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LSG Floor Report For POSTPONED BUSINESS CALENDAR- Monday, April 26, 2021				
Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 2189</b>  By: King, P.   Craddick   Price   King, K.   Bell, C.	Relating to state contracts with and investments in certain companies that boycott energy companies.	State Affairs  Vote: 12 Ayes, 1 Nay, 0 PNV, 0 Absent	<p>HB 2189 prohibits Texas’ various retirement systems and the permanent school fund from contracting with or investing in financial companies that the comptroller’s office defines as a “boycott energy company,” meaning those that take actions to penalize or limit commercial relations with a fossil fuel-based energy company because it does not pledge to meet environmental standards beyond applicable federal and state law. The comptroller is directed to keep and make public an annually updated list of boycotting companies.</p> <p>If any state entity owns direct or indirect holdings in a boycotting company, it must notify the company that it is at risk of divestment if it does not “cease boycotting” energy companies. This may be determined by various means, including publicly available data from nonprofits or research firms or simply the absence of a response to communication on the matter. Total divestment must occur within 360 days of the company receiving notice unless it is determined that divestment would be financially irresponsible and would likely result in a loss in the fund’s value, in which case the entity will have to report to the legislature every 6 months proof of that likely result. State entities will not be required to divest from indirect holdings in actively or passively managed investment funds or private equity funds but must submit to the fund managers a request that boycotting companies be removed. The attorney general may bring action to enforce these rules, though no private person or company has grounds to sue or pursue a private cause of action against the state based on actions taken related to the act.</p> <p>Additionally, HB 2189 adds a provision to all contracts that have a value of over \$100,000 to be paid by a state agency or political subdivision, entered with companies employing 10 or more people.</p>	<p><b><u>Will of the House with Concerns</u></b>            Evaluated by:            Hannah Hall            (832) 425-1224            Hannah@TexasLSG.org</p>

OK for Distribution - Rep Garnet Coleman

			<p>Contracts may only be entered if the company provides written verification that it does not and will not boycott energy companies.</p> <p>This bill comes as a response to several major financial institutions like JPMorgan Chase, Wells Fargo, and Bank of America committing to more environmentally friendly investing. While their actions would likely not fit into the narrow definition of a “boycott energy company,” it would nonetheless be unfeasible to divert all state funds from major banks or other institutions that Texas financial experts have entrusted with our state’s retirement and public-school investments, without suffering unnecessary financial losses.</p> <p>The Texas Employee Retirement System indicated this bill’s passage would have a negative fiscal impact on its operations, which raises concerns that Texans and their tax dollars could be put at risk by the precedent set by this new contract requirement – and others like it that may arise in the future - that could cause Texas government entities to pass up the most economically sound and reliable investments.</p> <p>Financial companies and other commercial entities make business decisions based on their bottom line. If divesting from certain companies is in their best financial interest and supported by their customers, and still provides significant returns on their investments, the state should not punish them and disrupt the process of making sound investment decisions - nor should subject retirees and schoolchildren to potential financial fallout. Although divestment is not mandatory it could lead to a diminished return on state investments.</p>	
<p><b>HB 1380</b> By: Longoria</p>	<p>Relating to information technology purchased through the Department of Information Resources.</p>	<p>State Affairs Vote: 13 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The Department of Information Resources (DIR) is authorized to purchase certain technology-related commodity items in bulk at a pre-negotiated, discounted rate for the benefit of state agencies, so long as those items are in high demand from more than one state agency. HB 1380 expands this authorization by redefining commodity items to include those items in demand by more than one customer, whether that be a Texas state agency, a governmental entity of another state, or another entity like a city, school, hospital, or public safety agency. These entities are already authorized to purchase commodity items from the DIR, but the bill expands the types of items eligible for purchase under this program.</p>	<p><b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p><b>LSG Floor Report For MAJOR STATE CALENDAR- Monday, April 26, 2021</b></p>				
<p><b>HB 4492</b> By: Paddie</p>	<p>Relating to securitizing costs associated with</p>	<p>State Affairs Vote:</p>	<p>During February’s winter storm, the price of wholesale electricity rose from \$30 per megawatt hour to over \$9,000 per megawatt hour because of severely curtailed electricity generation. While most electricity customers are on fixed-rate contracts that protected them from seeing this dramatic</p>	<p><b>Favorable with Concerns</b> Evaluated by:</p>



	<p>electric markets; granting authority to issue bonds.</p>	<p>11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>fluctuation passed onto their bill, entities that had to purchase electricity at that price have found themselves in difficult or impossible financial positions, in some cases paying more in one week than they would pay in an entire year, causing some to default on payments.</p> <p>ERCOT, Texas’s independent grid operator, is responsible for receiving and disbursing payments between generators and direct service providers. When a participant in the ERCOT market defaults on payment, ERCOT rules place the responsibility of repayment on all other market participants, up to \$2.5 million per month, through a process called “uplift”. At this time, there is nearly \$3 billion still owed to electricity generators through ERCOT, which would take almost 100 years to pay off using uplift rules. For many market participants, the costs associated with uplift would further strain their ability to maintain business operations and provide service to customers.</p> <p>To address this, HB 4492 would establish the self-funding Texas Electric Securitization Corporation (TESC) to reduce the costs of financing this immense amount of debt. State-backed securitization will allow wholesale market participants who are owed money to be paid in a timelier manner by permitting the balance to be repaid over time at a low carrying cost due to the state’s high credit rating, low administrative costs, and available financial tools.</p> <p>The TESC would be governed by a board appointed by the Public Utility Commission (PUC) and subject to PUC regulation to ensure that securitization provides benefits greater than what would be available through other financing options. It would be responsible for issuing bonds following financing orders from the PUC to cover all costs that would be uplifted to market participants and paid through more costly private financing. The proceeds of these bonds would go to ERCOT, who would then pay the balance owed to generators for winter storm costs. The debt would be paid through a non-by passable default charge on all wholesale market transactions over a period of no more than 30 years, meaning that market participants themselves would be directly impacted while residential consumers would not see their bills increase. HB 4492 includes stipulations to prevent market participants from avoiding the charges in order to ensure that costs are distributed fairly. All bonds issued by the TESC to cover its own expenses and debt service costs would be recovered through default charges and would not be a debt of the state.</p> <p>This bill offers a mechanism to restore stability to the ERCOT market by ensuring that current debts will be paid. Further payment defaults will be mitigated and customers will be protected from the potentially dramatic fallout of market volatility. What is missing from this bill is any direct relief to harmed consumers and any assurance that the electricity industry will take the initiative to enact meaningful changes to prevent the failures of February’s winter storm from occurring ever again.</p>	<p>Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
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<p><b>HB 1925</b></p> <p>By: Capriglione   Harless   Lucio III   Geren   King, P.</p>	<p>Relating to prohibitions on camping in a public place; creating a criminal offense.</p>	<p>State Affairs</p> <p>Vote: 8 Ayes, 3 Nays, 1 PNV, 1 Absent</p>	<p>HB 1925 makes intentionally camping in a public space without the consent of managing authorities a Class C misdemeanor. Shelter is defined as “temporarily residing, with shelter.”</p> <p>Local government officials may not consent to public camping within their jurisdiction without state approval, though they may enact more stringent prohibitions. Local officials are also prohibited from adopting policies that discourage the enforcement of this bill’s provision. Further, the attorney general may issue an injunction against and the comptroller shall deny awarding state grant funds to local entities that do not comply with enforcement.</p> <p>This bill and local public camping bans punish the unhoused for seeking comfort from the elements and do nothing to support more accessible housing or open much needed shelters or treatment centers. Class C misdemeanors are punishable by a fine of up to \$500 and, if left unpaid, can result in the issuance of a warrant for the person’s arrest. Because these charges add to a person’s criminal record, this can have detrimental consequences for one’s ability to access employment and housing. The issue of houselessness needs to be addressed, but excessive state overreach and punitive measures are undoubtedly a step in the wrong direction.</p>	<p><b><u>Unfavorable</u></b></p> <p>Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p><b>HB 2000</b></p> <p>By: Huberty</p>	<p>Relating to the funding of utility reliability and resiliency projects by the Texas Water Development Board; authorizing the issuance of revenue bonds.</p>	<p>State Affairs</p> <p>Vote: 10 Ayes, 1 Nay, 0 PNV, 2 Absent</p>	<p>February’s winter storm revealed vulnerabilities in the state’s utility infrastructure. To help finance the costs of upgrading water, electric, natural gas, and broadband facilities to strengthen reliability, HB 2000 proposes the creation and financing of a State Utilities Reliability Fund (SURF) and State Utilities Reliability Revenue Fund (SURRF), managed by the Texas Water Development Board (TWDB). The funds would be used to provide loans, interest rate subsidies, grants, public-private partnerships, or other financial assistance to public or private entities for infrastructure resiliency projects.</p> <p>The SURF program is modeled after the TWDB’s State Water Implementation Fund for Texas (SWIFT), which was established in 2013 to help local governments fund essential water management projects and leveraged its original \$2 billion appropriation from the Economic Stabilization Fund to issue revenue bonds and finance almost \$9 billion in assistance. SURF would be funded through appropriations, TWDB transfers and deposits, any revenue from a tax approved for this purpose, and investment earnings, and it must be audited annually. TWDB must also create a system for prioritizing projects with substantial impact, particularly those that would harden facilities to extreme weather and enhance the reliability of electric service during periods of high demand. TWDB may consider an applicant’s available funding sources when prioritizing projects, including private capital.</p>	<p><b><u>Favorable with concerns</u></b></p> <p>Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>



			<p>Because many of these projects would likely be beyond the TWDB’s scope of expertise, the bill authorizes the TWDB to require that other state agencies assist in reviewing and evaluating applications and directs the TWDB to conduct an interagency study regarding the need for state financial assistance for weatherization and capacity-building projects. This study must be reported to the newly established State Utilities Reliability Fund Advisory Committee, which shall review and make recommendations to the TWDB regarding use of funds, prioritization procedures, and eligibility criteria. HB 2000 also authorizes the TWDB to develop a statewide reliability and resiliency plan and permits the TWDB to use the existing water loan assistance fund to finance local water-related reliability and resiliency projects.</p> <p>The TWDB’s success implementing the SWIFT program bodes well for this entity’s general success as it concerns public utility infrastructure. However, concerns have arisen over the inclusion of privately owned companies in this program, as they operate under a different set of business models and financial incentives. While ensuring that Texans who receive services from private utility, electric generation, or broadband companies is critical, these investments should be borne by private shareholders and not subsidized by the taxpayers who would be harmed should there be industry failures. Discounted interest rates, grants, and other subsidies to these companies could create inequitable competitive conditions and allow public SURF funds to pad private profits.</p> <p>Additionally, SURF funds would not currently include “demand side” resiliency projects that would decrease the level of resources, particularly electricity, that an end-use customer would demand from the utility providers. Weatherizing homes and businesses, implementing energy efficiency and water conservation projects, and other ideas for decreasing demand would contribute to reliability, especially as our infrastructure and resources grow increasingly strained with Texas’s growing population.</p> <p>The provisions of this bill will only take effect if HJR 2’s constitutional amendment is approved by voters.</p>	
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**LSG Floor Report For CONSTITUTIONAL AMENDMENT CALENDAR- Monday, April 26, 2021**

<p><b>HJR 2</b> By: Huberty</p>	<p>Proposing a constitutional amendment creating the State Utilities Reliability Fund</p>	<p>State Affairs  Vote: 10 Ayes, 1 Nay, 0 PNV,</p>	<p>HJR 2 proposes a constitutional amendment that would allow for the creation of the State Utilities Reliability Fund and the State Utilities Reliability Revenue Fund. These funds, managed by the Texas Water Development Board, would provide direct financial assistance to public or private entities for the purposes of enhancing the reliability and resiliency of water, electric, and natural gas utilities, broadband providers, and power generation resources in this state. Loan agreements would require approval from the Legislative Budget Board.</p>	<p><b>Favorable with concerns</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
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	<p>and the State Utilities Reliability Revenue Fund to provide financial support for projects that enhance the reliability and resiliency of water, electric, and natural gas utilities, broadband providers, and power generation resources in this state.</p>	<p>2 Absent</p>	<p>This resolution would provide authorization to appropriate money from the Economic Stabilization Fund allowing these funds to issue bonds to finance resiliency and reliability projects. The creation of these funds would require approval from voters during the November 2021 election.</p>	
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**LSG Floor Report For GENERAL STATE CALENDAR- Monday, April 26, 2021**

<p><b>HB 217</b> By: Thompson, Senfronia</p>	<p>Relating to post conviction forensic DNA testing.</p>	<p>Criminal Jurisprudence  Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Texas has had 57 wrongful convictions overturned based on DNA evidence since 1989, making such testing in post-conviction cases necessary to ensure public safety and justice. Out of these cases, 28 actors were identified in the original crime, including 21 rapes, 2 murders, and 12 other violent offenses committed after the original offense.</p> <p>HB 217 expands the term “exculpatory results” regarding forensic DNA testing that is ordered by a convicting court. This clarifies that judges can consider third-party matches in law enforcement DNA databases when determining whether an individual’s case meets requirements to obtain post-conviction DNA testing. The bill clarifies that testing can be conducted in a DPS laboratory.</p> <p>HB 217 will assist courts and the judiciary in future exonerations expanding the ability for convicted individuals to be eligible for consideration.</p>	<p><b>Favorable</b> Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>
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<p><b>HB 3397</b> By: Murphy</p>	<p>Relating to contributions to the Employees Retirement System of Texas.</p>	<p>Pension, Investments, &amp; Financial Services  Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The Employee Retirement System (ERS) facilitates retirement saving and benefit distributions for state government employees. Contributions into ERS are shared between employers, employees, and the state. The Unfunded Actuarial Accrued Liability (UAAL) or net liability of the ERS pension fund has inflated to \$14.5 billion, consisting of wholly outstanding debt. On its current trajectory, ERS is predicted to run out of money entirely by 2061.</p> <p>HB 3397 seeks to address the shortfall by requiring that the legislature adopt an actuarially determined contribution (ADC) rate and set employer and employee’s share of the ADC. HB 3387 designates an ERS actuary for the fiscal year 2022 and each subsequent year to set contribution rates instead of setting them by legislative statute each year. The recommendations by the actuary are made to the ERS board of trustees for review and adoption of the member contribution rate and state contribution rate, which must not exceed 50% of the ADC rate.</p> <p>HB 3397 establishes the ADC rate as a percentage rate that reflects the sum of the average cost of projected benefits for the fiscal year and the portion of the total payment towards the UAAL of ERS attributable to that fiscal year. The rate must be sufficient to amortize in a period that does not exceed 31 years.</p> <p>HB 3397 would permanently address the unfunded liability shortfall of ERS and fulfill the constitutional pension obligation of the legislature to uphold the pension promise to all state government employees.</p>	<p><b>Favorable</b> Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org</p>
<p><b>HB 3516</b> By: King, T.   Guillen</p>	<p>Relating to the regulation of the recycling of oil and gas waste.</p>	<p>Energy Resources  Vote: 8 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>As hydraulic fracturing, or fracking, has proliferated over the last decade, there have been concerns about the high volume of water that this process requires. The Railroad Commission (RRC) has established rules for recycling water used for oil and gas operations, also known as produced water, in order to decrease the amount of fresh water needed for this purpose. Both commercial recycling entities and the oil and gas operators that generate produced water are authorized to store and treat those fluids for reuse, but the growth of a widespread commercial recycling industry has been hindered by inconsistent standards and permitting processes between the two.</p> <p>HB 3516 clarifies that the RRC’s rules regarding produced water treatment and reuse may not differ between commercial and noncommercial recycling entities, except that commercial recycling pits must be subject to their own set of minimum siting and financial security standards, just as oil and gas operators are, as outlined in other statutes. Technical and construction standards must be consistent with those of noncommercial recycling, meaning that commercial recycling facilities are not required to meet higher standards than oil and gas operators so in order to offer services at a cost-effective rate. Additionally, this bill requires that the RRC approve or deny an application</p>	<p><b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>



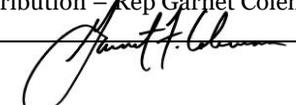
			<p>issued under its oil and gas fluid waste treatment rules within 120 days, or else the application is considered to be approved.</p> <p>By ensuring that produced water recycling and reuse rules are uniform across entities and establishing a predictable permitting process, this bill will facilitate the industry’s growth and encourage more conservative water usage in oil and gas operations. As Texas’s population and water needs grow, the state must ensure that its freshwater resources are being used as efficiently as possible.</p>	
<p><b>HB 1783</b> By: White</p>	<p>Relating to the age of a child which a juvenile court may exercise jurisdiction over the child and the minimum age of criminal responsibility.</p>	<p>Juvenile Justice &amp; Family Issues</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Incarcerated youth face significant risk of mental health issues as well as trauma. Incarcerating youth in place of seeking mental health and wraparound community-based services is detrimental to Texas children.</p> <p>HB 1783 will make the following changes to age of criminal responsibility for a child:</p> <ul style="list-style-type: none"> <li>• 13 years of age will be the minimum age at which a person is considered a child for justice or municipal court jurisdictions, school-based criminal offenses, provisions governing juvenile justice services and facilities, and to apply the juvenile justice code.</li> <li>• 18 is raised to 19 years old to be considered a child in the juvenile justice code for the purposes of delinquent offenses or offenses requiring supervision at 17 or younger.</li> <li>• A child must be 13 years old for juvenile courts to waiver jurisdiction and transfer a case to criminal court.</li> <li>• maximum age for prohibition of prosecution and conviction of certain offenses is raised to 13 years old for children who are presumed incapable of committing those offenses, excluding a breach of curfew.</li> </ul> <p>Juvenile justice should focus on the wellbeing and development of children by providing the opportunity to change. Incarceration denies that ability and instead dismantles their future.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p><b>HB 1920</b> By: Capriglione   Tinderholt   King, Phil   White</p>	<p>Relating to the offense of possessing a weapon in a secured area of an airport.</p>	<p>Homeland Security &amp; Public Safety</p> <p>Vote: 8 Ayes 1 Nay 0 PNV 0 Absent</p>	<p>Weapons and firearms are banned from secured public access areas in airports under state and federal law. However, there is a gap in Texas law regarding carrying weapons in Airport Operations Areas, which includes the backside portion of airports limited to staff only. Airports can be targeted for terrorist attacks, and there are security concerns regarding unsecured areas becoming an access point for bad actors.</p> <p>HB 1920 prevents potential insider attacks by changing the definition of “secured area” to include airport operations areas deemed secure under federal law, rather than just secured terminal areas, for the offense of knowingly or recklessly carrying a weapon. The bill adds a defense to prosecution if</p>	<p><b>Favorable</b> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>



			<p>the actor was federally authorized to carry a firearm in a secured area. This does not include the airport parking lot, baggage claim, or public pick up areas.</p> <p>This change strengthens homeland security by preventing weapons in currently unsecured areas vulnerable to insider attacks.</p>	
<p><b>HB 2914</b></p> <p>By: Turner, Chris   Meza   González, Jessica</p>	<p>Relating to the fee for emergency medical services in certain municipalities.</p>	<p>Urban Affairs</p> <p>Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>Currently, municipalities with a population more than 220,000 and less than 250,000 in a county where another municipality has a population of more than one million can establish a monthly fee for the costs of emergency medical services (EMS) administered by a fire department.</p> <p>HB 2914 intends to lower the minimum population size requirement to 150,000. EMS in certain municipalities may need additional funding for salary and overtime for medical personnel. Those who provide EMS services are often overworked and underpaid. Allowing more cities to establish this fee would provide more and better compensated EMS personnel for the essential service they provide to their communities.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>
<p><b>HB 3745</b></p> <p>By: Capriglione</p>	<p>Relating to prohibitions in connection with event ticket sales or resales on an Internet website and with the online sale of goods.</p>	<p>Business &amp; Industry</p> <p>7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Due to technological advances, “bot” programming software can now help individuals purchase large quantities of highly sought items immediately after they are released for sale. These items are then resold at an inflated price to consumers who could not utilize the regular purchasing process from the original vendor when the item sold out immediately.</p> <p>HB 3745 addresses this issue by prohibiting the sale or use of any method, technology, device, or software that does the following:</p> <ul style="list-style-type: none"> <li>• bypasses the regular purchasing process</li> <li>• disguises purchaser identity</li> <li>• allows for purchasing a quantity of goods that surpasses the maximum amount available for one purchaser as specified by the seller or website owner</li> <li>• circumvents purchasing process security measures, access control systems, or other authorizations</li> </ul> <p>The bill authorizes the Attorney General to investigate relevant violation allegations and bring state action to prevent the entity from committing further or potential violations. Additionally, the Attorney General is entitled to seek compensation for costs related to the investigation, bringing the action, court fees and reasonable attorney’s fees.</p> <p>Preventing the use of bots for purchasing and reselling items at inflated costs will protect consumers from price-gouging and regulate ecommerce marketplaces to encourage a more level playing field.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



<p><b>HB 3853</b></p> <p>By: Anderson   Guillen   King, T.   Ashby   King, K.</p>	<p>Relating to middle mile broadband service provided by an electric utility.</p>	<p>State Affairs</p> <p>Vote: 13 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>HB 3853 seeks to expand internet access to rural communities by laying out a framework to deliver broadband using electric utility infrastructure. Electric utilities often include fiber cables in their transmission lines to facilitate internal communication, which can also be used to carry high-speed internet service. Because it is not cost-effective for internet service providers (ISPs) to build their own fiber cable networks out into rural, sparsely populated areas, allowing them to access existing networks used by electric utilities would encourage the development of reliable, affordable broadband service for unserved Texans.</p> <p>This bill authorizes electric utilities to voluntarily offer middle mile broadband service, meaning they may lease excess fiber capacity from electric delivery systems to commercial ISPs, who may then use that capacity to sell broadband service directly to customers. Electric utilities must charge the ISP a fee covering all costs of the ISP’s usage, but, apart from the electric cooperatives that are otherwise permitted to do so by law, would not be authorized to sell broadband service themselves. Additionally, to ensure that electric utilities still fulfill their financial and operational responsibilities to customers, they must ensure that electric service is prioritized over middle mile broadband, especially during emergency circumstances, and may not construct new infrastructure for the express purpose of expanding middle mile services.</p> <p>HB 3853 additionally establishes the Public Utility Commission’s (PUC) oversight duties related to an electric utility’s middle mile broadband service provision. The PUC shall have the authority to approve or reject utilities’ plans for middle mile implementation to ensure that the services, which are ultimately paid for and to the benefit of broadband customers, are reasonably priced and reliable. The PUC may also allow utilities to recover the costs associated with providing middle mile service outside of raising electricity rates to customers and shall ensure that the fees received by leases with ISPs are used as a credit to those customers. While the oversight of broadband deployment would be new territory for the commission and would require additional resources and expertise, it is important that an agency has the powers to ensure that electric utilities’ rates and services are administered in the public’s interest.</p> <p>The bill also removes references to BPL, or broadband over power lines, which is a less sophisticated system that is no longer seen as a viable option for expanding high-speed internet access. By allowing utilities to offer middle mile broadband service, HB 3853 will encourage the prompt and efficient expansion of internet access to all Texans.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
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<p><b>HB 956</b> By: Dutton   Frullo</p>	<p>Relating to the places where certain knives are prohibited.</p>	<p>Criminal Jurisprudence  Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Currently, blades over 5.5 inches long are prohibited from certain premises such as food establishments with alcohol permits and licensure, places of worship, and amusement parks.</p> <p>These knives are necessary for the foodservice industry, manual laborers, and construction workers. Individuals in these professions may unintentionally carry prohibited knives into location-restricted establishments that hold criminal liability. Entering location-restricted establishments with a blade over 5.5 inches long is punishable by a Class C fine-only misdemeanor or 180-days of deferred disposition with no confinement.</p> <p>HB 956 allows these knives in establishments that have over 51% of their income from alcohol, amusement parks, and places of worship while maintaining restrictions for schools and school-related events, correctional facilities, and certain hospitals. The bill also removes the definition for amusement park establishments by replacing it with premises.</p> <p>HB 956 removes the criminal liability from individuals in professions that require knives from the unintended consequence of conviction.</p>	<p><b>Favorable</b> Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>
<p><b>HB 193</b> By: Rose</p>	<p>Relating to the destruction of juvenile court records of victims of sex trafficking.</p>	<p>Juvenile Justice &amp; Family Issues  9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Currently, Texas law does not provide for trafficking victims to have their juvenile court records destroyed for prostitution charges incurred while they were trafficked. HB 193 will require courts to destroy the records of referral to a juvenile probation department for these survivors, including digital records as well as physical records, with a specification that physical records cannot be digitized before destruction. Additionally, TJJD can maintain records for statistical and research purposes in a juvenile information and case management system.</p> <p>HB 193 applies to court records that were created before, on, or after it is effective date and ensures that these survivors will not be criminalized going into adulthood.</p> <p>There is a pre-filed amendment being offered by the author of the bill that will maintain the favorable rating.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



<p><b>HB 541</b></p> <p>By: Patterson   Collier   Burrows   Hunter   Canales</p>	<p>Relating to a presumption in regard to the eligibility of public safety employees who have contracted coronavirus disease (COVID-19) for certain benefits.</p>	<p>Business and Industry</p> <p>5 Ayes, 1 Nay, 0 PNV, 3 Absent</p>	<p>The coronavirus (COVID-19) pandemic impacted the wellbeing of first responders, detention officers, and correctional staff. These individuals were required to continue regular operations during the pandemic, putting them at greater risk for contracting the disease in the line of duty. However, the ability to prove that COVID-19 was contracted while working has proven difficult in regard to seeking benefits and compensation. HB 541 will:</p> <ul style="list-style-type: none"> <li>• make codifying changes involving detention officers and correctional employees as well as definitions for these terms in the section of code this bill is amending</li> <li>• establish the presumption that an individual contracted severe acute respiratory syndrome, coronavirus 2 (SARS-COV-2) or COVID-19 while working if the person works in designated jobs in an area with a declared disaster relating to SARS-COV-2 or COVID-19: and , that illness resulted in disability or death. These benefits only apply to full time employees who have worked within 10 days of testing positive for COVID-19 or SARS-COV-2. The worker may provide additional evidence they contracted COVID-19 or SARS-COV-2 while working for the purposes of receiving compensation or benefits. This presumption may not be used for individuals that live in the same household as the first responders, detention officers, and correctional staff. <p>HB 541 offers a window for individuals that face a life-threatening illness. The bill does not include part time employees or temporary employees who often receive limited if any benefits. As written, the bill exposes vulnerable families to the illness via the person working the higher risk occupation. HB 541 is a needed step for proper coverage of individuals that work as first responders, detention officers, and correctional staff.</p> </li></ul>	<p><b><u>Favorable with Concerns</u></b></p> <p>Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p><b>HB 2812</b></p> <p>By: Murphy</p>	<p>Relating to the creation of the disaster response loan fund and the permissible uses of that fund; making an appropriation.</p>	<p>Appropriations</p> <p>Vote: 22 Ayes, 1 Nay, 0 PNV, 4 Absent</p>	<p>HB 2812 seeks to create a Disaster Response Loan Fund outside of the treasury, administered by the Comptroller, to assist local governments with short-term loans to begin the process of recovery and to mitigate losses after disasters. Federal funds can be slow, often taking months to years for funds to be distributed, creating a challenge for local governments that do not have the money to begin rebuilding. Having a fund to give immediate assistance can help local governments begin to rebuild quicker, resulting in lower costs and safer communities.</p> <p>The Comptroller and the Texas Division of Emergency Management will create and implement the application process for the fund and an application fee may be charged to cover the costs of processing the application. The loans would only be available for local governments for a two-year period, and the locality must be eligible for certain FEMA funds and located in an area fully or partially declared a disaster by the governor. The repayment of loans, including interest will all return to the fund with a one-time appropriation of \$500 million of unencumbered GR funds. If the funds balance is less than 75% of the funds total balance on September 1, 2021 than the comptroller will suspend loan disbursement. This provision is set to expire on August 21, 2022.</p>	<p><b><u>Favorable</u></b></p> <p>Evaluated by: Audrey Erwin (928) 210-4303 Audrey@TexasLSG.org</p>



<p><b>HB 4422</b> By: King, Tracy O.</p>	<p>Relating to the authority to request attorney general advice on questions relating to actions in which the state is interested.</p>	<p>Judiciary &amp; Civil Jurisprudence Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Currently, Texas government code limits access to seek the Attorney General’s opinion to only district and county attorneys for cases in which the state has an interest.</p> <p>HB 4422 seeks to add additional entities that can request Attorney General Advice in the prosecuting and defense of an action in which the state is interested in a district of the county attorney and an employee of a county who serves as the lead of the county’s civil legal department.</p> <p>HB 4422 would allow all counties whose governing bodies have created a civil legal department to have equal access to necessary legal guidance from the Attorney General.</p>	<p><b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>
<p><b>HB 2446</b> By: Canales</p>	<p>Relating to the reimbursement of expenses to certain counsel appointed to represent a defendant in a criminal proceeding.</p>	<p>Criminal Jurisprudence Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Currently, for an attorney to visit a client held out-of-county, they often have to drive over 100 miles without additional compensation. Complicating matters, jails usually charge money for attorneys to contact clients via telephone without compensation. Since accepting phone calls from jails equate to \$17.25 for a 15-minute phone call, these barriers continue to financially drain attorneys for doing their job without assurance of monetary reimbursement.</p> <p>HB 2446 adds that attorneys, other than those employed by public defenders’ offices, shall be reimbursed for remote and/or mileage expenses if the defendant is 50-miles or more from the convicting court. The bill also stipulates that reimbursement rates should be held in the same manner as capital cases, even if expenses did not have prior court approval.</p> <p>HB 2446 will make it financially viable for attorneys to visit out-of-county detainees. The bill will improve representation and re-incentives that hefty out-of-pocket costs on defense attorneys will no longer hinder proper representation. Also, HB 2446 will ensure that indigent defendants will receive the best representation since attorneys will not have to choose between their client and financial reimbursement.</p>	<p><b>Favorable</b> Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>
<p><b>HB 1256</b> By: Ashby   Price   Rose   Minjarez   Stucky</p>	<p>Relating to the allocation of certain revenue from mixed beverage gross receipts and sales taxes.</p>	<p>Appropriations Vote: 23 Ayes, 0 Nay, 0 PNV, 4 Absent</p>	<p>HB 1256 seeks to amend the Tax Code for mixed beverage gross receipts and sales tax by requiring the Comptroller to deposit 1% of this revenue into the specialty court account. Money deposited in this account can only be used by the governor's office's criminal justice division to fund specialty court programs. Specialty courts have been successfully implemented in several counties in Texas benefiting individuals, communities, and the state by reducing recidivism rates and associated costs, and instead providing treatment for mental health, substance abuse and other factors causing recidivism. Many Texas counties still do not have specialty courts, and this would help boost funding to expand access throughout the state.</p>	<p><b>Favorable</b> Evaluated by: Audrey Erwin (928) 210-4303 Audrey@TexasLSG.org</p>
<p><b>HB 2555</b></p>	<p>Relating to evidence to be included and</p>	<p>Homeland Security &amp; Public Safety</p>	<p>Many agencies, organizations, and legislators work tirelessly to reduce the backlog of untested rape kits in Texas. HB 2555 implements policy recommendations from the Governor’s Sexual Assault</p>	<p><b>Favorable</b> Evaluated by: Cassidy Kenyon</p>



<p>By: Neave   Button   Collier   González, Mary   Meyer</p>	<p>tracked in the statewide electronic tracking system maintained for evidence of a sexual assault or other sex offense and to noncompliance with requirements imposed with respect to that evidence.</p>	<p>Vote: 9 Ayes 0 Nay 0 PNV 0 Absent</p>	<p>Survivors Task Force by addressing inefficiencies regarding the statewide electronic tracking system, overseen, and utilized by the Department of Public Safety (DPS).</p> <p>HB 2555 expands sexual assault-related reporting requirements for the statewide electronic tracking system to include the evidence collection kit and any other item collected during a forensic medical examination for victims whether they are alive or deceased. Evidence collected in sexual offense investigations could implicate criminals for other offenses, thus HB 2555 provides a useful investigative tool for law enforcement agencies.</p> <p>HB 2555 authorizes entities who perform forensic examinations, with patient consent, to submit sexual assault-related evidence directly into the statewide electronic tracking system no later than 2 days after the initial examination. Agencies not submitting evidence within the legally required time period must provide the DPS with a written explanation detailing the circumstances leading to the submission failure no later than the 30th day after the date the oversight was discovered. Failing to comply with legal requirements regarding collecting, preserving, and tracking sex offense evidence can be used to determine state grant funding eligibility.</p> <p>Law enforcement agencies and accredited public forensic labs are currently required to submit quarterly rape kit reports, which has caused duplicative reporting and confusion. HB 2555 allows agencies to directly input evidence collection kit information in the statewide electronic tracking system. DPS must submit an annual “Statewide Electronic Tracking System Report” detailing the number of untested evidence collection kits in a document titled to the governor, lieutenant governor, house speaker, and members of the legislature by December 1st.</p> <p>Every untested rape kit represents a story and a survivor waiting for justice. HB 2555 empowers survivors to know the evidence related to their assault will be submitted in a timelier manner to catch perpetrators, and survivors past the statute of limitations can maintain hope that repeat offenders will be caught.</p>	<p>(760)429 8388 Cassidy@TexasLSG.org</p>
<p><b>HB 1647</b> By: Walle   Crockett</p>	<p>Relating to the discrimination of eviction case information.</p>	<p>Business &amp; Industry 5 Ayes, 2 Nays, 0 PNV, 2 Absent</p>	<p>COVID-19 left many Texans uncertain about being able to pay rent and facing potential eviction during a pandemic . Many families faced the difficult choice of spending money to eat or maintaining their housing. Eviction filings stay on a person’s record for seven years and severely impact one’s ability to find housing, exacerbating their financial struggles. HB 1647 introduces confidentiality for COVID-19 related evictions. HB 1647 will:</p> <ul style="list-style-type: none"> <li>• under certain circumstances, require that the court order that an evicted person’s personal information be made confidential at the same time it issues a ruling in the eviction case.</li> </ul>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



			<ul style="list-style-type: none"> <li>require all courts or court clerks to delete or redact from public records all references to the defendant's name for eviction case information.</li> <li>prohibit credit reporting agencies, people that collect and distribute eviction information, or a person that sells eviction information from disclosing the information about the case or considering it while determining a score or recommendation for a housing screening.</li> <li>create certain limitations to the applicability of the confidentiality provisions following the termination of a state of disaster declared by the governor.</li> </ul> <p>HB 1647 will provide essential protections for Texans recovering from the long term effects of the COVID-19 pandemic. Loss of housing should not be held against people that were unable to work or had a reduction of income during the pandemic.</p>	
<p><b>HB 3120</b></p> <p>By: Capriglione   Guillen   Patterson   Button</p>	<p>Relating to the eligibility of an injured employee for lifetime income benefits under the workers' compensation system.</p>	<p>Business &amp; Industry</p> <p>7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>First responders face significant risk of severe, irrevocable injuries during emergency situations. In response, there is a need to ensure that first responders will have the proper coverage without complications or delays if they become severely injured while performing their duties.</p> <p>HB 3120 will:</p> <ul style="list-style-type: none"> <li>make first responders who sustain severe bodily injuries that permanently prevent their ability to work eligible for lifetime benefits.</li> <li>update outdated language regarding effects from traumatic brain injuries (TBI).</li> <li>expand the types of burns eligible for compensation.</li> </ul> <p>HB 3120 will ensure proper care for first responders and that they will receive the necessary benefits to live out their lives.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p><b>HB 3023</b></p> <p>By: King, Ken   Guillen</p>	<p>Relating to the eligibility of the Professional Bull Riders World Finals for funding under the Major Events Reimbursement Program.</p>	<p>Culture, Recreation &amp; Tourism</p> <p>Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The Professional Bull Riders (PBR) World Finals Event has usually been hosted in Las Vegas, but in 2020, due to COVID-19 restrictions in Nevada, the PBR moved their World Finals to Arlington, TX.</p> <p>The Major Events Reimbursement Program (MERP) allows local governments and local organized committees to be reimbursed for certain eligible costs associated with conducting major events. HB 3023 would include the PBR World Finals on the list of eligible events for MERP, incentivizing PRB to consider Texas as a hosting site for their event in the future.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org</p>



<p><b>HB 3529</b> By: Meyer</p>	<p>Relating to consent for the use or possession of personal identifying information under the Identity Theft Enforcement and Protection Act.</p>	<p>Business &amp; Industry  7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Last session, legislation was enacted that added instances of a person not granting effective consent as a form of identity theft. This was done in response to situations involving coerced debt, commonly seen in domestic violence situations in which an abusive partner intimidates or forces their partner to take on debt for them. HB 3529 will add the term “effective consent” and its definition to the Business &amp; Commerce Code. This addition will:</p> <ul style="list-style-type: none"> <li>• expand the Identity Theft Enforcement and Protection Act to include people acting with effective consent, or consent given by a person legally able to consent on behalf for the other person.</li> <li>• identify elements that would negate effective consent, including force, threat, fraud, coercion, or if the person on whose behalf consent is given is not able to make reasonable decisions.</li> </ul> <p>HB 3529 will ensure protection for individuals in domestic or family violence situations from entering into severe amounts of debt.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p><b>HB 2879</b> By: Landgraf</p>	<p>Relating to notice required in connection with possessory liens on certain motor vehicles.</p>	<p>Business &amp; Industry  7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>There is concern about the burden placed on mechanics when seeking corrective action for vehicles abandoned following the completion of repairs. Deserted vehicles can take up space needed for business operations and these repairs are usually uncompensated. Thus, there is a need to streamline the process for mechanics to efficiently move vehicles off premises and obtain compensation owed to them.</p> <p>HB 2879 will amend the deadline to file a written notice along with other required information to the tax assessor-collector’s office in the county where repairs were made. Currently, the deadline to file is within 30 days of when the repairs were made. The deadline can now be the 30th day before the proposed sale or disposition of the vehicle, motorboat, vessel, or outboard motor. HB 2879 will require the notice to include the proposed date of sale or disposition of the vehicle, if applicable.</p> <p>These changes will help business owners operate more efficiently by reducing abandoned vehicles and getting compensation either for the repairs or by selling the vehicle.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p><b>HB 3022</b> By: Herrero   Collier</p>	<p>Relating to the expunction of arrest records and files by a statutory county court.</p>	<p>Criminal Jurisprudence  Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Many offenses are eligible for expunction in Texas if a party in a legal proceeding petitions the district, justice, or municipal court that disposed of their case directly.</p> <p>If a case is disposed of from a statutory county court, the person who served time may not petition the statutory court for expungement. However, if a case was disposed of in a district, justice, or municipal court, the same court could expunge their record. The exclusion of statutory county courts from issuing expunction creates unnecessary costs and time delays because some courts have higher fees associated with expungement and require a new judge to overlook the case. HB 3022 will :</p>	<p><b>Favorable</b> Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>



			<ul style="list-style-type: none"> <li>• Allow a statutory county court to expunge arrest records within its jurisdiction while establishing that statutory courts have concurrent jurisdiction with district courts over expungement proceedings.</li> <li>• Allows statutory courts to file and give expungement for ex parte petitions. Ex parte petitions for expungement mean that the individual issuing the petition does not have to notify or serve other parties involved in the original case.</li> <li>• Also, if someone was not found guilty by a trial court, the court of criminal appeals, or a court of appeals the statutory court may file an ex parte petition for expunction as long as it has jurisdiction, based on arrest or location of the alleged offense.</li> </ul> <p>HB 3022 applies to any criminal offense that occurred before, on, or after the bill becomes law.</p>	
<p><b>HB 3614</b> By: Cain</p>	<p>Relating to a biennial report on state lending and credit support programs.</p>	<p>Ways &amp; Means Vote: 10 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>The Comptroller of Public Accounts releases an annual report detailing the lending practices of different state programs and agencies. Some of these line item descriptions total billions in lending for multiple programs, but descriptions of different lending amounts or funding sources are missing. The Bond Review Board is responsible for identifying and providing this information.</p> <p>HB 3614 defines credit support programs as state initiatives guaranteeing or providing credit enhancements for public or private debt, creating liability for the state if the entity defaults, and lending programs provide state money to a public or private entity with the expectation of repayment. The bill directs the Bond Review Board to provide a report to the legislature and post on their website by December 31st of even-numbered years detailing all lending programs and credit support programs in Texas, including:</p> <ul style="list-style-type: none"> <li>• state money received through lending programs</li> <li>• debt from credit support programs</li> <li>• citations to the authorizing law for each program</li> <li>• a reasonable estimate of the costs of default calculated using private-sector accounting standards for credit</li> </ul> <p>Providing more information and data related to state lending creates more transparency for Texans.</p>	<p><b>Favorable</b> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>
<p><b>HB 3717</b> By: Burns</p>	<p>Relating to the sale of a water or sewer utility system by a municipality</p>	<p>Natural Resources Vote: 8 Ayes, 0 Nays,</p>	<p>Currently, a municipality must hold an election before selling a water or wastewater utility system, which can be a costly and lengthy process. This can be problematic when a municipality is financially or technically unable to comply with requirements ensuring that customers have access to safe drinking water.</p>	<p><b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>



	without an election.	0 PNV, 3 Absent	HB 3717 removes the requirement to hold an election to authorize the sale of a municipally-owned water or wastewater utility system if the municipality has received a Notice of Violation from the Texas Commission on Environmental Quality and is unable to restore the system to compliance. This will allow a more financially or technically capable public or private entity to promptly step in and ensure that a community's water supply is safely and efficiently treated, stored, and distributed.	
<b>HB 2093</b> By: Cortez   Oliverson	Relating to including licensed physician assistants in the definition of non-physician mental health professional for purposes of certain provisions applicable to non-physician mental health professionals.	Public Health  11 Ayes, 0 Nays, 0 PNV, 0 Absent	Physician assistants (PAs) are essential in providing health care services in Texas. PAs serve in many different areas, including behavioral health. Federally, PAs are recognized as non-physician mental health professionals for the purpose of reimbursement from Medicare, the Veterans Administration, and the Substance Abuse and Mental Health Services Administration. Currently, PAs that have expertise in psychiatry are not considered non-physician mental health professionals at the state level, which can cause conflicts for reimbursement.  HB 2093 will designate PAs with expertise in psychiatry or who work in a mental health facility as non-physician mental health professional. This will align state and federal statute to ensure there is no confusion about the reimbursement of PA services.	<b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org
<b>HB 2448</b> By: Canales	Relating to the verification of the incarceration of an accused person in a criminal case for the purpose of discharging a surety's liability on a bail bond.	Criminal Jurisprudence  Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent	Bail bond agents are authorized to relieve their obligations by surrendering those accused of offense into the custody of sheriffs or delivering an affidavit stating that the accused is in county, state, or federal custody.  HB 2448 removes a section in the Code of Criminal Procedures stating surety bail bond liability may not be relieved if the person accused is in federal custody to determine the lawful presence in the United States. This removal will allow bail bond agents to receive reimbursement if a defendant is in federal custody for unlawful presence in the US.  The bill could secure access to bonds for those that are incarcerated and awaiting lawful presence determination by the US, reducing county expenses for pretrial detainment on this population.	<b>Favorable</b> Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org
<b>HB 4548</b> By: Burns   Guillen	Relating to the issuance of oversized or overweight permits for	Agriculture & Livestock  Vote: 9 Ayes,	The distribution of agriculture products for human and animal consumption is vital to Texas and the Texas economy. The importance of this transportation process is especially critical in weather-related emergencies, such as Winter Storm Uri, where the demand is high, and availability is low. The limited availability of consumer goods leads to a multitude of trips that commercial vehicle	<b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org



	<p>vehicles transporting agricultural commodities during or preceding a disaster.</p>	<p>0 Nays, 0 PNV, 0 Absent</p>	<p>operators have to make to provide disaster relief to consumers impacted by weather-related disasters due to current weight requirements imposed on commercial motor vehicles.</p> <p>HB 4548 amends the transportation code to allow the Texas Department of Motor Vehicles (TxDMV) to issue a special license to an overweight vehicle or load delivering only agriculture commodities that can be easily dismantled or divided. TxDMV may issue an emergency permit following a declared state of disaster or preceding an event that may result in a declared state of disaster. The permit would expire 120 days after the date the TxDMV receives notice from the Texas Division of Emergency Management (TDEM) authorizing the issuance of the permit. This bill does not provide authorization to operate on the national system of interstates.</p> <p>By increasing the weight limit of commercial motor vehicles that are being used to transport agriculture products in response to states of disaster, HB 4548 would increase the efficiency of getting commodities to much needed areas in times of disaster and potentially save lives and ease the suffering of Texans.</p>	
<p><b>HB 2631</b> By: Krause   Leach   Cason   Collier   Thompson, Senfronia</p>	<p>Relating to the use of in-custody informant testimony in a criminal trial.</p>	<p>Criminal Jurisprudence Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Jailhouse informant testimony in criminal proceedings has led to an increase of wrongful convictions, 13 of which were in Texas. Jailhouse testimony is primarily used when the prosecution's evidence in a case is weak and leads to the use of an informant to achieve a conviction.</p> <p>The carceral system operates on deal-making. When such tactics are used to acquire informant testimony, fabrication of evidence can be easily incentivized by reduced sentences, immunity, or other special treatment. Since those that have experience with the justice system are disqualified from the jury panel, the jury is liable to hear jailhouse testimony without proper presentation on the lack of credibility the informant may have during trial. HB 2631 will:</p> <ul style="list-style-type: none"> <li>• require jailhouse informants to be screened by judges during pretrial admissibility to lay out factors for the court to consider during such hearings and prohibit the judge from disclosing their ruling regarding the informant to the jury.</li> <li>• require disclosure of background and benefits given to the informant before testimony.</li> <li>• establish that jailhouse testimony is not admissible unless the prosecution has notified the defendant and the judge has conducted a pretrial admissibility screening.</li> <li>• grant defendants in criminal cases the right to call the jailhouse informant at the hearing.</li> </ul>	<p><b>Favorable</b> Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>



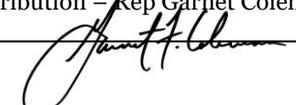
			<ul style="list-style-type: none"> <li>• specify that the prosecution must provide the defendant and their attorney all information and records offered for the hearing, including the provisions previously mentioned no later than the 10th day before the hearing begins.</li> </ul> <p>If informant testimony is admitted for the trial, the court must instruct the jury to dismiss the jailhouse testimony unless the jury determines that any benefit granted, promised, or offered to the jailhouse informant did not influence the testimony and that the testimony is truthful.</p> <p>HB 2631 allows for appropriate due process safeguards for jurors, the court, judiciary, and innocent defendants from false jailhouse testimony that could lead to wrongful conviction.</p>	
<p><b>HB 1005</b></p> <p>By: Leman   Collier   Johnson, Ann   Smith   Hunter</p>	<p>Relating to the requisites of a bail bond given by certain defendants and to conditions of release on bond for certain defendants.</p>	<p>Criminal Jurisprudence</p> <p>Vote:            9 Ayes,            0 Nays,            0 PNV,            0 Absent</p>	<p>Currently, human trafficking (HT) relates to offenses against children and adults such as solicitation, indecency, prostitution, and aggravated or sexual assault, to name a few. These HT offenses only require a mailing address and signature for the bond, with no process to confirm that the information is valid. By law, if a defendant commits an HT offense with someone under the age of 14-years old, the state issues mandatory bond conditions that prohibit indirect or direct contact with proximity protections.</p> <p>HB 1005 amends language regarding trafficking, sexual offenses, assaultive offenses, public indecency, or prohibited sexual conduct with a child from 14- to 18-years-of-age. HB 1005 mandates additional requirements for bail bonds:</p> <ul style="list-style-type: none"> <li>• When a defendant executes a bond, adult HT-related bonds must include an address, state of issuance with the identification number, and any bond-related surety information.</li> <li>• Requires the magistrate to set a bond condition for certain HT offenses that forbid indirect or direct contact with adult HT victims or the victim’s dependents. The bill also guides magistrates to specifically describe the prohibited locations and explain the minimum radius that is not allowed.</li> <li>• Suppose a defendant violates a condition of an adult HT case. In that case, the bond becomes revoked, the individual will immediately return to custody, and bond agents are then relieved from surety and any future liability of the bond.</li> </ul> <p>By raising the age consideration of a child, HB 1005 ensures mandatory bond conditions that currently exist for children to protect those between the ages of 14- and 18-years old. The bill prevents future confusion for setting bonds and offers further protections for HT victims and provides law enforcement with critical information to put an end to HT in Texas.</p>	<p><b>Favorable</b></p> <p>Evaluated by:            Chelsea Dalton Pederson            512-661-9708            Chelsea@TexasLSG.org</p>



<p><b>HB 1763</b></p> <p>By: Oliverson   Hefner   Lucio III   Bell, Cecil   Raymond</p>	<p>Relating to the contractual relationship between a pharmacist or pharmacy and a health benefit plan issuer or pharmacy benefit manager.</p>	<p>Insurance</p> <p>Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Concerns have been raised about the contractual relationship between a pharmacist or pharmacy and health benefit plan (HBP) issuer or pharmacy benefit manager (PBM). In Texas, PBMs have been reported to drive down the fair competition by requiring excessive certification or credentials and reimbursing their own affiliates at higher rates than other pharmacies. HB 1763 seeks to create an even playing field by establishing requirements for contracts between pharmacists or pharmacies and a health benefit plan or PBM. HB 1763 will:</p> <ul style="list-style-type: none"> <li>• prohibit a pharmacist or pharmacy from charging health benefit plan issuers or PBM's for the delivery of a prescription drug to a patient unless the charge is already agreed to.</li> <li>• require a pharmacist or pharmacy accreditation standard or recertification requirements that are inconsistent with federal and state requirements from being in a contract between a health benefit plan issuer or PBM and a pharmacist or pharmacy.</li> <li>• prohibit the dispensation of drugs authorized under the pharmacists or pharmacy license from being in a contract between a health benefit plan issuer or PBM and a pharmacist or pharmacy</li> <li>• prohibit the pharmacist from mailing or delivering a drug on the patients request from being in a contract between a health benefit plan issuer or PBM unless the plan issuer or PBM makes a credible allegation of fraud.</li> <li>• prohibit the pharmacist from charging fees related to shipping to the person requesting a prescription be mailed or delivered from being in a contract between a health benefit plan issuer or PBM unless the plan issuer or PBM makes a credible allegation of fraud.</li> <li>• prohibit a pharmacist or pharmacy from mailing the drugs for more than 25% of the claims submitted to the plan issuer or PBM in a year.</li> <li>• prohibit a PBM from reimbursing more than the amount the PBM pays to a pharmacist or pharmacy that is not affiliated for the same pharmacist service</li> <li>• prohibit a health benefit plan issuer or PBM for reducing the amount of a claim payment of a pharmacist or pharmacy after the claim has been adjudicated. However, the claim payment may be increased after adjudication of the claim.</li> </ul> <p>HB 1763 will create a health care landscape in Texas that is fairer, encourages competition and allows for all pharmacist and pharmacies to thrive.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>
<p><b>HB 988</b></p> <p>By: Shine   Rodriguez  </p>	<p>Relating to the administration of the system for appraising property for ad</p>	<p>Ways &amp; Means</p> <p>Vote: 11 Ayes 0 Nays</p>	<p>Taxpayers and Appraisal Review Boards (ARB) must follow certain statutory procedures if a dispute arises regarding assessed property tax amounts. There is currently no process for taxpayers to report procedural errors related to tax protest hearings, which ARBs are responsible for implementing. Common procedural complaints include tax appraisal districts not providing requested information within the required 14 day period, refusing to schedule taxpayers for hearings they are entitled to</p>	<p><b>Favorable</b></p> <p>Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>



<p>Lucio III   Button</p>	<p>valorem tax purposes.</p>	<p><input type="radio"/> PNV <input type="radio"/> Absent</p>	<p>receive, not allowing taxpayers to appear by affidavit though they are legally permitted to do so, and other violations.</p> <p>HB 988 creates a process for taxpayers to file procedural complaints related to tax protests directly with the Comptroller’s office and provides an optional binding arbitration system so taxpayers and appraisal districts can attempt to resolve conflict without pursuing more costly civil lawsuits. The bill provides flexibility for appraisal districts to determine their own hearing procedures rather than creating uniform statutory requirements.</p> <p>The bill requires all counties to appoint a taxpayer liaison officer, who is responsible for compiling a list of comments, suggestions, and complaints filed concerning an ARB’s fairness and efficiency. This list must be provided to the Comptroller no later than December 31st of each year.</p> <p>Taxpayers or the district's chief appraiser may file complaints with the district's taxpayer liaison officer alleging noncompliant hearing procedures adopted by an ARB. The officer investigates the complaint and report findings to the district’s board of directors, and the chairman must act if complaints are validated. The board is authorized to remove a chairman if the necessary actions were not taken to maintain ARB compliance with applicable requirements. Protest hearings may not be postponed due to allegations of noncompliance with procedural requirements. Instead, an ARB can fix a procedural compliance failure that occurred during a hearing by rescinding the protest hearing order and scheduling a new protest hearing.</p> <p>If ARB procedural noncompliance is not remedied, the bill allows protesting taxpayers to file requests for limited binding arbitration. Taxpayers can request a single arbitration covering more than one property, protest, or noncompliance allegation. Methods for arbitration party appearance, methods making and delivering arbitration awards, and actions state tax officials must take after receiving an award notice are clarified. Arbitration awards do not impact the right to appeal an ARB’s final protest determination.</p> <p>The Comptroller’s annual report must include summaries of ARB surveys including the feedback received by taxpayer liaison officers, reviews of ARB hearing procedures, and filed requests for limited binding arbitration. Taxpayer identity must be kept confidential.</p> <p>HB 988 creates a simpler and more cost-effective path to handling procedural disputes related to tax protest hearings, creates more transparency in the tax system, and strengthens the right to due process for taxpayers.</p>	
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<p><b>HB 1281</b> By: Wilson</p>	<p>Relating to the operation of certain low-powered vehicles.</p>	<p>Transportation Vote: 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>The 86th Legislature enacted a law requiring registration and license plates on neighborhood electric vehicles, like golf carts, that have a maximum speed of 35 mph. This statute was intended to address issues in coastal towns where individuals were driving these vehicles on highways, causing a dangerous driving environment. Some say this law has unintentionally burdened communities designed with golf carts and safe communities in mind. In these master-planned political subdivisions, golf carts are an integral part of the community and are used only on private roads.</p> <p>This bill creates an exemption in the Transportation Code to no longer require license plates and registration for neighborhood electric vehicles in master-planned communities.</p>	<p><b>Favorable</b> Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p>
<p><b>HB 582</b> By: Cole   Toth   VanDeaver   Howard   Lopez</p>	<p>Relating to the exemption of tuition and laboratory fees at public institutions of higher education for certain paramedics</p>	<p>Higher Education Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>HB 582 would provide tuition and laboratory fee exemptions for college credits related to emergency preparedness for paramedics who are not employed as firefighters. This exemption will be applied if the individual maintains satisfactory performance and continues receiving a certification or degree at a public institution. The functions and responsibilities of paramedics are changing, as seen in response to the COVID-19 pandemic. Expanding access to higher education would allow paramedics to acquire more education and the skills necessary to better serve their communities.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p><b>HB 148</b> By: Toth   Craddick   Collier   Leman</p>	<p>Relating to the limitations period for certain offenses involving dating or family violence.</p>	<p>Criminal Jurisprudence Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Concerns have been raised about the ability of adequate time for victims to leave their abuser, find safe harbor, seek therapy, and pursue legal action against those who commit certain violent crimes. Often, family members or significant others cannot expeditiously report violent offenses due to their proximity to the individual in question for such acts.</p> <p>HB 148 extends the limitation for felony offenses from 3- to 5-years from the offense date for assault, aggravated assault, and aggravated assault for dating, family, or household victims. The bill maintains that misdemeanors equate to a 2-year limitation and raises limitations for indictment, information, or complaints to 3-years.</p> <p>HB 148 provides an opportunity for familial or dating victims to have adequate time to address the mental and emotional damage that arises from interpersonal violence, but also allows the necessary time to hold those who commit violence accountable for their actions.</p>	<p><b>Favorable</b> Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>
<p><b>HB 1153</b> By: Vo</p>	<p>Relating to the applicability of the Texas Fair Housing Act to certain sales and</p>	<p>Business &amp; Industry Vote: 8 Ayes, 1 Nay,</p>	<p>The U.S. Department of Housing and Urban Affairs (HUD) identified a misalignment in current state law and federal law regarding exceptions to exemptions from liability resulting from violating certain antidiscrimination provisions. In response, the Texas Workforce Commission (TWC) Civil Rights Division recommended aligning state law with federal law to avoid consequences such as decertification and loss of federal funding.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



	rentals.	<p>o PNV, o Absent</p>	<p>There are two exemptions present in both state and federal law:</p> <ul style="list-style-type: none"> <li>• “Single family home” exemption: an individual who owns no more than three single family homes is exempt from both of the fair housing acts.</li> <li>• “Mrs. Murphy” exemption: a property owner who owns a home with living quarters occupied by no more than four families living independently, one of whom being the owner, is also exempt from state and federal law.</li> </ul> <p>There are exceptions to these exemptions that state law is not in compliance with federal law. HB 1153 will:</p> <ul style="list-style-type: none"> <li>• require that the sale or rental of single family homes not involve any person in the business of selling or renting a dwelling.</li> <li>• provide criteria of who is in the profession of selling or renting a dwelling for the purpose of exemptions.</li> <li>• clarify that exemptions do not prohibit using attorneys, escrow agents, title companies. and other professional assistants to transfer a title.</li> <li>• limit the single use restriction of the “single family home” exemption to sales and not rentals.</li> </ul> <p>The changes will create state compliance with federal law and ensure full funding for the Texas Fair Housing Act.</p>	
<p><b>HB 4344</b> By: Jetton</p>	<p>Relating to the dismissal of a complaint filed with the State Commission on Judicial Conduct.</p>	<p>Judiciary &amp; Civil Jurisprudence</p> <p>Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The State Commission on Judicial Conduct (SCJC) was created by Article 5 of the Texas Constitution and is the entity that oversees and investigates allegations of judicial misconduct. Currently, no statute provides a deadline for SCJC to resolve a complaint it receives. As a result, complaints filed with SCJC can remain open for years without resolution.</p> <p>HB 4344 seeks to address this issue by requiring the commission to dismiss each complaint filed with the commission that was not formally rejected or imposed sanctions 455 days after the commission receives the complaint. If the SCJC chairperson determines that additional investigation is required and additional time is needed, an extension of no more than 120 days shall be given.</p> <p>HB 4344 would provide a timely resolution of complaints that are filed for SCJC.</p>	<p><b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>

