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### LSG Floor Report for GENERAL STATE Calendar– Wednesday, March 24, 2021

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 119</b>  By: Landgraf   Turner, John   White   Holland	Relating to prohibiting organ transplant recipient discrimination on the basis of certain disabilities.	Public Health  8 Ayes, 0 Nays, 0 PNV, 3 Absent	Organ transplants are vital medical procedures that should not be denied, especially based on a disability. HB119 will protect people with disabilities against discrimination and provide guidance to ensure autonomy for people with disabilities.  HB119 requires protections for individuals diagnosed with a disability from discrimination that interferes with receiving an organ. HB119 specifically prohibits the following: <ul style="list-style-type: none"> <li>• Determining an individual is ineligible to receive an organ transplant based on their disability.</li> <li>• Denying medical or other services related to an organ transplant.</li> <li>• Refusing to refer the individual to a transplant center or other specialists for an organ transplant.</li> <li>• Refusing to place an individual on an organ transplant waiting list or position them lower in priority on the list due to their disability.</li> <li>• Declining insurance coverage for any procedure associated with the organ transplant.</li> </ul> HB119 states that health care providers may solely consider an individual’s disability while recommending proper treatment or coverage should it be determined that the disability is medically significant to the transplant. HB119 also requires health care providers to have “supported decision making” or the use of a support person to assist the individual with a disability make medical decisions, communicate information to the individual, or ascertain the individual’s wishes.  Violations of discrimination provisions in HB119 will be grounds for disciplinary action by the regulatory agency that issued the license or certification to the health care provider who committed the violation.	<b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org
<b>HB 682</b>  By: Minjarez	Relating to notifying an alleged perpetrator of child abuse or neglect of the person's right to request an administrative review of the department's findings after an investigation by	Human Services  Vote 9 Ayes, 0 Nays, 0 PNV, 0 Absent	After a Department of Family and Protective Services (DFPS) investigation has ended and the investigator reports their findings, an alleged perpetrator may request an administrative review of investigative findings (ARIF) be conducted. An ARIF is an informal review process that does not involve a trial and does not include formal witness testimony. Currently, DFPS policy does not require investigators to inform an alleged perpetrator of their right to request an ARIF. HB682 would require DFPS investigators to verbally notify the alleged perpetrator before the interview that they may request an administrative review. Once the investigator has given that verbal notification the department will document in the case file that the notification was provided.	<b>Favorable</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org

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	the Department of Family and Protective Services.		Requiring investigators to inform alleged perpetrators of their right to file an ARIF would empower families involved in investigations to have their case reviewed and hold the investigative process of DFPS accountable.	
<b>HB 867</b> By: Thompson, Senfronia	Relating to the issuance of a qualified domestic relations order for the payment of spousal maintenance and child support obligations.	Juvenile Justice and Family Issues  9 Ayes, 0 Nays, 0 PNV, 0 Absent	Qualified Domestic Relations Orders (QDRO) are issued under federal law as a method to collect child support or spousal support through an individual's retirement account. Additionally, QDROs are already in use by the Child Support Division of the Texas Attorney General's Office. This bill would align Texas law more closely with federal law and update code based on what is already being practiced in our state. HB867 will: <ul style="list-style-type: none"> <li>• Allow certain courts to file an enforceable QDRO or a similar order to permit the use of a pension, retirement plan, or other employee benefits to satisfy child support or spousal support along with additional money owed (medical support, dental support, prior debt, and interest).</li> <li>• State that a QDRO or similar order will apply to a pension, retirement plan, or employee benefit regardless of the characteristics unless it is specifically prohibited by federal law.</li> <li>• Allow a party to a spousal or child support order or the Attorney General's office in a Title IV-D case to seek a QDRO or similar order as an original attempt or as enforcement to collect spousal or child support. Each party whose rights could be impacted will be notified regarding the petition.</li> <li>• Allows certain courts to have continuing jurisdiction over the QDRO or similar order in case changes are needed.</li> </ul> <p>This addition to the Family Code will allow for another option in the collection of spousal support and child support. Also, HB867 will clarify this process by aligning state and federal law.</p>	<b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org
<b>HB 1024</b> By: Geren   Holland   Thompson, Senfronia   Parker	Relating to the pickup and delivery of alcoholic beverages for off-premises consumption.	Licensing and Administrative Procedure  Vote: 11 Ayes 0 Nays 0 PNV 0 Absent	Since the beginning of the COVID-19 pandemic, the restaurant and hospitality industry has suffered major financial losses. Around 20% of Texas restaurants permanently closed and revenue for the industry is estimated to be down 15%. Last March, Governor Abbott signed an Executive Order allowing bars and restaurants to serve alcohol to-go with the purchase of food to assist the restaurant and hospitality industry.  HB1024 seeks to make this a permanent change in the Alcoholic Beverage Code by allowing establishments with a mixed beverage permit and a food and drink certificate to sell and deliver alcoholic beverages for off-premises consumption for consumers 21 and over. HB1024 requires that alcohol to-go must be purchased with food and can include single-serving beverages sealed by the manufacturer not exceeding 375 milliliters or restaurant-prepared beverages sealed with tamper-proof packaging. "Tamper-proof containers" must show clear signs of being opened and are defined as a closed cup or similar container that is placed into a bag sealed with a zip tie, staple, shrink wrap, or sealed by other methods approved by the Texas Alcoholic Beverage Commission (TABC). Businesses participating in alcohol to-go must maintain the correct TABC licenses, keep a record of signed physical or digital receipts from customers, and cannot deliver alcohol to other TABC-licensed premises.  Making this change permanent will bring more relief to the restaurant and hospitality industry while providing convenience to the consumer.	<b>Favorable</b> Evaluated by: Cassidy Kenyon (760) 429-8388 Cassidy@TexasLSG.org
<b>HB 1070</b> By: Harris   Anderson	Relating to the performance of pest control work by persons who hold a commercial or noncommercial applicator license issued by the Department of Agriculture.	Agriculture & Livestock  Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent	HB1070 clarifies statutory language that allows an unlicensed person to perform pest control work on growing plants, trees, shrubs, grass, or other horticulture plants if working under the direct supervision of a person who holds a commercial or noncommercial applicator license. This license must be issued by the Department of Agriculture and cover pest control work. This is an already existing and common practice within this industry that works well.	<b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org

