire a TABC permit or license, and fraudulently grant a third party unlawful use of the permit or license in an alcohol-serving establishment; the bill also applies penalty to the unauthorized user. Currently, if an authorized user is unlawfully displaying a TABC permit or license, TABC only has authority to remove the placard. Law enforcement officials testified that while some applicants are coerced into the process by unauthorized users, applicants are typically solicited by unqualified individuals, who in return generously pay the applicant in exchange for the permit or license. Law enforcement has also seen a link between some fraudulently obtained permits or licenses and illegal business operations that include drug and human trafficking, and affiliation with illegal gangs.  Under SB 367, an applicant and unauthorized user convicted of fraudulent permit or license use will be subject to a Class B misdemeanor with a fine up to \$2000 and/or 180 days in jail; violators with a prior conviction for the same offense will receive an enhancement charge of a Class A misdemeanor with a fine up to \$4000 and/or one year of jail. Convicted offenders would be ineligible	<b>Favorable</b> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org

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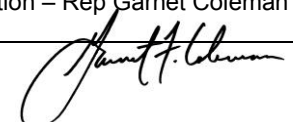


			<p>for reapplication for a period of five years.</p> <p>TABC has a rigorous application process for permit and licenses, including a comprehensive list of prohibited offenses that would bar an applicant from the process. Offenses include: (1) a felony conviction within the past 5 years; (2) unpaid tax burden; and (3) undocumented status. SB 367 looks specifically to the parties involved with the intention to break the law and will allow unknowing violators to make necessary corrections without prosecution.</p>	
<p><b>SB 795</b> By Sen. Perry, et al.  SP: Rep. Klick</p>	<p>Relating to establishing an interstate voter registration crosscheck program.</p>	<p>Elections</p>	<p>SB 795 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 voting 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 common 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. This system could prevent a valid voter from exercising their right to vote, depending on the timeline for resolving a residency issue.</p> <p>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 remove oneself from 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, SB 795 proposes a cumbersome process that creates problems where none may exist. We need all of those who move to Texas to vote.</p>	<p><b>Unfavorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p><b>SB 789</b> By Sen. Eltife  SP: Rep. Geren, et al.</p>	<p>Relating to the authority of certain municipalities to provide sewer service to areas within the municipal boundaries without obtaining a certificate of public convenience and necessity.</p>	<p>Urban Affairs</p>	<p>SB 789 permits the municipality of Tyler to provide sewer service to areas within its boundaries without obtaining a certificate of public convenience and necessity from the Texas Commission on Environmental Quality (TCEQ). This will allow the municipality to serve all its residents despite certain areas already being certified to another retail public utility. Residents who already pay taxes to the municipality will then have a choice in who provides their sewer service.</p> <p>The municipality will give 30 day notice to a public retail utility company if it intends to begin servicing their area. The retail public utility will have the option of petitioning the Public Utility Commission of Texas (PUC) to decertify its certificate for the area served or discontinue services, providing there will be no interruption of services.</p>	<p><b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p><b>SB 734</b> By Sen. Fraser  SP: Rep. Cook</p>	<p>Relating to the setting of annual interest rates for utility deposits by the Public Utility Commission of Texas.</p>	<p>State Affairs</p>	<p>SB 734 alters the current statute to allow the Public Utility Commission of Texas to set the annual interest rate on or before each December 1. Currently, they have to set it on December 1 or the next regular workday if December 1 is a Saturday, Sunday, or legal holiday. This will allow the commission some flexibility as to when they can set the interest rate.</p>	<p><b>Will of the House</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

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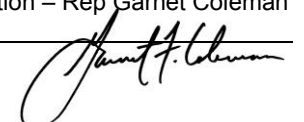


<p><b>SB 755</b> B Sen. Taylor, V., et al.  SP: Rep. Button</p>	<p>Relating to the application of the sales and use tax to certain computer program transactions.</p>	<p>Ways &amp; Means</p>	<p>Computer programs are regularly purchased from vendors by Internet Hosting Providers so that they can turn around and sell the right to use that unaltered program to end users. SB 755 seeks to categorize certain kinds of those sales as sale for resale so that they can receive a sales tax exemption.</p> <p>To qualify, the provider must offer the end user a selection of computer programs that are available to the public for purchase directly from the vendor and execute a written contract with the end user that specifies the name of the computer program sold, and include a charge for computing hardware.</p> <p>The bill applies if the end user purchases the right to use the computer program from the provider through the acquisition of a license and the provider does not retain the right to use the computer program under that license. This is the case despite the performance by the provider of routine maintenance of the computer program that is recommended or required by the unrelated vendor of the computer program.</p> <p>This bill has a \$2.8 million fiscal note for the biennium and would be one of many tax exemptions or tax reduction bills proposed and/or passed this session. Cumulatively, these bills mean a substantial cut to our revenue and our ability to fund education, healthcare, and antipoverty measures for the people of Texas.</p>	<p><b>Unfavorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p><b>SB 1734</b> By Sen. Uresti, et al.  SP: Rep. King, T.</p>	<p>Relating to the eradication of Carrizo cane along the Rio Grande River.</p>	<p>Agriculture &amp; Livestock</p>	<p>Carrizo cane is an invasive plant brought from Europe in the 1820s to help control erosion in California's drainage canals and has since spread to stream and riverbeds all throughout the southwestern United States. This plant does not provide any food sources or nesting habitats for wildlife. Replacement of native plant communities by Carrizo cane results in low quality habitat and altered ecosystem functioning. Eradication has been difficult, as the plant is one of the fastest growing in the world, up to 4 inches a day.</p> <p>SB 1734 will require the State Soil and Water Conservation Board to develop and implement a program to eradicate Carrizo cane along the Rio Grande River.</p>	<p><b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p><b>SB 904</b> By Sen. Hinojosa, et al.  SP: Rep. Darby</p>	<p>Relating to exempting emergency preparation supplies from the sales and use tax for a limited period.</p>	<p>Ways &amp; Means</p>	<p>SB 904 encourages emergency preparation by providing sales &amp; use tax holiday for emergency preparation supplies. The holiday would begin 12:01 a.m. on the Saturday before the last Monday in April and ending at 12 midnight on the last Monday in April. The bill lists the specific emergency preparation items and range of cost that would allow them to be eligible for the tax exemption.</p> <p>With climate change not being addressed by the nation, or the state of Texas, it is hard to mitigate the damage of the frequent and continuing natural disasters across our region. This bill provides motivation for Texans to help themselves by preparing for the almost certain disasters of the future.</p>	<p><b>Favorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p><b>SB 1902</b> By Sen. Perry, et al.  SP: Rep. Herrero</p>	<p>Relating to the eligibility of criminal defendants for an order of nondisclosure of criminal history record information; authorizing a fee.</p>	<p>Criminal Jurisprudence</p>	<p>Current law greatly limits who is eligible for an order of nondisclosure, which restricts access to criminal history information related to a specific crime. SB 1902 thoughtfully expands eligibility for orders of nondisclosure to facilitate successful securement of employment and housing for those individuals charged with low-level or non-violent offenses.</p> <p>The bill makes eligible persons discharged or dismissed after being placed on deferred adjudication community supervision for a misdemeanor offense, <i>except for offenses of kidnapping, unlawful restraint, smuggling of persons, an assaultive or sexual offense, family violence, a disorderly conduct or related offense, public indecency, organized crime, a weapons offense, or a misdemeanor if an affirmative finding was filed in the papers of the case.</i> The order of nondisclosure would also not apply to individuals previously convicted of or placed on deferred adjudication community supervision for another offense, except for a fine-only traffic offense. The bill requires that for these eligible individuals placed on community supervision deferred adjudication for <b>low-level or nonviolent</b></p>	<p><b>Favorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>



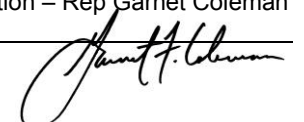
			<p><b>offenses</b>, the court must issue an order of nondisclosure 180 days after the individual was placed on deferred adjudication community supervision. The bill allows the individual to submit evidence to support nondisclosure and <b>authorizes them to pay a \$28 fee for the order to be issued.</b></p> <p>SB 1902 expands eligibility for an order of nondisclosure to include individuals convicted of certain misdemeanors and placed on community supervision, who have satisfied the requirements of their supervision. This includes individuals who may have been confined for their misdemeanor, but who have successfully completed and adhered to the terms of their supervision without revocation. Again, this would not apply to those with priors, except for fine only traffic offenses, and the bill firmly exempts organized criminal activity and certain alcohol or intoxication-related offenses. The bill provides for the same prohibitions for nondisclosure already stated in law and <b>adds family violence and human trafficking convictions to those that should not be eligible for nondisclosure.</b></p> <p>The bill provides that those who have been granted nondisclosure need not divulge that they have been involved in any criminal proceedings on an employment application. It allows for the disclosure of record information to other criminal justice agencies as is protected under current law. It further requires the court to notify eligible defendants of their right to petition for nondisclosure.</p> <p>SB 1902 then extends non-disclosure to first-time, non-violent, non-family-violence, and non-sexual offenders who have been convicted to community supervision or incarceration and have met all terms of their sentencing. It allows for those individuals to have a chance at being called back for a job interview or for being considered for housing. <b>SB 1902 rectifies the unjust policy that one should successfully satisfy all terms of a sentence and still be subject to disenfranchisement and to perpetual collateral consequences.</b> It provides an alternative framework for non-disclosure that promotes greater participation in the economy and in society.</p>	
<p><b>SB 667</b> By Sen. Eltife  SP: Rep. Smithee</p>	<p>Relating to reinsurance, distributions, and pooling arrangements by captive insurance companies.</p>	<p>Insurance</p>	<p>Texas has become a destination state for many fortune 500 and fortune 50 companies in the last several years. However, Texas has lagged far behind other states in allowing large companies to establish captive insurance companies, which are companies established for the purpose of self-insurance. Currently, Texas has only allowed a handful of large businesses, who already had captive insurance, to operate these companies. They have been shown as solvent, and have exceeded expectations. Because the allowance of captive insurance is only limited to a few companies, several other companies are either dissuaded from coming to Texas, or have established captive insurance companies outside of the state.</p> <p>SB 667 addresses this by expanding captive insurance to allow more companies access to our markets. Smaller, less competent companies, who lack the resources to pass current solvency standards, will be allowed to pool risk with other small captive insurance companies. This will broaden the risk, resources, and reserves. More companies that cannot participate in the captive system will be able to. Captives could, with TDI approval, accept or cede risk, and take credit for reserves on risk ceded to other risk pools in affiliated captives. Current TDI standards of solvency and procedure will apply.</p>	<p><b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p><b>SB 1389</b> By Sen. Lucio, et al.  SP: Rep. Lucio III</p>	<p>Relating to the border commerce coordinator.</p>	<p>International Trade &amp; Intergovernmental Affairs</p>	<p>SB 1389 expands the responsibilities for the border commerce coordinator position in the governor’s office or the office of the secretary of the state. Under the bill, the border commerce coordinator is additionally responsible for:</p> <ul style="list-style-type: none"> <li>• studying the flow of commerce between Texas and Mexico and planning to aid and improve the movement of commercial vehicles across the border</li> <li>• identifying problems and developing recommendations regarding border truck inspections</li> <li>• developing initiatives to address the congestion at border points of entry</li> </ul>	<p><b>Favorable</b> Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>

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			<ul style="list-style-type: none"> <li>providing recommendations to increase trade, expand border industries, and address workforce training needs</li> <li>working with American and Mexican local governments to provide a report to the legislature regarding key border commerce issues</li> </ul> <p>The border commerce coordinator’s new duties added under SB 1503 are essential to address and bolster the burgeoning amount of business between Texas and Mexico.</p>	
<p><b>SB 1465</b> By Sen. Watson  SP: Rep. Phillips</p>	<p>Relating to creating limited purpose disaster declaration authority for the governor.</p>	<p>State Affairs</p>	<p>SB 1465 adds a section to the Government code to allow for a limited purpose disaster declaration. For example, when issuing an emergency declaration in response to the drought, it's not necessary to invoke all provisions under Chapter 418. In response to situations such as a wildfire or drought, it would be more appropriate to use a limited purpose disaster declaration.</p> <p>SB 1465 makes allowances if the governor determines that a disaster can be adequately addressed without invoking all the powers and duties for disaster declaration, by issuing a limited purpose disaster declaration invoking only the authority to:</p> <ul style="list-style-type: none"> <li>suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of a state agency if strict compliance with the provisions, orders, or rules would in any way prevent, hinder delay necessary action in coping with a disaster and</li> <li>waive or suspend a deadline imposed by a statute or the orders or rules of a state agency on the political subdivision, including a deadline relating to a budget or ad valorem tax, if the waiver or suspension is reasonably necessary to cope with a disaster</li> </ul>	<p><b>Favorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p><b>SB 1511</b> By Sen. Hancock  SP: Rep. Collier</p>	<p>Relating to the establishment and governance of certain regional transportation authorities.</p>	<p>Transportation</p>	<p>Currently, governance of regional transport authorities’ subregional boards is determined by the most recent federal census count in the subregion’s principal municipality. Federal census counts are conducted every five years. Since the last census was conducted in 2010, many Texan cities’ population have grown significantly, such as Fort Worth. SB 1511 updates statute to reflect this growth. In this way, subregional boards may continue to operate within their municipalities’ population brackets.</p> <p>To accomplish this, the bill increases the population threshold of a subregion’s principal municipality from 800,000 to 1.1 million. The bill also adjusts the number of board members proportionate to population growth. It mandates that municipalities with 10,000 or fewer who withdraw from their authorities by election forfeit all real estate fully or partially owned. The bill specifies criteria for these withdrawn municipalities’ further financial obligations. SB 1511 makes a necessary revision to statute.</p>	<p><b>Will of the House</b> Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>
<p><b>SB 130</b> By Sen. West  SP: Rep. Canales</p>	<p>Relating to the eligibility of criminal defendants for an order of nondisclosure; authorizing a fee.</p>	<p>Criminal Jurisprudence</p>	<p>Current law prohibits an order of non-disclosure of criminal history for cases that have been set aside but allows them for cases receiving deferred adjudication. A convicted individual is even able to restrict disclosure after a pardon is sought and granted. SB 130 rectifies these inequities and expands eligibility for nondisclosure to include defendants placed on community supervision, <b>whose cases were subsequently dismissed</b>. Without such a substantive revision to law, a criminal background check will continue to reveal the dismissed case though the individual was not convicted of the crime. This can have grave implications for a defendant’s employment and housing and impede their chances of a meaningful and successful life.</p> <p>SB 130 enables a defendant placed on community supervision for a conviction that has been subsequently set aside by a court, <i>and not convicted of the offense</i>, to petition the court for an order of nondisclosure. So long as the defendant meets all requirements as stipulated in law, the court, after giving notice to the state, providing an opportunity for a hearing, and determining that the defendant is entitled to nondisclosure, is required to prohibit criminal justice agencies from disclosing criminal history record information related to the offense in question. The bill permits disclosure of such information to criminal justice agencies for certain purposes. A defendant is only allowed to petition for an order of non-disclosure after their conviction has been set aside, if for a misdemeanor conviction, and</p>	<p><b>Favorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

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			<p>after the fifth anniversary of their conviction being set aside, if for a felony conviction.</p> <p>The bill permits a defendant who has received an order of nondisclosure to deny the occurrence of the criminal proceeding, rather than just the arrest and prosecution, unless the information is being used against them in a subsequent criminal proceeding. SB 130 makes a revision to licensing restrictions statute to clarify that for purposes of employment in financial institutions, such institutions should have access to restricted criminal history.</p> <p>Records, including verdicts that have been set aside, might be useful in adjudication of future offenses or for criminal justice purposes but should otherwise be sealed. Without addressing this issue, we are possibly undermining the intention to set aside the verdict of the case in the first place. SB 130 promotes stability, reduces recidivism, and provides for greater participation in the economy and in society.</p>	
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**LSG Floor Report For Postponed Business Until 12:00pm – Wednesday, May 20, 2015**

<p><b>HCR 109</b> By Rep. Paul, et al.</p>	<p>Urging Congress to encourage the Department of Defense to relocate the United States Africa Command to Ellington Field Joint Reserve Base in Houston.</p>	<p>State &amp; Federal Power &amp; Responsibility</p>	<p>In 2007, the United States Africa Command (AFRICOM) was created as one of six of the US Defense Department’s geographic combatant commands. It is responsible for maintaining US Defense Department operations, exercises and security in Africa, as well as maintaining military relations with African countries, the African Union, and African regional security organizations. When established, its headquarters was temporarily placed in Stuttgart, Germany. It was planned to be moved to Africa, but remained in Germany due to costs and diplomatic issues.</p> <p>HCR 109 urges US Congress to move AFRICOM from Germany to the Ellington Field Joint Reserve Base in Houston. Its move is estimated to save the Pentagon \$60 million to \$70 million a year. Moving expenses are likely to be recouped within two to six years. Further, the Ellington Field base is equipped to handle military aircraft. It also houses military from all five US armed services, some of which already conduct training and missions for AFRICOM. Houston is the ideal stateside location because of its port access and its strong cultural, educational, medical, and diplomatic ties with many African nations. Additionally, AFRICOM’s move is likely to generate economic benefits for Texas and the city of Houston.</p>	<p><b>Favorable</b> Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>
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