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LSG Floor Report For POSTPONED BUSINESS UNTIL 10 AM- Wednesday, April 28, 2021				
Author	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 3376</b>  By: Meyer   Burrows   Bonnen   Thierry	Relating to the effect of a disaster on the calculation of certain tax rates and the procedure for adoption of a tax rate by a taxing unit.	Ways & Means  Vote: 7 Ayes 2 Nays 0 PNV 2 Absent	<p>Certain provisions in the Tax Code provide exemptions related to the process for increasing tax rates and determining rates based on property value to areas affected by disaster declarations. These exemptions are designed to provide relief to taxpayers and local taxing units affected by serious and devastating disasters.</p> <p>HB 3376 authorizes the governing body of taxing units located in declared disaster areas to direct a designated officer or employee to calculate the taxing unit's voter approval tax rate in the same manner as special taxing unit rates if the disaster caused physical property damage during the current tax year. The last tax year in which the designated officer or employee must continue calculating the taxing unit's voter-approval tax rate is changed from the 2nd tax year to the 1st tax year in which the total taxable value of property exceeds the value of the property on January 1st of the tax year in which the disaster occurred only if that tax year occurred earlier than the 3rd year after the year of the disaster.</p> <p>The bill excludes epidemics or pandemics from disasters that trigger the exemption by allowing governing bodies of taxing units to hold an election approving the taxing unit's adopted tax rate for the year following the disaster year if the governing body of a taxing unit other than a school district uses the exemption. The amount exceeding the taxing unit's voter approval tax rate may not be considered when calculating the taxing unit's voter-approval rate for the tax year following the year in which the rate is adopted.</p>	<b>Unfavorable</b> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org

OK for Distribution - Rep Garnet Coleman

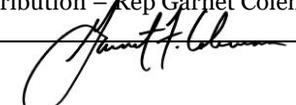
			<p>The following taxes levied and collected by a general law water district from the consolidated Tax Code provisions governing the calculation and adoption of certain tax rates in a disaster area are exempted:</p> <ul style="list-style-type: none"> <li>• Operation and maintenance (M&amp;O) taxes</li> <li>• Property taxes allocated to the payment of district-issued principal of bonds and their interest</li> <li>• Taxes for payments made under applicable district contracts</li> </ul> <p>Concerns about this proposal are related to excluding pandemics and epidemics from suspending voter approval elections. Maintaining this ability for pandemic/epidemic disasters is important to ensuring taxpayers are not put at risk due to providing property tax relief during times of high unemployment. Though the legislation was initially developed to provide aid for natural disasters, the devastating impact of the COVID-19 pandemic highlights the need for relief beyond situations where property is damaged. Amendments should be added allowing certain taxing units to utilize these disaster provisions for a pandemic or epidemic if areas meet certain requirements that could be related to unemployment percentages or infection rates.</p>	
<p><b>HB 4492</b> By: Paddie</p>	<p>Relating to securitizing costs associated with electric markets; granting authority to issue bonds.</p>	<p>State Affairs  Vote: 11 Ayes, 0 Nays, 0 PNV, 2 Absent</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 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</p>	<p><b><u>Favorable with Concerns</u></b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>



			<p>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. 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. This bill specifically addresses securing electric market costs and does not directly address specific proposals other than securing electric market costs and is not a vehicle for long term changes in the current grid structure and other changes regarding consumers.</p>	
<p><b>HB 2000</b> 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  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</p>	<p><b><u>Favorable with Concerns</u></b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>



		<p>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>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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<p><b>HJR 2</b> By: Huberty</p>	<p>Proposing a constitutional amendment creating the State Utilities Reliability Fund 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>State Affairs Vote: 10 Ayes, 1 Nay, 0 PNV, 2 Absent</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>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>	<p><b>Favorable with Concerns</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
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**LSG Floor Report For GENERAL STATE CALENDAR- Wednesday, April 28, 2021**

<p><b>HB 1981</b> By: Craddick</p>	<p>Relating to the release by the comptroller of unclaimed property to certain persons.</p>	<p>Business &amp; Industry Vote: 6 Ayes, 1 Nay, 0 PNV, 2 Absent</p>	<p>Unclaimed property, including physical and financial property, in most cases must be reported and delivered to the comptroller by the property's holder after three years of the holder being unaware of the owner's location or any claims made on the property. The comptroller may release the property to a person who makes a valid claim and provides necessary documentation showing they are the reported property owner or, if the owner is deceased, that they have a legal claim to the property.</p> <p>HB 1981 adds to the list of those authorized to be entitled to unclaimed property to include a person holding a limited power of attorney (POA) to receive the property, granted by the reported owner or the owner's heirs. Such a person, who was previously explicitly excluded, must be attested in writing by two or more credible witnesses with notarized signatures to have the POA to receive the property.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
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			<p>While there are concerns about the potential for fraud or abuse of the POA system, this bill outlines a process to allow individuals or heirs who do not have the ability to claim property themselves, potentially individuals who are incapacitated or out of the country, to have a trusted individual claim that property for them.</p>	
<p><b>HB 1485</b>  By: Chris Turner</p>	<p>Relating to the regulation of elevator mechanics, elevator apprentices, and contractors; requiring an occupational registration.</p>	<p>Licensing &amp; Administrative Procedure  Vote: 6 Ayes, 0 Nays, 0 PNV, 5 Absent</p>	<p>Texas does not currently require licensure for elevator mechanics, other than several state inspectors from third party groups licensed through the Texas Department of Licensing and Regulation (TDLR). Lack of elevator and escalator regulation is a huge risk for the riding public, and accidents occur more than people realize. Even the safest mechanics are also at risk for injury on job sites.</p> <p>HB 1485 seeks to ensure mechanics and contractors working with elevators, escalators, and related equipment are trained and certified. For regulatory purposes, the bill defines "elevator apprentice" and "elevator mechanic." The revised definition of "contractor" clarifies that a contractor installs, alters, tests, repairs, or maintains elevators, escalators, or related equipment. The bill prohibits performing any functions related to elevators, escalators, or related equipment unless the person is a registered elevator mechanic or employed by registered contractors and supervised by registered elevator mechanics. Any person who is not a registered elevator apprentice or employed by a registered contractor and supervised by a registered elevator mechanic is prohibited from assisting an elevator mechanic or contractor.</p> <p>The Texas Commission of Licensing and Regulation (TCLR) is required to provide occupational registrations and certifications for elevator mechanics and elevator apprentices. Elevator apprentice registrations require submitting an application to TDLR in a manner prescribed by the department. The bill sets out application requirements for elevator mechanic registration, including:</p> <ul style="list-style-type: none"> <li>• proof of TDLR-approved apprenticeship completion</li> <li>• completion of a nationally recognized training program for the elevator industry</li> <li>• completion of an apprenticeship program approved by the US Department of Labor</li> <li>• verifiable evidence the applicant has five years of applicable experience</li> </ul> <p>Each registration expires a year after the date of issuance. Registration renewal requirements include proof of completion of continuing education requirements determined by TCLR. TCLR must adopt rules for issuing and implementing limited elevator mechanic registrations, but individuals are not required to comply with new registration requirements until November 1, 2022. A practicing elevator mechanic with at least five years' experience in Texas prior to the bill's effective date must obtain a registration before September 1, 2022 by submitting an</p>	<p><b>Favorable</b> Evaluated by: Cassidy Kenyon (760)429-8388 Cassidy@TexasLSG.org</p>



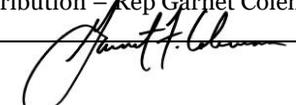
			<p>application to TDLR and paying the required registration fee. The bill only requires an application or renewal application for contractor registrations filed on or after November 1, 2022.</p> <p>This bill does not include small businesses installing residential elevators or escalators in private homes, as current regulatory practices involving state inspections are sufficient for this subsector of the profession. The bill requires including elevator mechanics and elevator apprentices on TDLR’s registration list compiled by the Executive Director.</p> <p>Setting safety standards and streamlining mechanic practices for this industry is necessary to keep all Texans safe.</p>	
<p><b>HB 570</b> By: Paddie   Button   Harris   Burrows   Guillen</p>	<p>Relating to small business recovery funds and insurance tax credits for certain investments in those funds; imposing a monetary penalty; authorizing fees.</p>	<p>International Relations &amp; Economic Development</p> <p>Votes: 6 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>In the wake of the COVID-19 pandemic and winter storm Uri concerns have been raised about the lack of capital for small businesses in rural areas.</p> <p>HB 570 intends to create a small business recovery fund maintained through the Texas Economic Development and Tourism Office (TEDTO) for businesses with less than 250 employees. TEDTO would oversee the act of providing financing to targeted small businesses and to create tax credits against state insurance liability for applicable venture capitalists in those funds.</p> <p>To apply for the fund a small business would have to meet a specific set of requirements before being approved. These requirements will be considered through an application that will include:</p> <ul style="list-style-type: none"> <li>• the total investment authority sought by the applicant</li> <li>• having invested a total of at least \$100 million in nonpublic companies</li> <li>• providing an estimate of the number of jobs created and retained as a result of investment growth</li> <li>• a signed affidavit from each committed investor stating the amount of credit-eligible capital contribution the investor commits to making</li> <li>• paying a nonrefundable fee of \$5000.</li> </ul> <p>The applicant may not request more than \$500 million in any calendar year and if the request is over the limit TEDTO will make an adjustment, so the request does not exceed the limit.</p> <p>The office may deny an application if it fails to satisfy all requirements and if the applicant's revenue impact assessment does not demonstrate that the business plan will not result in a positive economic impact on combined state and local revenue over a 10 year period. The</p>	<p><b>Will of the House</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>



		<p>application may also be denied if the applicant has already been approved of the maximum amount for that year. If denied, an applicant has up to 15 days to provide additional information to the office to complete, clarify, or cure defects in the application that the office has identified. The office then has 30 days to review the application with the additional information. If the applicant fails to file additional information during the provided time, then their denial is closed.</p> <p>Once approval of an application is granted TEDTO would provide a tax credit certificate to each investor whose affidavit was included in the application. No later than 60 days after the date of approval the small business recovery fund must collect the credit-eligible capital contribution from each investor. By the 65th day after approval the fund must submit documentation to the office proving the amount approved has been collected.</p> <p>HB 570 gives TEDTO authority to revoke a tax credit certification if prior to a small business recovery fund exiting the program the fund</p> <ul style="list-style-type: none"> <li>• fails to meet specified targets, such as growth investments in targeted small businesses, by certain deadlines</li> <li>• fails to maintain growth investments equal to 100% of its investment authority by the 6th anniversary</li> <li>• makes a payment that results in the fund have less than 100% of its investment authority in Texas</li> <li>• makes a disqualifying investment in a targeted small business that has a vested interest or relation with the fund</li> </ul> <p>Should a tax credit certification be revoked TEDTO shall notify the comptroller and upon request provide the comptroller with lists of valid and revoked tax credit certificates. Prior to revocation of a tax credit certification the office must notify the small business recovery fund of the reason. By the 90th day of the notice the fund may correct any violation outlined in the notice and avoid revocation. Should a tax credit certification be revoked the office shall award revoked investment authority proportionally to each small business recovery fund whose requested investment authority was reduced. Any remaining investment may be awarded to new applicants.</p> <p>On or after the 6th year anniversary, the fund may apply to exit the program and no longer be subject to regulation under the TEDOT. The fund is eligible to leave the program if their tax credit certificates have not been revoked. TEDOT may not revoke any tax credit certificates after</p>	
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		<p>the fund has successfully exited the program and must allow them to use the credit they have been given.</p> <p>At the 6th year anniversary, the fund will be subject to penalties if the fund distributes profit to its holders more than the fund’s investment authority and does not create or retain the amount of jobs estimated in their business plan from their application. The penalty will equal the difference in the actual jobs created or retained and the estimated jobs created or retained times the fund’s authorized distribution. The penalty will be removed prior to the distribution to the fund’s holders and be added to general revenue</p> <p>The fund, as a whole, shall submit an annual report to TEDOT including:</p> <ul style="list-style-type: none"> <li>• a bank statement with their investments</li> <li>• the name, location, and industry of each business receiving an investment</li> <li>• an estimation of the number of jobs created and retained in the previous year as a result of the fund’s growth investments</li> <li>• the average annual salary of the jobs</li> <li>• any other information TEDOT requires</li> </ul> <p>HB 570 has the capabilities to provide much needed capital for small businesses in Texas and create jobs which are limited in rural or low-income communities. However, in order to implement this program, tax credits will be given to these investors resulting in a decrease to the premium taxes collected by the state. The Foundation School Fund (FSF) removes 25% of those collected premium taxes to help fund education programs. Giving tax credits for this program will result in a \$31.3 million yearly decrease to the FSF (starting in 2025) and by extension funds for the Texas Education Agency and its programs. The intent of this legislation to create jobs and increase support for rural and low-income areas is good, but this will result in less funds for education programs; pitting funding for two policy needs against each other.</p> <p>This program does not include minimum job standards for these entities to meet and it is recommended that standards be in place such as a percentage of jobs created/retained in relation to the size of the venture, minimum wages set for their employees, etc. In addition, as written, TEDOT must go through the applications on a first come first serve basis, leaving no discretion as to which business plan would result in the most economic development in these rural or opportunity areas. The legislature should consider making the application process more competitive, allowing for many applicants to be considered at once, and provide TEDOT more discretion for approval or denial to ensure Texas receives the best deals. The legislature should</p>	
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			<p>also require that the annual report’s contents include more detailed information about jobs created, the specific area those jobs are located, etc. in regard to each investment in small businesses, rather than the whole of the fund, to further transparency and return on investment for Texas’ economy.</p> <p>As written, the provisions of this fund would be permanent without any end date or review to ensure accountability. There should be consideration given to requiring a sunset review of this program to ensure its positive economic impact on the state of Texas and review the effectiveness of the program</p>	
<p><b>HB 548</b> By: Frank   Lozano   Guillen</p>	<p>Relating to the licensing of certain military veterans as health care providers to practice in underserved areas.</p>	<p>Public Health 9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Texas rural communities face a shortage of doctors and nurses. Many communities are considered “health professional shortage areas” and “medically underserved communities”. Often, Texans in these areas must travel a significant distance to receive necessary medical care if they have the time and money to afford the trip. Otherwise, these Texans are without many medical services . However, there are medical professionals still in active duty who could serve these smaller communities once their enlistment was completed and if HB 548 was passed into law.</p> <p>HB 548 would allow for individuals that recently left or retired from the armed forces to seek a license to practice medicine or nursing in the state of Texas. Specifically, HB 548 would:</p> <ul style="list-style-type: none"> <li>• amends the Occupation Code to allow the Texas Medical Board (TMB) to issue a license to practice medicine only in a health professional shortage area or a medically underserved community.</li> <li>• amends the Occupational Code to allow the Texas Board of Nursing (BON) to issue a license to practice nursing only in a health professional shortage area or a medically underserved community.</li> <li>• outlines the specific parameters to qualify for the license and specific cases in which the TMB (and BON) are prohibited from issuing licenses.</li> <li>• establishes that one does not need to pass the medical or nursing jurisprudence exam to obtain the licenses described in this bill. This should be an area for reconsideration as the jurisprudence exam verifies knowledge of the law related to practicing medicine as well as nursing. Additionally, it verifies knowledge of TMB or BON rules. So, a complete exemption may lead to unintended significant consequences or unintended harm to rural Texans.</li> </ul>	<p><b><u>Favorable with Concerns</u></b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



			<p>HB 548 utilizes a resource readily available to address the needs of rural communities as well as increase incentives for retired military personnel to stay in Texas. Rural communities need accessible medical care and HB 548 addresses that critical need.</p>	
<p><b>HB 859</b> By: Collier</p>	<p>Relating to the expunction of all records and files related to arrests for certain decriminalized misdemeanor offenses.</p>	<p>Criminal Jurisprudence  Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Currently, misdemeanor offenses remain on a person’s record regardless of the offense. Even offenses that the legislature has since decriminalized stay on a person’s record. This may impact the person negatively when seeking employment when employers run criminal background checks. With the decriminalization of marijuana efforts expanding across several states across the U.S. and intensifying in Texas, this would create a framework for expungement for individuals with a misdemeanor offense on their record that have since been decriminalized.</p> <p>HB 859 would allow for an individual’s record to be expunged of all records and files related to an arrest for an offense that has been statutorily decriminalized when:</p> <ul style="list-style-type: none"> <li>• The individual was convicted of the offense or placed on community supervision in place of conviction in order to keep the conviction off their record.</li> <li>• The individual was arrested for the misdemeanor offense since decriminalized.</li> <li>• The individual has completed the terms of the sentence, including fees, or the individual would need to have received a discharge or dismissal for the offenses.</li> </ul> <p>HB 859 sets up the procedure for this expungement.</p> <p>This bill would allow for the records or files to be retained by a law enforcement agency, the prosecuting attorney responsible for investigating the offense, and the clerk of the court for the investigation or prosecution of another offense arising out of the same arrest incident or for use by the office of the governor in determining whether to issue a pardon or commute a sentence. HB 859 would allow a close relative to seek expungement on behalf of a deceased individual.</p> <p>HB 859 prohibits the publishing of criminal record information related to expungement as outlined above. HB 859 prohibit the dissemination of an individual's criminal record by private entities, like background check agencies, for compensation or by the Department of Public Safety to a private entity that has committed multiple of these offenses. Additionally, the bill instructs private entities to destroy information relating to expungement as outlined in the bill and authorize the removal of a DNA record for an individual the expungement applies to.</p>	<p><b>Favorable</b> Evaluated by: Audrey Erwin 928-210-4303 Audrey@TexasLSG.org</p>



			If passed the bill would apply to misdemeanor offenses committed before, on, or after the bill's effective date of September 1, 2021. HB 859 would allow people who have misdemeanor offenses decriminalized to expunge their record, allowing them a fresh start.	
<b>HB 2283</b>  By: King, Phil   Paul   Cain   Patterson   Schofield	Relating to the prohibition of certain contributions and donations for the administration of elections.	Elections  Votes: 5 Ayes, 4 Nays, 0 PNV, 0 Absent	<p>HB 2283 amends Texas election code to restrict county use of donated funding for elections administration. This bill prevents the donation of private funding to ensure that facilities, technology, and adequate staffing are available. Without proper funding for the 2020 election cycle, many counties relied on outside, private funding to help manage Texas's largest voter turnout since 1992.</p> <p>This bill harms Texas voters by barring any kind of donation toward county voting system improvements or the administration of elections. Although the bill allows appropriation of federal and state funds that have been specifically allocated to county election officials as well as the distribution of gifts under \$1,000 with written consent from the "relevant political subdivision" as well as in kind donations of food and beverages for election workers. However, many private donations that counties depend on are over \$1,000.</p> <p>This would negatively impact county's ability to administer elections and stifle civic engagement. Texans have demonstrated that when voting is convenient and available, they will participate.</p>	<b>Unfavorable</b> Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org
<b>HB 4313</b>  By: Vo	Relating to the enforcement of insurance laws, including laws governing the unauthorized business of insurance; authorizing administrative penalties.	Insurance  Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>FBI estimates that the total cost for health insurance fraud is over \$40 billion per year, costing around \$400-\$700 per year for US families through increased premiums. Insurance seller fraud often occurs during disaster declarations when many Texans are especially vulnerable. The current high burden of proof, short timelines for administrative hearings, and limited sanction options create difficulties for the Texas Department of Insurance (TDI) to stop unauthorized or fraudulent insurance sellers before they cause harm to Texans.</p> <p>HB 4314 is based on TDI recommendations for combating insurance fraud in a more timely, efficient manner. The bill increases consumer protections by designating contracts related to fraudulent entities as unenforceable and holding any person participating in unauthorized insurance conduct liable for the full amount of a claim.</p> <p>Emergency action procedures are revised, allowing the insurance commissioner to take actions against violators and removing burdensome deadlines. Emergency cease and desist orders are amended as follows:</p>	<b>Favorable</b> Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org



			<ul style="list-style-type: none"> <li>• The commissioner may issue an emergency cease and desist order to entities without TDI authorization or applicable exemptions related to conducting insurance duties without alleging fraudulent conduct or identifying an immediate public safety threat</li> <li>• The time frame is increased for discovery periods and removed for holding hearings.</li> <li>• The person or entity requesting the hearing is required to demonstrate why the cease and desist order should not be upheld.</li> </ul> <p>Currently, insurance or Medicare supplement businesses are required to provide information following a written request from the commission. HB 4313 removes this requirement, allowing TDI greater authority to meaningfully request information and including failure to respond as part of evidence fact-finding to approve cease and desist orders.</p> <p>HB 4313 authorizes imposing administrative penalties and ordering restitution for any unauthorized activity related to insurance fraud. The following penalties and fees are revised:</p> <ul style="list-style-type: none"> <li>• The maximum civil penalty is increased to \$25,000 for each violation and each day after the violation.</li> <li>• The forfeiture amounts for failure to comply with a written order within 30 days after the initial order date and willfully making an untrue, deceptive, or misleading disclosure are increased to \$1,000 for each violation and each additional day after the 30-day period.</li> <li>• The bill authorizes paying attorney fees to a Texas resident or authorized corporations.</li> </ul> <p>These changes allow for more impactful insurance fraud response and provide better consumer protections to Texans.</p>	
<p><b>HB 2201</b> By: Ashby   Guillen</p>	<p>Relating to the location of pits used in the production of oil and gas.</p>	<p>Energy Resources Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>HB 2201 directs the Railroad Commission to establish rules governing permissible locations for commercial oil and gas waste disposal pits and codifies the current practice of considering the location’s history of flooding in the 10 years prior to construction of the pit. The waste stored in disposal may contain chemicals, naturally occurring radioactive materials, and other contaminants that can pose a risk to public health and the environment.</p> <p>Flooding puts these disposal pits, which are often fully exposed to the elements, at greater risk for leaching or releasing waste into nearby soil and water sources. As areas of Texas become increasingly flood-prone, it is necessary to take greater precautions when determining locations for disposal facilities to protect communities, ground and surface water resources, and wildlife from poorly managed waste.</p>	<p><b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>



<p><b>HB 1492</b> By: Herrero</p>	<p>Relating to the administration of navigation districts.</p>	<p>Transportation Votes: 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Currently, there is a statutory misalignment between the Texas Water Code and the Texas Constitution regarding port authority and navigation district powers around emergency response, property liability, and commissioners' meetings. Water navigation districts are political subdivisions that are governed by appointed commissioners. This bill amends this misalignment to allow a navigation district to acquire firefighting equipment and materials along the waterway to protect life and properties from harm, since port authorities in Texas bear the first response to dangerous disaster response in their waterways. This is especially important in light of recent explosions and environmental disasters near or on waterways.</p> <p>Additionally, this bill authorizes contracts through the use of tariff schedules of rates, fees, charges, rules, and ordinances between all entities who use the port and the port authority. This change assigns the owner or operator of a ship liability for costs and fees incurred from damaged or lost property. HB 1492 grants small port authorities the same liability protection privileges as larger marine terminal ports currently have.</p> <p>HB 1492 will modernize the franchise agreement contract timeline by reducing the required number of navigation and canal commissioners' meetings from 3 consecutive monthly meetings to only 1. This update will enable the navigation and canal districts to grant a franchise contract after one reading following 3 weekly public notices.</p> <p>This bill is an important safety and economic measure for the protection and operations of Texas ports and navigation waterways.</p>	<p><b>Favorable</b> Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p>
<p><b>HB 624</b> By: Shine</p>	<p>Relating to increasing the criminal penalty for certain offenses committed in retaliation for or on account of a person's service or status as a public servant.</p>	<p>Criminal Jurisprudence Vote: 8 Ayes, 1 Nay, 0 PNV, 0 Absent</p>	<p>The online release of peace officer's personal information as retaliation is concerning when these situations lead to stalking and harassment. Other public servants and their families have been victimized, but their family members currently lack legal protection from retaliatory behavior.</p> <p>HB 624 seeks to protect public servants and their family or property from potential retaliation for an individual's service. The bill increases the penalty to the next higher category of offense if there is evidence of intentional retaliation due to the service or status of the victim as a public servant. If alleged perpetrators are already charged with Class A misdemeanors, which cannot be enhanced without becoming a felony, the minimum term of confinement would be increased to 180-days. Felony charges may not be increased as a result of this bill.</p>	<p><b>Favorable with Concerns</b> Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>



			<p>Each offense currently has a progressive matrix prescribing charges based on the commission of a crime, but the involvement of a public servant would enhance charges to the next level for the following offenses:</p> <ul style="list-style-type: none"> <li>• arson</li> <li>• criminal mischief</li> <li>• criminal trespass</li> <li>• breach of computer security</li> <li>• harassment</li> <li>• stalking</li> <li>• fraudulent use or possession of identifying information, other than an offense otherwise enhancing the penalty</li> </ul> <p>Keeping our peace officers and their families safe is important and should not be overlooked. However, the bill is broad and does not include any defenses to prosecution or a burden of proof for establishing intentional retaliation. It is easy to imagine a scenario where young people receive excessively punitive charges for minor pranks, especially considering disorderly conduct charges may include making repeated annoying phone calls. Enhancing already existing charges for public servants only creates unnecessary special legal protections that are unlikely to enhance public safety or stop these crimes.</p>	
<p><b>HB 4436</b> By: Cyrier</p>	<p>Relating to the operation of aircraft in or on protected freshwater areas.</p>	<p>Culture, Recreation, &amp; Tourism</p> <p>Votes: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>For wildlife and plant conservation, the law prohibits using any “motor vehicle” on protected freshwater areas. A motor vehicle is defined as any wheeled or tracked vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used to transport a person or thing. Under this broad definition, aircraft are not specified and are left up to interpretation. It has been suggested that the original intent was not to prohibit access to waterbeds by aircraft. HB 4436 seeks to provide access to protected freshwater areas by airplanes.</p> <p>HB 4436 authorizes a person to operate an aircraft in or on the protected freshwater area in a manner that avoids harming or disturbing vegetation, wildlife, or wildlife habitat to the extent that is reasonably possible. HB 4436 allows for the use of protected freshwater areas while maintaining wildlife and plant conservation.</p>	<p><b>Favorable</b> Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p>
<p><b>HB 1709</b> By: Neave</p>	<p>Relating to status offenses committed by a child, including the repeal of the status offense of a</p>	<p>Juvenile Justice &amp; Family Issues</p> <p>9 Ayes, 0 Nays,</p>	<p>Currently in Texas law, if a child voluntarily runs away from their home, they may be placed into secure confinement until they receive a hearing. Additionally, if they are discovered to have violated a court order related to running away, they can be placed back into secure confinement. Placement into a secure facility when the risk level is not appropriate increases the likelihood of escalating the individual’s risk level to engage in more severe behaviors. Additionally, a child</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



	<p>child voluntarily running away from home.</p>	<p>o PNV, o Absent</p>	<p>voluntarily running away may need intervention services for issues occurring at home. Intervention and referral to services would better serve the child in question as it would productively address the issue at hand as well and would deter a new entry into the juvenile justice system. HB 1709 will:</p> <ul style="list-style-type: none"> <li>• remove voluntarily running away from home as a status offense.</li> <li>• remove a form of conduct that currently indicates a need for supervision. Specifically, it removes a child voluntarily leaving their home without permission from their parent or guardian for a significant amount of time or without the intent to return.</li> <li>• under certain conditions, remove a court’s ability to order secure confinement of a status offender for violating a court order.</li> <li>• amend the process and timeline of detaining a child accused of committing a status offense. HB 1709 will also update the types of confinement to be used in these cases.</li> </ul> <p>Incarcerating children has severe negative impacts on their development and future wellbeing.</p>	
<p><b>HB 1535</b>  By: Klick   Dean   Price   Oliverson   Howard</p>	<p>Relating to the medical use of low-THC cannabis by patients with certain medical conditions and the establishment of compassionate-use institutional review boards to evaluate and approve proposed research programs to study the medical use of low-THC cannabis in the treatment of certain patients.</p>	<p>Public Health  11 Ayes, o Nays, o PNV, o Absent</p>	<p>The Compassionate Use program has served as an alternative path to address certain conditions by using low-THC cannabis. The applications of the program range from pain management to mitigating symptoms of chronic conditions. Research surrounding the medical applications of cannabis has become a point of medical innovation. HB 1535 would:</p> <ul style="list-style-type: none"> <li>• expand the list of conditions that qualify for the Compassionate Use program to include a condition that causes acute or chronic pain, for which a physician would otherwise prescribe an opioid, post-traumatic stress disorder, for a patient who is a veteran, a medical condition that is approved for a research program for someone receiving treatment under that program or a debilitating medical condition. The bill clarifies that cancer does not have to be terminal to qualify under this bill.</li> <li>• amend the dosage level of low-THC for certain patients.</li> <li>• permit the creation of one or more institutional compassionate use review boards to evaluate and approve research programs studying medical applications of low-THC as well as oversee patient treatment during these programs.</li> <li>• delineate the qualifications to be considered an institutional review board, the research participation requirements of physicians and patients, informed consent requirements, and physician qualifications to prescribe low-THC cannabis.</li> <li>• require the review boards to submit annual reports of each approved program's research findings</li> </ul> <p>The use of medical cannabis has proven to be successful in treating chronic conditions that otherwise prevent people from full lives.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



<p><b>HB 1693</b> By: Shaheen</p>	<p>Relating to access to the financial responsibility verification program by justice and municipal courts.</p>	<p>Insurance Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Texas requires drivers to maintain a certain level of automobile insurance or risk being issued a ticket. The TexasSure program is used by law enforcement agencies and vehicle registration offices to verify vehicles are properly insured. Insurance-related tickets can be appealed in the court, but Justice of Peace and Municipal Courts do not currently have access to TexasSure, and resources are wasted verifying insurance to dismiss charges.</p> <p>HB 1693 allows Justice of the Peace and Municipal Courts to access TexasSure to verify vehicle insurance status. Costs associated with accessing the program would be paid from county or the municipal treasuries by order of their governing body. This change would increase efficiency and save courts invaluable time.</p>	<p><b>Favorable</b> Evaluated by: Audrey Erwin 928-210-4303 Audrey@TexasLSG.org</p>
<p><b>HB 1919</b> By: Harris</p>	<p>Relating to certain prohibited practices for certain health benefit plan issuers and pharmacy benefit managers.</p>	<p>Insurance Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>The rising cost of healthcare is due in large part to the rising cost in medications. Pharmacy Benefit Managers (PBMs) have two main objectives: to reduce prices for consumers by negotiating medication pricing with retail and mail pharmacies; and by increasing consumer access to medication by negotiating with drug manufacturers and wholesalers. 80% of independent pharmacies work together as part of various pharmacy services administrative organizations (PSAOs) to negotiate group contracts with health plan PBMs that often represent insurance companies, to provide contracts to bill insurance for their medications and products. This is similar to how Managed Care Organizations, Medicaid, and private insurance, negotiate reduced rates for health care.</p> <p>HB 1919 prohibits a health benefit plan issuer or PBM from transferring or receiving provider records containing patient- or prescriber-identifiable prescription information for a commercial purpose. HB 1919 prohibits health benefit plan issuers or PBMs from steering or directing a patient to use the PBM's affiliated provider, pharmacy, or durable medical equipment provider, through any communication. This typically results in a decrease in costs to patients as the PBM allows individuals to get cheaper rates at different pharmacies. The bill does allow for PBMs to provide patients or prospective patients with information about the costs of services and accurate comparable information on all pharmacies and durable medical equipment providers within their network.</p> <p>HB 1919 prohibits health benefit plan issuers or PMBs from requiring patients to use their affiliated providers so the patient can receive maximum benefits and from providing patients with reduced cost-sharing if the patient uses the affiliated provider. This does not consider cost savings to patients that would occur. HB 1919 prohibits health benefit plan issuers or PMBs soliciting transfer of a patient's prescription or transfer without written consent by a patient to</p>	<p><b>Favorable with Concerns</b> Evaluated by: Audrey Erwin (928) 210-4303 Audrey@TexasLSG.org</p>



			<p>their affiliated providers. This would add unnecessary restraints to patients being able to transfer to pharmacies or durable medical equipment providers with the ease of a phone call.</p> <p>The bill does allow for patients to have a choice in their providers but could add unnecessary restraints to the processes already in place working to decrease patient costs and increase access to more affordable care.</p>	
<p><b>HB 1757</b> By: Krause   Sherman, Sr.</p>	<p>Relating to recordings of peace officer performance of official duties and interactions with the public; creating a criminal offense.</p>	<p>Homeland Security &amp; Public Safety</p> <p>Vote: 8 Ayes, 1 Nays, 0 PNV, 0 Absent</p>	<p>Citizens recording police interactions became a widespread tool for ensuring police accountability after Michael Brown’s death by state-sanctioned violence was recorded on a cell phone and later witnessed around the world. Many groups working to end police brutality encourage bystanders to record police stops as an effort to ensure the safety of people disproportionately affected by excessive use of force. Many are unjustly arrested and later released without charges for recording officers from a safe distance without violating any laws.</p> <p>HB 1757 creates a third degree felony for peace officers who alter, destroy, or conceal another person’s audio, visual, or photographic recordings of peace officers performing official duties without obtaining written consent. The bill establishes a defense to prosecution for interference with public duty charges if an individual was only filming, recording, photographing, documenting, or observing a peace officer and the individual obeys reasonable and lawful orders to change position or proximity to the officer. The Transportation Code’s section on police obedience is amended to clarify a peace officer is not prohibited from giving a person recording reasonable and lawful orders or directions to change proximity or position relative to a peace officer performing official duties.</p> <p>This bill is an important accountability measure to protect law-abiding citizens recording police officers and prevent overreaches of power destroying important video evidence without consent.</p>	<p><b>Favorable</b> Evaluated by: Cassidy Kenyon (760)429-8388 Cassidy@TexasLSG.org</p>
<p><b>HB 2030</b> By: Turner, Chris   Button</p>	<p>Relating to the establishment by the Texas Higher Education Coordinating Board of a grant program for regional postsecondary education collaboratives.</p>	<p>Higher Education</p> <p>10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Without sufficient financial support, entering into higher education can be a significant challenge for most Texans. However, having a higher education is essential to continued development as a professional as well as accessing higher paying positions. This continues to be a cycle in which one cannot get an education due to being from a low-income family but cannot obtain higher paying positions because they do not have the education or training. However, HB 2030 seeks to remedy this situation with the creation of a grant program for postsecondary education collaboratives. HB 2030 will:</p> <ul style="list-style-type: none"> <li>require the Texas Higher Education Coordinating Board (THECB) to establish and administer a competitive grant program.</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 the THECB award grants for the purposes of aiding eligible regional postsecondary collaboratives as well as improving education outcomes for low-income students.</li> <li>establish priorities and criteria for the THECB to consider when awarding grants.</li> <li>outlines parameters of what grant funding can be used for. HB 2030 also outlines the allocation parameters of the amount of funding to eligible candidates as well as bonuses.</li> <li>require each postsecondary collaborative to annually submit reports about specific outcomes of their program, which will then be compiled and submitted by the THECB to the legislature.</li> <li>require the THECB to implement this program only upon the receipt of federal funding for the purpose of the bill. If such funding is not made available, the THECB has the authority to use money allocated to them to fund the purpose of the bill.</li> </ul> <p>Opening access to higher education and skills training is a vital aspect of assisting lower income students and strengthening the Texas workforce by providing qualified professionals.</p>	
<p><b>HB 1752</b> By: Oliverson</p>	<p>Relating to benefit review conferences under the Texas workers' compensation system.</p>	<p>Business &amp; Industry</p> <p>7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>The workers' compensation division of the Texas Department of Insurance manages employee injury claims and denials or disputes of an employee's claim. The initial phase of the dispute resolution process entails a Benefit Review Conference (BRC), an informal meeting held between an employee and a representative of the employer to explain the rights of both parties, procedures to protect both parties' rights, discussion and review of the available information and claim, discussion of disputed issues, and mediation to come to an agreement by both parties.</p> <p>HB 1752 seeks to amend the Labor Code allowing for BRCs meetings to be conducted by telephone or by videoconferencing in addition to in person. This would allow for greater accessibility for employees to attend meetings.</p>	<p><b>Favorable</b> Evaluated by: Audrey Erwin (928) 210-4303 Audrey@TexasLSG.org</p>
<p><b>HB 1897</b> By: Sanford   King, Phil   Holland</p>	<p>Relating to disclosure requirements for agreements consenting to municipal annexation.</p>	<p>Land &amp; Resource Management</p> <p>Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Landowners have voiced concerns regarding how municipalities have gone about notifying them in regard to annexation proceedings. The current procedures that municipalities follow when attempting to notify landowners of an offer on their property has proven unreliable. This has caused some landowners to believe that their options for annexation are limited, leading them to make decisions that they would not have otherwise made.</p> <p>HB 1879 would address these concerns by amending Local Government Code by stating that once a municipality makes an offer to a landowner to enter into a consenting agreement, then the municipality must provide the landowner with written disclosure. If an agreement is agreed</p>	<p><b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>



			<p>to without such disclosure, it would be considered void under the bill. The disclosure must include:</p> <ul style="list-style-type: none"> <li>• a statement that the landowner is not required to enter into the agreement.</li> <li>• the authority under which the municipality may annex the land with references to relevant law.</li> <li>• a plain-language description of the annexation procedures applicable to the land.</li> <li>• whether the procedures require the landowner’s consent.</li> </ul> <p>This bill would provide additional disclosure to landowners, ensure that they know their rights prior to entering an agreement, and ensure that municipalities act in good faith in annexation proceedings.</p>	
<p><b>HB 2041</b> By: Leman</p>	<p>Relating to the disclosure of appraisal reports in connection with the use of eminent domain authority.</p>	<p>Land &amp; Resource Management</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Currently in Texas, state law requires that when an entity exercises eminent domain authority the property owner shall disclose to the entity any and all current and existing appraisal reports produced or acquired by the property owner within a certain amount of time. However, these requirements do not require the entity that is exercising eminent domain to provide such disclosure to the property owner. This creates an uneven playing field for landowners that are presented with these documents the day of the hearing, leaving them without an opportunity to review it beforehand.</p> <p>HB 2041 addresses these concerns by amending the Property Code and stating that an entity who is seeking eminent domain shall disclose to the property owner any and all current and existing appraisal reports produced or acquired by the entity relating to the owner’s property no later than the 3<sup>rd</sup> business day before the date of the special commissioners hearing.</p> <p>This bill would ensure that both parties are being transparent and on the same timeline, ensuring that there is no advantage to either side.</p>	<p><b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>
<p><b>HB 1777</b> By: Oliverson</p>	<p>Relating to disclosures and standards required for certain annuity transactions and benefits under certain annuity contracts.</p>	<p>Insurance</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Annuities are the only private product that protects lifetime income through retirement. In 2007, the Legislature required annuity agents to determine the "suitability" of fixed, variable, and indexed products before the annuity may be sold or purchased to consumers.</p> <p>HB 1777 incorporates a "best interest" standard of care (SoC) to annuities consumers, similar to Federal U.S. Securities and Exchange Commission rules to sell a stock, bond, and mutual fund securities. HB 1777 harmonizes the SoC for annuities across federal and state regulatory platforms to guarantee income through annuity offers at a time of health and financial</p>	<p><b>Favorable</b> Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>



		<p>insecurity. Incorporating best interest SoC and eliminating discrepancies enhances consumer protection and transparency in annuity sales.</p> <p style="text-align: center;"><b>Protections and Transparency</b></p> <p>HB 1777 establishes safe harbor provisions (SHPs) for recommendations and annuity sales by financial professionals (annuity insurers or agents). These SHPs must remain in compliance with SoC, business rules, controls, and procedural standards to ensure the suitability of all annuity transactions. SHP SoC must not limit the compliance obligation of insurers to recommend annuities on a reasonable basis. The insurer may base the annuity-related analysis on information from financial professionals or the supervising entity.</p> <p>The bill prohibits issuing annuity recommendations to consumers without a reasonable basis to effectively address the consumer's financial situation, insurance needs, and financial objectives based on their consumer profile information. Agents or insurers must obtain this information to act in the consumer's best interest under the circumstances known to the agent when the recommendation is made, without placing the agent or insurer's financial interest ahead of the consumer. An agent is presumed to act in the consumer's best interest if the agent satisfies the care, disclosure, conflict of interest, and documentation obligations. Insurers are prohibited from considering one factor in isolation, except for reasonable belief the consumer would benefit from certain annuity features such as a death or living benefit and must communicate the basis for a recommendation. To maintain transparency for insurers and agents alike, existing record retention and revision requirements are extended to include summaries of oral disclosures.</p> <p>The bill prohibits agents or insurers from falsifying consumer profile information and dissuading consumers from cooperating with investigations and filing complaints. Due to the fiduciary relationship between consumers and insurers or agents, the bill prohibits creating or implying a private cause of action against an agent or insurer for violating provisions.</p> <p style="text-align: center;"><b>Insurers</b></p> <p>HB 1777 requires SHPs and SoC's mandatory supervision through a system designed to archive insurers' and agents' statutory requirements for annuity transactions. The bill changes the current system by requiring the inclusion of procedures to identify and eliminate financial incentives based on the volume of sales of a specific annuity within a limited period. For instance, sales contests, quotas, bonuses, or non-cash compensation based upon annuity sales with limited timeframes for completion.</p>	
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			<p>SHPs for consumers may only come to fruition if insurers use the information collected in the ordinary course of the insurer's business, monitor relevant conduct of the financial or supervisory professionals, and provide supervising entities with timely information and reports to assist in the supervision of the system maintenance.</p> <p>Insurers must take appropriate corrective actions to ensure consumer protection by being subject to sanctions and penalties regardless of performance contracts related to the supervision system. Within the system, insurers are not required to consider comparisons other than annuities or other products offered by the insurer.</p> <p style="text-align: center;"><b>Agents</b></p> <p>Agents must provide an in-depth understanding of available annuity options so consumers can weigh out their options appropriately. Before agents can process recommendations or annuity sales, they are required to provide consumer disclosure forms documenting:</p> <ul style="list-style-type: none"> <li>• descriptions of scope and terms of the consumer/agent relationship and roles in the transaction</li> <li>• agent licensure background</li> <li>• the number of insurers the agent is authorized, contracted, or appointed to sell</li> <li>• descriptions of sources and types of cash compensation and non-cash compensation to be received for the consumer's transaction, as well as disclosure on frequency and amount</li> <li>• notice of the consumer's right to request additional information regarding cash compensation</li> </ul> <p>To document obligations at the time of recommendation or sale of an annuity, agents must:</p> <ul style="list-style-type: none"> <li>• provide written documentation of the recommendation including the basis</li> <li>• obtain a statement signed by the TDI commissioner on a form documenting a consumer's refusal to provide consumer profile information</li> <li>• compile documentation to support that the consumer understands the ramifications of failure to provide insufficient information</li> <li>• repercussions if consumers decide to enter into an annuity transaction that is not based upon recommendations with acknowledgment of why the transaction is not recommended</li> </ul> <p>Agents are required to exchange or replace annuities by reconsidering the whole transaction if:</p>	
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			<ul style="list-style-type: none"> <li>the consumer will incur or face fees or charges resulting in losing benefits or becoming subject to commencement of surrender periods or</li> <li>replacing the annuity product would substantially benefit the consumer in comparison to the replaced product and</li> <li>the consumer has had an annuity exchange or replacement within the previous five years</li> </ul> <p>Regarding obligations of care, agents must establish that annuity provisions apply as a whole and include subaccounts, riders, and product enhancements. The bill specifies that SHPs do not create a fiduciary obligation for agents and only create regulatory obligations with consumers; ongoing monitoring obligations under any planning agreements between consumers and agents do not apply.</p> <p>The bill does not require any additional agent licensure, but does require agents to complete:</p> <ul style="list-style-type: none"> <li>a new four-credit training course for those selling all annuity products; or</li> <li>an additional one-time one-credit training course on appropriate sales practices, replacement, and disclosure requirements</li> </ul>	
<p><b>HB 2205</b> By: Romero, Jr.   Holland   Toth</p>	<p>Relating to applicability of the International Swimming Pool and Spa Code to certain pools, spas, and other swimming areas.</p>	<p>Urban Affairs</p> <p>Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Concerns have been brought forward regarding inconsistent municipal codes across the state regulating the type of work that can be done on pools and spas. Contrasting regulations have created a difficult framework for companies to maintain common business protocols and supplies for pool repair and construction.</p> <p>HB 2205 seeks to address these concerns by authorizing municipalities to adopt the International Swimming Pool and Spa Code (ISPSC), using the May 1, 2019 or newer versions. The ISPSC is a model code regulating the minimum requirements for the design, construction, alteration, repair and maintenance of swimming pools, spas, hot tubs, and aquatic facilities. The bill also ensures the Department of State Health Services (DSHS) is not required to establish enforcement or regulation protocols. DSHS would not be required to review additions to existing spas and pools or conduct construction inspections for new pools and spas.</p> <p>Allowing municipalities to adopt a newer model of ISPSC will eliminate duplicative or unnecessary red tape that constructs difficult barriers for businesses in this profession. Creating a more streamlined process enables businesses in large metropolitan areas to conduct business more freely within the region.</p>	<p><b>Favorable</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>



<p><b>HB 781</b></p> <p>By: Sanford   Noble   Patterson   Guillen</p>	<p>Relating to the carrying and possession of a handgun by a public junior college school marshal.</p>	<p>Homeland Security &amp; Public Safety</p> <p>Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>When a junior college school marshal’s primary job duty requires them to interact with students regularly, current law only permits them to carry weapons on campus if they store the weapon in a gun locker. HB 781 removes the current stipulations related to junior college school marshals' ability to carry weapons, allowing them to conceal and carry handguns on campus, even if the position requires high student interaction.</p> <p>As with many guns’ expansion bills, this legislation seeks to add another layer of safety for rural or small colleges who do not have their own campus police presence. However, incidences requiring the need for a weapon on campus would also require a police presence. Current law already allows marshals access to weapons on certain junior college campuses in the event of an emergency, thus current legal guard rails should remain in place.</p>	<p><b>Unfavorable</b></p> <p>Evaluated by: Cassidy Kenyon (760)429-8388 Cassidy@TexasLSG.org</p>
<p><b>HB 3111</b></p> <p>By: Meyer   Hunter   Johnson, Ann</p>	<p>Relating to the criminal offense of online solicitation relating to a minor; creating a criminal offense; changing eligibility for community supervision.</p>	<p>Criminal Jurisprudence</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Online solicitation of a minor offenses handles predators engaging in grooming behaviors over the internet with the intent to meet and solicit sex with an underage person. There is currently a loophole in the Penal Code creating a gap for someone who solicits a person for sex who is not a minor, but ultimately intends to engage in sexual acts with an underage person. These circumstances can frequently occur in trafficking or forced prostitution cases.</p> <p>HB 3111 establishes a second degree felony for a person who knowingly solicits sex over the Internet or any messaging platforms with intent to cause a minor to meet another person for the purpose of sexual contact, sexual intercourse, or deviate sexual intercourse. The existing defense to prosecution for online solicitation of a minor is extended to the conduct and circumstances enumerated by this bill, but it is clarified that the meeting not occurring is not a defense to prosecution. Defendants receiving guilty verdicts are ineligible for judge-ordered or jury-recommended community service.</p> <p>HB 3111 would keep children safe from online sexual predators by correcting the loophole currently allowing certain online sexual solicitation of minors to occur with impunity.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Cassidy Kenyon 760-429-8388 Cassidy@TexasLSG.org</p>
<p><b>HB 3360</b></p> <p>By: Murr</p>	<p>Relating to civil actions by a civilly committed individual.</p>	<p>Judiciary &amp; Civil Jurisprudence</p> <p>Vote: 8 Ayes, 0 Nays, 0 PNV,</p>	<p>Civilly committed sexually violent predators (SVP) are persons that have been convicted of two violent sexually predatory events who are likely to continue sexually predatory behavior. Approximately 80% of the cases filed relating to SVP are dismissed. SVP’s often file suit as indigent and therefore do not have to pay court costs. These frivolous cases create significant court costs and time allocated by the Texas Civil Commitment Office (TCCO) and Office of the Attorney General (OAG).</p>	<p><b>Favorable</b></p> <p>Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>



		1 Absent	<p>HB 3360 seeks to reduce frivolous lawsuits relating to SVP by amending the Civil Practice and Remedies Code (CPRC) by stating that a court may dismiss a claim if the court finds that:</p> <ul style="list-style-type: none"> <li>• The allegation of poverty in the affidavit or unsworn declaration is false</li> <li>• The claim is frivolous or malicious</li> <li>• The SVP filed an affidavit or unsworn declaration that the individual knew was false.</li> </ul> <p>HB 3360 gives conditions that the court may consider when determining if the claim is frivolous or not. If an SVP files an affidavit of inability to pay costs, they shall file a separate affidavit that indicates whether any cause of action or allegation has previously been filed and the result of the action. HB 3360 includes that the court may require the payment of court fees at a reduced rate if an SVP fails to pay any required fees. In response to this, the court would not allow any future filings of other claims until those costs are paid. HB 3360 also allows for a court hearing to be conducted via video conference.</p> <p>HB 3360 would help reduce the number of frivolous cases filed by SVPs, and in return it would save the courts, TCCO, and the AOG time and money. By reducing the number of frivolous suits, it will help with the valid lawsuits brought by SVPs. Additionally, this would give the courts better direction on SVP suits.</p>	
<p><b>HB 2112</b></p> <p>By: Metcalf   Schaefer   White   Bell, Cecil   Morales, Eddie</p>	<p>Relating to the carrying of holstered handguns by handgun license holders.</p>	<p>Homeland Security &amp; Public Safety</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Current law requires firearms to be carried in a shoulder or belt holster by License to Carry (LTC) holders in certain circumstances. Specifying holster type for people trained in firearms safety is fairly arbitrary, especially considering that shoulder holsters are difficult to manage for people with disabilities.</p> <p>HB 2112 solely removes the requirement for LTC holders to use a shoulder or belt holster. LTC holders will still be required to holster their weapons appropriately but have more options for the type of holster they use. This change will create uniformity in gun law and reduce instances of LTC arrest for minor offenses, which only services to punish trained gun owners.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Cassidy Kenyon (760)429-8388 Cassidy@TexasLSG.org</p>
<p><b>HB 3962</b></p> <p>By: Neave</p>	<p>Relating to the powers and duties of a domestic relations office.</p>	<p>Juvenile Justice &amp; Family Issues</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Domestic relations offices (DROs) offer a myriad of services to assist constituents with family district court needs. DROs also serve as a “friend of the court”, or a non-party participant in a case that provides supplemental information, expertise, or insight to contextualize cases to aid the court in rendering fully informed judgements. However, the current statute limits the ability DROs can further assist these families.</p> <p>HB 3962 amends the Family Code by authorizing DROs to file suits that seek to modify, clarify, or enforce court orders for child support or possession of a child. Additionally, HB 3962</p>	<p><b>Favorable</b></p> <p>Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



			<p>clarifies that DROs can provide information to assist individuals in understanding, complying with, or enforcing the individuals' obligations under the Family Code.</p> <p>HB 3962 provides clarifications for DROs to comprehensively provide for Texas families receiving services in family district courts. These clarifications will empower these families and aid in their success.</p>	
<p><b>HB 2441</b> By: White</p>	<p>Relating to the imposition and collection of fines, fees, and court costs in criminal cases.</p>	<p>Judiciary &amp; Civil Jurisprudence</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Many low-income Texans can easily get trapped in a cycle of debt through traffic tickets and other fine-only offenses which ultimately lead to incarceration, causing them to lose their job and housing. Over the past few legislative sessions, there have been efforts made towards reducing the burden of criminal debt for low-income Texans across the state. The current statute fails to explicitly define a specific amount for the fines, fees, and other costs accrued via these specific offenses. Additionally, current stature does not explicitly direct how judges or courts should determine and address someone's ability to pay the accrued debt.</p> <p>HB 2441 requires the court on the record to determine whether the defendant has the ability to pay for all or part of fines and court costs and instruct them on how to proceed if they cannot pay. The bill also adds to the definition of "cost" by including a reimbursement fee. HB 2441 has additional clarifications that include that fines and other items of cost can be found uncollectible by the court.</p> <p>This bill would clean up past legislation so it can be more effective and less confusing for courts, clerks, judges, and everyday Texans.</p>	<p><b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>
<p><b>HB 3973</b> By: Walle</p>	<p>Relating to the composition and use of money in the oil and gas regulation and cleanup fund.</p>	<p>Appropriations</p> <p>Vote: 22 Ayes, 1 Nays, 0 PNV, 4 Absent</p>	<p>HB 3973 seeks to stabilize revenue funds for the Railroad Commission (RRC) and increase the RRC's reliance on the Oil and Gas Regulation Cleanup (OGRC) fund rather than general revenue (GR). The OGRC funds oversight of the oil and gas industry with activities like plugging abandoned oil and gas wells. The contraction of the oil and gas industry this past year led to an increase in supply and drove barrel prices to plummet in March 2020 and remain low. HB 3973 presents a long-term solution to reach reliability and efficacy of this fund.</p> <p>HB 3973 would amend the Government Code by adding the OGRC fund to the list of funds exempt from depositing their interests or earnings into the GR fund and allowing these to be deposited into OGRC Fund 5155 instead. This would allow the RRC to use funds from penalties, fees, and interests collected in regulation of the oil and gas industry to fund cleanup and inspection rather than relying on GR. It is estimated this new revenue stream would accrue up to \$3.0 million each year once interest rates return to pre-pandemic levels. Currently, OGRC</p>	<p><b>Favorable</b> Evaluated by: Audrey Erwin 928-210-4303 Audrey@TexasLSG.org</p>



			<p>does retain interest or investment earnings, but does retain most but not all of the fees and penalties collected by RRC. This would increase the stability and reliability of the fund.</p> <p>HB 3973 would update references to the defunct OFC Fund to instead state the OGRC fund in various places throughout the Natural Resources Code. The bill would direct administrative, civil, and criminal penalty and fee revenue collected by the RRC under the Natural Resources Code, Water Code, and Utilities Code in relation to conservation, safety, and regulation of the oil and gas to be deposited into the OGRC fund. Additionally, the bill would deposit revenue from injection well bonding and other financial security mechanisms to be deposited to the OGRC Fund. The bill seeks to abolish the Anthropogenic Carbon Dioxide Storage Trust Fund Account No. 827 by consolidating it into the OGRF fund and transferring the balance into the OGRC and directing all revenue collected from the regulation of anthropogenic carbon dioxide storage into the OGRC Fund. Through consolidation and redirecting deposits to fund RRC oversight the OGRC would generate additional revenue.</p> <p>Finally, HB 3973 would exempt the OGRC fund from paying employee benefits or benefit related costs. These would be paid instead by GR and save the OGRC an estimated \$13 million each fiscal year.</p>	
<p><b>HB 332</b> By: Talarico   Bernal   Buckley</p>	<p>Relating to the use of the compensatory education allotment for programs that build certain social and emotional skills.</p>	<p>Public Education</p> <p>Votes: 13 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>In addition to the pandemic, Texas children were greatly affected by winter storm Uri. The compounded trauma of these events impacted the mental and emotional health of Texas students. Compared with 2019, the proportion of mental health-related emergency department visits for children for 2020 increased approximately 24%-31%. While planning for in-person instruction in the fall, schools must be prepared to meet new social and emotional needs while addressing academic requirements to ensure student success.</p> <p>HB 332 permits using the State Compensatory Education (SCE) allotment for funding Social and Emotional Learning programs, allowing schools more flexibility in addressing the growing needs of students' mental and emotional challenges. Under the SCE program allotment, schools are provided funding for programs and services to close academic achievement gaps for disadvantage, at-risk, and other students based on the percentage of students in the school district identified as "at-risk."</p> <p>HB 332 authorizes using SCE allotment funds for the Foundation School Program to provide programs that build skills related to managing emotions, establishing, and maintaining positive relationships, and making responsible decisions. HB 332 clarifies that the allotment can provide child-care services or expenses for student parents who are at risk of dropping out. HB</p>	<p><b>Favorable</b> Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p>



			332 will give school districts additional resources to address student needs by hiring counselors, providing teacher training, and implementing an SEL curriculum to mitigate the impact of multiple crises on student learning.	
<b>HB 2043</b> By: Leman   Guillen   Murr   Harris   Spiller	Relating to the qualification of land for appraisal for ad valorem tax purposes as agriculture land and the liability for the additional tax imposed on such land if the use of the land changes as a result of a condemnation.	Land & Resource Management  Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>Currently, the state of Texas provides specific property tax exemptions for property that is being used for agricultural purposes. These exemptions include that the landowner is only responsible for paying taxes on the value of land in its current use, and not on the potential market value. When land that has been previously exempted from that tax is changed to a use that does not qualify for the tax exemptions, current code requires that the property owner is subject to pay the differences in taxes between the devalued property and the market value of the property and in some cases are subject to interest and penalties. This is referred to as roll-back taxes.</p> <p>Unfortunately, rollback taxes and interest are due even if the land was previously used for agriculture. Current law specifies that if the land was being used for timber or open space and was taken through condemnation, that these taxes are not due. This bill would level the playing field by ensuring that land previously used for agricultural purposes is being treated the same as land previously used for timber and open space when land is seized through eminent domain.</p> <p>HB 2043 would establish that a portion of land that is intended for agriculture use and was seized through eminent domain, is not diverted to a nonagricultural use for purposes of imposing property taxes and interest. This would apply when a portion that is subject to a right-of-way is less than 200 feet wide and if the remainder of the parcel of land still qualifies as agriculture use. That determination is made by the local county tax assessor or the chief appraiser. HB 2043 also states that if the additional taxes are due because the condemned land has been diverted to a nonagricultural use, that the additional taxes and interest are due to be paid by the condemning entity and not the property owner of the land. This bill does not change the rollback tax laws for land that is sold voluntarily</p> <p>HB 2043 would protect property owners from negative tax implications because of actions from a condemning authority and ensures that landowners are not penalized when their land is foreseeably taken from them.</p>	<b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org
<b>HB 2893</b> By: Herrero	Relating to the establishment by the Texas Department of Housing and Community Affairs of colonia self-help	Urban Affairs  Votes: 8 Ayes, 0 Nays, 0 PNV,	Colonia self-help centers provide low income families and individuals on-site technical assistance related to housing, community development activities, infrastructure improvements, outreach, and education. Currently, the Texas Water Development Board appoints at least five residents of colonias to serve on the Colonia Resident Advisory Committee.	<b>Favorable</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org



	centers in certain counties and to the representation of those counties on the Colonia Resident Advisory Committee.	1 Absent	<p>HB 2893 intends to establish a colonia self-help center in Nueces County and increases the minimum number of Colonia Resident Advisory Committee appointees to six residents.</p> <p>Establishing a colonia self-help center in Nueces County would provide more resources and tools for economic growth and community development benefitting county residents in need. Inviting more people to the advisory committee for these counties empower more community voices to be heard on the needs of the residents living there.</p>	
<p><b>HB 3643</b></p> <p>By: King, Ken   Bell, Keith</p>	Relating to the creation of the Texas Commission on Virtual Education.	<p>Public Education</p> <p>Votes: 12 Ayes, 1 Nays, 0 PNV, 0 Absent</p>	<p>Texas provides online courses to students through its Texas Virtual School Network (TXVSN). TXVSN provides both individual courses and full-time online school, increasing access to courses that may not be offered at a local school district. A national study found that students enrolled in full-time virtual schools lost 72 days of reading and 180 days of learning in math during the 180-day school year. In light of national data and recent expansion to the TXVSN, the legislature has not investigated best practices for virtual learning. HB 3643 seeks to evaluate the current state of virtual education.</p> <p>HB 3643 establishes a 13 member Texas Commission on Virtual learning to address issues related to the delivery of and funding of virtual education under the foundation school program, including alternative instructional delivery methods and alternative methods of funding. The bill sets out provisions relating to the appointment of commission members and provides for the commission's administration and operation. HB 3643 would require the commission to produce a report to the governor and the legislature containing recommendations for legislative action to improve the implementation of virtual education.</p> <p>The COVID-19 pandemic shed light on the need for improving virtual education. HB 3643 will allow for a comprehensive understanding of best practice strategies related to virtual education to serve the needs of all students best.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p>
<p><b>HB 3039</b></p> <p>By: Ellzey</p>	Relating to the electronic transmission of certain notices provided by the Railroad Commission of Texas.	<p>Energy Resources</p> <p>Vote: 7 Ayes, 0 Nay, 0 PNV, 4 Absent</p>	<p>Currently, the Railroad Commission (RRC) is required to contact impacted parties by certified, first-class, or regular mail on matters related to inactive well contracts, certificate of compliance cancellations, surface mine bonding, and quarry safety certificate applications. Sending notifications by mail can be costly, time-consuming, and may not be a party's preferred method of communication. HB 3039 would allow the RRC to send these required notices by electronic record or by mail. By permitting electronic notification, this bill would preserve agency resources that can be better used providing services, incorporate modern technology into agency practices, and allow for a timelier notification and response process between the RRC and relevant parties.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>



<p><b>HB 3034</b> By: Campos</p>	<p>Relating to the establishment of a statewide homelessness data system.</p>	<p>Urban Affairs Votes: 7 Ayes, 1 Nay, 0 PNV, 1 Absent</p>	<p>More than 25,000 Texans are currently experiencing housing instability across the state. The transient lifestyle sometimes experienced while houseless can make it difficult for family and loved ones to locate some people, which causes for concern related to isolation from loved ones, especially those living with mental or physical illness.</p> <p>HB 3034 creates a statewide houseless data system to exchange information between specific local government entities and state agencies with the goal of connecting individuals with services. The Texas Interagency Council for the Homeless and state agencies would be required to consult with representatives of local government entities to identify challenges and solutions for serving unhoused people. The Council and government agencies would only enter into data sharing agreements as necessary and ensure the information stored in the system remains confidential under law.</p> <p>The proposed data system collects data from other housing-related systems maintained by state agencies, local law enforcement, or other state entities. The data collected would be analyzed and shared with entities maintaining system access. By September 1, 2023, the Council must submit a report on the effectiveness of the program to the legislature and the Texas Department of Housing and Community Affairs.</p> <p>A data collecting system could be a good tool for agencies working with people experiencing homelessness to understand how to best target services. However, the Council must ensure confidentiality of data collected to protect the information of individuals within the system. The information stored there must also not be used by law enforcement agencies to profile and harass unhoused individuals in their cities.</p>	<p><b>Favorable</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>
<p><b>HB 3394</b> By: Metcalf</p>	<p>Relating to determining the incapacity of a guardian.</p>	<p>Judiciary &amp; Civil Jurisprudence Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Guardianship relates to the legal relationship between a ward, both a youth or an adult who needs assistance managing some or all of their daily affairs, and the person or entity who is named by the court to assist the ward. This is meant to protect wards, but at times there is a need to remove a guardian who may be no longer able, for whatever reason, to assist the ward. Currently, the law does not have a clear path to immediately remove a guardian who may be incapacitated which can lead to wards remaining in physically, emotionally, mentally, or fiduciarly harmful or dangerous situations for extended periods of time.</p> <p>HB 3394 amends the Estate Code by outlining guardianship and authorizing a court, on the court's own motion or on a complaint of an interested person, to investigate whether a guardian should be removed based on probable cause. The court would be authorized to appoint an attorney ad litem to represent the ward's best interest and guardian ad litem or a court</p>	<p><b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>



			investigator to conduct an investigation as to the guardian’s removal. If needed, the court would have the ability to appoint a physician to determine if the guardian is incapacitated. This would apply to all guardianships, established before or after the bill’s effective date.	
<b>HB 2499</b> By: Stucky	Relating to the wearing of a personal flotation device while being towed behind a motorboat or while engaged in water sports in or on the wake of a motorboat; creating a criminal offense.	Culture, Recreation, & Tourism  Votes: 6 Ayes, 3 Nays, 0 PNV, 0 Absent	76% of all fatal boating accident victims drowned, and of those, 85% were not wearing a life jacket. Texas law requires all children under 13 years of age to wear a United States Coast Guard (USCG) approved personal floatation device while not anchored, moored, or aground on any vessel less than 26 feet long, including canoes, kayaks, and other paddle crafts. However, the law does not require wearing a lifejacket while water skiing, tubing, wakeboarding, and wake surfing.  HB 2499 would restrict a person from operating a motorboat unless each person towed behind a motorboat or engaged in water sports in or on the motorboat’s wake is wearing a USCG-approved personal flotation device. HB 2499 would prevent fatal accidental death by drowning	<b>Favorable</b> Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org
<b>HB 3476</b> By: Schofield	Relating to certificates of public convenience and necessity issued to water utilities inside the boundaries or extraterritorial jurisdiction of certain municipalities.	Natural Resources  Vote: 8 Ayes, 0 Nays, 0 PNV, 3 Absent	If a water or wastewater utility intends to provide service within the extraterritorial jurisdiction of a city with at least 500,000 residents, it must first receive consent from the city to receive a certificate of public convenience and necessity (CCN). While consent may not be unreasonably withheld, the city may require as a condition of its consent that the utility’s facilities meet city standards, potentially beyond the minimum standards set by the Public Utility Commission (PUC). Additionally, the PUC may under certain circumstances grant a CCN without the city’s consent, so long as it includes the condition to meet the city’s facility standards.  HB 3476 removes a city’s right to require that water or wastewater utilities built within its extraterritorial jurisdiction meet municipal standards unless the utility is within the city’s boundaries. Further, when the city’s consent is not required in these extraterritorial areas, the PUC may issue a CCN on the condition that the Texas Commission on Environmental Quality’s minimum facility standards are met, rather than the city’s more specific, localized standards.  Unincorporated, extraterritorial areas lie within just a few miles of a city’s boundaries and may in the future be annexed into a growing city. It is more prudent to use the same water utility standards to ensure that shared water sources are being used safely and efficiently by all parties and that potential future annexation is not unnecessarily complicated and expensive. Removing the right to require these utilities to meet more locally appropriate municipal standards could make less certain that residents of unincorporated areas will have as clean, reliable, and efficiently managed drinking water as their nearby municipal neighbors.	<b>Favorable, with concerns</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org



<p><b>HB 3746</b> By: Capriglione</p>	<p>Relating to certain notifications required following a breach of security of computerized data.</p>	<p>Business &amp; Industry  7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Current law requires government businesses or people who conduct business in Texas that have experienced a security breach impacting at least 250 Texans to notify the Attorney General. Since last session when this legislation was enacted, it has been determined that security breaches continue to be a significant concern. HB 3746 will allow for the general public to be informed regarding the incidences of security breaches as well as how many people were informed about the breaches. HB 3746 will:</p> <ul style="list-style-type: none"> <li>• require that notifications to the Attorney General include the number of residents who received a disclosure of the breach either via mail or other form of direct communication.</li> <li>• require the Attorney General maintains an online list of all notifications of data breaches, excluding any confidential or sensitive information, on the Attorney General’s website.</li> </ul> <p>HB 3746 allows for public transparency regarding data security and the effort made to inform impacted residents of Texas, ensuring the safety of personal data.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p><b>HB 1382</b> By: Bucy</p>	<p>Relating to the availability of certain information regarding early voting</p>	<p>Elections  Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>HB 1382 requires the Texas Secretary of State to implement a framework for counties to track ballots by mail online. In the 2020 election cycle a patchwork of local counties offered ballot tracking online because currently Texas does not have a statewide system for tracking applications for ballots by mail or completed ballots by mail. However, Texas is required to follow the federal Military and Overseas Voters Empowerment Act which mandates states to provide an online method to track the status of these military and overseas voters’ ballots.</p> <p>This bill addresses trust in the voting system for Texans who rely on ballot by mail voting to participate in democracy by requiring the Texas Office of the Secretary of State to create and maintain a statewide online ballot tracking tool provided to county election officials to monitor the status of an application for vote by mail or a completed mailed ballot. To access ballot tracking, a voter would be required to provide their name, registered voting address, the last four digits of their social security number, and either a driver’s license or personal identification card issued through the Department of Public Safety.</p> <p>The county early voting clerk would update the website data after:</p> <ul style="list-style-type: none"> <li>• receiving an application for a ballot to be voted by mail.</li> <li>• acceptance or rejection of a person's application for a ballot to be voted by mail.</li> <li>• placement in the mail by the early voting clerk of the person's official ballot.</li> <li>• receiving a person's marked ballot; and</li> <li>• acceptance or rejection by the early voting ballot board of a person's marked ballot</li> </ul>	<p><b>Favorable</b> Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p>



			Voters would be able to see their ballot by mail status at any point in the election process which would empower them to make decisions about how and when they vote. Additionally, these county tracking websites would allow voters to know if they needed to act on an application or voting early to correct an address or prove identity.	
<b>HB 3754</b> By: Oliverson	Relating to regulation of the pledge or encumbrance of an insurer's assets under the Asset Protection Act.	Insurance  Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	The Asset Protection Act (APA) was created to ensure that Texas insurance companies maintain adequate, unencumbered assets to pay claims. This bill updates the APA to reflect existing marketplace practices and clarify compliance expectations for insurers, including: <ul style="list-style-type: none"> <li>• clarification that an insurer's assets are reported on the financial statement most recently filed with the Texas Department of Insurance (TDI).</li> <li>• certain investments and transactions, including those that are nominally subject to liens or security interests but are not meaningfully at risk, are added to the list of assets exempted from reporting requirements or APA application</li> <li>• the statutory calculation used to determine whether an insurer's assets are over encumbered, or potentially at risk of coming up short on claims, shall be based upon the insurer's most recently filed financial statements.</li> <li>• the commissioner of insurance is authorized to adopt rules regarding the APA's provisions.</li> </ul> <p>Per TDI, this bill will alleviate redundant filing requirements, create an even playing-field for Texas-based and out-of-state insurers, and maintain APA protections for claimants.</p>	<b>Favorable</b> Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org
<b>HB 3827</b> By: Wilson	Relating to the municipal disannexation of certain areas formerly designated as census designated place.	Land & Resource Management  Vote: 6 Ayes, 3 Nays, 0 PNV, 0 Absent	The community of Lost Creek was forcibly annexed into the city of Austin in 2015 before the legislature had a process in place that would give communities such as Lost Creek the ability to hold elections to decide if they wanted to be annexed or not.  HB 3827 amends local government code and would allow the disannexation of the Lost Creek district community.  The bill is based partially on claims that the Austin Police Department does not provide full or adequate services to the area. These claims were fought during a public hearing using data by Austin Police Department, and it was found that the opposite was true. The bill would also place barriers on Austin Fire Department's ability to plan for long-term growth and investment. This bill would create a negative impact on the quality of emergency services because it would interfere with the ability to respond to emergency calls and maintain efficient response times. By removing Lost Creek from the city of Austin's tax base, the city is set to lose \$4.0 million	<b>Unfavorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org



			dollars annually. The community of Lost Creek currently has no plans or discussions happening about who will take over certain services if they are no longer part of the city.	
<b>HB 1938</b> By: Jetton   Sherman, Sr.	Relating to a grant program for law enforcement agencies to defray the cost of data storage for recordings created with body worn cameras.	Homeland Security & Public Safety  Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>Many grants are available to help fund the purchase of body-worn cameras, but far fewer exist to offset the video storage costs. The costliest aspect of law enforcement “bodycam” footage is oftentimes the data storage systems needed to support the quantity of recordings for each peace officer.</p> <p>HB 1938 establishes a grant program for law enforcement agencies to receive funding offsetting the data storage costs. The Governor’s Office will handle program applications and implementation, with funding to include gifts, grants, or donations.</p> <p>Offsetting video data storage costs will ensure more law enforcement agencies can purchase and sustain use of body-worn cameras, providing much-needed resources to improve accountability and reestablish community trust.</p>	<b>Favorable</b> Evaluated by: Cassidy Kenyon (760)429-8388 Cassidy@TexasLSG.org
<b>HB 2086</b> By: Morales, Eddie	Relating to appeals from an interlocutory order denying a motion for summary judgement by certain contractors.	Judiciary & Civil Jurisprudence  Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>Contractors who repair highways, roads, or streets and who are under contract with the Texas Department of Transportation (TxDOT) are afforded the same immunity as TxDOT when they follow the plans and specifications laid out by TxDOT. However, these same contractors have raised concerns over the appeals process for an interlocutory order that denies a summary judgment motion. Oftentimes a summary judgment is denied and therefore the entire case is tried before the summary judgment is granted an appeal. However, if the contractor could file for an appeal on the summary judgment earlier, it may not be necessary to go to trial.</p> <p>HB 2086 amends the Civil Practice and Remedies Code so that a person can appeal from an interlocutory order of a district court, county court at law, statutory probate court, or county court if they were denied a motion for summary judgment filed by a contractor.</p> <p>This bill adds clarifying language and allows for general contractors to appeal if a summary judgment was denied. This would allow for an expedited process in presenting the contractors immunity, and potentially save time and money by eliminating the need for a trial.</p>	<b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org

