



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

Representative

Desk

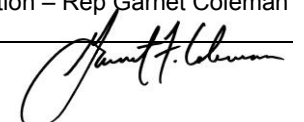
LSG Floor Report For Postponed Business – Tuesday, May 26, 2015

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<p>SB 424 By Sen. Schwertner, et al. SP: Rep. Zerwas</p>	<p>Relating to the licensing and regulation of hospitals in this state; increasing the amount of administrative penalties assessed or imposed against certain hospitals; authorizing the imposition of a fee.</p>	<p>Public Health</p>	<p>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 Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

OK for Distribution – Rep. Garnet Coleman

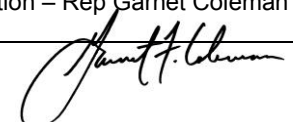
			<p>A court shall appoint an involuntary trustee (i.e. a trustee the hospital did not want or request) if, after a hearing, it is found that an involuntary trustee is necessary. Rules for the judicial process regarding the appointment of an involuntary trustee, and qualifications for the trustee, are 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 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 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 1070 By Sen. Hinojosa SP: Rep. Moody</p>	<p>Relating to allowing certain defendants to successfully complete education at a substance abuse treatment facility in lieu of attending an</p>	<p>Criminal Jurisprudence</p>	<p>A defendant convicted of certain intoxication offenses is required to attend an educational program on the dangers of substance abuse as part of their community supervision. SB 1070 requires a judge to waive certain educational requirements for a defendant who has been mandated to undergo treatment as a resident of a substance abuse treatment facility as a condition of community supervision and successfully completes equivalent education as a part of that treatment. The bill transfers the responsibility to approve, certify, and provide training for educational programs and equivalent education from TABC to DSHS.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

OK for Distribution – Rep Garnet Coleman



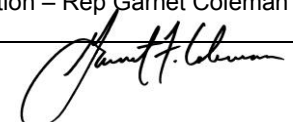
	<p>education program; changing required conditions of community supervision for certain defendants.</p>		<p>Under the bill, the director of the residential treatment facility is required to notify DPS once the individual has successfully completed equivalent education, so that DPS may include that information the person’s driving record. DPS must also reinstate the individual’s license upon completion of the education and upon receipt of payment an applicable fee.</p> <p>The educational component of treatment should satisfy any condition of community supervision. Often substance abuse treatment facilities provide a more holistic and intensive approach to substance abuse education that is coupled with other rehabilitative work for successful behavior modification. The bill will save a defendant the expense of redundant education and lost wages. Further, the bill places administration of educational programs within the purview of DSHS, which can more appropriately assess program curriculum and standards.</p>	
<p>SB 10 By Sen. Huffman, et al. SP: Rep. 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 • 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><u>Will of the House with Serious Concerns</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

OK for Distribution – Rep Garnet Coleman

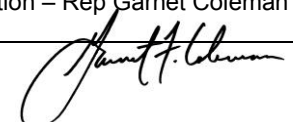


			<p>Proponents of the bill say moving the investigating of public integrity complaints to the Texas Rangers, with prosecution at in local county and district courts, will eliminate the bias against public officials because they are a statewide agency. The main concern is that the current Public Integrity 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 268 By Sen. Watson, et al. SP: Rep. Anchia</p>	<p>Relating to the duties of a magistrate to inform an arrested person of consequences of a plea of guilty or nolo contendere.</p>	<p>Criminal Jurisprudence</p>	<p>SB 268 adds to the <i>Miranda</i> warning, requiring a magistrate to notify a non-citizen defendant that pleading guilty or “no contest” to a misdemeanor offense may affect that defendant’s immigration status and result in deportation. For felony proceedings, this admonishment is already required. SB 268 provides uniformity to ensure that defendants understand the consequence of their pleas in all criminal cases, upholding fair due process. This is critical to properly administering justice in misdemeanor cases because defendants are rarely assigned court-appointed counsel and would have no way to know that what might appear on its face to be a favorable plea bargain could dramatically jeopardize a life with their family, the opportunity to be naturalized, and have other life-altering implications. SB 268 closes a gaping loophole to equitable due process by enabling non-citizens to make informed pleas.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>SB 1511 By Sen. Hancock SP: Rep. Collier</p>	<p>Relating to the establishment and governance of certain regional transportation authorities.</p>	<p>Transportation</p>	<p>Currently, governance of regional transport authorities’ subregional boards is determined by the most recent federal census count in the subregion’s principal municipality. Federal census counts are conducted every five years. Since the last census was conducted in 2010, many Texan cities’ population have grown significantly, such as Fort Worth. SB 1511 updates statute to reflect this growth. In this way, subregional boards may continue to operate within their municipalities’ population brackets.</p> <p>To accomplish this, the bill increases the population threshold of a subregion’s principal municipality from 800,000 to 1.1 million. The bill also adjusts the number of board members proportionate to population growth. It mandates that municipalities with 10,000 or fewer who withdraw from their authorities by election forfeit all real estate fully or partially owned. The bill specifies criteria for these withdrawn municipalities’ further financial obligations. SB 1511 makes a necessary revision to statute.</p>	<p>Will of the House Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>
<p>SB 844 By Sen. Taylor, V., et al. SP: Rep. Meyer</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>
<p><u>LSG Floor Report For Emergency Calendar – Tuesday, May 26, 2015</u></p>				
<p>SB 19 By Sen. Taylor, V., et al. SP: Rep.</p>	<p>Relating to the ethics of public officers and employees, the disclosure of certain political contributions, and related</p>	<p>State Affairs</p>	<p>SB 19 is an omnibus bill designed to revise state laws relating to the ethics required of public officers and certain state employees. It increases transparency and strengthens disclosure requirements for state officers, lobbyists, and political committees.</p> <p>Article 1 <i>SB 19 puts certain limits on the Journalist’s Qualified Testimonial Privilege in Civil Proceedings</i>, which protects journalists from being subpoenaed regarding certain materials obtained while acting as a journalist or being compelled to reveal their sources. These limits</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

OK for Distribution – Rep Garnet Coleman



<p>Cook, et al.</p>	<p>requirements and procedures; creating criminal offenses.</p>	<p>concern campaign expenditures, acting as a campaign treasurer, and certain other situations.</p> <p><i>Reporting requirements of certain persons who are not political committees are strengthened.</i> A contribution reporting threshold of \$2000 is set. Above that amount, a person or group which is not a political-committee must report accepted contributions from a single person in a single reporting period. A threshold of \$25,000 is set for when a person must report one or more political expenditures, with certain exclusions, in a single calendar year. Financial report requirements are detailed in the bill, stating what must be included and what may not be required.</p> <p>All personal financial statements filed by state officers, candidates, and state party chairs must be filed electronically through the Texas Ethics Commission (TEC). Financial statements must include identification of any contract or subcontract with a public entity, each paid relationship the individual or individual’s spouse has with a public entity, and identification of any other source of earned or unearned income not otherwise reported. If the individual benefitted from providing government contract consulting services, the names of all individuals the officer provided services to shall be listed in the financial report. An affirmation that the individual has filed taxes and paid all applicable taxes, including property taxes, shall be submitted with the financial report. Financial reports will be available to the public online in a searchable format. The home addresses will be removed before putting the reports online, and the reports will be available until 2 years after the individual has left office.</p> <p><i>Knowingly communicating, or entering into a contract to communicate, automated telephone messages to legislators supporting, opposing, or proposing legislation becomes a Class B misdemeanor in SB 19.</i></p> <p>Article 2 – Conflicts of Interest SB 19 strengthens restrictions on lobbyists, prohibiting them from, under certain circumstances, knowingly making or authorizing a political contribution or expenditure from the contributions accepted by a person as a candidate or office holder. Violating this law is a Class A misdemeanor. It strengthens lobbyist reporting requirements to extend to certain amounts spent on the immediate family of a member of the legislative or executive branch for transportation, lodging, food and beverage, entertainment, or gifts.</p> <p>Legislators are forbidden from voting on any measure or bill if the legislator or the legislator’s spouse would receive direct and substantial pecuniary benefit because of the vote. This rule does not apply if the benefit will equally affect all individuals in the class, including a profession, occupation, or industry, which the member or the member’s spouse belongs to (e.g. a bill that would benefit all doctors or all lawyers). Members are able to participate in a debate regarding a bill, even if they are prohibited from voting. SB 19 establishes the position of ethics counselor, who shall be a licensed attorney designated by the Texas Legislative Council. The ethics counselor shall review the most recent financial statement of each member of the legislature and provide the member with an ethics analysis of the member’s financial interests, which will identify which issues that voting on may bring the legislator into conflict with the law regarding not voting based on pecuniary gain.</p> <p>SB 19 establishes restrictions on what a former senior staffer for the governor, as defined in the bill, may and may not do. A member of the legislature who is an attorney is limited on making or receiving certain referrals for legal services while in office.</p> <p>Article 3 Software acquisition and development by the TEC rules and guidelines are outlined. Any data received and stored by the TEC for later</p>	
---------------------	---	---	--

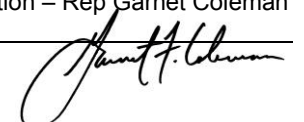


		<p>retrieval and editing before the report is filed is considered confidential. TEC may disclose to law enforcement certain otherwise-confidential information if it is to protect the public interest.</p> <p>Article 4 If a member of the legislature is convicted of a felony, the member must vacate office the day the conviction becomes final.</p> <p>Article 5 SB 19 protects private conversations with a member of the legislature or the lieutenant governor from being intercepted within the Capitol if a reasonable person would have an expectation of privacy of the conversation. If an individual uses electronic or mechanical devices designed to eavesdrop on otherwise private conversations, it is considered an offense. Certain electronic devices, including hearing aids, telephones, and radio receivers, are excluded. Public testimony is excluded. The victim of an interception is entitled to certain damages.</p>	
--	--	---	--

LSG Floor Report For Major State Calendar – Tuesday, May 26, 2015

<p>SB 206 By Sen. Schwertner, et al. SP: Rep. Burkett, et al.</p>	<p>Relating to the continuation and functions of the Department of Family and Protective Services and procedures applicable to suits affecting the parent-child relationship, investigations of child abuse and neglect, and conservatorship of a child; affecting fee amounts and authorizing an administrative penalty.</p>	<p>Human Services</p>	<p>The Department of Family and Protective Services (DFPS) is a health and human service (HHS) agency that works to protect children and vulnerable adults by conduct investigations on alleged abuse and neglect. The state agency provides adult protective services (APS), child protective services (CPS), child care licensing, statewide intake, and prevention and early intervention. The Sunset Advisory Commission recently reviewed DFPS, along with all other HHS agencies, and recommended all agencies be consolidated. SB 206 contains the recommendations that Sunset provided, if DFPS were to continue as a separate agency.</p> <p>The bureaucratic procedures that currently exist within DFPS have prevented caseworkers from performing quality work, by overloading caseloads and burdensome paperwork requirements. This has resulted in a high employee turnover rate, which can leave various agencies understaffed and unexperienced. SB 206 addresses this issue, as well as focuses on improving basic process and management, to effectively serve the agency’s clients. Below are the major provisions that occur in SB 206:</p> <p>Eliminates, clarifies, or streamlines burdensome and prescriptive statutory requirements that affect Child Protective Services’ ability to do its job by:</p> <ul style="list-style-type: none"> • Reducing unnecessary caseworker and overall agency workload, • Providing DFPS with additional flexibility to make its processes more efficient, • Conforming state law with federal law to eliminate confusion, and • Repealing archaic or unnecessary language and clarifies disorganized statutes <p>Makes changes to improve safety, permanency, and well-being of children in DFPS conservatorship, including changes to improve educational stability and opportunity for foster youth. Children in the guardianship of the state must be made a priority, especially when it comes to serving their unique needs.</p> <p>Requires CPS to implement an annual business planning process to focus its overall goals for improvement and demonstrate results. It’s important that the agency plan their goals and desired results to that it remains focused in the overall mission.</p> <p>Requires DFPS to develop and maintain a long-range foster care redesign implementation plan to mitigate inherent risks of this outsourcing approach to administering foster care.</p> <p>Requires DFPS to develop a comprehensive, strategic plan for its prevention and early intervention programs.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 info@texaslsg.org</p>
---	---	-----------------------	---	---

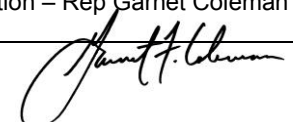
OK for Distribution – Rep Garnet Coleman



			<p>Strengthens DFPS’ child care licensing enforcement efforts by:</p> <ul style="list-style-type: none"> • Authorizing the agency to assess administrative penalties for high-risk licensing violations without first having to pursue non-monetary administrative sanctions • Requiring DFPS to develop an enforcement policy in rule to guide child care licensing enforcement efforts • Granting cease-and-desist authority to DFPS for taking action against unlicensed child care facilities. <p>Gives DFPS flexibility in setting child care licensing and administrative fees, and establishes a child care license and registration renewal process.</p> <p>LSG has concerns about the following amendments:</p> <p>-Rep. Sanford (8422380): This amendment defines and lists classifying actions for: “adverse action;” “child welfare services;” “child welfare services provider;” and “governmental entity.”</p> <p>A governmental entity is prohibited from discriminating or committing adverse actions against child welfare services providers who:</p> <ul style="list-style-type: none"> • declines to provide, facilitate, or refer a person for child welfare services that conflict with the provider’s religious beliefs • provides or intends to provide children, under guardianship, with a religious education • declines to provide, facilitate, or refer a person for abortions, contraceptives, or drugs, devices or services that are potentially abortion-inducing <p>A child welfare services provider may use an actual or threatened violation as a claim or defense in a judicial or administrative proceeding. A provider that successfully asserts a claim or defense, before the second anniversary that violation was made aware, is entitled to several actions. Providers are protected to express their religious freedom. While LSG acknowledges certain providers may honor religion through their business and services, we do not believe that this should allow providers the right to discriminate against children in a vulnerable state by declining to provide, facilitate, or refer necessary health care services.</p>	
<p>SB 9 By Sen. Hancock, et al. SP: Rep. Otto, et al.</p>	<p>Relating to limitations on the rate of growth of appropriations for certain categories of spending.</p>	<p>Appropriations</p>	<p>The current spending cap is determined by the product of all non-constitutionally dedicated appropriations multiplied by the estimated rate of the state economy’s growth. In this way, appropriations from non-dedicated state tax revenue may not grow faster than the state’s current economic growth.</p> <p>SB 9 attempts to tighten spending further by creating a second spending limit. This limit would be calculated separately for all non-federal funds under each of the following funding areas:</p> <ul style="list-style-type: none"> • transportation • public primary and secondary education • higher education • health care • public safety and corrections • other general government <p>Under the bill, the formula for each area’s spending growth rate limit calculation is: <i>(1 + estimated growth in its population served) • (1 + estimated rate of inflation for its goods and services)</i></p>	<p>Unfavorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>

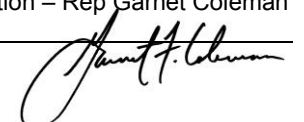
			<p>The formula for each area’s spending limit calculation is: <i>(current nonfederal appropriations for each funding area) • (1 + spending growth rate limit)</i></p> <p>This spending limit may only be surpassed by a simple majority vote in both the House and Senate. If a vote is obtained, the resolution must identify an emergency that is the cause of the spending limit being raised.</p> <p>The provision that each funding area’s cap must be calculated separately would ensure that growth and inflation calculations are based on cost-drivers relevant to that particular area. Additionally, requiring a simple majority to breach the limit is preferable to the 2/3rds or 3/5ths votes that some have suggested. Amendments to repeal these safeguards should be fought.</p> <p>Overall, SB 9 is still hugely detrimental to the average Texan family. While public schools’ basic allotment funding is lower than last biennium (considering inflation), millions of Texans aren’t receiving quality health care, roads are congested, and infrastructure is crumbling – is further tightening the spending limit the appropriate action to take? Texas is already in the bottom ten states in lowest taxation and lowest amount of money spent per citizen. There is already a strict constitutional spending limit in place. Instating further budgetary limits diminishes members’ power to provide sufficient money to serve their constituents, and takes opportunities away from the millions of hard-working Texans who rely on these services.</p>	
<p>SB 11 By Sen. Birdwell, et al. SP: Rep. Fletcher</p>	<p>Relating to the carrying of handguns on the campuses of and certain other locations associated with institutions of higher education; providing a criminal penalty.</p>	<p>Homeland Security & Public Safety</p>	<p>SB 11 permits CHL holders to carry concealed handguns on campuses of institutions of higher education. It prevents public colleges and universities from setting any limits on campus carry except what is specifically laid out in the bill. SB 11 allows private universities to impose limits or bans on campus carry only to the extent that faculty, staff, and students all are in agreement that limits or bans should be imposed. Hospitals, preschools, elementary schools, and secondary schools that are maintained or operated by, or located on the campus of, an institution of higher education are still permitted to ban guns with 30.06 signage.</p> <p>SB 11 needlessly puts a vulnerable population at risk. While it is true that only those 21 and older (and veterans under 21) are eligible for CHLs, SB 11 still adds guns to an environment where they have been restricted for a reason. Most mental illnesses have an onset before age 25, and college-onset of mental health issues is very common. Depression, bipolar disorder, anxiety disorders, and schizophrenia are all diagnosed in young adults to varying degrees of frequency. Many college kids go untreated because of the stigma and may be afraid to admit that they are depressed, or that they are anxious, or that they hear voices, and sometimes that leads to suicidal thoughts or actions, or even – rarely – turning on classmates like Elliot Rodgers in Isla Vista last year and Seung-Hui Cho at Virginia Tech in 2007.</p> <p>Compounding the stressors in college is the easy access to alcohol and drugs. Binge drinking and partying is common culture on college campuses, and the presence of alcohol greatly increases the risk of violent altercations. Adding guns to that mix is a recipe for disaster – there is a reason CHL holders are not supposed to drink while carrying, but college students are well-known for their impulsivity and newly-found independence, which often leads to poor life choices. College kids are testing the limits while being away from home for the first time, and may act irresponsibly.</p> <p>Putting the gun in the hands of a young man or young woman who is mentally ill and/or has a drug or alcohol problem increases the odds that that young person will commit suicide – access to guns increases the chance of a suicide completion by a significant degree. More than half of all completed suicides use firearms, and 85% of attempted suicides with firearms are fatal (compared to less than 3% of intentional drug overdoses). Suicide-by-firearm rates in states with higher gun ownership (compared to lower gun ownership) are</p>	<p>Unfavorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

OK for Distribution – Rep Garnet Coleman



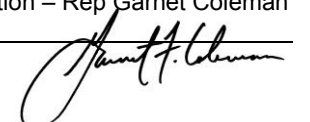
			<p>3.7 times higher for men and 7.9 times higher for women, while suicide rates of other methods are about the same from state to state – we do not need to exacerbate this problem by making newly independent young adults even more vulnerable to suicide on college campuses by increasing gun accessibility.</p> <p>Some professors have also cited concerns about stressed-out college kids carrying guns in the classroom. One professor said that, teaching in the high-stress sciences and many pre-med students, he will be afraid to give any grade less than a B for fear that a student would retaliate in his classroom. Pre-med and medical school are stressful endeavors, and a young person who sees his goal of becoming a doctor shattered by a low test score is a young person who may be at risk for overreacting. Adding a gun to that situation puts the professor and other students at risk. Grading out of fear should not be the reason a student receives high marks.</p> <p>Finally, there is the sexual assault issue on campuses. While there have been some claims made that being able to carry guns on campus would protect women from being assaulted, only those 21 and older would be permitted to carry guns. Often, it is underclassmen – especially freshmen – who are sexually assaulted; young women who are exposed to parties with heavy drinking for the first time and have not yet found their tolerance level are most at risk of being assaulted on a college campus. It is highly probable that the person in a sexual assault situation carrying a gun will not be the victim, but the perpetrator. If anything, SB 11 increases the probability of sexual assault ending in death or violence. It does not protect young women because only seniors and select juniors (those with early birthdays) will be permitted to carry guns, and only those who choose to get a CHL. SB 11 makes college campuses more dangerous, not safer.</p> <p>SB 11 is a solution in search of a problem. College administrators across the country, and across Texas oppose campus carry. They worry it will increase self-inflicted injuries and accidental shootings. It may lead to an increase in suicides or in sexual assaults. SB 11 allows private institutions to opt out if the student body, faculty, and staff all are in majority agreement that that is what is best for their students, but public institutions are not offered the same courtesy. The choice should be universal. Every college campus is different. Texas has rural campuses, urban campuses, and campuses in the suburbs. Each campus has different needs and we must preserve local control and allow campuses to come to decisions based on their individual campus and their individual students, instead of making blanket assumptions about what is best for all young people in Texas. SB 11 does not preserve local control; it preserves state paternalism.</p>	
<p>SB 575 By Sen. Taylor, L., et al. SP: Rep. Farney</p>	<p>Relating to health plan and health benefit plan coverage for abortions.</p>	<p>State Affairs</p>	<p>SB 575 starts out delegitimizing the Patient Protection and Affordable Care Act (PPACA), while severely restricting its ability to provide comprehensive women’s healthcare. Specifically, the bill prohibits abortion coverage unless there is a life-threatening physical condition aggravated by, caused by, or arising from a pregnancy that, as certified by a physician, places the woman in danger of death or a serious risk of substantial impairment of a major bodily function unless an abortion is performed.</p> <p>Access to safe and legal abortion is a constitutional right. This bill threatens that right and threatens the health and safety of women. Banning abortion coverage places a barrier between families and safe medical care. As with any law that chips away at access to abortion, it increases the risk of unsafe and illegal practices. Families do not know what adverse events will occur during a pregnancy, and that’s why they have health insurance- to cover the unknown. Insurance coverage for abortion is intended for the times when an unexpected medical condition occurs, or when a woman has been the victim of a brutal crime.</p> <p>SB 575 explicitly puts women’s health and wellbeing at risk by not allowing a person to insure themselves for all emergency situations,</p>	<p>Unfavorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

OK for Distribution – Rep Garnet Coleman



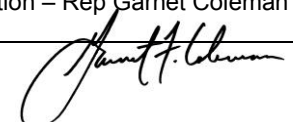
		<p>and by not including an exception for rape or incest. The exceptions in SB 575 are limited, and do not account for the large array of health complications possible during a pregnancy or other tragedies, such as a severe fetal abnormalities that affect viability. Lack of insurance coverage makes a private and complex decision more tragic by subjecting families to financial burdens.</p> <p>The bill states that an abortion may be allowed only when there is "life-threatening physical condition aggravated by, caused by, or arising from a pregnancy that, as certified by a physician, places the woman in danger of death or a serious risk of substantial impairment of a major bodily function unless an abortion is performed." These exceptions do not cover rape, incest or severe fetal abnormalities that affect viability.</p> <p>SB 575 is dangerously ambiguous. It is not clear whether the language would permit a procedure in the following situations:</p> <ul style="list-style-type: none"> • A pregnant woman is in a car wreck, the mother and/or the fetus are in emergency medical distress due to severe injuries. <ul style="list-style-type: none"> ○ The hands of doctors could be tied if an abortion procedure is not medically necessary to save the life of the mother. Pregnancy didn't "create" the risk and physical impairment may not be "irreversible." • A pregnant woman is diagnosed with cancer requiring chemotherapy. <ul style="list-style-type: none"> ○ The pregnancy didn't "create" the risk and physical impairment may not be "irreversible". The medical decision would not be in the hands of the family in consultation with their physician but in compliance with SB 575. <p>SB 575 impedes a physician from acting with medical discretion and forces them to instead provide care in compliance with standards that may conflict with the best interest of the woman or her fetus. Emergencies unfold quickly and in such situations the physician's focus should be on what is best for the patient.</p> <p>Restricting insurance coverage for abortion jeopardizes the health and safety of Texans and disproportionately impacts low-income Texans, obstructing their access to health care. The law should not discriminate against Texans who rely on the health insurance exchange. All Texans deserve the same access to medical care regardless of their insurance carrier.</p> <p>SB 575 is a government mandate on insurance companies. If insurance companies provide abortion coverage, politicians shouldn't interfere with their business practices. The free market should dictate what coverage is offered by private insurance carriers. Insurance companies should be able to conduct their business in the free market, and assess their risk and determine policy coverage that reflects this cost benefit analysis. The law should permit Texas insurance carriers to determine the best business practices for their insurance policies.</p> <p>No taxpayer money funds abortion, and private citizens should be able to use their own money to purchase health insurance that includes abortion coverage. People rely on health insurance for unexpected and sometimes dangerous medical situations. Sufficient policies exist to ensure taxpayer monies do not fund abortions. Extreme limitations like those proposed in SB 575 infringe upon the constitutional rights of Texas families to access safe and legal medical procedure at their own expense.</p> <p>SB 575 seeks to impose severe restrictions on providers offering insurance plans under the following Acts:</p> <ul style="list-style-type: none"> • Texas Employees Group Benefits Act (Chapter 1551, Insurance Code) 	
--	--	---	--

OK for Distribution – Rep Garnet Coleman



			<ul style="list-style-type: none"> • Texas Public School Employees Group Benefits Program (Chapter 1575, Insurance Code) • Texas School Employees Uniform Group Health Coverage Act (Chapter 1579, Insurance Code) • State University Employees Uniform Insurance Benefits Act (Chapter 1601, Insurance Code) <p>Those restrictions include:</p> <ul style="list-style-type: none"> • Imposing on insurance providers the requirement that they obtain a separate signature for the abortion coverage • Dictating how they must calculate the cost of the premium • Prohibiting them from factoring into the premium any cost-savings estimated as a result of providing abortion coverage • Requiring notice be given to all enrollees that they provide abortion coverage, and the enrollees option not to pay for this coverage • Requiring each employer offering group health insurance to provide each employee the opportunity to accept or reject supplemental abortion coverage. 	
<u>LSG Floor Report For Constitutional Amendments Calendar – Tuesday, May 26, 2015</u>				
<p>SJR 8 By Sen. Zaffirini SP: Rep. Thompson, S.</p>	<p>Relating to proposing a constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>SJR 8 proposes a constitutional amendment that institutes the process of notifying the AG anytime a court plans to rule on the constitutionality of a state statute. Such notification would afford the AG an opportunity to challenge or defend the merits of the state’s constitutional question. In the instance where the state is not a party to the suit, the AG can intervene on the State’s behalf. In most instances, the courts will likely ask the AG to submit a brief outlining arguments regarding the constitutional statute, which will not create significant delays to proceedings, or require the AG to argue the merits of the case.</p> <p>This is important because passing legislation into the constitution can be long and arduous, so the efforts in removing a statute should be equally thorough and apprising. The federal government and 14 other states follow this procedure.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>SJR 30 By Sen. Taylor, L. SP: Rep. Murphy</p>	<p>Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation real property leased to certain schools organized and operated primarily for the</p>	<p>Ways & Means</p>	<p>Currently, public and private schools are exempt from property taxes under the idea that schools shouldn’t be paying the property taxes that are supposed to be funding them. Charter schools renting properties do not have this option. SJR 30 proposes a constitutional amendment connected to SB 545 that corrects this by stipulating that any real property that is leased to a person for use as a charter school is exempt from property taxes, and adding a temporary provision allowing that exemption to begin on Jan. 1, 2016. However, property taxes are one of the primary sources of funding for our schools, so this reduction will benefit charter schools at the expense of school funding overall.</p>	<p>Unfavorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

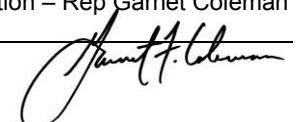
OK for Distribution – Rep Garnet Coleman



	purpose of engaging in educational functions.			
<p>SJR 20 By Sen. Watson</p> <p>SP: Rodriguez, E.</p>	<p>Proposing a constitutional amendment authorizing the governing body of a political subdivision other than a school district to adopt an exemption from ad valorem taxation of a portion, expressed as a dollar amount, of the market value of an individual's residence homestead and authorizing the legislature to prohibit the governing body of any political subdivision that adopts an exemption from ad valorem taxation of a portion, expressed as a percentage or a dollar amount, of the market value of an individual's residence homestead from reducing the amount of or repealing the exemption.</p>	<p>Ways & Means</p>	<p>Currently many cities in Texas have utilized the option to give a percentage based homestead exemption to their residents. Allowing taxing entities only the option of a percentage reduction has discouraged some of them from providing any homestead exemption at all. SJR 20 is proposing a constitutional amendment connected to SB 279 that would allow those non-school taxing units, such as municipalities, to use a flat rate exemption instead of a percentage.</p> <p>A \$50,000 exemption in a city, county, or special district with a tax rate of 50 cents per \$100 of property value would reduce the tax bill of each homeowner by \$250. A 20 percent exemption is equivalent to a \$20,000 exemption for a \$100,000 home, but a \$200,000 exemption for a \$1 million home. Flat-rate exemptions spread the benefits more evenly among homeowners of all income levels by giving every homeowner the same reduction in tax liability.</p>	<p>Favorable</p> <p>Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

LSG Floor Report For General State Calendar – Tuesday, May 26, 2015

OK for Distribution – Rep Garnet Coleman

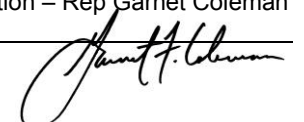


<p>SB 13 By Sen. Perry, et al. SP: Rep. Aycock, et al.</p>	<p>Relating to measures to support public school student academic achievement and high school, college, and career preparation, including measures to improve and support dual credit courses, the development of public outreach materials, and the development of postsecondary education and career counseling academies.</p>	<p>Public Education</p>	<p>SB 13 enacts many steps for public school students to become informed, prepared, and poised for success in higher education and career choices. The bill prohibits the commissioner of education or the Texas Higher Education Coordinating Board (THECB) from limiting the number of dual credit courses or hours in which a student may enroll while in high school, or from limiting the hours, in which a student may be enrolled, each semester or academic year. Further, dual credit courses are required to be taught by qualified instructors approved by the junior college, offering the credit.</p> <p>The bill requires TEA to develop public outreach materials that detail public school curriculum changes and any subsequent decisions made by the State Board of Education (SBOE). These materials must be available in a specified format and includes the following information:</p> <ul style="list-style-type: none"> • Career and college readiness components of each transcript and diploma endorsement category; • Curriculum requirements for automatic college admission; and • Applicable course, graduation plan, and endorsement requirements necessary for college financial aid, including requirements for specified grant or loan opportunities. <p>In addition to the information that will be given above, every school district is required to give instruction to 7th and 8th graders on high school, college, and career information. Additionally, The University of Texas at Austin’s Center for Teaching and Learning is require to develop postsecondary education and career counseling academies, as well an online professional development program for public school counselors and other staff who are tasked with counseling duties at a middle, junior high, or high school. The academies and online program will provide counselors information on postsecondary success, career planning, and other related topics. SB 13 takes initiative to ensure that students have sufficient resources and instruction on options in graduation plans, higher education, and career opportunities.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>SB 545 By Sen. Taylor, L. SP: Rep. Murphy</p>	<p>Relating to the exemption from ad valorem taxation of real property leased to and used by certain schools.</p>	<p>Ways & Means</p>	<p>Currently, public and private schools are exempt from property taxes under the idea that schools shouldn’t be paying the property taxes that are supposed to be funding them. Charter schools renting properties do not have this option. SB 545 addresses this by stipulating that a person is entitled to an exemption from taxation of the real property that the person owns and leases to an open-enrollment charter school as long as:</p> <ul style="list-style-type: none"> • The property is used exclusively by the school for educational functions & is reasonably necessary for the operation of the school; • The owner certifies by affidavit to the school that the rent for the lease of the real property will be reduced by the amount of the tax exemption; • The owner provides the school with the amount the taxes were reduced and the method the owner will use to ensure that amount is deducted from rent; and • The rent charged for the lease of the real property reflects the reduction in the amount of taxes on the property resulting from the exemption through a monthly or annual credit against the rent. <p>Ultimately, however, this will reduce overall school funding by reducing a primary source of revenue for our schools.</p>	<p>Unfavorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>

<p>SB 279 By Sen. Watson SP: Rodriguez, E.</p>	<p>Relating to the authority of the governing body of a taxing unit other than a school district to adopt an exemption from ad valorem taxation of a portion, expressed as a dollar amount, of the appraised value of an individual's residence homestead and to the authority of the governing body of any taxing unit that has adopted an exemption from ad valorem taxation of a portion, expressed as a percentage, of the appraised value of an individual's residence homestead to reduce the amount of or repeal the exemption.</p>	<p>Ways & Means</p>	<p>Currently many cities in Texas have utilized the option to give a percentage based homestead exemption to their residents. Allowing taxing entities only the option of a percentage reduction has discouraged some of them from providing any homestead exemption at all. This bill would allow those non-school taxing units, such as municipalities, to use a flat rate exemption instead of a percentage.</p> <p>SB 279 allows non-school taxing units to provide flat rate homestead exemptions between \$5000 or a larger amount specified by the taxing unit by taking official action before July 1st of the year in which the exemption is to take effect. The exemption amount would be capped at 20% of the market value of an average value homestead in the jurisdiction, if the average market value of residence homesteads in the taxing unit exceeds \$25,000 in the tax year in which the exemption is adopted.</p> <p>As long as the percentage exemption was larger, homeowners with property that was eligible for the percentage exemption last tax year, who are subject to non-school taxing entities who changed to a flat rate per this legislation, are able to continue receiving the percentage instead of the flat rate exemption. Should the property change ownership, or if part of a trust, beneficiaries, or trustors, then this option would no longer be available.</p> <p>Until December 31, 2024, SB 279 prohibits the governing body of any taxing unit that adopted a percentage-based property tax exemption for the 2014 tax year from reducing, or repealing the exemption, unless the governing body adopts a portion-based exemption in an amount greater than \$5,000.</p> <p>A \$50,000 exemption in a city, county, or special district with a tax rate of 50 cents per \$100 of property value would reduce the tax bill of each homeowner by \$250. A 20% exemption is equivalent to a \$20,000 exemption for a \$100,000 home, but a \$200,000 exemption for a \$1 million home. Flat-rate exemptions spread the benefits more evenly among homeowners of all income levels by giving every homeowner the same reduction in tax liability.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>SB 1009 By Sen. Eltife SP: Rep. Parker</p>	<p>Relating to the amount of a sales and use tax refund for tangible personal property used to provide cable television service, Internet access service, or telecommunications services.</p>	<p>Ways & Means</p>	<p>SB 1009 raises the maximum refund amount for the sales and use tax per year for telecommunications companies to \$75 million instead of the current cap of \$50 million. Texas currently has the 8th highest sales tax rate on communication network equipment, which could make companies to decide to invest in other states instead that will yield them a better return.</p> <p>Most importantly, this bill will help rural Texas - where it already is more expensive for companies to invest - as well as create and maintain jobs. Good jobs. And that is why this bill is supported by the Communication Workers of America. Obviously the LSG does not recommend tax cuts lightly, particularly when so many other important areas are underfunded. But we also do not want to turn down good policy just because we are so upset with bad policy elsewhere. While we wish other needs were given as much attention as this one, they are not in competition with each other.</p> <p>Texas needs more investment in these areas, particularly with regards to broadband internet service. The U.S. already lags (pun intended) behind in internet speed - we were recently ranked 42nd in the world. And Texas is below average for the U.S.; our internet is slower than that of Russia. There clearly is not enough investment in this area, and it is important that we increase it. This bill will do just that.</p>	<p>Favorable Evaluated By: Amanda Foster 512-763-0031 amanda@texaslsg.org</p>

<p>SB 2048 By Sen. Huffman, et al. SP: Rep. Cook, et al.</p>	<p>Relating to a privilege from disclosure to governmental units for certain evidence concerning sermons delivered by a religious leader.</p>	<p>State Affairs</p>	<p>The City of Houston issued subpoenas for religious sermons by pastors opposing the city’s LGBT equality ordinance – the Houston Equal Rights Ordinance (HERO). While Mayor Parker eventually withdrew the subpoenas in recognition that the city had possibly gone too far, SB 2048 was drafted as a reactionary measure against the episode. The bill prohibits a governmental entity from compelling the disclosure of religious sermons in any civil action or civil or administrative proceeding, or compelling testimony in regard to the sermons, to prevent future phantom actions to obstruct religious liberty.</p> <p>While we should not impede upon free speech or religious freedom, this bill is simply a political maneuver devised to obfuscate the right to practice religion with the right to discriminate. It prioritizes the religious right over LGBT Texans and sends a message, reaffirming this bigotry.</p>	<p>Unfavorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>SB 1200 By Sen. Taylor, L., et al. SP: Rep. Huberty</p>	<p>Relating to the creation of a commission to recommend a new system for student assessment and public school accountability.</p>	<p>Public Education</p>	<p>SB 1200 establishes the Texas Commission on Next Generation Assessments and Accountability with members appointed by various officials and consisting of education-related officials within the legislature and other bodies. The commission is tasked with developing recommendations for new systems of student assessment and public school accountability. These new systems should provide actionable information for parents of guardians to know whether their child is mastering skills, knowledge, critical thinking, and making educational progress toward mastery of items. The commission is required to prepare the recommendations for improvement to the legislature before the commission is abolished on January 1, 2017. This bill ensures that students will be assessed in the most effective and innovative way, while offering an accountable method.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>SB 2020 By Sen. Creighton SP: Rep. Keough</p>	<p>Relating to the powers, operations, and boundaries of The Woodlands Township; authorizing a fee.</p>	<p>County Affairs</p>	<p>Enabling legislation within Montgomery County was established over two decades ago, and as The Woodlands Township continues to grow, the district needs to make necessary changes that is essential to promote health, safety and general welfare for The Woodlands residents, employers, and consumers. SB 2020 seeks to allow the district to provide safe and efficient movement of people by motor vehicles, rail, bus, trolley and other means of transportation, allowing the district to charge a fee, tax, or other charge for the use of the mode of transportation.</p> <p>SB 2020 will allow the district to engage in contract with another person, and have the ability to apply and receive state and federal transportation funding in order to accomplish transportation and traffic movement. Implementation will create job opportunities by becoming economically diverse and stimulating business opportunities. Moreover, SB 2020 will conserve property value and living condition for the residents and promote traffic circulation and public safety within The Woodlands Township.</p>	<p>Favorable Evaluated by: Mya Strauss 512-763-0031 info@texaslsg.org</p>
<p>SB 96 By Sen. Hinojosa, et al. SP: Rep. Gutierrez</p>	<p>Relating to a prohibition on the use and possession of e-cigarettes on school property or at school-related or school-sanctioned activities.</p>	<p>Public Education</p>	<p>SB 96 requires a school board of trustees to prohibit smoking, using, and student possession of e-cigarettes at a school-related or school-sanctioned activity, on or off school property. School districts must publish penalties that are associated with the use of e-cigarettes in the student handbook and on the website (if applicable). Because the trend of e-cigarettes is fairly new, public health professionals are unable to adequately study the potentially harmful effects of these products. Youth have become significantly more like to use e-cigarettes these past few years, with more than a quarter-million 6th-12th grade students claiming to have partaken in the trend. It’s important to include the use or possession of e-cigarettes as prohibited conduct to protect the health and well-being of children and adolescents.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>SB 913 By Sen. Zaffirini SP: Rep. Minjarez</p>	<p>Relating to energy and water management planning and reporting requirements for state agencies and institutions of higher education.</p>	<p>State Affairs</p>	<p>SB 913 makes provisions to energy and water management planning for a state agency or higher education institution. Specifically, the State Energy Conservation Office (SECO) is now only required to provide assistance to:</p> <ul style="list-style-type: none"> • DPS for energy emergency contingency planning, using available state or federal funds, and; • each state agency or higher education institution in preparing comprehensive energy and water management plans <p>The bill now requires a state agency or higher education institution to set percentage goals for reducing the use of transportation fuel, as opposed to gasoline. Additionally, the date the SECO is required to submit a report to the governor and legislature is changed to</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

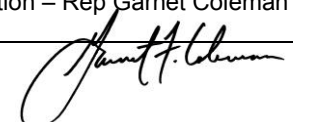
OK for Distribution – Rep Garnet Coleman



			January 15th of every odd year.	
<p>SB 521 By Sen. Fraser, et al. SP: Rep. Keffer</p>	<p>Relating to the period for which the Texas Commission on Environmental Quality may grant or renew an emergency authorization relating to the use of state water.</p>	<p>Natural Resources</p>	<p>Currently the Texas Commission on Environmental Quality (TCEQ) has 120 days in which they can grant an emergency permit, order, or amendment to an existing permit, certified filing, or certificate of adjudication when there is an imminent threat to the public health. This emergency period has been sufficient for past years, when droughts were less severe, but as Texas has increased demands for water, and persistent, sustaining droughts, it may be advantageous to increase the emergency period. SB 521 changes the emergency period from 120 days to 270 days, allowing for better crisis management and disaster aversion over extended periods of time.</p>	<p>Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>SB 1056 By Sen. Hinojosa SP: Turner, S.</p>	<p>Relating to penalties for certain criminal offenses regarding operating a motor vehicle; imposing a fee and changing a surcharge.</p>	<p>Homeland Security & Public Safety</p>	<p>SB 1056 allows a judge to dismiss a charge of “operating a motor vehicle without a driver’s license” (not applicable to those operating a motor vehicle without a CDL) if the defendant obtains a driver’s license within 60 business days of the charge. HB 2671 also allows a judge to dismiss a charge of “operation of a motor vehicle without motor vehicle liability insurance,” if the defendant obtains insurance within 20 business days of the offense. It limits any administrative fee imposed with the either dismissal to no more than \$50. The Driver Responsibility Program (DRP) surcharge for driving with an invalid license (if there are previous convictions), with a suspended license, or without liability insurance is increased from \$250 to \$750 if it is not dismissed. The DRP surcharge for driving without a valid license is raised from \$100 to \$300. SB 1056 sets limits of how much may be charged under the Driver’s Responsibility Program in set periods of time, thus limiting how much a person may be charged and helping low-income drivers get back on their feet more quickly.</p> <p>SB 1056 further increases the fines for operating a motor vehicle while intoxicated, increasing the penalty of drunk driving. Finally, the bill mandates that information about the driver responsibility program, including fees associated with it, be included in all driver education curricula. Taken together, SB 1056 improves driving offense penalties by providing that those driving without a license or without insurance be given an opportunity to rectify the situation before penalties are assessed, which is particularly valuable for low-income Texans. It also increases penalties if that opportunity is not taken and increases penalties for drunk driving. SB 1056 protects the public and provides fair penalties for various driving offenses.</p> <p>SB 1056 additionally allows that any person found indigent for purposes of qualifying for appointed counsel also be found indigent for the surcharge related to the Driver Responsibility Program. Currently, the judge has to find the individual indigent to qualify for counsel and again to be found not responsible for the surcharge connected to the Driver Responsibility Program. SB 1056 reduces the redundancy in the judicial system by allowing the judge to find the individual indigent just once. It will also prevent instances in which a person is found indigent in one area but not indigent in another. If a person in poverty is ordered to pay a fee they cannot afford, this starts a cycle of continual legal troubles because unpaid fines often result in additional charges and fines. SB 1056 both reduces the burden of the legal system of having to find a person indigent in two instances for the same charge and increases the chance that an indigent person be able to successfully complete a court-ordered Driver Responsibility Program.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

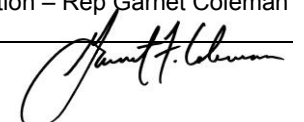
<p>SB 1950 By Sen. Hinojosa SP: Rep. Martinez, "M."</p>	<p>Relating to the fee imposed on certain property owners by a county for the establishment of street lights along a county road.</p>	<p>County Affairs</p>	<p>Currently, the colonias of South Texas lack street lighting. These unincorporated communities are characterized by poor infrastructure, and have been more susceptible to incidences of crime. SB 1950 will allow the county by order to provide street lights along a county road located in a subdivision. The county will be able to install and maintain the street lights by authorizing the county tax assessor-collector to collect the fee on landowners in the subdivision who benefit from the street lights. As a result, SB 1950 will lessen the likelihood of landowners being open to safety and security issues.</p>	<p>Favorable Evaluated by: Mya Strauss 512-763-0031 info@texaslsg.org</p>
<p>SB 145 By Sen. Rodríguez SP: Rep. Dale</p>	<p>Relating to reimbursement of certain medical costs for victims of certain sex offenses and compensation to victims of stalking for relocation and housing rental expenses.</p>	<p>Criminal Jurisprudence</p>	<p>In addition to the emotional and psychological devastation caused by rape, a survivor is forced to shoulder the cost of her own forensic exam, if she chooses not to report her case to the police. To add insult to injury, a survivor is then literally billed for her own rape. SB 145 would enable the attorney general (AG) to reimburse or pay for reasonable emergency medical care for a survivor of sexual assault, regardless of whether or not the person reports to law enforcement, if the AG chooses. The bill expands crime victim's compensation to include making such payments and reimbursing DPS for the cost of rape kits for survivors who do not choose to report and prosecute their cases. It expands eligibility for onetime-only financial assistance for relocation and housing rental expenses to include victims of stalking.</p> <p>SB 145 affects those survivors who, at the time of their exam, are traumatized and do not know whether or not they want to prosecute their rapist. This will remove one more barrier to reporting and prosecuting sex crimes, by making the timely collection of evidence practical.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>SB 1575 By Sen. Rodríguez SP: González, M.</p>	<p>Relating to county regulation of lots in platted subdivisions that have remained undeveloped for 25 years or more.</p>	<p>County Affairs</p>	<p>SB 1575 will allow counties, such as El Paso county, to regulate the development of lots in platted subdivisions that have been undeveloped for 25 years or more. Legislation was passed previously that prohibited land without water or sewage systems from being sold. SB 1575 seeks to address this issue by authorizing the commissioners court of a county with a population of more than 800,000 that is adjacent to an international border to implement current infrastructure requirements within the subdivision. The bill also requires the county to adopt minimum water and sewage standards that would be applicable to the subdivision. These regulations would also apply to an individual, firm, corporation, or other legal entity that offers the sale or lease of subdivisions with undeveloped land. SB 1575 allows counties to address future population growth by using this land for the development of residential and commercial properties.</p>	<p>Favorable Evaluated by: Marisela Gomez 512-763-0031 info@texaslsg.org</p>
<p>SB 1173 By Sen. Nichols SP: Rep. Phillips</p>	<p>Relating to commercial driver's licenses and commercial learner's permits and the operation of commercial motor vehicles; creating a criminal offense; amending provisions subject to a criminal penalty; authorizing fees.</p>	<p>Transportation</p>	<p>In 2008, a commercial bus operating in violation of safety rules made national news by losing treading and crashing in north Texas. Seventeen people died and 39 were seriously injured. Potentially tragic incidents such as these, along with new federal updates to the Commercial Motor Vehicle Safety Act of 1986, necessitate SB 1173. The bill revises state law to comply with tightened federal minimum standards regarding the issuance of commercial driver's licenses and permits. Major provisions of the bill include:</p> <ul style="list-style-type: none"> • Changes the definition of Commercial Driver Learner's Permit and Driver License (CDL) to address the new Commercial Learner's Permit (CLP) • Requires each applicant to obtain a CLP and hold it for a minimum of 14 days before obtaining a CDL • The CLP must be a separate document from the CDL or non-CDL • CLP's must contain the same information as a CDL • CLP's may only have certain endorsements for purposes of training • Strengthens the legal presence requirements and increases documentation for the issuance of a CDL and CLP applicants to demonstrate legal presence in the United States • Limits the renewal period for CDLs and CLPs 	<p>Favorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>

OK for Distribution – Rep Garnet Coleman



			<ul style="list-style-type: none"> • Identifies when an applicant must surrender a CDL or CLP • Revises the term “Non-Resident CDL” to “Non-domicile CDL” • Establishes a process to downgrade commercial drivers that do not comply with federal medical requirements <p>With the tightened standards mandated by SB 1173, commercial bus drivers will be more properly trained in both driving and safety rules. Compliance with federal standards will also ensure that valuable federal highway funds will not be lost. Noncompliance would result in an expected loss of \$233,548,495 in federal funds over the 16-17 biennium.</p>	
<p>SB 779 By Sen. Huffman SP: Bonnen, D.</p>	<p>Relating to access to certain medical test results in a criminal proceeding; amending provisions subject to a criminal penalty.</p>	<p>Criminal Jurisprudence</p>	<p>In the 1990s there was a trend among policy-makers to criminalize the transmission of HIV/AIDS in order to deter it. States ignorantly exacted laws that penalized actions like spitting and biting by someone infected with the virus. Others promulgated policy that blamed those infected with HIV/AIDS for transmitting it to others, by criminalizing its consensual and non-consensual transmission. While many states have reassessed their initial response to the AIDS crisis, in order to reduce stigma and to support better public health outcomes, SB 779 sets our state back two to three decades in public health policy.</p> <p>The bill authorizes the use of an HIV/AIDS test result, including a statement that an individual is positive, negative, at risk, or has or does not have a certain level of antibody or other causative agent of HIV/AIDS, within grand jury and criminal proceedings. The results would then be subject to court subpoena. The court would be required to issue a protective order or take further action to limit the disclosure of the test results, prior to disclosing them within grand jury and criminal proceedings. An individual, who releases or discloses the result in response to a subpoena, is then granted immunity from criminal or civil liability or professional disciplinary action under the bill, except in cases of gross negligence or willful misconduct.</p> <p>The bill is being touted as protecting those victims of sexual assault who contract the virus and as facilitating the prosecution of their cases. However, the CDC asserts that cases of intentional HIV transmission are atypical and uncommon. Instead of addressing a serious threat, the bill ushers in the criminalization of transmission of HIV/AIDS and operates out of, and shapes, a culture of fear detrimental to public health in the state of Texas. SB 779 will discourage people from getting tested for fear of being subjected to a lawsuit and imprisonment. Test results should remain confidential.</p> <p>The reality is that too few individuals know their HIV status, and as a result, infect others. The CDC estimates that roughly 1 in 5 people have HIV and are at risk of transmitting it, because they haven’t been tested. We don’t want for this statistic to worsen. The federal government advises that we should be working to reduce stigma and end discrimination against those infected, in order to curtail transmission of the virus. The reason being, criminalizing, and discriminating against, those living with HIV/AIDS, encourages people to go untested for fear of being subjected to discrimination, as they would under the provisions of this bill.</p> <p>Nationally, we have finally stabilized transmission of HIV/AIDS. However, many populations are still at high risk of contracting the virus -- Latinos, African Americans, and gay and bisexual men of all races. We need to address these health disparities by crafting policy that: targets those at risk with prevention programs; makes healthcare accessible to all; promotes scientifically-sound health education and free testing; and makes substance abuse, drug therapy, and prophylaxis treatment available to those that need it. It is our responsibility to end discrimination and stigma and to openly have conversations about HIV/AIDS to break the taboo that is currently our biggest barrier to more people seeking confidential testing and to ending the HIV/AIDS epidemic. SB 779 thwarts the tremendous amount of progress made since the initial outbreak of HIV/AIDS and is only going to risk more lives. This is discriminatory public policy, masquerading as that benefiting the few.</p>	<p>Unfavorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

OK for Distribution – Rep Garnet Coleman



<p>SB 179 By Sen. Perry SP: Rep. Springer</p>	<p>Relating to the handgun proficiency required to obtain or renew a concealed handgun license.</p>	<p>Homeland Security & Public Safety</p>	<p>HB 284 requires a handgun proficiency test to be administered when obtaining or renewing a CHL; the test allows use of a handgun with a .22 caliber or higher. This allows the licensee to complete the proficiency test with the caliber weapon the licensee will be using on a regular basis, and allows individuals with disabilities or preferences for lower caliber weapons to complete the proficiency test successfully. The concern is that an individual may test with a .22 and elect to carry a .32 instead, even if they cannot handle a .32 as deftly. Just like we don't allow someone with a regular driver's license to be able to drive motorcycles or 18-wheelers, it might not be wise to allow someone who obtained a license for a .22 to be able to carry higher caliber weapons. If they can properly handle the higher caliber weapon, then the test should be with that weapon. Nothing prevents them from practicing with their own weapon whenever they want, but if they test with a .22 because they cannot easily handle a .32, they should not be able to carry a .32. An amendment that creates a new .22-only CHL license would mitigate these concerns.</p>	<p><u>Will of the House with Concerns</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>SB 1330 By Sen. Campbell SP: Rep. Miller, R.</p>	<p>Relating to injury leave for certain peace officers.</p>	<p>State Affairs</p>	<p>SB 1330 will add officers commissioned by the attorney general to the list of officers allowed to take injury leave for an injury sustained due to the nature of the officer's duties, and that occurred during the course of the officer's performance of duty; without said leave impacting their salary or accrued paid time off. This will give these officers compensation that will aid their recovery and help sustain their family while the officer recovers.</p>	<p><u>Favorable</u> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>SB 1437 By Sen. Zaffirini SP: Rep. Davis, S.</p>	<p>Relating to the electronic filing of reports of political contributions and expenditures and of personal financial statements by certain officeholders and candidates and the content of those statements; creating a criminal offense.</p>	<p>General Investigating & Ethics</p>	<p>SB 1437 authorizes reports of political contributions and expenditures and of personal financial statements for local officeholders and candidates to be filed electronically using software developed by the Texas Ethics Commission. It requires personal financial statements filed with an authority other than the TEC and not filed electronically, to be accompanied with an affidavit by the person filing the report, asserting that the information in the report is true and accurate. If a person is filing electronically through the TEC or through another authority, a notarized affidavit is not required as long as the person filing received an electronic filing password from the relevant authority and uses the password to file the financial statement. All financial statements filed with the TEC (thus financial statements filed by statewide officeholders and candidates) must be filed electronically, using software developed by the TEC or software that meets specifications laid out by the TEC. SB 1437 aims to start going paperless, which is good for the environment and good for using limited resources in the most efficient way possible.</p>	<p><u>Favorable</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>SB 393 By Sen. Burton, et al. SP: Rep. Peña</p>	<p>Relating to the punishment for certain offenses against property or against public administration.</p>	<p>Criminal Jurisprudence</p>	<p>SB 393 updates the outdated property offense threshold for specific offenses – such as theft, graffiti, and criminal mischief – to adjust for inflation that has occurred since they were last revised in 1993.</p>	<p><u>Favorable</u> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>SB 35 By Sen. Zaffirini SP: Rep. Minjarez</p>	<p>Relating to the acknowledgment by management of risks identified in state agency information security plans.</p>	<p>State Affairs</p>	<p>Texas has gone online. Although today's technology affords us ease and efficiency, there are associated risks. There have been several instances of online security breaches by large companies, such as Target and Sony, which have led to massive amounts of stolen personal information. While state agencies are not large companies, they are just as susceptible to hacking and cyber-attacks. State agencies currently employ an information security officer who prepares and submits cybersecurity plan to the Department of Information Resources, but the agency leadership is not required to confer with their security officer about the plan. SB 35 will require the executive staff of state agencies to submit a written acknowledgement that the agency has been made aware of cybersecurity risks as determined by the security officer, once the agency submits their report to the Department of Information Resources.</p>	<p><u>Favorable</u> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>

<p>SB 1708 By Sen. Huffman, et al. SP: Rep. Kuempel</p>	<p>Relating to the creation of a governor's program for victims of child sex trafficking.</p>	<p>State Affairs</p>	<p>SB 1708 directs the governor to establish and implement a program for victims of child sex trafficking. The program must provide individualized and comprehensive services for the rehabilitation and treatment of these victims, to meet medical, psychiatric, psychological, safety, and housing needs. The governor-appointed director of the program shall coordinate with law enforcement agencies, state agencies, and service providers to identify victims who are eligible for the governor's program. Each victim in the program shall have a case manager who will coordinate local services to meet the individual's short-term and long-term needs. Over 100,000 children have been trafficked in the United States each year, and Texas has a major trafficking hub in its borders. SB 1708 is designed to facilitate the provision of needed services to help these victims of child trafficking successfully reintegrate into society, rehabilitate, and have a good quality of life.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>SB 1376 By Sen. Lucio, et al. SP: Rep. Hunter</p>	<p>Relating to natural disaster housing recovery.</p>	<p>Land & Resource Management</p>	<p>Texas has experienced tragic natural disasters, such as the 1900 Galveston hurricane, the 2011 wildfires in Bastrop and surrounding areas, and the recent deadly floods along the Blanco River. After every disaster, there are numerous issues with recovery and reconstruction, such as the lack of planning, funding, and coordination between recovery agencies. This has kept many Texans from rebuilding their lives and homes after disaster.</p> <p>SB 1376 is a proactive bill that will create local disaster recovery plans, which may be immediately implemented after a disaster has occurred. Overseen by the General Land Office (GLO), local governments will create a local housing recovery plan, with input from local stakeholders, community members, and the Hazard Reduction and Recovery Center at Texas A&M University, who will certify said plan. The Center will provide local government representatives with training on natural disaster recovery and planning. Additionally, the Center will create and maintain mapping and data resources related to natural disaster recovery and planning, including the Texas Coastal Communities Planning Atlas; and work with TDI developing policies, procedures, and education programs enabling quick and efficient reporting and settling of housing claims related to natural disasters. Once a plan has been certified, it can be implemented after any natural disaster over the following four years. The GLO and the Governor have final determination of certification.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>SB 1925 By Sen. West SP: Turner, S.</p>	<p>Relating to the dedication of revenue received from certain court costs to the truancy prevention and diversion fund.</p>	<p>Appropriations</p>	<p>The truancy prevention and diversion fund is a general-revenue dedicated account created by prior legislation to divert juveniles from the criminal justice system. Funds in this account are collected from court costs on certain convictions in municipal and justice courts. However, it was not explicitly exempt from funds consolidation, and its account was swept back into general revenue. SB 1925 addresses this issue by rededicating revenue from the afore-mentioned court costs to this account.</p> <p>Efforts to divert juveniles from the criminal justice system saves the state millions in potential court and imprisonment costs, and gives these youth a greater chance to become productive citizens. SB 1925 would ensure that funds are being specifically dedicated for this much-needed purpose.</p>	<p>Favorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org</p>
<p>SB 1583 By Sen. Taylor, V., et al. SP: Rep. Fletcher</p>	<p>Relating to classifying synthetic cannabinoid or cathinone as a Schedule I controlled substance under the Texas Controlled Substances Act; affecting the prosecution of a criminal offense.</p>	<p>Public Health</p>	<p>SB 1583 classifies any synthetic cannabinoid or cathinone ("designer drugs") not regulated by the FDA or the state, and that is similar in structure or effect to any Schedule I or Schedule II drug, as a Schedule I drug. Synthetic Cannabinoids are synthetic forms of marijuana (examples: K2 and Spice) and cathinones are bath salts. This bill allows an exemption from anything that is legalized in statute. It allows law enforcement to apply penalties and puts them a step ahead of drug companies. Currently, any time the legislature makes a synthetic compound illegal, manufacturers simply tweak the recipe; it is impossible to stay ahead of the game by just making individual compounds illegal and, as a result, kids are dying. SB 1583 targets manufacturers and sellers of the drugs, with aims to stop the manufacturing, distributing, formulating, selling, and marketing of these substances.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

<p>SB 811 By Sen. Rodríguez SP: Rep. González, M.</p>	<p>Relating to providing a translated copy of a student's individualized education program to parents unable to speak English.</p>	<p>Public Education</p>	<p>An individualized education program (IEP) is a plan detailing the learning needs, services provided, and progress measures, for children receiving special education services. SB 811 requires the school district of a child enrolled in a special education program to provide the child's IEP in audiotape form, if requested by the parent. The bill requires audiotaped copies to include all components of the IEP required under state or federal law that are developed or revised by the child's IEP committee. This bill creates specification that will alleviate parents from listening to hours worth of IEP information that may not directly affect their child, by only containing the necessary components of a student's IEP.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>SB 387 By Sen. Rodríguez SP: Rep. Wray</p>	<p>Relating to trusts and certain other forms of assets protection.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>SB 387 is a REPTL (Real Estate, Probate, and Trust Law) bill that proposes updated regulation in the areas of Trusts that reflects changes in case law and revisions that were vetted and approved by the Texas State Bar. It addresses issues concerning non-exempt contributions, beneficiary rights, trust forfeiture, and proper venue for actions involving multiple non-corporate trustees. The bill's updates include that trust errors can be modified with clear and convincing evidence indicating a necessity for such change and trustees may delegate real estate closings to an agent. Directed Trusts allows that certain persons not named in the trust can be given authority by a trustee to act in an advisory capacity over certain fiduciary responsibilities. Duties and liabilities pertaining specifically to these appointed fiduciary advisors are spelled out.</p> <p>SB 387 also addresses issues pertaining to recent legislation that allows a trust to be decanted. Similar to decanting wine, the concept is to allow the trust to breathe; examples include: making room for changing tax laws, avoid costly estate taxes, modify provisions that a trustee deems suitable, or move the trust out of state. Ultimately, on a positive note, it is perceived as a vehicle to allow family members to work together in eliminating restrictive provisions and incorporate new beneficial ones. Potential problem arises when a trustee can make modifications that not only violate the wishes of the benefactor, but also can impair the rights of the beneficiary. SB 387 injects safeguards that allow a beneficiary to object or sue the trustee to prevent undue harm; however, such litigation is costly and time-consuming. A very tragic and public example of this was the suit between Robin Williams' children and wife after over his estate; the decanting of old trusts and creation of new ones mounted into a litigious nightmare because once the suit began, a very personal and private document became public record for open scrutiny.</p>	<p>Favorable Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p><u>LSG Floor Report For Resolutions Calendar – Tuesday, May 26, 2015</u></p>				
<p>SCR 41 By Sen. Perry SP: Rep. Burrows</p>	<p>Designating Terry County as the official Grape Capital of Texas.</p>	<p>Culture, Recreation & Tourism</p>	<p>The Texas wine industry is quickly becoming a globally recognized wine producing region. The majority (80%) of our grapes are grown in Terry County. As of 2013, Terry County had an estimated 800 acres dedicated to grapes, and it is anticipated to explode to over 10,000 acres in the coming years. Because of its' importance to the Texas wine industry, the quality of grapes produced, and the farmers and vintners, make our wine industry possible; SCR 41 will designate Terry County as the official Grape Capital of Texas for at least the next 10 years.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>

OK for Distribution – Rep Garnet Coleman

