



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

LSG Floor Report For Postponed Business – Monday, May 25, 2015

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<p>SB 1032 By Sen. Watson, et al. SP: Rep. Israel</p>	<p>Relating to authority for certain state employees to work flexible hours and to work from home or other authorized alternative work sites.</p>	<p>State Affairs</p>	<p>Current law prohibits full-time state agency employees from working at their residence without obtaining prior written authorization from the administrative head of the agency. Current law also requires that agencies always have at least one person on duty during normal office hours.</p> <p>These provisions discourage state agencies from adopting telework and flexible work hour policies—both of which would reduce traffic congestion & pollution, and improve employee quality of life, morale and retention. SB 1032 authorizes agency administrative heads to adopt a policy permitting supervisors to allow their employees to regularly work from an alternative work site, including an employee’s residence. The bill further allows employees, at manager discretion, to work outside of regular working hours if already offsite.</p> <p>This legislation requires state agencies to consider if the position requires on-site resources and if the provision of in-person service or interaction is essential to the position. It also mandates a clear expectations from the employee and agency regarding the employee’s responsibilities and requirements for communicating with and reporting to the agency. The Texas Department of Information Resources will compile and submit a report on the pertinent outcomes for this program by November 1 of each even numbered year.</p> <p>None of these provisions allow employees to work from home or during alternative hours without obtaining their supervisor’s approval; instead, SB 1032 merely streamlines the process so that supervisors do not have to review each request on a case-by-case basis.</p> <p>SB 1032 would allow employees to have work/life balance, saving them money with child care, and ancillary expenses. It also lets employees to work the hours that are best for them, allowing for higher productivity, and better quality work.</p>	<p><u>Favorable</u> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>SB 824 By Sen. Huffman SP: Rep. Clardy</p>	<p>Relating to the number of jurors required in certain civil cases pending in a statutory county court.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>This is a Texans for Lawsuit Reform bill with the ultimate goal of making it harder for plaintiffs to win in certain county court cases by requiring 12 - not the normal 6 - jurors to serve in cases with an amount of controversy of over \$200,000. The justification is that these are cases in which the county courts share concurrent jurisdiction with a district court, which requires 12 jurors. The alignment may be appropriate, but we first would like justification of why the change is necessary. We know the real reason it’s here, but is there any additional benefit?</p>	<p><u>Will of the House with Concerns</u> Evaluated by: Amanda Foster 512-763-0031 amanda@texaslsg.org</p>

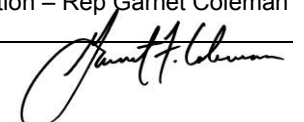
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<p>SB 844 By Sen. Taylor, V., et al.</p>	<p>Relating to the expiration of licenses for insurance agents and adjusters.</p>	<p>Insurance</p>	<p>SB 844 will positively affect insurance agents and adjusters by allaying confusion to renewal of licensure dates. 20,000 insurance adjusters and agents in Texas carry multiple licenses issued by TDI. Keeping up with expiration dates and continuing education requirements can be difficult. This bill aligns license renewal dates to the holder’s birthday. Licenses will be renewed on odd or even years, depending on the beginning licensure year. By making the renewal dates aligned to birthdays it is assumed that insurance adjusters and agents will be better able to remember the date of renewal, and can complete continuing education and renewal forms in time to prevent disruption of service due to expiration of license.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
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LSG Floor Report For Major State Calendar – Monday, May 25, 2015

<p>SB 208 By Sen. Campbell, et al. SP: Rep. Burkett</p>	<p>Relating to the continuation and functions of the Texas Workforce Commission; affecting the rates and imposition of certain fees and assessments.</p>	<p>Economic & Small Business Development</p>	<p>The Texas Workforce Commission (TWC) is the entity responsible for overseeing and providing workforce development to Texas employers and Texans seeking employment. TWC recently underwent review by the Sunset Advisory Commission as it is subject to be abolished later this year. Sunset concluded TWC should remain an agency upholding the same position, but recommendations were provided to make the agency better and in charge of all state services related to employment opportunities. Below are the major provisions that will occur in SB 208: Transfers Vocational Rehabilitation and other related programs from DARS to TWC. After federal approval, the TWC will administer the following programs that were previously housed in, and administered by DARS beginning September 1, 2016 : -vocational rehabilitation program for individuals with visual impairments; -vocational rehabilitation program for individuals with other disabilities; -Independent living services program for older individuals who are blind; -Criss Cole Rehabilitation Center; and -program for vending facilities operated by blind persons, including the Business Enterprises Program under the Randolph Sheppard Act Additionally, the Rehabilitation Council of Texas will transfer to TWC. Staff that worked for any of the above programs will be integrated into the local workforce and boards before August 1, 2018. Establishes a Legislative Oversight Committee to oversee the transfer of programs. TWC, DARS, and the HHSC will come together and develop a plan a transition plan for the transferring the vocational rehabilitation programs and other programs. Requires the integration of DARS’ two separate Vocational Rehabilitation programs. The TWC will integrate the vocational rehabilitation program for people with visual impairments and the vocational rehabilitation program with other disabilities into one vocational rehabilitation program. The integration will maintain specialized counselors who will be able to serve the different client populations. Authorizes TWC to participate in the federal treasury offset program. In compliance with federal law, the TWC will now be able to recover money from outstanding unemployment compensation debts. Granting the TWC this authorization, allows for the unemployment insurance trust fund to remain solvent and reduces the chances for tax increases to employers in Texas. Transfers the powers and duties of the Human Rights Commission to the TWC’s three-member commission and streamlines the Civil Rights Division’s functions. TWC will now be the only governing body that is responsible for the performance of the Civil Rights Division at TWC. Ensures better management of the child care program for success. TWC will collect more data and stakeholder input to determine the effectiveness and outcomes of the child care subsidies offered. A process will be established to regularly review the Texas Rising Star child care quality standards.</p>	<p><u>Will of the House with Concerns</u> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
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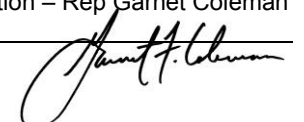


			<p>Continues the Texas Workforce Commission for 12 years, requiring Sunset review in 2027.</p> <p>There are several concerns that arise in SB 208. While LSG acknowledges that the bill has changed from the original and now addresses some concerns of the population affected by these changes, we do believe that there are unintended consequences to Texans who receive these services. As of today, DARS houses many programs that provide people with disabilities support and guidance on everyday activities. SB 208 <u>only</u> transfers programs that are related to employment opportunities, and leaves other disability services, such as Blind Children's Vocational Discovery and Development Program or Blindness Education, Screening and Treatment program, within DARS (or the new consolidated HHSC system, if passed); this action breaks a working system.</p> <p>Many people currently receiving services have voiced their opposition to these changes, because it disturbs the continuity of services that are vital to the disabled community, starting from birth to old age. Currently they are able to receive comprehensive services in one agency, but these services will be split between two agencies in SB 208. An additional concern is that the staff that works with this population has an expected timeline for transfer to TWC within <u>two years after</u> the transfer of the vocational rehabilitation programs and other related programs. This poses the potential for a vulnerable population to not receive specialized care from previously trained staff immediately after the transfer. The current organization of DARS that offers centralized services for the disabled community is an exemplary system that makes Texas an example for the rest of the nation. SB 208 will likely have a negative impact on a community that deserves quality, effective, and holistic care.</p> <p>Of the amendments filed for SB 208, LSG has concerns about the following amendment that is not pertinent to the Sunset recommendations:</p> <p>-Murphy (842132): This amendment lowers the salary qualifications of the jobs from 110% of the county's average manufacturing wage to the lesser of: the state median annual wage for manufacturing jobs in the state, or the average weekly wage in a county for manufacturing jobs or for all jobs multiplied by 52. This means that if the average for the state is \$45,000, and the project is in Dallas with a higher than usual county annual average of \$50,000, then the salary calculation will be based on the lower wage of \$45,000. Conversely, if the project is in Cameron County, with a county annual average of \$32,641, then the company can use \$32,641 to calculate the rate of pay. This means that the counties with the higher average rates of pay would lose out on higher paying jobs, and the counties with lower rates of pay would not be receiving a bump up. The tax breaks that these companies are receiving are not insubstantial. In exchange, the people of Texas are supposed to be receiving adequately paying jobs. This legislation allows the companies to keep their benefits but apply the old switcheroo to the Texas people.</p>	
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LSG Floor Report For Constitutional Amendments Calendar – Monday, May 25, 2015

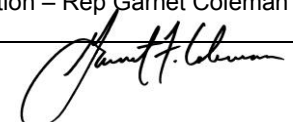
<p>SJR 52 By Sen. Campbell SP: Rep. Otto</p>	<p>Proposing a constitutional amendment repealing the requirement that state officers elected by voters statewide reside in the state capital.</p>	<p>State Affairs</p>	<p>Currently, the Commissioner of the General Land Office, the Attorney General, and any statutory State officer who is elected by the electorate of Texas at large, have to reside in the capitol of the state during the length of their term. SJR 52 removes this requirement from the Texas constitution.</p> <p>While technology has greatly advanced what could ever have been foreseen during the writing of the Texas Constitution, there are some work-related responsibilities that can only be handled face to face. Very few Texans, who have been hired for a position outside of their home location, would expect to be able to work remotely. In addition, Texans who need an audience with these officials know them to be in the Capitol. It may create confusion if the Attorney General, or other official was actually working out of El Paso. Also,</p>	<p><u>Will of the House</u> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
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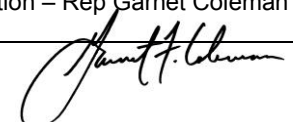
			staff members must often have direct access to the official. The preservation of institutional knowledge is often borne by staff members. Will they now be forced to move to the town in which the new official presides? Texas's elected officials have been tasked with too great a burden to leave the business of this state to the failure of an internet connection, blown tire, or downed power line. Texans deserve the best of their officials, and that means showing up in person.	
<u>LSG Floor Report For General State Calendar – Monday, May 25, 2015</u>				
SB 1337 By Sen. Perry SP: Rep. Lucio III	Relating to relating to the authority of the Texas Water Development Board to provide financial assistance to political subdivisions for water supply projects.	Natural Resources	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.	Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org
SB 1496 By Sen. Uresti SP: Rep. Naishtat, et al.	Relating to background checks conducted by the Department of Family and Protective Services for certain child-care providers.	Human Services	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.	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
SB 1336 By Sen. Perry SP: Rep. Keffer	Relating to the powers and duties, the construction of laws, and the election dates of certain groundwater conservation districts.	Natural Resources	<p>Currently the following districts have the rights, powers, privileges, authority, functions, and duties provided by the general law of the state applicable to underground water conservation districts.</p> <ul style="list-style-type: none"> • Clearwater Underground Water Conservation District • Crockett County Groundwater Conservation District • Mesa Underground Water Conservation District • Sandy Land Underground Water Conservation District • Santa Rita Underground Water Conservation District • Saratoga Underground Water Conservation District • South Plains Underground Water Conservation District • Sutton County Underground Water Conservation District <p>SB 1336 changes those rights, powers, privileges, authority, functions, and duties to those provided by the general law of the state applicable to groundwater conservation districts, (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>	Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org

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			For the Sandy Land, Sutton County & Saratoga Underground Water Conservation Districts, the bill clarifies prevalence of conflicting statutes, specifically that the GCDs would trump other water code provisions.	
<p>SB 1213 By Sen. Kolkhorst</p> <p>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 & 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. 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. 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>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>SB 776 By Sen. Fraser</p> <p>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</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>

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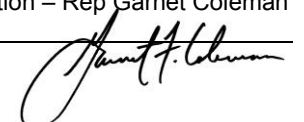
			<p>purchased from agencies will be considered an operating expense, and the purchaser will pay for energy regardless of whether it was delivered. The agency has the capability to establish and maintain its rates and charges for power and energy it delivers, however the state maintains the right to regulate 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 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.</p>	
<p>SB 699 By Sen. Eltife, et al. SP: Kuempel</p>	<p>Relating to the Texas Real Estate Commission and the regulation of certain real estate professionals.</p>	<p>Licensing & Administrative Procedures</p>	<p>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:</p> <ul style="list-style-type: none"> • Guidelines for license issuance, renewal, revocation or suspension • Qualifying courses and applicant requirements for new licenses • Defining requirements for licensure, including clearly identified provisions for “good standing” • Setting a completion timeline of 2 years before brokerage courses must be finished • Requiring courses offered by the commission to be related to legal topics and ethical requirements involved with real estate brokerage • 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 • Specifying that investigative materials related to grievances are to remain confidential, unless under approved circumstances 	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>SB 1934 By Sen. Campbell SP: Rep. Miller, R.</p>	<p>Relating to requirements for the issuance of a driver's license or personal identification certificate.</p>	<p>Homeland Security & Public Safety</p>	<p>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.</p> <p>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. Without identification, many areas of life for the average Texan is unnecessarily compromised:</p> <ul style="list-style-type: none"> • Older adults rely on ID cards because they do not expire and it makes it easier for them to write checks. • It is difficult for older adults to access the DMV to renew their cards, especially those who no longer drive. • Parents cannot pick up their children from school or daycare because most schools require a proof of ID upon picking up a child, especially at the beginning of the school year. • Adults will not be able to vote, order a drink at a bar, pick up medications, or even enter a county courthouse. <p>SB 1934 disenfranchises vulnerable and poor populations, including the elderly, disabled (many rely on identification cards rather than driver’s licenses), and undocumented immigrants.</p>	<p>Unfavorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

<p>SB 724 By Sen. Perry</p> <p>SP: Rep. Craddick, et al.</p>	<p>Relating to the motor vehicle sales tax applicable to motor vehicles used by transportation companies for certain purposes.</p>	<p>Ways & Means</p>	<p>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:</p> <ul style="list-style-type: none"> • A public agency • A commercial transportation company contracted with <ul style="list-style-type: none"> ○ a board of county school trustees ○ a school district board of trustees, ○ or the governing body of an open-enrollment charter school <p>This bill fosters a symbiotic relationship that is beneficial for schools.</p>	<p>Favorable</p> <p>Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>SB 424 By Sen. Schwertner, et al.</p> <p>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>SB 424 updates licensure and regulation requirements for hospitals. 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. The Department of Health shall conduct inspections of licensed hospitals on a regular schedule, 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>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. 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>SB 424 adds to the considerations the Department of Health must consider when assessing penalties; 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>SB 424 allows the Department of Health to request a hearing to appoint a trustee to operate the hospital if:</p> <ul style="list-style-type: none"> • the hospital is operating without a license • the Department of Health has suspended or revoked the hospital license • license suspension or revocation procedures against the hospital are pending and there is an immediate danger to public health and safety • an emergency exists that presents an immediate danger to the public health and safety • or the hospital is closing and no arrangements for relocation of patients have been arranged. 	<p>Favorable</p> <p>Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

			<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>SB 424 establishes the Hospital Perpetual Care Account, 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>SB 759 By Sen. Kolkhorst, et al. SP: Rep. Wray</p>	<p>Relating to the repeal of certain state taxes.</p>	<p>Ways & 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. SB 759 repeals two of those taxes - the tax on bingo and the tax on compressed or liquefied natural gas. 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>Will of the House Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

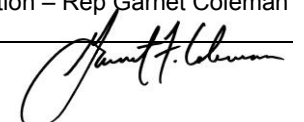
<p>SB 1743 By Sen. Hinojosa SP: Rep. Herrero</p>	<p>Relating to expanding the powers and duties of the office of capital writs and renaming the office of capital writs the office of capital and forensic writs.</p>	<p>Criminal Jurisprudence</p>	<p>In 2013 Texas became the first state to enact law allowing 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>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 – 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. 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>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>SB 133 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>Favorable Evaluated by: Eric Schroeder 512-763-0031 info@texaslsg.org</p>
<p>SB 1025 By Sen. Seliger SP: Rep. Smithee</p>	<p>Relating to supplemental compensation paid to certain county judges.</p>	<p>Judiciary & 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>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>

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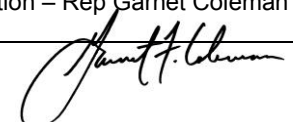
<p>SB 593 By Sen. Watson SP: Rep. Darby</p>	<p>Relating to pretrial settlement discussions during ad valorem tax appeals.</p>	<p>Ways & Means</p>	<p>SB 593 allows a property owner or appraisal district that is party to an appeal to district court to submit to the other party a written request for settlement 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. 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.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>SB 197 By Sen. Schwertner, et al. SP: Rep. Keffer</p>	<p>Relating to the financial self-sufficiency of the Cancer Prevention and Research Institute of Texas.</p>	<p>Public Health</p>	<p>SB 197 instructs the Cancer Prevention & Research Institute of Texas (CPRIT) to develop a plan to become financially self-sufficient, rather than primarily reliant on state-funded dollars. This plan shall include, among other things:</p> <ul style="list-style-type: none"> • steps the Institute will take to accomplish the transition to self-sufficiency • specified sources of funding other than the state money that the Institute will use • a projection of patent royalties and licensure revenues expected annually • 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. <p>This plan shall be submitted to the legislature by December 1, 2016, and update the plan annually until 2021. 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.</p>	<p>Will of the House with Concerns Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>SB 1408 By Sen. Lucio, et al. 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 & 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>SB 1408 will require TDA to create a community development matching grant program to foster community and economic development, 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>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>SB 1243 By Sen. Burton SP: Rep.</p>	<p>Relating to a pilot program for donation and redistribution of certain unused prescription</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>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

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<p>Sheffield, et al.</p>	<p>medications; authorizing a fee.</p>		<p>SB 1243 establishes a prescription drug donation and redistribution pilot program. 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 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. SB 1243 is designed to save taxpayers' money by redistributing in a hygienic, responsible way unused drugs that would otherwise be discarded. DSHS shall report to the legislature on the results of the pilot program, including health and safety concerns that may come up and recommendations going forward.</p>	
<p>SB 1406 By Schwertner, et al. SP: Rep. Dutton</p>	<p>Relating to the protection of certain children through the operation of the child safety check alert list.</p>	<p>Juvenile Justice & Family Issues</p>	<p>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.</p> <p>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.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>SB 496 By Sen. Watson SP: Rep. Howard</p>	<p>Relating to Foundation School Program funding for students enrolled in an optional flexible school day program.</p>	<p>Public Education</p>	<p>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.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>SB 881 By Sen. Nelson SP: Rep. Springer, et al.</p>	<p>Relating to the dedication of certain wine-related revenue.</p>	<p>Licensing & Administrative Procedures</p>	<p>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.</p>	<p>Will of the House Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

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<p>SB 159 By Sen. Rodríguez, et al. SP: Rep. Márquez</p>	<p>Relating to certification requirements for teachers in bilingual education.</p>	<p>Public Education</p>	<p>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.</p> <p>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.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>SB 1296 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>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>SB 10 By Sen. Huffman, et al. SP: King, P.</p>	<p>Relating to the prosecution of offenses against public administration, including ethics offenses.</p>	<p>General Investigating & Ethics</p>	<p>Public integrity complaints are currently handled by the Public Integrity Unit under the Travis County DA's office, which normally delegates cases to other agencies (e.g. HHSC, OIG) unless there is a conflict of interest. SB 10 transfers the authority to conduct certain criminal investigations of public officials from the Public Integrity Unity to the Texas Rangers, unless another state agency is given control over an investigation. It also places public officials' prosecutions in the district and county courts where they were originally elected. State employees who were not elected will continue to be tried in the county in which the offense occurred, creating a disconnect between how elected officials are treated under law and how other state employees are treated. If two or more defendants are alleged of committing an offense against public administration, the trial shall be where the offense was committed rather than having two separate trials in each defendant's home county. Again, this creates separate standards for different incidents. While SB 10 strives to increase accountability and integrity by changing how public integrity crimes are prosecuted, it betrays the public trust by creating different rules for different cases.</p> <p>The bill allows the Texas Rangers the option to delegate investigation to another DPS unit if there is a conflict of interest, but it does not require them to recuse themselves in most circumstances, nor does it allow defendants to request Texas Rangers to recuse themselves. Instances in which Texas Rangers are required to recuse themselves are:</p> <ul style="list-style-type: none"> • if it is found that a member of the security detail of the public official is a witness or has knowledge of the facts underlying the complaint or 	<p>Will of the House with Serious Concerns Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

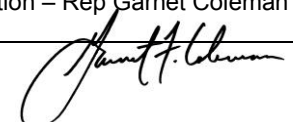
			<ul style="list-style-type: none"> if a formal or informal complaint alleges that the public safety director or a deputy or assistant director of DPS has committed an offense against public administration. <p>District Attorneys and Prosecutors also may recuse themselves, but are not required to do so unless the prosecutor has a current or past financial or business relationship with the defendant. In the case of prosecutors, defendants MAY request their prosecutor recuse him/herself. However, even if an official requests recusal of the prosecutor, the burden of proof is very high to get a prosecutor knocked off a case. This means the official may not succeed if he/she cannot show a due process violation.</p> <p>Prosecuting in the home counties of public officials raises the additional concern of holding a trial on “home field advantage” for some officials, where all those the official has campaigned with or may have given favors to in the past reside. In this case, a DA who has a personal relationship with the defendant will not recuse him-/herself and the official will not want that person recused either. If a judge also refuses to recuse the prosecutor, all protections to a fair trial are decimated. A different problem with putting the prosecution back in the home counties of the officials rests in statewide officials who have been in office many years. If someone was elected from ‘County X’ 15 years ago, but has held a statewide position and therefore lived, worked, and voted in Travis County for the past 15 years, is ‘County X’ really home? This bill would contend it is, but the individual’s peers are just as likely to be in Travis after that many years.</p> <p>Proponents of the bill say moving the investigating of public integrity complaints to the Texas Rangers, with prosecution at in local county and district courts, will eliminate the bias against public officials because they are a statewide agency. The main concern is that the current Public Integrity Unit, in Travis County, is biased against Republicans. However, of the 21 elected officials indicted during the PIU’s existence, 15 have been Democrats and only 6 have been Republicans.</p> <p>Without strong requirements for recusal, and differing rules for elected and non-elected state officials, there are too many problems with this bill for LSG to stand behind it. This attempted solution just trades one problem for another. It is impossible to avoid all corruptions in the system, and this system is no different.</p>	
<p>SB 1287 By Sen. Hinojosa SP: Rep. Geren, et al.</p>	<p>Relating to the Texas Forensic Science Commission, the accreditation of crime laboratories, and the licensing and regulation of forensic analysts; authorizing fees; requiring an occupational licensing.</p>	<p>Licensing & Administrative Procedures</p>	<p>Texas is currently considered a leader in forensic testing technology. However, a recent NSA study revealed innocent people were wrongly convicted based on inaccurate forensic evidence because some crime labs, many of them privately operated, were mixing up lab results. Individual scientists are also currently not responsible for their lab work. SB 1287 addresses this by</p> <ul style="list-style-type: none"> extending current accreditation standards for forensic labs to also apply to individual forensic scientists mandating that only accredited labs and licensed professionals can have their research used in criminal cases instituting disciplinary action against any forensic license holder who violates professional conduct standards while working in the capacity of their profession. <p>Under this change, a forensic scientist cannot offer testimony unless they hold a forensic analyst license. Additionally, the Texas Forensic Science Commission must establish a nine member advisory board to advise and make recommendations to the commission regarding forensic licensing matters.</p> <p>With the advancement of forensic evidence in solving crimes or exonerating innocent people, it is crucial that the information is accurate and reliable.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>

<p>SB 265 By Sen. Ellis SP: Rep. Davis, S.</p>	<p>Relating to student use of sunscreen products in public schools.</p>	<p>Public Education</p>	<p>SB 265 allows a student to have and use sunscreen while on school property or at a school-related event or activity, if the product is approved by the federal Food and Drug Administration for over-the-counter use. A school district, its board of trustees, or employees of the district are not given immunity from liability. It does not create any liability for, or a cause of action against, a school district, its board of trustees, or employees of the district. This bill allows students to take precautions against exposure to the sun and helps to prevent skin cancer.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>SB 1630 By Sen. Whitmire SP: Rep. Turner, S.</p>	<p>Relating to the commitment of juveniles in post-adjudication secure correctional facilities operated by the Texas Juvenile Justice Department and by local probation departments.</p>	<p>Juvenile Justice & Family Issues</p>	<p>SB 1630 updates obsolete and ineffective juvenile sentencing guidelines by requiring courts to consider community-based supervision as a rehabilitative alternative to sending convicted youth offenders to a Texas Juvenile Justice Department (TJJD) state facility. A recent study determined that juveniles released from state-secured facilities are three times more likely to commit a felony in comparison to youth placed under community-based supervision.</p> <p>The bill authorizes the courts to commit a child, who is found to have engaged in felonious conduct, to TJJD without a determinate sentence, if the court makes a special commitment finding that the child has behavioral health or special needs that cannot be met with resources available in the community. Such a finding would need to be documented and supported by a validated needs assessment.</p> <p>Additionally, SB 1630 instructs TJJD to implement a regionalization plan that would help institute community-based supervision as a means to ensure youth offenders can carry out their sentencing closer to home. The bill requires TJJD to create special programming for youth offenders with determinate sentences, develop performance-based goals and outcome, identify youth who may be transferred to local facilities, and report on the repurposing of existing secured facilities. TJJD is required to reimburse counties for the placement of youth in a regional specialized program. If the goal of sentencing is to rehabilitate a youth offender to be a productive citizen after serving out a sentence, then Texas needs to afford its youth every opportunity to be rehabilitated.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>SB 933 By Sen. Fraser SP: Rep. Cook, et al.</p>	<p>Relating to the authority of the Public Utility Commission of Texas to review transmission interconnections that enable imports or exports from the ERCOT power grid.</p>	<p>Ways & Means</p>	<p>SB 933 prohibits an individual from interconnecting facilities to the ERCOT grid for power import or export without a certification from the Public Utilities Commission (PUC), stating that public convenience and necessity requires or will require the interconnection. The bill outlines considerations, and determinations the PUC must make to grant the certificate.</p> <p>The PUC must approve an application within 185 days after it's submission for a facility to be constructed under an interconnection agreement appended to an offer of settlement approved in a final order of the Federal Energy Regulatory Commission (FERC), that was issued in Docket No.ATX11-01-001, on or before December 31, 2014, directing physical connection between the ERCOT and SERC regions under certain sections of the Federal Power Act.</p> <p>The bill is not intended to restrict the authority of the commission or the independent organization certified under Section 39.151 for the ERCOT power region to adopt rules or protocols of general applicability.</p>	<p>Will of the House Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

<p>SB 932 By Sen. Fraser SP: Rep. Cook</p>	<p>Relating to the authority of the Public Utility Commission of Texas to retain assistance for federal proceedings affecting certain electric utilities and consumers.</p>	<p>State Affairs</p>	<p>The Public Utility Commission of Texas, (PUC) is currently embroiled in over 20 legal battles with the Federal Energy Regulatory Commission (FERC), on behalf of non-ERCOT areas, specifically Entergy Texas. Expiring in 2023, SB 932 allows the PUC to retain the consultants, accountants, auditors, engineers, or attorneys they think necessary to adequately battle the FERC. The bill requires that the electricity utilities pay the costs of the professional retained by the PUC, up to \$1.5 million per year. To pay these costs, the PUC may pass those costs, and more, to their customers. The PUC would need solicit, and receive, approval from the Attorney General prior to retaining a consultant, and they are prohibited from retaining a lobbyist.</p>	<p>Unfavorable Evaluated by: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>SB 277 By Sen. Schwertner SP: Rep. Sheffield</p>	<p>Relating to certain health-related and other task forces and advisory committees.</p>	<p>Human Services</p>	<p>SB 277 implements certain Sunset Advisory Commission recommendations concerning health and human services agencies, including abolishing certain health-related task forces and advisory committees that are no longer needed, are inactive, or have fulfilled their purpose and establishing advisory committees that are now needed.</p> <p>Article 1: Effective September 1, 2015 <i>Task forces and advisory committees to be abolished include:</i> the Interagency Task Force on Electronic Benefits Transfers; the Medicaid & Public Assistance Fraud Oversight Task Force; the Advisory Committee on Inpatient Mental Health Services; the Interagency Inspection Task Force; the local authority network advisory committee; the Worksite Wellness Advisory Board; the Sickle Cell Advisory Committee; the Arthritis Advisory Committee; the Advisory Panel on Health Care-Associated Infections and Preventable Adverse Events; the Youth Camp Training Advisory Committee; the Drug Demand Reduction Advisory Committee; and the Texas Medical Child Abuse Resources and Education System (MEDCARES) Advisory Committee.</p> <p>Article 2: Effective January 1, 2016 <i>Advisory committees may be established and maintained</i> to consider issues and solicit public input relating to a variety of issues, including: Medicaid and other social services programs; managed care under Medicaid and the children health plan program; health care quality initiatives; aging, persons with disabilities; rehabilitation; children; public health; behavioral health; regulatory matters; protective services; and prevention efforts. The executive commissioner shall adopt rules to govern the advisory committees’ purposes, tasks, reporting requirements, and date of abolition, including membership and quorum requirements. The public will have access to advisory meetings, including live streaming of meetings, and shall know the schedule of meetings as the meetings will be included on a master calendar that is available on the HHSC website.</p> <p><i>The Drug Utilization Review Board is established,</i> which shall develop and submit to the commission recommendations for preferred drug lists; suggestions on restrictions or clinical edits on prescription drugs; recommendations on educational interventions for Medicaid providers; and reviews of drug utilization across Medicaid. The executive commissioner of HHSC shall develop rules for the board, and composition of the board is described in the bill. Other rules for the board in SB 277 include meeting requirements, public access requirements, and what information on drugs the board shall provide to the executive commissioner and the public.</p> <p><i>Task forces and advisory committees to be abolished include:</i> the advisory committee on Medicaid and child health plan program rate and expenditure disparities; the Advisory Committee on Qualifications for Health Care Translators and Interpreters; the Behavioral Health Integration Advisory Committee; Interagency Task Force on Ensuring Appropriate Care Settings for Persons with Disabilities; the Consumer Direction Workgroup; the Council on Children and Families; the Electronic Health Information Exchange System Advisory Committee; the Guardianship Advisory Board; the hospital payment advisory committee; the Interagency Coordinating Council for HIV and Hepatitis; the Medicaid and CHIP Quality-Based Payment Advisory Committee; the Medicaid Drug Utilization Review Board; each</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

			<p>Medicaid managed care advisory committee appointed for a health care service region; the Public Assistance Benefit Review and Design Committee; the renewing our communities account advisory committee; the STAR + PLUS Nursing Facility Advisory Committee; the STAR + PLUS Quality Council; the state Medicaid managed care advisory committee; the task force on domestic violence; the Interagency Task Force for Children with Special Needs; the telemedicine and telehealth advisory committee; the board of directors of the Texas Institute of Health Care Quality and Efficiency; the Texas System of Care Consortium; the Texas Traumatic Brain Injury Advisory Council; the Pharmaceutical and Therapeutics Committee; the Children’s Policy Council; and the volunteer advocate program advisory committee.</p> <p>Any new advisory committees established shall be published in the Texas Register no later than November 1, 2015. All discontinued advisory committees and advisory committees whose functions are absorbed by other committees shall be listed in the Texas Register no later than November 1, 2015. SB 277 seeks to streamline HHSC, eliminating unnecessary advisory committees, granting authority to establish necessary advisory committees, and improving efficiency across HHSC.</p>	
<p>SB 1880 By Sen. Zaffirini SP: Rep. Raymond</p>	<p>Relating to the authority of the Department of Family and Protective Services to investigate abuse, neglect, or exploitation of individuals receiving services from certain providers.</p>	<p>Human Services</p>	<p>The Department of Family and Protective Services (DFPS) is charged with protecting and serving adults with disabilities, or who are 65 years or older. The current tasks of the Adult Protective Services (APS) within DFPS is to: investigate reports of abuse, neglect and exploitation (ANE); conduct in-home investigations to provide or arrange services; and investigate allegations at facilities. Current statute poses gaps that developed since service delivery systems continued to grow and went beyond statutory regulation. SB 1880 makes changes to ensure that managed care organizations, and its providers, are subject to investigation when there are allegations of ANE. Elderly adults, and adults with disabilities, are considered a vulnerable population, requiring the same protections and quality care as children.</p> <p>Although SB 1880 makes many clarifying changes, the most significant of the revisions is the addition of a section regarding investigations of abuse, neglect, or exploitation of individuals receiving services from certain providers. Under current statute, there is an exemption for investigations in nursing homes, assisted living facilities, and similar facilities by DFPS, if a provider is alleged to have committed the ANE. This exemption is removed from the Human Resources Code, Family Code, and Health and Safety Code. DFPS will now be required to investigate allegations of ANE for an individual receiving services from a provider who provides home and community-based services under a home and community-based services waiver program. This would occur when the person alleged or suspected to have committed the ANE is a provider, and regardless if the individual does not receive services under the waiver. These investigations would be exempted from the requirements of investigations of home and community support service agencies. DFPS may not investigate reports of ANE, if another state agency has authority to license a provider, and investigate the reports. This bill establishes certain requirements when conducting a provider investigation. DFPS is also required to investigate reports of ANE of a child who receives services from an officer, employee, agent, contractor, or subcontractor of a home and community support services agency, if the party is, or may be the person alleged to have committed the ANE. Protective services, including emergency protective services, must be given to the a child living in a residence owned, operated, or controlled by the provider who provides home and community-based services under a home and community-based services waiver program.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>SB 313 By Sen. Seliger SP: Rep. Aycock</p>	<p>Relating to the essential knowledge and skills of the required public school curriculum, the administration of and reports relating to</p>	<p>Public Education</p>	<p>The State Board of Education (SBOE) is responsible for determining standards for curriculum that are known as the Texas Essential Knowledge and Skills (TEKS). Currently, the TEKS is broad and leaves educators with the challenge of teaching their students the TEKS that are established within a limited time period. The provisions in SB 313 address this issue by requiring a number of actions to be taken by the SBOE.</p> <p>The bill requires the SBOE to conduct a one-time review of the TEKS for each foundation curriculum subject most recently reviewed by</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

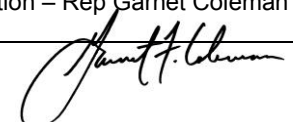
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	<p>assessment instruments administered to public school students, the instructional materials allotment, and proclamations for the production of instructional materials.</p>		<p>the Board. This review will be conducted to modify TEKS; narrowing down the content and scope of standards and skills for the subject at each grade level, by considering the following factors:</p> <ul style="list-style-type: none"> • The time a teacher would require to provide comprehensive instruction on a particular standard or skill; • The time a typical student would require to master a particular standard or skill; • Whether each TEKS of a subject reviewed, can be comprehensively taught within the number of school days; • Inclusion of college and career readiness standards whether an assessment instrument administered • Whether an assessment instrument administered adequately assesses a particular standard or skill <p>Priority in the review is given for subjects that an end-of-course assessment is administered. Any reviews and modifications are to take place no later than September 1, 2018. The SBOE will have to develop a chart that shows the alignment of college readiness standards and expectations in connection with the TEKS.</p> <p>SB 313 also contains provisions to the instructional materials allotment (IMA) from previous bills that passed through the House. These provisions includes:</p> <ul style="list-style-type: none"> • Requiring the IMA funds be given biennially to districts • Requiring the SBOE to only issue proclamations that do not exceed 75% of the total IMA • Requiring SBOE to only issue proclamations that are necessary <p>Additionally, the SBOE is now required to set aside 50% from the permanent school fund to available school fund for the IMA.</p>	
<p>SB 1580 By Sen. Garcia, et al. SP: Turner, S., et al.</p>	<p>Relating to a study on homeless veterans.</p>	<p>Human Services</p>	<p>Texas prides itself on our military history, and our veterans. Unfortunately, Texas has turned a blind eye to the veterans that are homeless. We have the 3rd highest population of homeless veterans in the United States, and for a state that prides itself on its neighborliness and religious values; ignoring the men and women who have sacrificed for us is unacceptable.</p> <p>SB 1580 will mandate a study be conducted by the Texas Department of Housing and Community Affairs (TDHCA), in conjunction with other members of the Texas Interagency Council for the Homeless, and report the finding as they relate to homeless veterans. The study will compile existing data concerning the population of homeless veterans; what current programs are in place, and their effectiveness; identify existing sources of funding available to the Texas Interagency Council for the Homeless to provide housing and services to homeless veterans; and develop recommendations for reducing our homeless veteran population. The finding of this study shall be due to the legislature by December 1, 2016.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>SB 1474 By Sen. Garcia, et al. SP: Rep. Farias</p>	<p>Relating to the redesignation of veterans court programs as veterans treatment court programs and the eligibility for participation in and administration of those programs.</p>	<p>Defense & Veterans' Affairs</p>	<p>Too often, our men and women returning from combat suffer from emotional and physical issues, such as PTSD and traumatic brain injury. Treatment and care at VA clinics is woefully inadequate, leading many service members to self-medicate, through alcohol, tobacco, or prescription drugs. Although illicit drug use is lower among U.S. military personnel than among civilians, heavy alcohol and tobacco use-- and especially prescription drug abuse-- are much more prevalent, and are on the rise. Veterans who enter the criminal justice system often reflect this stark reality. Recognizing the issues faced by our veterans, Texas has a court program currently in operation. This program offers an alternative to jail or prison for eligible veterans who enter the criminal justice system, many of whom are dealing with drug or substance dependence. The programs mimic drug and mental health courts, but are specifically tailored to suit the need of veterans. Unfortunately, not all veterans who enter the justice system qualify to be heard in this court, as the criteria for inclusion only applies to those that served in a combat zone or other similar hazardous duty area.</p> <p>SB 1474 will allow more veterans access to these courts by widening the criteria for inclusion, and change the program from veterans court program to veterans <u>treatment</u> court program. Now eligible will be veterans that suffer from an injury, illness, or disorder that occurred during service, or is a result of said service, which affects the veteran's conduct as it relates to the case being heard. Those</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>

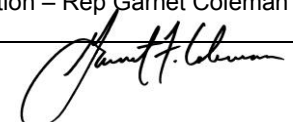
			<p>that suffered sexual assault during their service shall also be included, a necessary addition in light of the high rate of sexual assault (an estimated 5,000 service members reported sexual assault in 2013). In addition, a veteran will be included in the program should it be determined that their rehabilitation will ensure public safety, based on the veteran’s conduct, personal and social background, and criminal history.</p>	
<p>SB 494 By Sen. Watson SP: Rep. Munõz, Jr.</p>	<p>Relating to the availability of certain property and casualty insurance forms on the Internet.</p>	<p>Insurance</p>	<p>When purchasing insurance, such as automobile, residential, or marine insurance, you must visit the various insurance company websites to view their standardized policies. This can be tedious and time consuming. SB 494 will allow the office of public insurance counsel to post standardized policy forms from the numerous insurance companies on their website, should the companies wish to provide the counsel with the documents. This will allow Texans to more easily compare the policies; and make easier, more informed decisions concerning their insurance needs.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>SB 1876 By Sen. Zaffirini SP: Rep. Smithee</p>	<p>Relating to the appointment of attorneys ad litem, guardians ad litem, mediators, and guardians.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Many attorneys rely on court appointments for ongoing employment; however, this practice has proven exclusive because some attorneys are repeatedly selected by courts which they have familiarity, while others are overlooked. SB 1876 would require Texas courts to appoint a local administrative judge to maintain and update a listing of qualified attorneys that are registered with the court to serve in the capacity of an attorney ad litem, guardian ad item, mediator, or guardian. Under this bill, names would be selected from a rotating list, which a court may appoint at random or select the first name listed; however, when selecting a mediator, the first name on the list must be selected. A person not included on the list may be selected if both parties agree and the attorney meets all statutory and other necessary requirements to fulfil the appointment. Once selected, the attorneys cycle to the bottom of the list. If a party is selected out of order, it will not affect the placement of the other attorneys listed. The listing will be updated and made available on the court’s website on an annual basis. The bill does not require lists or rotating appointments for:</p> <ul style="list-style-type: none"> • mediations conducted by an alternative dispute resolution system established by a county; • guardians ad litem or other persons appointed as a volunteer advocate; an attorney ad litem, guardian ad litem, amicus attorney, or mediator appointed by a county office that serves families, county departments, and courts regarding the parent-child relationship; • persons other than an attorney or private professional guardian appointed to serve as a guardian as defined by the Estates Code Separate lists may be made for different courts as needed, including but not limited to, family courts, probate courts, and statutory courts. <p>The presiding judge must require the local administrative judge for statutory probate courts in a county to ensure that all statutory probate courts in the county comply. SB 1876 may provide for the establishment and maintenance of the lists, including the establishment and maintenance of more than one of a list categorized by the type of case, such as family law or probate law, and the person’s qualifications.</p> <p>This bill would introduce more fairness, and equity into the current system and allows the lawyers to receive more exposure to clients they may not have otherwise encountered.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>

<p>SB 1101 By Sen. Eltife SP: Rep. Paddie</p>	<p>Relating to the authority to determine the supply of groundwater in certain regional water plans.</p>	<p>Natural Resources</p>	<p>SB 1101 requires a Regional Water Planning Group (RPG) to determine the supply of groundwater for regional planning purposes if there is no Groundwater Conservation District (GCD), existing within their region. Obviously it is beneficial for areas to have some sort of authorized planning entity, but GCDs put forth funds to do actual research to inform their planning. Allowing the RPGs to determine the desired future conditions without advanced science can negatively affect the area by allowing one region to determine, based on non-scientific data, the desired future conditions of another area. The RPG neither needs to cooperate with its neighbors, nor aim for consensus for any permitting or restrictions that it authorizes. RPGs also usurp local control. Texas has sustained drought and water shortages, and we need to thoughtfully and equitably manage our resources to serve the people of this state.</p>	<p>Unfavorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>SB 1462 By Sen. West SP: Rep. Johnson, et al.</p>	<p>Relating to the prescription, administration, and possession of certain opioid antagonists for the treatment of suspected opioid overdoses.</p>	<p>Public Health</p>	<p>SB 1462 allows for the prescription, administration, or possession of opioid antagonists to treat suspected opioid overdoses. Drug overdoses are one of the leading causes of accidental death in the US, often affecting the elderly and veterans who are prescribed opioids for a variety of reasons. SB 1462 permits the prescription and distribution of opioid antagonists to not just the people who have been prescribed opioids, but also to the family and friends of those who have been prescribed opioids. This is important because effects of opioid overdose include unconsciousness and depressed breathing and an unconscious person cannot provide instruction as to where to find the antagonist, such as Naloxone, that could save their life.</p> <p>By allowing primary caregivers to have their own supply, SB 1462 stands to save the lives of some of our most vulnerable citizens. It is important to note that 30 other states have similar legislation, and availability of Naloxone does not result in increased drug abuse. Opioid antagonists like Naloxone cause instant withdrawal, which can be an extremely painful process and not one an addict would look forward to. It will not lead to addicts seeking out Naloxone to use as a crutch to continue using and, in fact, will be difficult for most people addicted to heroin or pills to come by as it requires a prescription from a willing physician. SB 1462 has liability protections for doctors and pharmacists, stating that they can choose to prescribe/dispense opioid antagonists according to their judgment and that whether or not they prescribe/dispense, cannot be found liable for malpractice if they acted on good faith. SB 1462 can prevent accidental deaths and put the minds of many individuals who have been prescribed opioids at ease by making opioid antagonists more available in the event of an overdose.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>SB 1517 By Sen. Seliger, et al. SP: Rep. Coleman</p>	<p>Relating to the appointment of counsel to represent indigent defendants in criminal cases.</p>	<p>Criminal Jurisprudence</p>	<p>Current law does not designate which county is responsible for appointing counsel for an indigent person on an out-of-county warrant. This has led to arrestees remaining in jail for longer periods than necessary, particularly where the warrant-issuing county does not transport the arrestee to the warrant issuing county's jail, or communicate with the arresting county. SB 1517 closes the loophole in state law regarding which county is responsible to appoint counsel for an indigent person in custody on an out-of-county warrant.</p> <p>The bill provides that the county that issued the warrant has the primary duty to appoint counsel for an out-of-county warrant. The bill also creates a process for the arresting county to send the request for counsel to the warrant-issuing county. Upon receipt of the request, the warrant-issuing county has the same time limits for appointment of counsel that apply to other appointments of counsel under Texas law. If the county responsible for the warrant does nothing for more than ten days after the arrest of the person, the bill also provides that the arresting county has a duty to appoint counsel for the person for limited purposes related to release from custody. The arresting county may also seek reimbursement for the cost of this appointment of counsel from the warrant-issuing county. This bill clarifies an area of confusion for the counties regarding appointment of counsel on out-of-county warrants and creates an incentive for counties to transport arrestees to the county where the warrant originated in a timely manner.</p>	<p>Favorable Evaluated by: Marisela Gomez 512-763-0031 info@texaslsg.org</p>



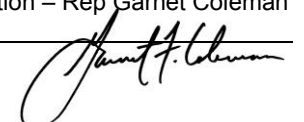
<p>SB 1049 By Sen. Campbell, et al. SP: Rep. Sheets, et al.</p>	<p>Relating to an exemption from the franchise tax and certain filing fees for certain businesses owned by veterans during an initial period of operation in the state.</p>	<p>Ways & Means</p>	<p>In an attempt to incentivize new veteran owned businesses, SB 1049 defines “veteran owned” and “new business,” then exempts them from the first 5 years of franchise taxes and business filing fees, so long as they consistently retain the new veteran owned business status. To qualify veterans must have served and been honorably discharged from the US armed forces; providing verification for comptroller to that effect. The comptroller will also require additional verification from the Texas Veterans Commission. Qualifying new businesses will have to be formed in Texas, and the start of business shall be on or after Jan. 1, 2016.</p> <p>SB 1049 also gives the comptroller the ability to require a qualified business to file an information report stating its beginning date, but restricts the comptroller from requesting the business to report or compute its margin.</p> <p>The benefit to new veteran owned businesses expires on Jan. 1, 2020 but the 5 year timeline is long enough to have a negative \$5 million impact on the property tax relief fund. As a reminder, any loss to the Property Tax Relief Fund must be made up with an equal amount of General Revenue to fund the Foundation School Program. The LSG is supportive of creating new business and helping veterans, but is worried about the cumulative effect that the many, many tax cuts and exemptions passing this session will have our future funds for upcoming years.</p>	<p>Will of the House Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>SB 236 By Sen. Schwertner SP: Rep. Farney</p>	<p>Relating to the punishment of certain controlled substance offenses committed in a drug-free zone.</p>	<p>Criminal Jurisprudence</p>	<p>Under current law, possessing or selling certain drugs in a drug-free zone, such as a school or other areas where children and teenagers might congregate, is subject to an enhanced penalty. SB 236 adds possession or sale of substances listed under Penalty Group 1-A (LSD, its salts, isomers, and salts of isomers) as offenses subject to enhanced penalties.</p> <p>An offense otherwise punishable as a state jail felony, is a felony of the 3rd degree. An offense otherwise punishable as a 2nd degree felony is a 1st degree felony, if committed in, on, or within 1,000 feet of premises owned, rented, or leased by an institution of higher learning; on the premises of a public or private youth center, or a playground; in, on, or within 300 feet of the premises of a public swimming pool or video arcade facility. SB 236 increases the minimum term of confinement or imprisonment by five years and doubles the maximum fine, if the offense is committed in, on, or within 1,000 feet of the premises of a school or a public or private youth center or playground, or on a school bus. Additionally, the bill enhances the penalty for a conviction of possession or distribution of fewer than 20 units of LSD, its salts and isomers, from a state jail felony to a 3rd degree felony, if the offense is committed in a drug-free zone.</p> <p>This bill has been proposed as closing a loophole in current law to subject LSD to these same harsh penalty enhancements as other controlled substances. However, we should really think about moving in the opposite direction. Convicting offenders to longer felony sentences, only creates a class of people who has little job or housing prospects and any means to rise above a life of crime. Continuing to over-criminalize is not in the best interest of Texans and taxpayers. Further, LSD is a substance that is typically sought out by high-schoolers and young college students. We don’t want to saddle people who are trying to become good citizens, but who might also be in an experimental phase, with a felony sentence. This bill is bad public policy, and we would be wise to remove enhanced penalties for other substances.</p>	<p>Unfavorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>SB 633 By Rep. Fraser SP: Rep. Isaac</p>	<p>Relating to certain event trust funds and the abolishment of the special event trust fund.</p>	<p>Economic & Small Business Development</p>	<p>Sporting events, such as rodeos, golf tournaments, and soccer matches are a major part of both our Texas identity and culture. Hosting events, such as the Super Bowl, help attract many visitors, and are a financial boon for the host city. The cost of hosting such events can be expensive, however, and not all hosting locations have the funding necessary to put on such events. The Major Events trust fund has historically provided financial assistance to municipalities putting on events. Since its inception, however, many new sporting events types, and newly popular sports have emerged.</p> <p>SB 633 will reenact Vernon’s Texas Civil Statutes, and expands the definition of events to include additional sporting and debating</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>

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			<p>events, including:</p> <ul style="list-style-type: none"> • National Collegiate Athletic Association-men's or women's lacrosse championships • World Cup soccer tournament • Major League Soccer All-Star Game • Major League Soccer Cup • Professional Rodeo Cowboys Association National Finals Rodeo, • Elite Rodeo Association World Championship • United States Open Championship • Amateur Athletic Union Junior Olympic Games • Moto Grand Prix of the United States • A presidential general election debate (which can get pretty sporty) <p>In addition, the definition of "site selection organization" is also expanded to include: Dorna Sports; Amateur Athletic Union; Professional Rodeo Cowboys Association; Elite Rodeo Association; Major League Soccer; United States Golf Association; and the Commission on Presidential Debates.</p>	
<p>SB 632 By Sen. Fraser, et al. SP: Rep. Button</p>	<p>Relating to the abolishment of the Texas emerging technology fund.</p>	<p>Economic & Small Business Development</p>	<p>The Texas emerging technology fund was created to aid in the development and diversification of the Texas economy by encouraging innovation and commercialization of research, high-quality jobs, and applied technology research higher education. Unfortunately, the fund has not successfully achieved its goals, and some believe the fund should be abolished, as those funds could be put to more effective use elsewhere.</p> <p>SB 632 will abolish the emerging technology investment portfolio, and vests the Texas Treasury Safekeeping Trust Company with overseeing the dissolution of the portfolio. SB 632 grants the trust company the authority to disband the portfolio, making sure the disbandment is done in the most feasible means available, including retaining investments if deemed prudent.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>SB 374 By Sen. Schwertner, et al. SP: Rep. Dale</p>	<p>Relating to requiring state agencies to participate in the federal electronic verification of employment authorization program, or E-verify.</p>	<p>State Affairs</p>	<p>Currently the e-verify system, an electronic verification of employment authorization program of the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996, is a tool in the repertoire of employers to assist them in ensuring they are only hiring work-eligible employees. SB 374 codifies that all state agencies, including higher Ed, must use the E-verify system for new hires. Previously, Governor Perry had issued a directive that existing state employees were to be screened, but this directive conflicted with the Federal regulation that e-verify was only to be used for new hires. SB 374 only requires using e-verify for new hires.</p> <p>Citizen and immigration services report that inaccuracies abound in the system, due to errors for manual entry, nicknames, and substantial lag in the updates. They further report that immigrants can be work-eligible, legal, permanent residents, but the system will not reflect that status. Immigrants can sometimes also fall out of legal citizenship, gain it back, but that information is not updated in a timely manner.</p>	<p>Unfavorable Evaluated by: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>SB 1135 By Sen. Garcia, et al. SP: Rep. González, M.</p>	<p>Relating to civil and criminal liability for the unlawful disclosure or promotion of certain intimate visual material; creating an offense.</p>	<p>Criminal Jurisprudence</p>	<p>Revenge porn is the fairly recent criminal phenomena in which a person publicly shares sexually explicit visual material without the consent of the person depicted in the material. Websites then further prey upon these victims by promoting this material. A victim often finds out about the offense after she has been publicly defamed and denigrated, sometimes several weeks after; causing undue psychological damage, and often prompting a switch of jobs or schools to seek refuge from those who may know about the incident. Victims are sometimes forced to pay a fee to have their images removed from one of these deplorable sites. It's obvious that as a culture we should not continue to condone this.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

			<p>SB 1135 addresses revenge porn by creating civil and criminal penalties for unlawful disclosure or promotion of certain intimate visual material, to go after the retaliative intimate partner and the owner or operator of one of these websites. An offender is liable to the depicted subject for actual damages, including damages for mental anguish, and to recoup court costs and fees. A claimant who prevails in a civil suit may recover exemplary damages under the bill, and any cause of action is cumulative of any other remedy provided by common law or statute. Further, SB 1135 enables a court to grant injunctive relief to temporarily or permanently prevent the disclosure or promotion of the material. The bill requires its civil liability provisions to be liberally construed.</p> <p>Additionally, the bill creates a Class A misdemeanor offense for disclosing or promoting the material without the consent of the depicted subject, or for threatening to disclose the material in return for a benefit. A conviction of such an offense would be punishable by up to a year in jail, a fine of up to \$4,000, or both – the same punishment exacted for the offenses of carrying a gun without a permit and pimping. The bill provides certain affirmative defenses to prosecution, and expressly states that an offender can be charged under this statute, other applicable law, or both. The provisions of the bill exempt interactive computer services, such as server warehouses that only provide storage, or cloud storage, from civil liability claims.</p> <p>Revenge porn degrades and dehumanizes women; often affects younger women who are more naïve in their life choices; can ruin a person’s work and personal life; and has resulted in suicide. The offense of improper photography is punishable by a state jail felony.</p>	
<p>SB 923 By Sen. Watson SP: Rep. Zedler</p>	<p>Relating to the prosecution of the offense of obstruction or retaliation; creating a criminal offense.</p>	<p>Criminal Jurisprudence</p>	<p>SB 923 creates an obstruction or retaliation offense to address the relatively new practice of “doxing” -- researching and broadcasting another’s personally identifiable information, such as home address and phone number, with the intent to threaten that individual or expose them to malicious acts. Doxing is often an act of retaliation, targeting law enforcement agents and their families.</p> <p>The bill makes clear that it is an offense to post on a publicly accessible website the residential address or telephone number of a public servant or their family with the intent to threaten or cause harm in retaliation for, or on account of, the service or status of the individual as a public servant. Doxing is punishable by 3rd degree felony, or by 2nd degree felony, if the offense resulted in bodily injury or if the victim was a juror. The bill establishes circumstances which would constitute prima facie evidence in court (unless rebutted, which would be enough to prove intent or fact), if the defendant was explicitly told not to disclose the information and failed to take it down in 48 hours, or reposted it.</p> <p>Currently, individuals who interfere or impede with a police officer’s ability to perform their duties can be charged with a Class B misdemeanor for criminally negligent behavior. However, the law provides a defense to prosecution when the alleged offense is solely speech-based. SB 923 is then necessary to adequately protect public servants (not just police, but as defined within the Penal Code) and to keep up with the amount of information made publicly available by technology. The bill protects candidates of public offices, grand jurors serving in contentious cases, and many others who are more likely to be targeted for this type of offense.</p> <p>It might behoove parties to expand the offense to include disclosure of credit information, SSN, and other personally identifiable information. In the future, it might also be wise to address victims of doxing, who are not public servants but who are still bullied in this dangerous manner as an act of retaliation.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>



<p>SB 1877 By Sen. Zaffirini SP: Rep. Galindo</p>	<p>Relating to the development and maintenance by each state agency of a data use agreement for the state agency's employees and to training related to that agreement.</p>	<p>Government Transparency & Operations</p>	<p>SB 1877 requires each state agency to develop a data use agreement that meets the agency's particular needs while being consistent with DIR's rules for security standards. These data use agreements shall be updated at least biennially, but may be updated at any time deemed necessary by the agency to continue using best practices in data management. The data use agreement, and each update to the agreement, must be distributed to agency employees and each agency employee must sign the agreement and each updated form of the agreement. State agencies shall also provide agency employees with cybersecurity awareness training when data use agreements, and biennial updates to the agreements, are distributed when possible. SB 1877 helps state agencies stay abreast of current data security standards and keeps state employees informed of data use security best practices, which will lead to more secure data.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p><u>LSG Floor Report For Resolutions Calendar –Monday, May 25, 2015</u></p>				
<p>HCR 36 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 & Federal Power & 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>Will of the House Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>

