



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

### LSG Floor Report For Postponed Business – Sunday, May 24, 2015

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<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	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.	<b>Favorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
<b>SB 1070</b> By Sen. Hinojosa  SP: Moody	Relating to allowing certain defendants to successfully complete education at a substance abuse treatment facility in lieu of attending an education program; changing required conditions of community supervision for certain defendants.	Criminal Jurisprudence	A defendant convicted of certain intoxication offenses is required to attend an educational program on the dangers of substance abuse as part of their community supervision. SB 1070 requires a judge to waive certain educational requirements for a defendant who has been mandated to undergo treatment as a resident of a substance abuse treatment facility as a condition of community supervision and successfully completes equivalent education as a part of that treatment. The bill transfers the responsibility to approve, certify, and provide training for educational programs and equivalent education from TABC to DSHS.  Under the bill, the director of the residential treatment facility is required to notify DPS once the individual has successfully completed equivalent education, so that DPS may include that information the person’s driving record. DPS must also reinstate the individual’s license upon completion of the education and upon receipt of payment an applicable fee.  The educational component of treatment should satisfy any condition of community supervision. Often substance abuse treatment facilities provide a more holistic and intensive approach to substance abuse education that is coupled with other rehabilitative work for successful behavior modification. <b>The bill will save a defendant the expense of redundant education and lost wages.</b> Further, the bill places administration of educational programs within the purview of DSHS, which can more appropriately assess program curriculum and standards.	<b>Favorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
<b>SB 1735</b> By Sen. Birdwell, et al.	Relating to tuition and fee exemptions at public institutions of higher education for certain military personnel and	Higher Education	<b>This bill limits the Hazelwood Act; the benefits will not apply to those who need the most help. We made the decision to help veterans who have served our country and we are now being asked to abandon our commitment just because it became more difficult. This is wrong.</b>  SB 1735 limits the Hazelwood Act provision of tuition and fee exemption in higher education to only apply to military members and	<b>Unfavorable Unless Amended</b> Evaluated by: Paige Reitz 512-763-0031

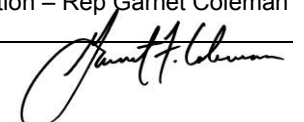
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<p>SP: Rep. Zerwas</p>	<p>their dependents.</p>	<p>their families who are permanent residents of Texas, as defined in the bill. If a qualifying spouse or child is applying for tuition and fee exemption under Hazelwood and was not born in Texas, they must have lived in Texas for the last 8 years continuously before the first day of the first semester in which the individual is attending an institution of higher education and wants the exemption to apply.</p> <p>For a military veteran to bequeath their Hazelwood exemption to a child, the veteran must have served at least six years on active duty excluding training periods. Additionally, Hazelwood exemptions will only be granted if the first class date is before the 15<sup>th</sup> anniversary of the person's or parent's discharge from the military. SB 1735 removes graduate education from qualifying for Hazelwood, requires undergraduate students to maintain a 2.5 GPA or better, and states that students must take 24 academic credits per year to qualify in undergraduate studies. SB 1735 requires FAFSA to be completed by Hazelwood recipients so that they take advantage of any grants available, but does not require them to take out any loans or allow the school to compel them to take out loans. These grants shall be used before the exemption and, if they equal or exceed exemption amounts, Hazelwood exemptions shall not be granted. Individuals getting Hazelwood exemptions and in class prior to the 2016 fall semester are exempted from the new requirements.</p>	<p>paige@texaslsg.org</p>
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**LSG Floor Report For Major State Calendar – Sunday, May 24, 2015**

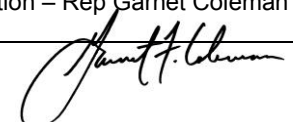
<p><b>SB 200</b> By Sen. Nelson, et al.  SP: Rep. Price, et al.</p>	<p>Relating to the continuation and functions of the Health and Human Services Commission and the provision of health and human services in this state.</p>	<p>Human Services</p>	<p>The Sunset Advisory Commission reviewed all the health and human services agencies to consider improvements to the agencies individually and the commission as a whole. Sunset reported that there were deep issues with accountability, policy disconnects, and lost efficiency. From those findings, Sunset originally proposed a massive “mega-agency” consolidation of all five HHS agencies to take place within a one-year time period. After significant input from stakeholders and review from the task force appointed by the Governor, the bill has taken an appropriate shift that offers a slower approach to consolidate only two HHS agencies. <b>Therefore, the current version of this bill is an acceptable reorganization of the HHS agencies.</b></p> <p>The major provisions of SB 200 are the following:  <b>Consolidation and reorganization of health and human services agencies and entities.</b> The consolidation of HHSC, DADS, and DARS will take place in two phases occurring before 2017.  The <u>first phase</u> transfers all functions of the following agencies: DARS; the Health and Human Services Council; the Aging and Disability Services Council; the Assistive and Rehabilitative Services Council; the Family and Protective Services Council; the State Health Services Council; the Office for the Prevention of Developmental Disabilities; and the Texas Council on Autism and Pervasive Developmental Disabilities.  The <u>second phase</u> transfers all functions of DADS, the regulatory functions of DFPS and DSHS, as well as the functions related to state-operated institutions under DSHS.  Under the consolidated system, separate divisions would be created to house specific services; these divisions are: Office of Inspector General, Medical and Social Services, State Institutions, Administration, and Regulatory. Additionally, a Legislative Transition Oversight Committee and a Policy and Performance Office would assist in the reorganization, as well in the performance and managing the changes. Under SB 200, the consolidated HHSC continues for 12 years, and continues DFPS and DSHS for 8 years.  <b>Makes Medicaid processes more effective and efficient.</b>  To ensure a better system, Medicaid processes relating to managed care are changed to aid in informing policy decisions and containing costs. Medicaid provider enrollment is streamlined, including provider background checks. Behavioral health services are more clearly defined to ensure they are included in integrated primary care.  <b>SB 200's goal is simplifying Texans' interactions with HHSC.</b></p>	<p><b><u>Will of the House with Concerns</u></b>  Evaluated by:  Brittany Reyes  512-763-0031  brittany@texaslsg.org</p>
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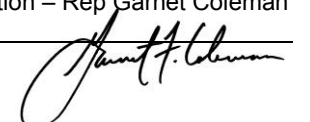
			<p>This session, Sunset bills have garnered many amendments that detracted from the mission of certain HHS agencies, and the Sunset process as a whole. The LSG believes it's important to highlight amendments to SB 200 that we believe are concerning. <b>Below are the amendments that are could negatively affectTexans:</b></p> <p><b>-Bonnen (842064):</b> This amendment requires HHSC to apply for and actively seek a waiver or authorization from Centers for Medicare and Medicaid Services to adopt cost-sharing provisions that would require Medicaid recipients to pay copays, enrollment fees, and fees for missed appointments. It requires them to submit a copy of the request to the legislature. While discussions for increased personal responsibility are appropriate for any kind of coverage expansion, they are not for our current Medicaid populations. The vast majority of Medicaid beneficiaries are children, with the remainder made up mostly of disabled Texans and the poorest of our poor.</p> <p><b>-Schaefer (842084):</b> This amendment provides that an electronic benefits transfer card used for the financial assistance programs or the supplemental nutrition assistance program (SNAP) to display the name and photo of the recipient authorized for the benefits; the "fraud hotline" HHSC number; the website address for HHSC for reporting fraud; and the statement "Funds provided by taxpayers." Certain qualifications exempt a recipient from having their photo on their electronic benefits card.</p> <p><b>-Stickland (842117 &amp; 842112):</b> These amendments prohibit an abortion from being performed if the fetus has a severe and irreversible abnormality within the minimum standards for licensed facilities providing medical treatment.</p> <p><b>-King, S. (842072):</b> This amendment disqualifies a person from receiving SNAP benefits during any month that the person is delinquent on court-ordered child support payments. A person is not delinquent if a portion of the child support is paid; the court allows a person to make a delayed payment; or if a person is using an approved payment plan.</p> <p><b>-King, S. (842073):</b> This amendment considers a person ineligible for SNAP benefits for 3 years if a person refuses or fails without good cause to get a job or undergo training requirements for a job.</p>	
<p><b>SB 202</b> By Sen. Nelson, et al.  SP: Rep. Price, et al.</p>	<p>Relating to the transfer of certain occupational regulatory programs and the deregulation of certain activities and occupations.</p>	<p>Human Services</p>	<p>The Department of State Health Services (DSHS) is tasked improving the health and well-being of Texans by providing and overseeing the public health services in Texas. SB 202 contains some of the recommendations by the Sunset Advisory Commission to relieve DSHS of managing occupational licensing and other regulatory functions that are not pertinent to the agency's mission or can be conducted by other appropriate units. Below are the significant provisions that will occur in this bill.</p> <p><b>Discontinuation of regulatory programs.</b> The 10 regulatory programs that will be discontinued are as follows: bottled and vended water, contact lens dispensers, opticians, personal emergency response systems, bedding, indoor air quality in state buildings, rendering, and tanning bed facilities.</p> <p><b>Transfer of 12 licensing programs to Texas Department of Licensing and Regulation (TDLR).</b> The transfer will be conducted in two phases, one by August 31, 2017 and the other by August 31, 2019. The first phase of transfers are as follows: athletic trainers, dieticians, fitters and dispensers of hearing instruments, dyslexia therapists and practitioners, midwives, orthotists and prosthetists, and speech-language pathologists and audiologists. The second phase of transfers are as follows: code enforcement officers, laser hair removal, mold assessors and remediators, offender education providers, and sanitarians. Any boards and committees associated with licensing programs transferred will be reconstituted as advisory boards at TDLR. Additionally, any rules are transferred to the executive commissioner of TDLR.</p> <p><b>Transfer of 4 licensing programs to the Texas Medical Board (TMB).</b> The transfer of the following programs will occur by August 31, 2017: respiratory care practitioners, medical radiologic technologists, medical physicists, and perfusionists. The powers and duties of these regulatory programs are transferred to the TMB. Advisory boards will be established for each program within the TMB to provide advice and guidance on the programs.</p>	<p><b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

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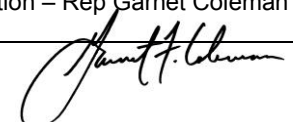
			<p>DSHS is a vast agency that is responsible for any health-related services provided, or programs administered, for Texans. The provisions in SB 202 are necessary to refocus the priority of DSHS and eliminate any regulation duties that have made the system inefficient.</p>	
<p><b>SB 1</b> By Sen. Nelson, et al.  SP: Rep. Bonnen, D., et al.</p>	<p>Relating to an increase in the amount of the residence homestead exemption from ad valorem taxation by a school district, a reduction of the limitation on the total amount of ad valorem taxes that may be imposed by a school district on the homestead of an elderly or disabled person to reflect the increased exemption amount, and the protection of school districts against the resulting loss in state and local revenue.</p>	<p>Ways &amp; Means</p>	<p>If Texas must cut taxes, the homestead exemption is not the worst one to cut. This bill is the lesser of the evils in that it's better than cutting property taxes across the board. However, the homestead exemption combined with the franchise cut will provide some tax relief for businesses and homeowners, but no relief for those who need it most. Those Texans who have 3 jobs and are renters will see none of the benefit that will be coming to business and homeowners. This bill, along with the cuts made to the franchise tax, is estimated to save the average homeowner roughly \$120 per year. Now is not a time to cut taxes. Now is a time to reinvest in Texas to provide a brighter future for the next generation.</p> <p>SB 1 expands the current homestead exemption from \$15,000 to \$25,000, allowing certain school districts and county systems operating under the applicable chapter as it existed May, 1, 1995, to retain their current exemption cap of \$5000. Further, it requires that the tax limitation for taxpayers who are at least 65 years of age or disabled be reduced to reflect the additional exemption.</p> <p>If we implement a heftier exemption there will be a gap in determining school funding, because there is a lag between appraisals of property values and when the state calculates the amount of revenue allocated to the schools based on those values. The bill takes various measures to accommodate the lag to provide for smoother implementation of the increased exemption. Two of these provision include requiring the comptroller to calculate the school district property values to be used in school funding formulas as if the new homestead exemption amount were already applied and requiring school district effective and rollback tax rates to also use a \$25,000 homestead exemption calculation.</p> <p><b>SB 1 is a hold-harmless bill, meaning that the deficit created by increasing the exemption must be matched by state funding.</b> The fiscal impact to the state is more than \$1.2 billion dollars though the 2017 biennium. The appropriations bill has been drafted to accommodate these changes. They have already removed monies that two months ago were slated for education. The shortfall caused by this tax exemption could have grave implications for the future of school finance and for other public services. Our infrastructure is already crumbling – we have serious transportation infrastructure needs, insufficient healthcare coverage, and inadequate food assistance programs. How much further can we trim these threadbare safety nets?</p> <p>SB 1 requires notification to be mailed to those eligible for the homestead exemption about how much they saved in taxes due to the SJR 1 exemption, should it be approved by voters – a hollow victory when other critical needs aren't being met. If the SJR 1 is not approved by voters, they are billed for the amount then owed in property taxes. The bill prohibits schools from exacting penalties and interest on delinquent taxes, for which the aforementioned supplemental tax bill is mailed.</p> <p>The remainder of the bill provides guidelines to safeguard the fairness and validity of the equalized wealth level calculations to ensure that school districts are receiving equitable funding from the state. Previously when legislators reduced property taxes by 1/3, the legislature promised that the deficit would be made up by the state in the form of Additional State Aid for Tax Reduction (ASATR), but</p>	<p><b><u>Will of the House</u></b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

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			<p>then the legislature refused to adequately fund it.</p> <p><b>LSG has concerns with the amendment filed by Rep. Keough (842087) allows any real property to have the same beneficial limitations on appraisal value as homesteads.</b> Currently the calculation of the appraisals are either the market value of the property for the most recent tax year determined by the appraisal office, or the sum of 110% of the appraised value of the property for the preceding tax year, and the market value of all new improvements to the property. This amendment reduces the percentage to 105% of the appraised property value when making the calculation.</p>	
<p><b>SB 900</b> By Sen. Taylor, L., et al.</p> <p>SP: Rep. Bonnen, G.</p>	<p>Relating to the operation of the Texas Windstorm Insurance Association.</p>	<p>Insurance</p>	<p><b>SB 900 changes how the Texas Windstorm Insurance Association (TWIA) will operate.</b> The processing and settlement of claims, and how said claims and settlements do not apply to TWIA or its agent or representative are also clarified in statute.</p> <p>SB 900 will require TDI to conduct a biennial study of market incentives promoting participation in the hail and windstorm insurance markets along the Gulf Coast, and address incentives to including windstorm and hail policies in conjunction with homeowner insurance.</p> <p>The bill allows the commissioner of insurance to contract with an administrator to manage TWIA and administer the plan of operation, as determined by the commissioner with the best interests of policyholders and the public in mind. The composition of the TWIA board of directors will also be changed to better reflect the changes to TWIA operation, and will further representation by now including members from specific regions along the Gulf Coast, in addition to members not living within the coastal region. <b>The TWIA Board of Directors established under current law will be disbanded October 1, 2015, and the commissioner shall replace the new Board according to SB 900 requirements.</b></p> <p>The sequence for paying TWIA’s losses, when premium and revenue are inadequate, shall be made by public security member assessments classified as Class 1, Class 2, and Class 3. Excess TWIA losses that are not paid from TWIA reserves and available funds in the catastrophic reserve trust fund (CRTF) shall be paid by sequential member assessments. Class 1 member assessments will be capped at \$500 million for that catastrophe year, Class 2 and Class 3 member assessments will be capped at \$250 million for that catastrophe year. The cap on Class 2 member assessment is currently \$1 billion. TWIA will notify each member of the amount of their assessment. Maximum liability limit for single insurable property is \$1,500,000.</p> <p><b>Payment for Class 2 and Class 3 public securities shall now be paid by TWIA</b> through net premium and other revenue, including a catastrophic area premium surcharge, if net premium and other revenue are insufficient to pay the securities. TWIA will assess the premium surcharge of each Class policy holder. The premium amount shall be set at the amount necessary to cover all debt services not already covered by available funds, and all related expenses on the public securities. For Class 3, premium surcharges are a separate charge from premium collections, and are not subject tax or commission. <b>Nonpayment of the surcharge will constitute a failure to pay premium for the purpose of policy cancellation.</b> The revenue collected by payment of Class 2 and Class 3 securities will be deposited (respectively) into dedicated trust funds established by the board of directors of the Texas Public Finance Authority, and held by the Texas Treasury Safekeeping Trust Company.</p> <p><b>The Catastrophe Reserve Trust Fund (CRTF) may only be used to pay for insured losses,</b> which includes purchasing reinsurance or using alternative risk financing, and any administrative costs relating to the disbursement of insured losses. CRTF will also pay for operating expenses, including reinsurance or alternative risk financing mechanisms, if TWIA does not have sufficient premium and</p>	<p><b>Will of the House</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>

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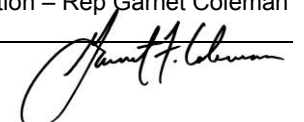
			<p>other revenue to do so.</p> <p>TWIA will also be required to use alternative risk financing mechanisms in an amount not less than the probable maximum loss for TWIA for a catastrophe year with a probability of one in 100. The aggregate amount of all funding available to TWIA for the payment of losses will be the attachment point for reinsurance.</p>	
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**LSG Floor Report For Constitutional Amendments Calendar – Sunday, May 24, 2015**

<p><b>SJR 17</b> By Sen. Perry, et al.  SP: Rep. Springer</p>	<p>Proposing a constitutional amendment relating to private road work by certain counties.</p>	<p>County Affairs</p>	<p>Currently, the Texas Constitution gives rural counties with a population less than 5,000 the ability to construct and maintain private roads at a reasonable charge for the work to the private landowners if the private landowners choose to participate. Due to the construction of a state prison in a certain rural county the county’s population has increased over this threshold. SJR 17 will extend the statutory population cap to a rural county with a population of 7,500. This will allow maintenance on the poorly maintained private roads in the county to prevent public safety hazards for its citizens and emergency services</p>	<p><b><u>Favorable</u></b> Evaluated by: Mya Strauss 512-763-0031 info@texaslsg.org</p>
<p><b>SJR 1</b> By Sen. Nelson, et al.  SP: Bonnen, D., et al.</p>	<p>Proposing a constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes and providing for a reduction of the limitation on the total amount of ad valorem taxes that may be imposed for those purposes on the homestead of an elderly or disabled person to reflect the increased exemption amount.</p>	<p>Ways &amp; Means</p>	<p>Proposing a constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes and providing for a reduction of the limitation on the total amount of ad valorem taxes that may be imposed for those purposes on the homestead of an elderly or disabled person to reflect the increased exemption amount.</p> <p>SJR1 expands the current homestead exemption from \$15,000 to \$25,000 and requires the legislature to provide for a reduction in the amount of the limitation for 2015 and subsequent tax years in an amount equal to \$10,000 multiplied by the 2015 tax rate. The provision requiring the state to put forth funds due to the exemption expires on January 1, 2017.</p>	<p><b><u>Will of the House with Concerns</u></b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

**LSG Floor Report For General State Calendar –Sunday, May 24, 2015**

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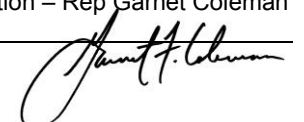
<p><b>SB 983</b> By Sen. Bettencourt, et al.  SP: Rep. Schofield</p>	<p>Relating to restrictions on the assessment of the fee charged for issuance of certain birth records.</p>	<p>Public Health</p>	<p>SB 983 requires the state registrar, a local registrar, or a county clerk to issue a certified copy of a birth record to any applicant who appears in person and is seeking a birth record in order to obtain an election identification certificate. Currently, obtaining copies of birth records has a fee attached. SB 983 would waive the fee only when an applicant needs it so they can get proper voter identification. SB 983 protects the right of citizens to participate in the democratic process even if they cannot afford the fee to get their birth record.</p>	<p><b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p><b>SB 158</b> By Sen. West, et al.  SP: Rep. Fletcher, et al.</p>	<p>Relating to a body worn camera program for certain law enforcement agencies in this state; creating a criminal offense; authorizing a fee.</p>	<p>Emerging Issues in Texas Law Enforcement</p>	<p>In anticipation of future state and federal requirements for police officers to wear body cameras, SB 158 seeks to set standards and create a program for body worn cameras for law enforcement agencies. It stipulates that:</p> <ul style="list-style-type: none"> <li>• The Office of the Governor may set up a body camera grant program for all law enforcement agencies, including DPS.</li> <li>• Law enforcement agencies may apply for a body camera grant from the Office of the Governor, but may only receive the funds if (1) all officers and those coming in contact with recorded data undergo a pertinent training and (2) the agency has put forward 25% in matching funds. DPS is exempt from needing to supply any matching funds.</li> <li>• Law enforcement agencies must provide an annual report to the Texas Commission on Law Enforcement (TCOLE) on body camera costs to be provided to the legislature.</li> <li>• Policy for the use of body cameras, including when they may be turned on or off, is to be adopted by each law enforcement agency itself. It cannot require a body camera to be turned on for the entirety of an officer’s shift.</li> <li>• An officer may choose not to turn on a camera or discontinue recording during any non-confrontational interaction. If an officer does not turn on their camera, they must report their reasoning. It is permissible as long as it is ruled by other officers that turning on the camera would have been unsafe or impractical.</li> <li>• An agency receiving a grant for body cameras must prohibit their officers from using personal cameras.</li> <li>• A law enforcement officer or agency employee will receive a Class A misdemeanor offense if they release a video to the public without agency permission.</li> <li>• If an officer uses deadly force, its recording may not be deleted, destroyed, or released to the public until the case is settled and closed.</li> <li>• A member of the public may request a copy of any other recording if they submit a request including the exact time, exact location, and names of officers involved. These requests must be honored within 20 days.</li> <li>• Agencies must submit their policy to TCOLE to ensure that it honors the bill’s provisions.</li> </ul> <p>SB 158 sets the important framework to establish procedures to prepare for the coming advent of police body cameras. Nevertheless, some of the bill’s stipulations serve to preemptively protect law enforcement agencies from more stringent requirements or oversight. For example, SB 158 stipulates that law enforcement agencies may set their own policies regarding when a camera is to be turned on or off. Whether or not a camera is turned-off during a potentially contentious event is permissible is to be determined by the officer’s colleagues – many of whom would most likely be partial to their fellow officer. The only stringent enforcement in the entire bill is regarding those officers or employees who release recordings without the agency’s permission. It’s important to note, however, SB 158 lays the foundation for an essentially positive policy that will protect both citizens and officers.</p>	<p><b>Favorable</b> Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>

<p><b>SB 1337</b> By Sen. Perry  SP: Rep. Lucio III</p>	<p>Relating to relating to the authority of the Texas Water Development Board to provide financial assistance to political subdivisions for water supply projects.</p>	<p>Natural Resources</p>	<p>SB 1337 is a clean-up bill providing 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.</p>	<p><b>Favorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p><b>SB 1496</b> By Sen. Uresti  SP: Rep. Naishtat, et al.</p>	<p>Relating to background checks conducted by the Department of Family and Protective Services for certain child-care providers.</p>	<p>Human Services</p>	<p>SB 1496 requires the director, owner, or operator of a listed or registered family home or a group day-care home to submit fingerprints for a background and criminal history check in compliance with the regulation of certain facilities, homes, and agencies that provide child-care services. Any family home that is subject to regulation by the Department of Family and Protective Services (DFPS) relating to the listing of relative child-care providers is exempted from the fingerprint requirement. Before listing a relative child-care provider's home as a family home, DFPS must conduct the required background or criminal history check, in addition to searching the central database of sex offender registration. This new requirement puts state law in line with federal law, and is a necessary provision that will further ensure the safety of children that are placed in the care of a family home or group day-care home.</p>	<p><b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p><b>SB 1336</b> By Sen. Perry  SP: Rep. Keffer</p>	<p>Relating to the powers and duties, the construction of laws, and the election dates of certain groundwater conservation districts.</p>	<p>Natural Resources</p>	<p>Currently the following districts have the rights, powers, privileges, authority, functions, and duties provided by the general law of the state applicable to <b>underground water conservation districts</b>.</p> <ul style="list-style-type: none"> <li>• Clearwater Underground Water Conservation District</li> <li>• Crockett County Groundwater Conservation District</li> <li>• Mesa Underground Water Conservation District</li> <li>• Sandy Land Underground Water Conservation District</li> <li>• Santa Rita Underground Water Conservation District</li> <li>• Saratoga Underground Water Conservation District</li> <li>• South Plains Underground Water Conservation District</li> <li>• Sutton County Underground Water Conservation District</li> </ul> <p>SB 1336 changes those rights, powers, privileges, authority, functions, and duties to those provided by the general law of the state applicable to <b>groundwater conservation districts</b>, (GCD).</p> <p>Additionally, SB 1336 specifies that the directors' election for the district is held on the uniform election date in May of even numbered years for the Mesa, Sandy Land, South Plains, and Sutton County Underground Water Conservation Districts.</p> <p>For the Sandy Land, Sutton County &amp; Saratoga Underground Water Conservation Districts, the bill clarifies prevalence of conflicting statutes, specifically that the GCDs would trump other water code provisions.</p>	<p><b>Favorable</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>



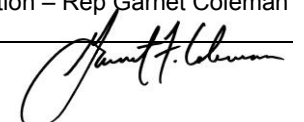
<p><b>SB 1213</b> By Sen. Kolkhorst  SP: Rep. Oliveira</p>	<p>Relating to prohibiting the reidentification of certain deidentified information and the release of reidentified information; creating a criminal offense; providing a civil penalty.</p>	<p>Business &amp; Industry</p>	<p>State agencies collect and maintain data regarding their users, which in some cases is scrubbed to remove information linking it to a specific individual, and then sold to a private institution. Often this data can still be linked back to a specific individual though. <b>SB 1213 addresses this issue by prohibiting an individual from “re-identifying” or attempting to re-identify the de-identified information and from disclosing information that was re-identified.</b> It establishes a Class A misdemeanor offense for breach of this prohibition. It further makes the offender liable to an individual subjected to re-identification for damages of \$25 to \$500 per violation, not to exceed \$150,000, and to the state for a civil penalty of \$25 to \$500 per violation, not to exceed \$150,000. It authorizes the attorney general to bring an action to recover this penalty and to recoup reasonable expenses incurred by the action. It provides certain defenses to civil action or prosecution.</p> <p>SB 1213 also requires a state agency to provide written notice to a person to whom the agency releases de-identified information that the information is de-identified information. The bill requires a person who sells de-identified information or otherwise receives compensation for the transfer or disclosure of this information to provide written notice to the person to whom the information is sold, transferred, or disclosed that the information is de-identified information obtained from a state agency. There are some instances in which aggregate data is sold for legitimate research purposes. For this reason alone, we are wise to not completely prohibit the sale of aggregate and de-identified data. While we should also restrict the sale of this data, the bill takes necessary precautions if state agencies are to continue this practice.</p>	<p><b>Favorable</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p><b>SB 776</b> By Sen. Fraser  SP: Rep. Kacal, et al.</p>	<p>Relating to the operations of a municipally owned utility or municipal power agency; providing authority to issue bonds.</p>	<p>State Affairs</p>	<p>SB 776 will prohibit a municipality owned utility or municipal power agency from directly or indirectly constructing, installing, or extending a transmission facility outside of the municipal boundaries of the municipality or power agency’s boundaries. Certain exemptions apply. The Public Utilities Commission (PUC) has 185 days to approve an application for an interconnection facility between ERCOT and SERC regions that have been approved by the Federal Energy Regulatory Commission.</p> <p>A municipally owned utility will apply for a certificate of public convenience and necessity when constructing, installing, or extending a transmission facility within ERCOT in order to recover payments made to a taxing entity in lieu of property taxes on that transmission facility. SB 776 also requires municipal power agencies that are created by two or more public entities, to create alternative governance, which shall meet certain requirements as specified in the bill. Municipal power agencies under alternative governance shall now be considered a separate municipal corporation, a political subdivision of this state, and a political entity and corporate body. As such, they are prohibited from imposing a tax. SB 776 further stipulates each agency will be governed by a board of directors, and lays out the composition requirements of the board.</p> <p>A power agency will only conduct business, such as the sale or exchange of electric energy, with a public or private entity that owns an electric generation facility in Texas, or a transmission service covered under statutory provisions. Any sale, lease, or conveyance of assets over \$10 million must have prior approval by each participating entity/agency, unless otherwise stipulated in their contract. Construction or improvement contracts over \$20,000 must be based on competitive bidding.</p> <p>Power exchange agreements and power pooling between other agencies will also be allowable. Payments for electrical energy purchased from agencies will be considered an operating expense, and the purchaser will pay for energy regardless of whether it was delivered. The agency has the capability to establish and maintain its rates and charges for power and energy it delivers, however the state maintains the right to regulate an agency’s rates and charges.</p> <p>The costs of planning, acquisition, construction, ownership, operation, and maintenance of electric facilities incurred by an agency</p>	<p><b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>

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			created by a public entity shall be paid for by said entity. SB 776 grants them the ability to issue public securities, including bonds, notes, or other forms of indebtedness, in the principal amount approved by the governing body of the public entity. SB 776 also allows for the dissolution of an agency in accordance with the concurrent ordinance, and stipulates the requirements for dissolution. SB 776 brings requirements for municipally owned electric utilities in line with the requirements of the private transmission industry, removing the possibility of an unfair advantage that municipally owned electric utilities had before.	
<b>SB 699</b> By Sen. Eltife, et al.  SP: Kuempel	Relating to the Texas Real Estate Commission and the regulation of certain real estate professionals.	Licensing & Administrative Procedures	SB 699 is a clean-up bill that removes outdated language, makes corrections and updates, and enacts provisions for the Texas Real Estate Commission (TREC). Some of the major provisions include: <ul style="list-style-type: none"> <li>• Guidelines for license issuance, renewal, revocation or suspension</li> <li>• Qualifying courses and applicant requirements for new licenses</li> <li>• Defining requirements for licensure, including clearly identified provisions for “good standing”</li> <li>• Setting a completion timeline of 2 years before brokerage courses must be finished</li> <li>• Requiring courses offered by the commission to be related to legal topics and ethical requirements involved with real estate brokerage</li> <li>• Creating special provisions for commission members, including term limits; quasi-immunity from civil suits; work expense reimbursement; conducting continuing education course; oversight in training and disciplinary matter</li> <li>• Specifying that investigative materials related to grievances are to remain confidential, unless under approved circumstances</li> </ul>	<b>Favorable</b> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org
<b>SB 1934</b> By Sen. Campbell  SP: Rep. Miller, R.	Relating to requirements for the issuance of a driver's license or personal identification certificate.	Homeland Security & Public Safety	SB 1934 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 SB 1934, ID card issuance will require a social security number and ID cards of individuals age 60 or older will expire. SB 1934 further mandates that an individual may have an ID card or a driver's license, but may not have both.  While the idea behind SB 1934 is to bring Texas statute in line with the Real ID Act, passed by US Congress to reduce fraud, the result is increased disenfranchisement of people who cannot obtain identification. <b>Without identification, many areas of life for the average Texan is unnecessarily compromised:</b> <ul style="list-style-type: none"> <li>• Older adults rely on ID cards because they do not expire and it makes it easier for them to write checks.</li> <li>• It is difficult for older adults to access the DMV to renew their cards, especially those who no longer drive.</li> <li>• 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.</li> <li>• Adults will not be able to vote, order a drink at a bar, pick up medications, or even enter a county courthouse.</li> </ul> <b>SB 1934 disenfranchises vulnerable and poor populations, including the elderly, disabled (many rely on identification cards rather than driver's licenses), and undocumented immigrants.</b>	<b>Unfavorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org
<b>SB 724</b> By Sen. Perry  SP: Rep. Craddick, et al.	Relating to the motor vehicle sales tax applicable to motor vehicles used by transportation companies for certain	Ways & Means	As way to reduce cost, schools often employ private school bus companies. These companies provide a necessary, low cost service to the schools, and for this, have historically received tax exemptions, such as motor vehicle sales and use tax exemptions. Some submit that the law providing this exemption is too vague and has caused some of these companies to incur taxes when others do not. SB 724 clarifies that vehicles operating with exempted license plates will be exempt from taxes for their sale, rental or use if it is for use by: <ul style="list-style-type: none"> <li>• A public agency</li> </ul>	<b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org

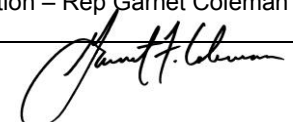
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	<p>purposes.</p>		<ul style="list-style-type: none"> <li>• A commercial transportation company contracted with                             <ul style="list-style-type: none"> <li>○ a board of county school trustees</li> <li>○ a school district board of trustees,</li> <li>○ or the governing body of an open-enrollment charter school</li> </ul> </li> </ul> <p>This bill fosters a symbiotic relationship that is beneficial for schools.</p>	
<p><b>SB 424</b> By Sen. Schwertner, et al.  SP: Rep. Zerwas</p>	<p>Relating to the licensing and regulation of hospitals in this state; increasing the amount of administrative penalties assessed or imposed against certain hospitals; authorizing the imposition of a fee.</p>	<p>Public Health</p>	<p><b>SB 424 updates licensure and regulation requirements for hospitals.</b> It increases licensure requirements for hospitals by requiring the name and social security number of any individual who has an ownership interest of more than 5% of the corporation to be included in the application. Currently in statute, only individuals with a 25% ownership interest or more had to be included. It allows the Texas Department of Health to share information relating to applicants for hospital licenses with the office of inspector general of HHSC. <b>The Department of Health shall conduct inspections of licensed hospitals on a regular schedule</b>, with 10% of hospitals, or as near to 10% as possible, being inspected every year. Hospitals will be prioritized based on the history of each hospital; including when the hospital was last inspected, how many deficiencies were found in the last inspection, and how many complaints on the hospital have been received. Hospitals shall be inspected every three years if they are not accredited by an accreditation body that is approved by Medicare and Medicaid, or if the hospitals do not meet the conditions of participation for a certain part of the US Social Security Act.</p> <p><b>SB 424 allows the Department of Health to suspend the license of a hospital if the Department has reasonable cause to believe that the hospital is operating in a way that creates an immediate danger to public health and safety.</b> If an emergency suspension is to be ordered, the Department shall give the hospital time to respond to its findings before suspending the license. The State Office of Administrative Hearings has between 10 and 30 days to hear and determine if the emergency suspension shall be continued, modified, or rescinded.</p> <p><b>SB 424 adds to the considerations the Department of Health must consider when assessing penalties;</b> including how the penalty may affect the hospital's ability to provide services. The Department also may not assess a penalty of more than \$10,000 per violation if the hospital is a rural hospital with 75 beds or fewer and may not assess a penalty of more than \$25,000 per violation for all other hospitals.</p> <p><b>SB 424 allows the Department of Health to request a hearing to appoint a trustee to operate the hospital if:</b></p> <ul style="list-style-type: none"> <li>• the hospital is operating without a license</li> <li>• the Department of Health has suspended or revoked the hospital license</li> <li>• license suspension or revocation procedures against the hospital are pending and there is an immediate danger to public health and safety</li> <li>• an emergency exists that presents an immediate danger to the public health and safety</li> <li>• or the hospital is closing and no arrangements for relocation of patients have been arranged.</li> </ul> <p>A court shall appoint an involuntary trustee (i.e. a trustee the hospital did not want or request) if, after a hearing, it is found that an involuntary trustee is necessary. Rules for the judicial process regarding the appointment of an involuntary trustee, and qualifications for the trustee, are outlined in the bill. A trustee appointed is entitled to reasonable compensation, and may petition for compensation withheld, as described in the bill. The trustee is responsible for submitting periodic reports to the Department of Health and the governing body of the hospital regarding how the hospital is functioning and what the trustee is doing for the hospital.</p>	<p><b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

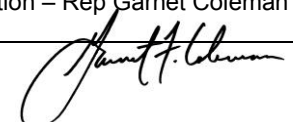
			<p><b>SB 424 establishes the Hospital Perpetual Care Account</b>, a dedicated account in the GR fund administered by the executive commissioner of HHSC. The fund will be used to pay department costs associated with the storage of medical records and any court-ordered appointment of an involuntary trustee to operate a hospital. The executive commissioner of HHSC may impose a fee on each hospital to maintain an account balance of \$5 million in the Hospital Perpetual Care Account at all times.</p> <p>SB 424 will reduce instances of hospitals being closed without securing adequate care options for residents in the affected areas. It prescribes procedures that will mitigate the consequences of a hospital failing to act ethically or of a hospital that is operating in a manner incongruous to its mission of doing no harm. SB 424 provides the necessary oversight to protect Texans, particularly in rural areas where the emergency closure of a hospital may lead to there being no other healthcare options in a large area.</p>	
<p><b>SB 759</b> By Sen. Kolkhorst, et al.  SP: Rep. Wray</p>	<p>Relating to the repeal of certain state taxes.</p>	<p>Ways &amp; Means</p>	<p>The comptroller’s office has reviewed its procedures and identified 5 areas where the cost of processing the taxes is more than the revenue received from the tax collection. <b>SB 759 repeals two of those taxes - the tax on bingo and the tax on compressed or liquefied natural gas.</b> For bingo, the bill also changes the tax reporting and delinquent payment requirements to prize fee reporting and delinquent payment requirements. The bingo tax was enacted in 1991 as three percent of the gross rental of premises for the conduct of bingo games by a licensed, authorized commercial lessor or licensee. Just under 400 taxpayers remit three percent of the gross rental of premises used by an authorized lessor or licensee to conduct bingo games and in 2014 the tax produced revenue of \$1,200,587.55 allocated to the general revenue fund. Following the repeal of this tax, the Comptroller would redeploy the internal administrative cost savings to audit and enforcement efforts so that the fiscal effect of repealing these taxes would be revenue neutral.</p> <p>The tax on liquefied gas (LPG) originated in Texas in 1941. There are currently 948 prepaid liquefied gas license holders obtaining 4,669 prepaid decals annually. This produced tax revenue of \$581,887.60 in 2014. The liquefied gas tax, after making deductions for refund purposes and allowances, allocates 25% to the available school fund and 75% to the state highway fund. SB 759 creates a tax exemption for compressed or liquefied natural gas delivered into the fuel supply tank of a motor vehicle used to provide the services of a transit company, and operated by a person who on January 1, 2015, paid the applicable tax on that compressed natural gas or liquefied natural gas. This does not include compressed or liquefied natural gas delivered into the fuel supply tank of a motor vehicle from a refueling facility accessible to non-transit company motor vehicles. SB 759 defines liquefied gas to be a “special fuel” as regards state and tax exemptions.</p> <p>While we would like our government to optimize employee productivity in order to provide the most value possible to the Texas taxpayer, there are concerns that repeal of these taxes would not be equitable to those of us paying our fair share of taxes, and that the Texas budget cannot take another hit to the coffers with the other legislative tax cuts that we will be enduring this session</p>	<p><b>Will of the House</b> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p><b>SB 1743</b> By Sen. Hinojosa  SP: Rep. Herrero</p>	<p>Relating to expanding the powers and duties of the office of capital writs and renaming the office of capital writs the office of capital and forensic writs.</p>	<p>Criminal Jurisprudence</p>	<p>In 2013 Texas became the first state to enact law allowing the courts to reconsider decisions that were made based upon discredited scientific evidence. We have led the way in forensic science reform and in passing legislation related to post-conviction forensic writs. However, most defense attorneys are not equipped with the highly technical expertise and scientific knowledge required to effectively challenge errors made in regards to DNA evidence through the writs process.</p> <p>SB 1743 creates a new division within the Office of Capital Writs to represent defendants in proceedings related to post-conviction forensic writs for non-capital cases. It changes the name of the office to the Office of Capital and Forensic Writs, accordingly, and requires the office to retain forensic experts to execute the additional responsibilities. It enables the office to consult with law school clinics and other experts, as necessary, to investigate the facts of a particular case.</p>	<p><b>Will of the House</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

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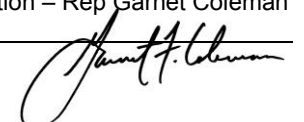
			<p>In order to grant relief based upon forensic writs, it is important that we provide the means to do so. While this bill is very well-intentioned, it is somewhat concerning that we are expanding the responsibility of the Office of Capital Writs beyond the scope of death penalty cases, without providing more substantial resources. Over the next biennium, the office would investigate a few forensic cases, absorbing any additional costs within its existing budget, in order to plan for implementation of the new responsibilities. In 2018, two additional attorneys are required to be hired, and a third in 2019. The fiscal note provides salary for these attorneys, and a meager amount to cover one-time costs for equipment.</p> <p>The Office of Capital Writs already subsists on a skeletal budget and lean human resources, with attorneys making paltry salaries. Of their office of 13 FTEs, they had to replace 6 employees last biennium – <b>turnover is already high. When this office is overloaded, cases must be returned to the counties, which lack personnel qualified to handle complex capital cases.</b> We want to make sure that in charging this office with additional responsibilities, that we provide them with adequate resources in the appropriations process to effectively serve justice.</p>	
<p><b>SB 133</b> By Sen. Schwertner, et al.  SP: Rep. Coleman</p>	<p>Relating to mental health first aid training for school district employees and school resource officers.</p>	<p>Public Education</p>	<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 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.</p>	<p><b>Favorable</b> Evaluated by: Eric Schroeder 512-763-0031 info@texaslsg.org</p>
<p><b>SB 1025</b> By Sen. Seliger  SP: Rep. Smithee</p>	<p>Relating to supplemental compensation paid to certain county judges.</p>	<p>Judiciary &amp; Civil Jurisprudence</p>	<p>SB 1025 would increase county judges' salaries from \$15,000 per year to 18% of the annual compensation provided for a district judge, so long as 40% of their duties are judicial in function. This aligns county and district court judges' salaries more evenly.</p>	<p><b>Favorable</b> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p><b>SB 593</b> By Sen. Watson  SP: Rep. Darby</p>	<p>Relating to pretrial settlement discussions during ad valorem tax appeals.</p>	<p>Ways &amp; Means</p>	<p>SB 593 allows a property owner or appraisal district that is party to an appeal to district court to submit to the other party a written request for settlement discussions. The settlement discussions may take the form of an informal settlement conference or alternative dispute resolution. Within 120 days of the written request's delivery, both parties shall be required to attend the settlement discussions and make a good faith effort to reach an agreement and resolve the case. If an appraisal district is unable to attend a settlement discussion within 120 days of the request, the deadline may be extended, as specified in the bill. <b>SB 593 will encourage the timely resolution of lawsuits relating to property appraisals as both sides are required to come to the table in a designated period of time.</b></p>	<p><b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p><b>SB 197</b> By Sen. Schwertner, et al.</p>	<p>Relating to the financial self-sufficiency of the Cancer Prevention and Research Institute of Texas.</p>	<p>Public Health</p>	<p><b>SB 197 instructs the Cancer Prevention &amp; Research Institute of Texas (CPRIT) to develop a plan to become financially self-sufficient, rather than primarily reliant on state-funded dollars.</b> This plan shall include, among other things:</p> <ul style="list-style-type: none"> <li>• steps the Institute will take to accomplish the transition to self-sufficiency</li> <li>• specified sources of funding other than the state money that the Institute will use</li> </ul>	<p><b>Will of the House with Concerns</b> Evaluated by: Paige Reitz 512-763-0031</p>

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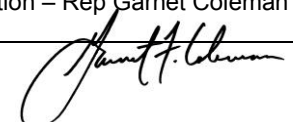
<p>SP: Rep. Keffer</p>			<ul style="list-style-type: none"> <li>• a projection of patent royalties and licensure revenues expected annually</li> <li>• an estimate of the economic impact in Texas if the Institute is not extended beyond the \$3 billion in general obligation bonds as authorized by the Texas Constitution.</li> </ul> <p>This plan shall be submitted to the legislature by December 1, 2016, and update the plan annually until 2021. <b>CPRIT is scheduled to Sunset in 2021 and it is crucial that CPRIT be able to transition to self-sufficiency so it can continue to work toward finding cures for cancer.</b></p>	<p>paige@texaslsg.org</p>
<p><b>SB 1408</b> By Sen. Lucio, et al.</p> <p>SP: Rep. King, T.</p>	<p>Relating to the establishment of a matching grant program for community development in certain municipalities and counties.</p>	<p>Agriculture &amp; Livestock</p>	<p>One of the many duties of the Texas Department of Agriculture is to provide nonentitlement local governments with funding for community development projects and programs. Nonentitlement cities are located predominately in rural areas, and are cities with a population less than 50,000; are not designated as a central city of a metropolitan statistical area; and are not participating in urban county programs. Nonentitlement counties are also predominately rural in nature, generally having fewer than 200,000 people in the nonentitlement cities and unincorporated areas located in the county. Over the years, funding for community development has decreased significantly, leaving many nonentitlement areas without the necessary resources.</p> <p><b>SB 1408 will require TDA to create a community development matching grant program to foster community and economic development</b>, subject to available funds. Together with the Texas Rural Health and Economic Development Advisory Council, TDA will review and then determine financing of certain trade-related initiatives and programs and certain community development, capacity-building, renewable energy, restoration, economic development, environmental projects, and other community development projects.</p> <p>SB 1408 also creates eligibility standards for the county or municipality; the application process and standards; and methods, regulations and rules to be used when determining which areas are awarded grants. SB 1408 prohibits a municipality or county that has submitted a multi-jurisdiction application from submitting a single-jurisdiction application for a matching grant for the same project for which the multi-jurisdiction application was submitted, and a multi-jurisdiction application will not accept an application solely for administrative convenience.</p>	<p><b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p><b>SB 1243</b> By Sen. Burton</p> <p>SP: Rep. Sheffield, et al.</p>	<p>Relating to a pilot program for donation and redistribution of certain unused prescription medications; authorizing a fee.</p>	<p>Public Health</p>	<p>Currently, the United States wastes as much as one billion dollars annually on unused medications. Often, drugs are left unused and discarded, particularly in nursing homes and assisted living facilities, because of a change in prescription, the death of the patient, or the transfer of a patient from one facility to another. Often, these medications that are unused remain in the blister pack packaging that is sealed, tamper-evident, and could be used for another patient; but is wasted instead. Some states have programs to recycle unused medications so they can be used rather than waste taxpayer dollars.</p> <p><b>SB 1243 establishes a prescription drug donation and redistribution pilot program.</b> DSHS shall be required to accept, store, and distribute donated drugs; and establish and maintain a searchable electronic database of donated drugs for use by medical professionals. In the pilot program, drug donors will include: licensed nursing facilities, licensed hospices, hospitals, physicians, and pharmacies, certain pharmaceutical sellers and manufacturers, and licensed healthcare professionals who administer drugs in penal institutions. These donors will be allowed to donate certain prescription drugs to DSHS for redistribution. The same licensed groups shall be permitted to administer the drugs to patients that have been redistributed from DSHS. Because of the inherent risks related to prescription drugs, there are significant safeguards in place that describe when and how drugs may and may not be donated. DSHS may not charge to collect the drugs, nor shall they sell the drugs when they distribute them.</p> <p>SB 1243 additionally directs DSHS to perform a feasibility study related to the establishment of this program as soon as practical. The</p>	<p><b>Favorable</b> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

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			study shall examine all areas of the program that SB 1243 directs to be started, and will report back to the legislature with findings, including rules that may need to be adopted by the executive commissioner of HHSC to successfully implement the program. <b>SB 1243 is designed to save taxpayers' money by redistributing in a hygienic, responsible way unused drugs that would otherwise be discarded.</b> DSHS shall report to the legislature on the results of the pilot program, including health and safety concerns that may come up and recommendations going forward.	
<b>SB 1406</b> By Schwertner, et al.  SP: Rep. Dutton	Relating to the protection of certain children through the operation of the child safety check alert list.	Juvenile Justice & Family Issues	Currently, the child safety check alert list within DFPS is only authorized to be used to locate a child's family in order to investigate a child abuse or neglect case. SB 1406 expands the use of the child safety check alert list to include locating the child in these investigations. It also expands the purpose of using the database to include providing protective services to a family receiving family-based support services or providing protective services to the family in managing conservatorship.  SB 1406 clarifies the process for utilizing the child safety alert list accordingly. After a report is filed and a child is determined missing, a DPS attorney will file an ex parte order that includes either the child abuse report and the reason the child is at serious risk of harm, or the report and DPS's effort to locate the child and family. After a court hearing and approval, the court will issue an order to notify TCIC to place the child and family on the alert list. The alert check list includes the abuser's name, child's name, guardian/parent's name last known address, and type of abuse reported. In the event DPS makes contact with a family member or the child, they must update the alert list with pertinent information about the child's whereabouts.	<b>Favorable</b> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org
<b>SB 496</b> By Sen. Watson  SP: Rep. Howard	Relating to Foundation School Program funding for students enrolled in an optional flexible school day program.	Public Education	The optional flexible school day program (OFSDP) allows districts to offer a program that has flexible hours and days for students to attend classes. The OFSDP is intended to improve graduation rates for students who have dropped out, are at risk of dropping out, or may fall behind in core classes. Currently, OFSDP is funded differently than a regular school program because of the calculation of average daily attendance (ADA). SB 496 requires the commissioner of education to ensure that funding for attendance in a course under an OFSDP is based on the same instructional hour requirements of the regular program when calculating the ADA for students. This bill ensures fair funding for the OFSDP, granting adequate funding for instruction and support for at-risk students.	<b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
<b>SB 881</b> By Sen. Nelson  SP: Rep. Springer, et al.	Relating to the dedication of certain wine-related revenue.	Licensing & Administrative Procedures	In the past the legislature has dedicated revenue, raised from wine sales & excise taxes, to a number of viticulture research projects, instrumental in growing Texas's wine industry. SB 881 re-dedicates revenue to wine-related research projects through 2025 and updates formulas accordingly. It increases the cap for revenue from \$50,000 to \$830,000 for Texas A&M AgriLife Extension Service. If, and only if, revenue collected exceeds \$830,000, Texas Tech University Viticulture and Enology program may receive up to \$365,000. If revenue collected exceeds \$1,195,000, up to \$150,000 may go to Texas Tech's Wine Marketing Research Institute, and funds up to \$150,000 may then go to T.V. Munson Viticulture and Enology Center of the Grayson County Junior College District. Any remaining funds would go to the Department of Agriculture to develop technologies and strategies to mitigate frost and pestilence.	<b>Will of the House</b> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org
<b>SB 159</b> By Sen. Rodríguez, et al.  SP: Rep. Márquez	Relating to certification requirements for teachers in bilingual education.	Public Education	Currently, a teacher must be certified to teach bilingual education by the State Board for Educator Certification (SBEC). However, these certifications do not specify between bilingual education models. HB 218 requires that teacher certifications must be specific to the bilingual education model used in the school district they will teach in.  HB 218 requires teachers using the transitional bilingual/early exit program model and transitional bilingual/ late exit model to be appropriately certified by The State Board for Educator Certification. The bill requires teachers using a dual language immersion/one-way or two-way program model to be appropriately certified by the Board, for both the component of the program provided in a language other than English, and the component of the program provided in English. Additionally, a school district that provides a dual language immersion/one-way or two-way program model may assign a teacher certified for the language other than English component of the program, and a different teacher certified under for the English language component.	<b>Favorable</b> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org

OK for Distribution – Rep Garnet Coleman



<p><b>SB 1296</b> By Sen. West  SP: Rep. Giddings</p>	<p>Relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 83rd Legislature to other Acts of that legislature.</p>	<p>State Affairs</p>	<p>SB 1296 is a nonsubstantive revision bill. The Legislative Council is charged with cleaning up and reorganizing statute, such as eliminating repealed or duplicated provisions, or re-numbering provisions that have been added, in order to make Texas law "more accessible, understandable, and usable" without altering the sense, meaning, or effect of the law.</p>	<p><b>Favorable</b> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p><b><u>LSG Floor Report For Resolutions Calendar –Sunday, May 24, 2015</u></b></p>				
<p><b>HCR 36</b> By Rep. Burkett, et al.</p>	<p>Urging Congress to propose and submit to the states for ratification the Parental Rights Amendment to the U.S. Constitution.</p>	<p>State &amp; Federal Power &amp; Responsibility</p>	<p>HCR 36 addresses issues raised in the <i>Troxel v. Granville</i> case, which caused ambiguity regarding parents’ rights to determine grandparent visitation rights. It proposes an amendment to the US constitution which explicitly states that parents have the right to direct their own children’s upbringing and education.</p>	<p><b>Will of the House</b> Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>

