



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

Representative

Desk

LSG Floor Report For Postponed Business – Friday, May 22, 2015

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
SB 1301 By Sen. Perry SP: Rep. Lucio III	Relating to the governance and administration of the Texas Water Resources Finance Authority.	Ways & Means	SB 1301 is a clean-up bill for a bill filed last session that moved the Texas Water Development Board (TWDB) from having 6 part time directors to 3 full time directors. This bill makes this clear in contiguous statute. Previously, TWDB could hold special meetings at the call of the chairman or on request of three or more of the six directors. Now it would take a majority of the 3 directors to fulfill the requirement.	Favorable Evaluated by: Nakia Winfield 512-763-0031 nakia@texaslsg.org
HCR 109 By Rep. Paul, et al. SP: Rep. Paul, et al.	Urging Congress to encourage the Department of Defense to relocate the United States Africa Command to Ellington Field Joint Reserve Base in Houston.	State & Federal Power & Responsibility	<p>In 2007, the United States Africa Command (AFRICOM) was created as one of six of the US Defense Department’s geographic combatant commands. It is responsible for maintaining US Defense Department operations, exercises and security in Africa, as well as maintaining military relations with African countries, the African Union, and African regional security organizations. When established, its headquarters was temporarily placed in Stuttgart, Germany. It was planned to be moved to Africa, but remained in Germany due to costs and diplomatic issues.</p> <p>HCR 109 urges US Congress to move AFRICOM from Germany to the Ellington Field Joint Reserve Base in Houston. Its move is estimated to save the Pentagon \$60 million to \$70 million a year. Moving expenses are likely to be recouped within two to six years. Further, the Ellington Field base is equipped to handle military aircraft. It also houses military from all five US armed services, some of which already conduct training and missions for AFRICOM. Houston is the ideal stateside location because of its port access and its strong cultural, educational, medical, and diplomatic ties with many African nations. Additionally, AFRICOM’s move is likely to generate economic benefits for Texas and the city of Houston.</p>	Favorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org
SB 1173 By Sen. Nichols SP: Rep. Phillips	Relating to commercial driver’s licenses and commercial learner’s permit and the operation of commercial motor vehicles; creating a criminal offense; amending provisions subject to a criminal penalty; authorizing	Transportation	<p>In 2008, a commercial bus operating in violation of safety rules made national news by losing treading and crashing in north Texas. 17 people died and 39 were seriously injured. Potentially tragic incidents such as these, along with new federal updates to the Commercial Motor Vehicle Safety Act of 1986, necessitate SB 1173. The bill revises state law to comply with tightened federal minimum standards regarding the issuance of commercial driver’s licenses and permits. Major provisions of the bill include:</p> <ul style="list-style-type: none"> • 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 	Favorable Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org

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	fees.		<ul style="list-style-type: none"> • 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 • 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>	
SB 1511 By Sen. Hancock SP: Rep. Collier	Relating to the establishment and governance of certain regional transportation authorities.	Transportation	<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>	Will of the House Evaluated by: Tara Blagg 512-763-0031 tara@texaslsg.org

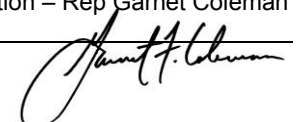
LSG Floor Report For Major State Calendar – Friday, May 22, 2015

SB 523 By Sen. Birdwell, et al. SP: Rep. Keffer	Relating to the sunset review of river authorities.	Natural Resources	<p>Currently, Texas River Authorities are independent entities that manage everything from water quality to electricity generation through their rivers. These river authorities are varied in their procedures, oversight boards, and focus. SB 523 mandates that 18 of the largest river authorities be subject to sunset review to make sure that the River Authorities are meeting their core functions and to determine if there are opportunities for improved efficacy and efficiency. This bill encourages open government and transparency. SB 523 would not allow a sunset review to abolish a river authority. Some have raised concerns that the \$90,000 price tag river authorities must pay for the Sunset Review is burdensome. For instance the Bandera County River Authority has a \$600,000 tax-funded annual budget and would not be able to raise taxes high enough to accumulate the money by the time they were supposed to be reviewed. Despite the cost, it would be beneficial to have the River Authorities reviewed for consistency and uniformity.</p>	Favorable Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org
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LSG Floor Report For General State Calendar – Friday, May 22, 2015

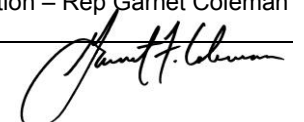
SB 37 By Sen. Zaffirini, et al. SP: Rep. Naishtat	Relating to requiring the Texas Higher Education Coordinating Board to collect and study data on the participation of persons with intellectual and developmental disabilities at public	Human Services	<p>Currently, there are limited Texas higher education institutions offering educational opportunities for persons with intellectual and developmental disabilities (IDD) to pursue postsecondary study. If more universities and colleges offered experiences for the IDD community, the state could eliminate many barriers that have presented challenges for persons with IDD. By reducing these limitations, individuals with IDD will have more employment options and increased independence and quality of life. The opportunity to attain a higher education degree should be open and equal for all people; higher education should be inclusive.</p> <p>SB 37 requires the Texas Higher Education Coordinating Board (THECB) to collect and maintain data of persons with IDD who</p>	Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org
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	institutions of higher education.		<p>participated in either the undergraduate or graduate level study at a higher education institution. Different studies regarding persons of IDD in higher education will be conducted by THECB in the following areas:</p> <ul style="list-style-type: none"> • reasons for participation or nonparticipation of higher education; • recruitment of this population, identifying previous efforts, limitations and possible methods for the future <p>SB 37 will provide the information Texas needs to remove barriers for those with IDD, increasing their employment prospects, individual independence, and quality of life. It is the first step in moving Texas from last place in the US in terms of higher education offerings for people with IDD to becoming a competitive, inclusive state for all.</p>	
<p>SB 935 By Sen. Kolkhorst, et al. SP: Rep. Deshotel</p>	Relating to the establishment of a reading excellence team pilot program.	Public Education	<p>Reading is an essential skill taught in foundational learning in elementary school, but teachers are constantly challenged to have their students prepared for reading in subsequent years. In 2013, sixty-three percent of fourth graders in Texas were “at or above basic” on reading achievement levels. This continues a trend of a small, but steady decrease over the past seven years. It is evident that teachers need support in teaching their students reading curriculum, at early stages of a child’s life, so that there are more students reaching “proficient or above” instead of basic levels of understanding.</p> <p>SB 935 requires the commissioner of education to establish a reading excellence team pilot program. The reading excellence teams will be comprised of reading instruction specialists. Districts, if eligible, will be able to request a team to provide assistance and training to the district and teachers to improve reading performance. School districts are eligible to participate in the pilot program, if the commissioner determines the district has shown low performance on the reading test given during kindergarten, first and second grade levels or low performance on the statewide reading standardized test for third grade.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>SB 57 By Sen. Nelson SP: Rep. Simmons</p>	Relating to information collected by a regional tollway authority, regional transportation authority, metropolitan rapid transit authority, or coordinated county transportation authority.	Transportation	<p>Transportation authorities capture traveler data in order to bill a customer for facilities use. SB 57 protects the confidentiality of this information and prohibits a regional tollway authority, metropolitan rapid transit authority, regional transportation authority, or a coordinated county transportation authority from disclosing a traveler’s personally identifiable information. Data protected under the bill includes: name, address, e-mail address, phone number, account number, password, payment transaction activity, toll or charge record, credit, debit, or other payment card number, and any other personal financial information. The bill further adds the purpose of providing toll exemptions as a reason for a regional tollway authority to record or capture traveler data.</p> <p>SB 57 safeguards personally identifiable and financial information, which is easily abused and should not be a matter of public information. A toll record can give a stalker, retaliative intimate partner, or other nefarious actor the information needed to stalk a victim, and can enable businesses to solicit customers without their consent. We should protect financial and personal information whenever possibly unless probable cause establishes it is in the best interest of public safety to release it.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>
<p>SB 304 By Sen. Schwertner SP: Rep. Raymond</p>	Relating to certain violations committed by long-term care facilities, including violations that constitute the abuse and neglect of residents.	Human Services	<p>SB 304 encompasses the “three strikes” provisions from the DADS sunset bill. The major changes that come with this bill is the revocation of a license holder who is employed at a convalescent, nursing facility or other institution, who commits 3 violations in two years, and caused an immediate threat to the health and safety related to the abuse or neglect of residents. Each violation must be reported in connection in separate surveys, inspections or investigation visits. A strike can be removed or reduced in severity through an informal dispute resolution process performed by a disinterested nonprofit organization contracted by the HHSC. The executive commissioner of HHSC is able to waive a license revocation if he or she determines the waiver wouldn’t jeopardize the health and safety, or risk abuse or neglect, of the residents. Changes will be made to the quality-of-care monitoring program, such as requiring quality-of-care monitors to focus their visits on facilities with history of patient-care deficiencies, or identified as medium-risk to the HHSC warning system.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>

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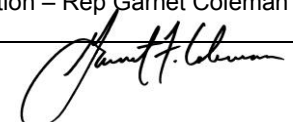


			<p>The changes made in SB 304 were recommendations from the Sunset Advisory Commission's recent review of DADS. Even with approximately 19,000 violations committed at nursing facilities, very few facilities faced sanctions. These revisions allow facilities three chances before necessary consequences are brought about. These facilities provide care for a vulnerable population who need and deserve quality treatment. Those who fail to provide adequate care, or commit abuse and neglect should not be allowed to keep working with this population, or maintain licensure.</p>	
<p>SB 972 By Sen. Kolkhorst, et al. SP: Rep. Deshotel</p>	<p>Relating to training academies for public school teachers who provide reading comprehension instruction to students in grades four and five.</p>		<p>SB 972 requires the commissioner of education to develop reading-to-learn academies. These academies will provide effective practices for student development in reading comprehension, and will be targeted to teachers providing this type of instruction for fourth and fifth grade students. Teachers granted priority to attend these academies must be employed by a school district at a campus that 50% or more students are educationally disadvantaged. The commissioner will further determine criteria for selecting teachers and the stipend amount that participating teachers will receive. Providing academies for teachers who teach reading comprehension for later elementary grade levels is important for teachers to refine their skills and practices and students to have an enriched and quality experience when being taught reading. Additionally, these academies will also ensure that students are prepared for more rigorous middle school curriculum, so that they are less likely to fall behind.</p>	<p>Favorable Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>SB 807 By Sen. Campbell, et al. SP: Rep. Sheets</p>	<p>Relating to occupational license application and examination fees for certain military service members, military veterans, and military spouses.</p>	<p>Defense & Veterans' Affairs</p>	<p>While many veterans take advantage of Hazelwood and GI, not all veterans wish to attend college. Many veterans already have families, and need to provide for them upon discharge. Often, duties and training in the military go above and beyond training received by civilians as it related to licensure training for certain jobs, such as welding or mechanics. In addition, military spouses also have the undue burden of having to resubmit to examination and licensure for certain professions when the military spouse is relocated to Texas. Requiring our veterans to undergo the examination and licensure process for skills they in which they have the military equivalent is unnecessary and burdensome.</p> <p>SB 807 will waive the examination and license fees for a member of the military, or veteran, whose service, training, and education meet the requirements set forth in the license. Military spouses will also be exempt, should they hold a current license issued by another jurisdiction that is substantially equivalent to the Texas licensure requirements.</p> <p>This bill will allow for an easier transition into civilian life for those exiting the military, and allow spouses to more quickly provide for their families.</p>	<p>Favorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>SB 267 By Sen. Perry, et al. SP: Rep. Huberty</p>	<p>Relating to the regulation by a municipality or county of the rental or leasing of housing accommodations.</p>	<p>Urban Affairs</p>	<p>Some municipalities such as the City of Austin have passed ordinances prohibiting the refusal to rent/lease to individuals who receive help to pay for housing through the federal voucher program (Section 8). There are two problems here: the first is that cities should be able to decide for themselves whether they want to do this or not. Second, the ordinance itself is good policy. The way that someone is able to pay for housing should be irrelevant to the determination of whether to accept that payment or not. Besides, since when is this Legislature opposed to vouchers?</p> <p>And there is a good reason for these ordinances. Roughly 90% of private rental properties do not accept HUD vouchers. The ability to live in economically stratified areas has a major effect on education and employment, and allowing voucher holders more freedom in determining living location is a major step in self-determination. It should also be noted that HUD does not stipulate rental amounts. HUD is responsible for a certain amount of rent per property, and the voucher holder is responsible for the remainder. If the voucher cannot account for the difference on their application, the owner does not have to rent to them.</p>	<p>Unfavorable Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>

<p>SB 2049 By Sen. Nichols, et al. SP: Rep. Bell</p>	<p>Relating to qualifications of members of the board of directors of the Lone Star Groundwater Conservation District.</p>	<p>Natural Resources</p>	<p>Lone Star Groundwater Conservation District, who regulates groundwater use within Montgomery County, is one of two groundwater conservation districts in Texas that have a conflict of interest exemption for its' board members. SB 2049 repeals Section 6(h), Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001, in effect disallowing the groundwater conservation district from exempting themselves from conflicts of interest. Additionally, SB 2049 confirms and sanctions Groundwater Conservation District engagements and charges enacted prior to Sept. 1, 2015.</p>	<p><u>Will of the House</u> Evaluated By: Nakia Winfield 512-763-0031 nakia@texaslsg.org</p>
<p>SB 195 By Sen. Schwertner SP: Rep. Crownover</p>	<p>Relating to prescriptions for certain controlled substances, access to information about those prescriptions, and the duties of prescribers and other entities registered with the Federal Drug Enforcement Administration; authorizing fees.</p>	<p>Public Health</p>	<p>Currently, the Texas Prescription Program exists to collect data on controlled substance prescriptions in Texas, to monitor and prevent the diversion of prescription drugs, to inquire about patients, to verify prescription records, and to collect useful information about drug trends when possible. It is run by DPS, which presents some limitations on collecting health trend information. SB 195 transfers the Texas Prescription Monitoring Program (TPMP) and the Prescription Access in Texas (PAT) database from DPS to the Texas State Board of Pharmacy (TSBP). An accessible database shall be established by TSBP to house the transferred information. While TSBP will have primary responsibility for the database, DPS will continue to have unrestricted access to it, and is permitted to create a secure portal to access the information. Individual peace or law enforcement officers must show cause to DPS to be granted access.</p> <p>TSBP may charge a fee to cover costs of establishing and maintaining the program and database. Each agency that licenses individuals or entities to dispense or prescribe controlled substances will be required to pay the fee to TSBP. Agencies impacted by the fine shall increase cost of occupational licenses or use excess funds to pay the fee. All individuals and entities that prescribe, analyze, distribute, manufacture, or dispense controlled substances must be registered with the Federal Drug Enforcement Administration.</p> <p>SB 195 permits the TSBP to enter into an interoperability agreement with other states. The bill authorizes any states that have an interoperability agreement with the TSBP to have access to the database, as well as many different medical professionals, DPS employees, and specified boards of other medical professions. SB 195 also increases the board size for TSBP, adding 5 specified professionals. The bill also repeals code related to registration fees, registration applications, authorization requirements for research with controlled substances, certain rules governing pharmacy practice, and certain prescription program rules. The repealed sections are either outdated, because of reliance on DPS, which will no longer control the database, or redundant because they are spelled out in other sections of code. SB 195 seeks to make the Texas Prescription Program more efficient and put it under the purview of the Texas State Board of Pharmacy because TSBP monitors most other prescription drug data.</p>	<p><u>Will of the House</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>SB 519 By Sen. Schwertner SP: Rep. Crownover</p>	<p>Relating to the registration of dental support organizations; imposing a fee; requiring an occupational registration; providing a civil penalty.</p>	<p>Public Health</p>	<p>SB 519 requires dental support organizations (DSOs) to register with the Secretary of State annually, providing certain information including the name and address of the DSO, the name and address of the dentist the DSO is working with, and a list of all services provided by the DSO to the dentist. Failure to register will result in a fine. Currently, DSOs are not required to register and exist mainly "under the radar."</p> <p>Dental support organizations are businesses that contract with dental offices to help with the business side of dentistry by offering two or more business support services. They often offer bookkeeping, information technology or IT services, consultations, marketing, insurance services, administrative services, billing, payroll, and/or facilities for the dentist. DSOs are not to interfere with the practice decisions made by dentists and should not impact dentistry medical services. By requiring DSOs to register, the state will better be able to assess what services are being provided and whether the medical side of dentistry is being negatively affected by DSOs making decisions about, for example, whether a dentist does any "pro bono" work or gets good quality or bad quality tools with which to work.</p>	<p><u>Favorable</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>

<p>SB 824 By Sen. Huffman SP: Rep. Clardy</p>	<p>Relating to the number of jurors required in certain civil cases pending in a statutory county court.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>This is a Texans for Lawsuit Reform bill with the ultimate goal of making it harder for plaintiffs to win in certain county court cases by requiring 12 - not the normal 6 - jurors to serve in cases with an amount of controversy of over \$200,000. The justification is that these are cases in which the county courts share concurrent jurisdiction with a district court, which requires 12 jurors. The alignment may be appropriate, but we first would like justification of why the change is necessary. We know the real reason it's here, but is there any additional benefit?</p>	<p><u>Will of the House with Concerns</u> Evaluated by: Shaina Pomerantz 512-763-0031 shaina@texaslsg.org</p>
<p>Amendment to SB 824</p>	<p>By Rep. Clardy</p>	<p>841963</p>	<p>This amendment changes current statutes by removing language that makes reference to "jury composed of six members" or similar language, and replaces it with language that allows for a 12 member jury, or constitutional or statutory requirements that override the 6 juror requirement. If SB 824, this amendment will align all constitutional and statutory provisions regarding the size of a jury.</p>	
<p>SB 662 By Sen. Rodríguez SP: Rep. Alonzo</p>	<p>Relating to the representation of certain indigent applicants for a writ of habeas corpus.</p>	<p>Criminal Jurisprudence</p>	<p>Recently, 13 individuals were sentenced to life without parole for crimes committed as juveniles. Since the time of their convictions, the US Supreme Court and the Court of Criminal Appeals have prohibited such sentencing for minors. The court then required all to be resentenced, but there currently are not clear procedural mechanisms to handle sentences that have been invalidated for indigent defendants. SB 662 seeks to change this for certain indigent defendants convicted of misdemeanors or felonies. If the state finds post-conviction that an indigent defendant has been wrongfully sentenced – is innocent, guilty of a lesser offense, or was sentenced under a law found to be unconstitutional – the bill requires the court to provide legal representation for purposes of filing an application for a writ of habeas corpus or to represent the indigent defendant in a proceeding based on the writ. SB 662 will help to expedite the release of those wrongfully convicted.</p>	<p><u>Favorable</u> Evaluated by: Maia McCoy 512-763-0031 maia@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><u>Favorable</u> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>
<p>SB 332 By Sen. Schwertner, et al. SP: Rep. Hunter</p>	<p>Relating to the use of maximum allowable cost lists related to pharmacy benefits.</p>	<p>Insurance</p>	<p>Pharmacy benefit managers (PBM) provide necessary services to health plans by administering pharmacy benefits for insured patients, develop provider networks, and process pharmacy claims. However, each PBM uses its own formula concerning maximum allowable cost (MAC) for generic medication reimbursement. There is little to no transparency by which the PBM determines what drugs will be reimbursed under their formula, what the price will be, when prices are subject to change, and what sources are used to determine MAC prices. New legislation concerning MAC transparency as it relates to Medicaid has been beneficial, but no transparency exists for commercial insurance markets. SB 332 seeks to remedy this.</p> <p>SB 332 will set standards for medication being included on a MAC list. Computing the MAC price for medications will be based off of the price of said drug and any current therapeutically equivalent medication as listed by the FDA. If no equivalent medication exists, or is not widely used, a drug that has a "B" rating in the most recent version of the FDA's Approved Drug Products with Therapeutic Equivalence Evaluations may be used in calculating MAC. "B" products are considered by the FDA to not be therapeutically equivalent to other pharmaceutically equivalent products, and actual or potential bioequivalence problems have not been resolved by adequate evidence of bioequivalence; these often have a problem with specific dosage forms rather than with the active ingredients. The PBM</p>	<p><u>Favorable</u> Evaluated by: Cathryn Taub 512-763-0031 cathryn@texaslsg.org</p>

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			<p>must disclose pricing information sources.</p> <p>In addition, SB 332 will require PBMs to update costs associated with MAC formulations every week, and shall seek to eliminate medications from MAC lists. A MAC list will be provided to the pharmacy or pharmacist under contract with the PBM. Included with the list will be the procedure the pharmacy or pharmacist can use to appeal the MAC price of a drug. The PBM will adjust the MAC price to all similarly situated pharmacists or pharmacies should the appeal be upheld. The MAC list for each pharmacy and/or pharmacist will be confidential.</p>	
<p>SB 273 By Sen. Campbell, et al. SP: Rep. Guillen</p>	<p>Relating to certain offenses relating to carrying concealed handguns on property owned or leased by a governmental entity; providing a civil penalty.</p>	<p>Homeland Security & Public Safety</p>	<p>SB 273 eliminates sovereign immunity for counties and other state political subdivisions to create a civil penalty from communicating through certain signs or through “oral communication” that guns are not allowed on government property where they are in fact allowed. Before penalties may be assessed, it must be investigated by the Office of the Attorney General and determined that a penalty is warranted. Proponents argue that this will protect CHL-holders’ rights to carry. Opponents argue that there are sometimes events held on government property where guns may be disallowed, and that this puts organizers of those events at risk of penalty for posting a sign for the event only.</p>	<p><u>Unfavorable</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>SB 1129 By Sen. Zaffirini SP: Rep. Raymond</p>	<p>Relating to the transportation of a person with a mental illness.</p>	<p>Human Services</p>	<p>SB 1129 specifies that a patient with a mental illness can only be restrained during the apprehension, detention, or transportation of the patient. The method of restraint must allow the patient to sit upright and without undue difficulty. Current law does not prohibit certain restraining methods that may severely limit or hurt an individual. For the protection of individuals with a mental health emergency, SB 1129 only permits restraint if the individual’s health and safety is at risk and asserts that restraint methods must allow the individual to breathe and move properly. This specification protects the person experience a mental health crises in a vulnerable and potentially dangerous moment.</p> <p>Restraints are sometimes needed during mental health emergencies, to protect both the individual being transported and the officer, who may not be well-equipped to handle mental health emergencies. However; it is crucial that the individual being apprehended, detained, or transported be treated like a person and that his/her civil rights are not unnecessarily violated. SB 1129 is imperative to both protect officers and to protect these vulnerable individuals who may not be able to think clearly or rationally due to psychosis or other mental health symptoms when being approached by a uniformed officer.</p>	<p><u>Favorable</u> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>SB 1171 By Sen. Nichols SP: By Rep. Paddie</p>	<p>Relating to the operation of certain oversize or overweight vehicles transporting timber, timber products, or forestry equipment on certain public roadways.</p>	<p>Transportation</p>	<p>SB 1171 adds to the oversized/overweight vehicles allowed to operate on certain county roads, in which a maximum weight limit has been set, to include a vehicle transporting unrefined timber, wood chips, or woody biomass in a timber producing county. It further expands the exemption for width limitations of certain vehicles operating on public highways to include vehicles transporting equipment used in the harvesting and production of timber.</p> <p>The bill lowers the permit fee for an oversize/overweight timber vehicle from \$1,500 to \$900. If this reduced cost only applied to independent contractors transporting timber, such a discounted rate might be warranted. It’s unclear, however, why multimillion dollar logging businesses should also be paying less for these permits. It is hard to rationalize that we need more adequate transportation funding to address eroding infrastructure when we cut fees that help to address deterioration of our roads.</p>	<p><u>Will of the House</u> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

<p>SB 955 By Sen. Schwertner SP: Rep. Miller, R., et al.</p>	<p>Relating to permissible locations of open-enrollment charter schools created by certain institutions of higher education.</p>	<p>Public Education</p>	<p>SB 955 allows a public senior college or university to operate an open-enrollment charter school in any Texas county. Allowing the opportunity for more charter schools to be built neglects the amount of public schools, especially those that have a high number of economically disadvantaged students that are in dire need of attention. Charter schools are consistently sold to the general public as letting parents have a “choice” in sending their children to quality schools, however public school districts could be of better quality if funding wasn’t split between the two types of schools. It is important that Texas focus on strengthening public school districts, instead of creating more opportunities for charter schools to be created and given public funding dollars.</p>	<p><u>Unfavorable</u> Evaluated by: Brittany Reyes 512-763-0031 brittany@texaslsg.org</p>
<p>SB 1735 By Sen. Birdwell, et al. SP: Rep. Zerwas</p>	<p>Relating to tuition and fee exemptions at public institutions of higher education for certain military personnel and their dependents.</p>	<p>Higher Education</p>	<p>This bill limits the Hazelwood Act; the benefits will not apply to those who need the most help. We made the decision to help veterans who have served our country and we are now being asked to abandon our commitment just because it became more difficult. This is wrong.</p> <p>SB 1735 limits the Hazelwood Act provision of tuition and fee exemption in higher education to only apply to military members and their families who are permanent residents of Texas, as defined in the bill. If a qualifying spouse or child is applying for tuition and fee exemption under Hazelwood and was not born in Texas, they must have lived in Texas for the last 8 years continuously before the first day of the first semester in which the individual is attending an institution of higher education and wants the exemption to apply.</p> <p>For a military veteran to bequeath their Hazelwood exemption to a child, the veteran must have served at least six years on active duty excluding training periods. Additionally, Hazelwood exemptions will only be granted if the first class date is before the 15th anniversary of the person’s or parent’s discharge from the military. SB 1735 removes graduate education from qualifying for Hazelwood, requires undergraduate students to maintain a 2.5 GPA or better, and states that students must take 24 academic credits per year to qualify in undergraduate studies. SB 1735 requires FAFSA to be completed by Hazelwood recipients so that they take advantage of any grants available, but does not require them to take out any loans or allow the school to compel them to take out loans. These grants shall be used before the exemption and, if they equal or exceed exemption amounts, Hazelwood exemptions shall not be granted. Individuals getting Hazelwood exemptions and in class prior to the 2016 fall semester are exempted from the new requirements.</p>	<p><u>Unfavorable Unless Amended</u> Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>SB 1367 By Sen. West SP: Rep. Anchia, et al.</p>	<p>Relating to certain obligations of and limitations on landlords.</p>	<p>Business & Industry</p>	<p>SB 1367 allows a landlord to affix a notice to vacate to a tenant’s door in addition to putting such a notice in the mail, if a tenant has no mailbox and has a keyless bolting device, alarm system, or dangerous animal that prevents the landlord from entering the premises, or the landlord reasonably believes that entering the premises could result in harm. The bill makes clear that the date the notice is posted and mailed is the official date when notice is made, rather than when the tenant receives the notice.</p> <p>The bill increases the amount of damages, which may be owed to a tenant if a landlord wilfully violates provisions relating to a residential landlord's lien, from the greater of one month’s rent or \$500, to the sum of one month’s rent and \$1,000, minus any amount for which the tenant is liable. This revision keeps pace with inflation and is more fair compensation to the tenant. The bill prohibits a tenant’s right to a jury trial from being waived in a lease or other agreement, as it relates to a landlord's duty or a tenant's remedy under law. The bill makes other revisions to applicable law to allow for alternate mail carriers such as Fedex or UPS to be used in lieu of the U.S. postal service.</p> <p>In the case that the property is turned over to a new owner, the bill makes clear that the new owner is liable for the security deposit. They must deliver a notice to the tenant, stating that they have acquired the property, including the exact amount of the deposit for which they are now responsible.</p>	<p><u>Favorable</u> Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

			<p>For leases not requiring security deposits, the owner must give notification in writing to the tenant on or before contacting a third-party debt collector, if the tenant is responsible for damages after move-out and the amount of charges. Under the bill, if the landlord fails to provide notice, they forfeit their right to collect damages.</p> <p>The bill also changes the type of sliding door security device a landlord is required to install and makes other minor revisions. While the bill does not provide a tenant with increased time to respond to a notice to vacate or to a claim for damages owed to the landlord, it clarifies and better balances the rights and responsibilities of landlords and renters.</p>	
<p>SB 295 By Sen. Schwertner, et al. SP: Rep. Guillen</p>	<p>Relating to tracking career information for graduates of Texas medical schools and persons completing medical residency programs in Texas.</p>	<p>Higher Education</p>	<p>SB 295 directs the Higher Education Coordinating Board to establish a system in which the Board collects and maintains data regarding initial residency program choices made by graduates of medical schools TX, along with the initial practice choices made by individuals completing residency programs in TX. The Coordinating Board would also track graduates for two years post-residency. Currently, Texas has a lack of funded residency spots, which has led to the state essentially outsourcing medical professionals. Medical residents tend to establish a practice or work where they do their residency, so it is disadvantageous for Texas to send graduates elsewhere.</p> <p>SB 295 seeks to keep track of graduates and where they go and what areas of practice they enter so that Texas can improve residency program offerings and, eventually, increase primary healthcare access in underserved communities by incentivizing residency programs in such communities.</p>	<p>Favorable Evaluated by: Paige Reitz 512-763-0031 paige@texaslsg.org</p>
<p>SB 1436 By Sen. Zaffirini SP: Rep. Raymond</p>	<p>Relating to the setback requirements for a junkyard or an automotive wrecking and salvage yard; amending provisions subject to a criminal penalty.</p>	<p>Transportation</p>	<p>Current law prohibits a junkyard or an automotive wrecking and salvage yard from being located within 50 feet of the right-of-way of a public street or state highway. SB 1436 further prohibits one of these businesses from being located within 50 feet of the nearest property line of a residence.</p> <p>There has been an issue with getting junkyards to comply with regulations, regarding the removal of hazardous chemicals from vehicles and other health and safety code, particularly in unincorporated areas. The bill would help to safeguard certain residential areas from the visual blight and safety infractions associated with these businesses.</p>	<p>Favorable Evaluated by: Maia McCoy 512-763-0031 maia@texaslsg.org</p>

OK for Distribution – Rep Garnet Coleman

