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LSG Floor Report for POSTPONED BUSINESS – Monday, April 19, 2021

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
HB 1593 By: Leach	Relating to civil liability of a nursing facility resident's responsible payor for misappropriation of the resident's funds.	Judiciary & Civil Jurisprudence Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent	<p>Many nursing home residents are not able to manage their own funds, due to a lack of cognitive ability. As a result, many resident's funds are managed by a third party, which can leave residents vulnerable to exploitation. Currently, federal law bans nursing homes from requiring that the third party use their own money to pay for a resident's stay at a nursing facility but may request that the third party agrees to provide payment for the resident's stay from the resident's income or other resources. However, Texas has laws making these agreements unenforceable. When a resident is unable to produce funds, the nursing home is then responsible to care for the resident for free, displace the resident from the facility, or sue the resident for non-payment.</p> <p>HB 1593 would allow a nursing facility to file an action against the third party in charge of the resident's funds for an amount owed by the resident if the following both apply:</p> <ul style="list-style-type: none"> • Before admission to the facility, the facility obtains financial information from the resident or responsible third party demonstrating that the resident has a sufficient amount of financial resources available to pay for nursing facility care • After the resident begins to reside at the facility, the responsible third party mismanages the resident's resources to a degree that the resident is unable to afford to pay for the resident's care. <p>HB 1593 would allow a court to grant any appropriate injunctive relief to prevent or abate the conduct. HB 1593 would only apply to residents who have the financial means to pay for care, if the responsible third party contractually committed to those funds, and when the responsible third party misappropriated the resident's funds and breaches the contract with the nursing facility.</p> <p>HB 1593 would put provisions in place to prevent financial abuse and exploitation of nursing home residents by responsible third parties and to help ensure that their money will be used appropriately.</p>	Favorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org

LSG Floor Report for MAJOR STATE Calendar– Monday, April 19, 2021

OK for Distribution – Rep Garnet Coleman

<p>HB 14 By: Goldman Herrero Geren Anchia Craddick</p>	<p>Relating to the creation of the Texas Electricity Supply Chain Security and Mapping Committee.</p>	<p>Energy Resources Vote: 9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>During February’s winter storm, several problems within both the electricity and natural gas industries were identified to have contributed to the deadly outages, including weather-related equipment issues, fuel supply shortages, and accidental curtailment of electricity to the very facilities that are critical to maintaining electric generation and distribution. HB 14 addresses these problems by establishing the Texas Electricity Supply Chain Security and Mapping Committee, charged with the following duties:</p> <ul style="list-style-type: none"> • mapping the state’s electricity supply chain and natural gas infrastructure • identifying critical infrastructure, such as gas production and transportation facilities, that should be prioritized to maintain electric service during extreme weather events • establishing best practices for extreme weather preparation for electricity and natural gas facilities and making recommendations on oversight and compliance standards for those facilities • developing communication systems between these facilities, ERCOT, and the Public Utility Commission (PUC) to ensure electricity and natural gas supplies are prioritized in the event of extreme weather <p>The committee must maintain a regularly updated database of identified critical infrastructure sources that identifies priority electricity needs and produce a publicly available report on their recommendations by January 2022. The committee is composed of officials from the PUC, the Railroad Commission, ERCOT, and the Texas Division of Emergency Management. Its work is subject to open meetings and public information laws - except for information put in the critical infrastructure database, which shall be confidential due to security concerns.</p> <p>HB 14 will promote extreme weather preparation and reliable electricity production needed to prevent future disasters stemming from poor communication between the interconnected electric and natural gas industries - and the agencies that oversee them.</p>	<p>Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p>HB 1520 By: Paddie</p>	<p>Relating to the recovery and securitization of certain extraordinary costs incurred by certain gas utilities; providing authority to issue bonds and impose fees and assessments.</p>	<p>Energy Resources Vote: 8 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>During the winter storm, the price of natural gas rose by as much as 1000% due to incredibly high demand and curtailed supply, resulting in high bills for natural gas utility providers that in some cases cost more in 10 days than would normally be paid in several years. Because gas utility customers are charged the direct, passed-through costs of the gas they use each billing period, this event would, without appropriate financing, result in shocking bills for individual customers to address debt they were in no way responsible for incurring and putting utility providers in uncertain financial positions.</p> <p>HB 1520 provides a way to finance this debt and any debt that may be incurred in future disasters and do so more cost-effectively than what gas utilities could accomplish on their own. State-backed securitization allows costs to be deferred for longer periods of time rather than passed on to customers immediately and allows for lower customer rates overall due to the state’s high credit rating, low administrative costs, and available financial tools.</p> <p>This bill authorizes the Railroad Commission (RRC) to issue financing orders to the Texas Public Finance Authority (TPFA), a public authority created to provide financing for certain high-dollar state agency projects. The TPFA, upon receipt of a financing order, shall issue customer rate relief bonds in the specified amount equal to the total extraordinary costs incurred by all impacted gas utilities during a</p>	<p>Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>

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disaster, system failure, or other catastrophic event, along with interest, debt service, and administrative costs. Extraordinary costs may include gas procurement, facility repairs, or other costs of service restoration. The RRC would determine that total amount - to be reimbursed to each utility from bond proceeds according to their individual losses - based on gas utilities' submitted applications. An application, to be submitted within 90 days of an event or, in the case of Winter Storm Uri, within 60 days of this bill's passage, may only be approved if the RRC determines that securitization financing would benefit customers more than traditional financing methods.

The debt would be paid through uniform customer rate relief charges set by the RRC and collected by impacted utilities (or their successors) from their current and future customers. This small fee, subject to annual formulaic adjustments as factors warrant, would be non-by passable, meaning customers would be charged the fee even if they switch gas providers or if the original utility is no longer operating until the total debt is paid. The bill limits total recoverable debt to \$10 billion, to be recovered in no more than 30 years unless circumstances require it, though industry experts anticipate the total cost would be closer to \$4 billion, recovered over 10-15 years.

While this program may require administrative personnel costs for the RRC, it is anticipated that all bonds issued by the TPFAs to cover its own expenses and all debt service costs would be recovered through rate relief charges and would, per the bill, not be a debt of the state. If this bill were to pass, utility providers impacted by the February storm would begin receiving bond proceeds by the end of the year. The bill further states that the TPFAs may place bond proceeds in a trust outside of the treasury to be withheld for the sole purpose of reimbursing utilities and, once bonds are paid off, any remaining proceeds shall be a credit to utility customers. Any profits related to rate relief bonds shall be tax-exempt.

The extraordinary costs of February's storm must be paid one way or another. By leveraging the state's good credit and administrative efficiency, HB 1520 allows for this debt to be paid over a longer period of time at a lower monthly and overall cost to customers, keeping gas utilities and their employees afloat and protecting the Texans who pay their bills.

LSG Floor Report for GENERAL STATE Calendar– Monday, April 19, 2021

<p>HB 2896 By: Bonnen</p>	<p>Relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue and allocation of accrued interest on dedicated revenue, and the exemption of</p>	<p>Appropriations Vote: 25 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>HB 2896 enables the fund consolidation process. Every legislature since 1995 has passed a consolidation bill to specify which general revenue dedicated accounts are available to use for budget certification and which are exempt. This bill will be finalized during the budget conference process to be consistent with currently moving legislation. Over the past two sessions, this process has allowed the legislature to reduce the state's reliance on dedicated accounts for the purpose of budget certification.</p>	<p>Favorable Evaluated by: Brittany Sharp (210)748-0646 Brittany@TexasLSG.org</p>
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	unappropriated money from use for general governmental purposes.			
HB 1510 By: Bailes Bell, C. Deshotel Frullo Huberty Toth White	Relating to the response and resilience of certain electricity service providers to major weather-related events or other natural disasters; granting authority to issue bonds.	State Affairs Vote: 12 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>Regulated utilities outside of the ERCOT market are already authorized to recover system restoration costs resulting from natural disasters through securitization financing, a process wherein the Public Utility Commission (PUC) may issue a financing order for the utility to issue bonds whose proceeds would cover the utility's debt in the short term. Instead of raising customer rates, the debt is then paid off over several years by low, non-by passable fees charged to current and future customers of the utility or its successor at a rate determined by the PUC and collected by the utility. HB 1510 adds to recoverable costs associated with proactive storm-hardening or weatherization.</p> <p>HB 1510 also creates a method of lower-cost, supplemental financing to allow non-ERCOT utilities, which serve about 10% of all Texans, to obtain timely recovery of system restoration and weatherization costs through securitization and the issuance of bonds by the newly created Texas Electric Utility System Restoration Corporation, a self-funded nonprofit corporation regulated by the PUC. This financing method, essentially using the corporation as a reliable intermediary for securitization, leverages the state's good credit to lower the non-by passable fees passed on to customers, and is still contingent upon the PUC's financing order approval and determination that securitization will benefit customer rates. It does not create a debt or any cost to the state.</p> <p>The bill additionally addresses the certificates of public convenience and necessity (CCNs) received by electric utilities operating outside the competitive ERCOT market. Utilities must apply to the PUC for a CCN to provide or extend their services, which may be granted after considering a variety of factors like the need for service and its probable benefits to consumers. HB 1510 adds to the list of considerations any potential economic or reliability benefits associated with a utility's dual fuel and fuel storage capabilities - two tools for mitigating the potential impacts of fuel shortages on service maintenance. Finally, the bill authorizes these non-ERCOT electric utilities to install generation facilities with a capacity of 10 megawatts or less, enough to power a large grocery store, without seeking a CCN. CCNs can take significant time and resources to obtain, so this option will allow utilities to expeditiously provide small-scale generation to customers that will reduce demand on the larger grid.</p> <p>This bill comes as a response to the February winter storm. While non-ERCOT utilities generally fared better than those in the ERCOT market, further strengthening reliability measures like weatherization, fuel storage, and backup generation is key to addressing growing electricity needs within the state, as well more extreme weather patterns caused by climate change.</p>	Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
HB 3648 By: Geren Guillen	Relating to the eligibility and designation of certain gas entities and gas facilities as critical	Energy Resources Vote: 9 Ayes,	February's winter storm and power outages revealed the neglected yet critical interconnections of electricity and natural gas services. Several natural gas operators were unable to produce and transport fuel to power plants simply because their own electricity was curtailed as the grid was unable to support electricity demand, which occurred in some cases because the utilities responsible for distributing power, and shutting it off when needed, were not aware of these gas operators' existence or importance.	Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org

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	during an energy emergency.	0 Nays, 0 PNV, 2 Absent	<p>To address this, HB 3648 directs the Public Utility Commission (PUC) and Railroad Commission (RRC) to cooperatively adopt agency rules that designate certain gas entities and facilities as critical to maintaining or restoring electricity service during an energy emergency. The RRC's rules must determine eligibility and designation requirements for entities within RRC's jurisdiction to be considered critical so that the utilities and ERCOT can determine what facilities should be prioritized and, in doing so, consider all essential operational elements, including gas production, processing, transportation, and the delivery of fuel to generators. The PUC's rules must account for informing private, municipally owned, and cooperatively owned transmission and distribution utilities and ERCOT of these designations, provide for prioritization of critical facilities during emergency load shed, and allow discretion for utilities to prioritize power delivery and restoration among their customers as circumstances require.</p> <p>These rules must be adopted by September 2021, and the PUC must report its implementation of designation and prioritization requirements to the legislature by January 2022. By entrusting regulatory agencies with powers to define and appropriately enforce critical infrastructure priorities, HB 3648 decreases the likelihood of cascading and costly electricity and related to inadequate access to natural gas.</p>	
HB 1572 By: Craddick Harless	Relating to the rental and operation of electric generation equipment.	State Affairs Vote: 12 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>HB 1572 clarifies in statute that a person or entity that leases out or commercially operates electric generation equipment on behalf of a third party is not considered a retail electric utility, so long as the electricity is generated and consumed on-site by the third party that has been unable to obtain sufficient electric delivery service elsewhere and is not resold. To maintain the competitive market system, this generation equipment may not interconnect with electric transmission or distribution systems.</p> <p>This bill clearly delineates these wholesale lessors or operators from regulated electric utilities or retail electric providers. These entities may include, for example, companies that rent out large, mobile generators by the wattage-hour, which can be useful for industrial facilities in remote parts of the state or as backup generation in the event of an energy emergency. This delineation clarifies for electricity market participants and state agencies what rules and regulations are appropriate and encourages investment in these generation equipment companies that can serve "off-the-grid" customers and take pressure off the grid during electricity supply shortages.</p>	Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
HB 619 By: Thompson, Senfronia Lopez Button Talarico	Relating to developing a strategic plan to support the child-care workforce.	International Relations & Economic Development Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent	<p>While child-care workers are essential to working families and young children, they often face barriers to adequate pay, access to public benefits, and opportunities for career growth. A framework to improve professional qualifications and standard of living for these essential workers is needed to strengthen the quality of the child-care workforce in Texas.</p> <p>HB 619 would direct the Texas Workforce Commission (TWC) to collect data and produce a strategic plan to improve the quality of the infant, toddler, preschool, and school-age child-care workforce across Texas. The plan must include specific recommendations to increase opportunities for professional development and compensation, reduce the high turnover rates, and eliminate racial and gender disparities within the workforce. The plan would also include recommendations to strengthen relationships between higher education institutions and the child-care workforce. This would be done by increasing the use of</p>	Favorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org



			<p>articulation agreements (partnerships) between higher education institutions and school districts and encouraging institutions to assist in educating child-care workers.</p> <p>During the development of the plan, TWC will convene a workgroup consisting of child-care providers, community stakeholders, and child-care workers to provide information and assist in the development process. Using demographic data of child-care workers in the state, looking specifically at age, race, ethnicity, gender and education, and compensation data TWC will provide the strategic plan no later than December 31, 2022.</p> <p>This plan would be a good first step to understanding the current condition and needs of the child-care workforce in Texas and how best to support these essential workers. As proven during the COVID-19 pandemic, child-care providers are an essential service to all working families in Texas.</p>	
<p>HB 1284 By: Paddie</p>	<p>Relating to the jurisdiction of the Railroad Commission of Texas over the injection and geologic storage of carbon dioxide.</p>	<p>Energy Resources</p> <p>Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>HB 1284 transfers to the Railroad Commission (RRC) the oversight and enforcement responsibilities for injection and geologic storage of carbon dioxide, also known as geologic sequestration, which is a technique for capturing and storing carbon dioxide released during industrial or energy-related activities into underground wells so as to reduce released emissions. Transferring sole jurisdiction to the RRC, which, depending on the well’s site, it currently shared with the Texas Commission on Environmental Quality, would make it easier for the state to request primary enforcement and permitting authority from the Environmental Protection Agency, the entity that currently issues the permits for these wells. This change would bring sequestration well permits in line with all other types of wells in Texas and make the permitting process more straightforward and efficient. Currently, only 2 other states have this primary authority.</p> <p>The bill clarifies that all revenue collected from enforcement of rules and financial responsibility mechanisms (insurance to incentivize responsible well plugging) would go to the Anthropogenic Carbon Dioxide Storage Trust and may be used for permitting, in addition to its existing uses for oversight and compliance activities concerning geologic sequestration sites. Permitting authority does require permission from the EPA, which is not expected to be granted until 2023. The bill additionally repeals the mechanism for legislative review of the RRC’s jurisdiction over both inland and offshore geologic storage, ensuring jurisdiction would not be transferred to another agency.</p> <p>The long-term effects of geologic sequestration are still being studied, and potential risks include groundwater contamination, increased seismic activity, and leakage into the air. However, consolidating authority under one technically competent agency, which has indicated a commitment to analyzing potentially adverse effects of geologic sequestration, could advance its study and practice in Texas, which could help permanently remove large quantities of carbon dioxide from the atmosphere even as industry and energy production grow.</p>	<p>Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p>HB 3807 By: Hunter</p>	<p>Relating to the use of lifeguards and informational signs to improve safety on</p>	<p>Culture, Recreation & Tourism</p>	<p>Rip currents are channelized currents of water flowing away from shore at surf beaches that can sweep even the strongest swimmers away from the shore. A scientific review found that over 100 deaths each year in the US is attributed to rip currents. Rip currents also account for over 80% of rescues performed by surf beach lifeguards. Increasing awareness of rip currents and other natural conditions is critical to</p>	<p>Favorable Evaluated by: Phuong Nguyen (832) 302-9940</p>

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	public beaches.	Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	improving public safety in beach communities. HB 3807 seeks to increase awareness of the potential dangers of rip currents and other natural conditions to keep the public safe. As part of the duty to clean and maintain the condition of public beaches, HB 3807 adds stipulates that a municipality, county, or the Park and Wildlife Department (PWD) has the responsibility to: <ul style="list-style-type: none"> • provide occupied lifeguard towers during the months of March through November on each side of each pier, jetty, or other structure that protrudes into the Gulf of Mexico located within corporate boundaries a public beach or within a state park. • post signage within 100 yards of each side of each structure that describes the dangerous water conditions around the structure. HB 3807 seeks to protect the public from natural conditions that may cause loss of life.	Phuong@TexasLSG.org
HB 2670 By: Guillen Johnson, Jarvis	Relating to the eligibility of social workers for the Homes for Texas Heroes home loan program.	Urban Affairs Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent	The Homes for Texas Heroes Home Loan Program offers homebuyer assistance to specific occupations that provide essential public services to Texas communities. Currently, the only professions to qualify are public school teachers, corrections officers, EMS personnel, firefighters, police officers, veterans/active military members. Though they provide essential public services to Texans, social workers are not currently eligible for this program. HB 2670 would add social workers to the list of eligible professions who may apply for this loan program.	Favorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org
HB 2189 By: King, P. Craddick Price King, K. Bell, C.	Relating to state contracts with and investments in certain companies that boycott energy companies.	State Affairs Vote: 12 Ayes, 1 Nay, 0 PNV, 0 Absent	HB 2189 prohibits Texas' various retirement systems and the permanent school fund from contracting with or investing in financial companies that the comptroller's office defines as a "boycott energy company," meaning those that take actions to penalize or limit commercial relations with a fossil fuel-based energy company because it does not pledge to meet environmental standards beyond applicable federal and state law. The comptroller is directed to keep and make public an annually updated list of boycotting companies. If any state entity owns direct or indirect holdings in a boycotting company, it must notify the company that it is at risk of divestment if it does not "cease boycotting" energy companies. This may be determined by various means, including publicly available data from nonprofits or research firms or simply the absence of a response to communication on the matter. Total divestment must occur within 360 days of the company receiving notice unless it is determined that divestment would be financially irresponsible and would likely result in a loss in the fund's value, in which case the entity will have to report to the legislature every 6 months proof of that likely result. State entities will not be required to divest from indirect holdings in actively or passively managed investment funds or private equity funds but must submit to the fund managers a request that boycotting companies be removed. The attorney general may bring action to enforce these rules, though no private person or company has grounds to sue or pursue a private cause of action against the state based on actions taken related to the act. Additionally, HB 2189 adds a provision to all contracts that have a value of over \$100,000 to be paid by a state agency or political subdivision, entered with companies employing 10 or more people. Contracts may	Will of the House with Concerns Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org



			<p>only be entered if the company provides written verification that it does not and will not boycott energy companies.</p> <p>This bill comes as a response to several major financial institutions like JPMorgan Chase, Wells Fargo, and Bank of America committing to more environmentally friendly investing. While their actions would not likely fit into the narrow definition of a “boycott energy company,” it would nonetheless be unfeasible to divert all state funds from major banks or other institutions that Texas financial experts have entrusted with our state’s retirement and public-school investments, without suffering unnecessary financial losses.</p> <p>The Texas Employee Retirement System indicated this bill’s passage would have a negative fiscal impact on its operations, which raises concerns that Texans and their tax dollars could be put at risk by the precedent set by this new contract requirement – and others like it that may arise in the future - that could cause Texas government entities to pass up the most economically sound and reliable investments.</p> <p>Financial companies and other commercial entities make business decisions based on their bottom line. If divesting from certain companies is in their best financial interest and supported by their customers, and still provides significant returns on their investments, the state should not punish them for it - nor should its subject retirees and schoolchildren to the potential financial fallout. Although divestment is not mandatory it could lead to a diminished return on state investments.</p>	
<p>HB 2053 By: Klick</p>	<p>Relating to the licensing and regulation of genetic counselors; requiring an occupational license; authorizing a fee.</p>	<p>Public Health 11 Ayes, 0 Nays. 0 PNV 0 Absent</p>	<p>As the occupation of genetic counseling continues to grow, there is a need to establish licensing procedures and practicing parameters to ensure that bad actors do not inflict preventable harm or damages onto patients. Genetic counseling serves the role of informing families about potential risks for genetic conditions based on the family history and other relevant information. Thus, it is important to ensure that the fidelity of the practice is intact throughout the state and that professionals are held accountable to the same standards.</p> <p>HB 2053 will establish the Licensed Genetic Counseling Advisory Board, licensure requirements for a genetic counselor, and the scope of practice for a genetic counselor. All license applications must present certain forms of evidence, including an examination and a master’s degree in genetic counseling, medical generics, or an equivalent, to the Texas Department of Licensing and Regulation (TDLR). Licenses will need to be renewed every two years following its issuing date. HB 2053 will exempt Texas licensed physicians from these provisions and will permit certain classifications of individuals to perform genetic counseling without a license.</p> <p>The TDLR will be required to adopt rules to administer and enforce the provisions of the bill, including the establishment of administrative fees and the ethical standards of practice. TDLR will also be responsible for assisting individuals seeking to file a complaint against a license holder investigating complaints issued. HB 2053 outlines the confidentiality standards for complaints as well as authorized disclosures of investigation results and disciplinary responses to filed complaints. Finally, the Texas Commission of Licensing and Regulation (TCLR) or TDLR’s executive director has the authority to:</p> <ul style="list-style-type: none"> • deny, revoke, suspend, or refuse to renew a license 	<p>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>

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			<ul style="list-style-type: none"> place a person with a suspended license on probation reprimand a license holder for violating licensing requirements, related rules, or orders. <p>HB 2053 will allow Texans to securely seek the services of a genetic counselor. If a situation arises in which a complaint or action needs to be done, then individuals will be allowed to have their complaint heard and appropriately addressed.</p>	
HB 2490 By: Howard Rose	Relating to the authority of certain minors to consent to Texas Home Visiting Program services.	Public Health 11 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>The Texas Home Visiting Program provides a vital service to eligible parents across Texas by creating supportive relationships between home visitors and families. Home visitors include nurses, experienced parents, or other trained professionals that visit with expecting parents or parents with children 6 or younger. These visits can encompass a myriad of activities or discussions with the primary goal of strengthening the integrity of the family and ensuring positive, healthy child development. This program has demonstrated promising results of reducing 56% of emergency room visits related to poisonings, reducing 48% of instances of abuse or neglect, and improving newborn and maternal health.</p> <p>HB 2490 would allow qualified new parents under 18 to access the benefits of the Texas Home Visiting Program.</p>	Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org
HB 1578 By: Landgraf Vasut	Relating to recovery of attorney's fees in certain civil cases.	Judiciary & Civil Jurisprudence Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>It has been noted that in some civil matters, attorney's fees from some legal entities can be difficult to recover due to the way current state law is written. Currently, a section in the Civil Practice and Remedies Code (CPRC) excludes many legal entities, such as state agencies and specific classes of business entities, in the recovery process of attorney's fees.</p> <p>HB 1578 seeks to address this by expanding the list of entities from which attorney's fees may be recovered in civil action matters to include an organization, the state, or an agency or institution of the state. This ensures that no entity is excluded from having to pay back legal fees.</p>	Favorable: Evaluated by: Victoria McDonough (251) 422-0558 Victoria@TexasLSG.org
HB 129 By: González, Mary Leach Moody Capriglione	Relating to digital citizenship instruction in public schools.	Public Education Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>Computer literacy is critical to a child's education. Digital citizenship refers to responsible technology usage and it is essential in student achievement and online safety. Currently, the law requires that school districts include instruction in "digital citizenship" in the curriculum. HB 129 seeks to specify the elements of such instructions.</p> <p>HB 129 requires students enrolled in the sixth grade to complete digital citizenship instruction as part of the district's social studies curriculum. HB 129 also seeks to precisely define "digital citizenship" to mean the standards of appropriate, responsible, and healthy online behavior. It would include:</p> <ul style="list-style-type: none"> media literacy (the ability to identify credible sources of information) digital ethics (etiquette, safety, security, and the identification of hate speech, racism, and discrimination) cyberbullying prevention and response <p>HB 129 will give young Texans the opportunity to learn how to navigate the internet in a safe, appropriate, and productive way.</p>	Favorable Evaluated by: Phuong Nguyen (832) 302-9940 Phuong@TexasLSG.org

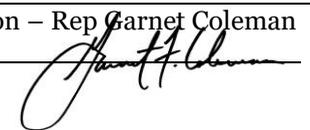


<p>HB 1788 By: Hefner</p>	<p>Relating to immunity from liability of public and private schools and security personnel employed by those schools for certain actions of security personnel.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>Vote: 5 Ayes, 1 Nays, 0 PNV, 3 Absent</p>	<p>Currently Texas law provides immunity from liability for personal injury claims for school staff. HB 1788 seeks to extend immunity of liability to school districts, open-enrollment charter schools, and private schools, for the actions of security personnel to maintain the safety of the school campus, including possession or use of a firearm. The bill's definition of security personnel includes a school district peace officer, school marshals, school resource officers, and retired peace officers.</p> <p>HB 1788 will also grant immunity to school districts, open-enrollment charter schools, private schools if these entities have written permission from the board of trustees or their governing body, and security personnel employed by these entities for any damages resulting from any reasonable action to maintain the safety of the school campus, including action relating to the possession of a firearm.</p> <p>There is evidence that the presence of guns on school campuses increases the risk of unintentional injuries which creates additional dangers for students. By giving immunity to security personnel, it could encourage the presence of firearms on school campuses. Studies have shown that having an armed guard on school campuses decreases educational outcomes and increases violence and crimes. Investment in mental health resources and prevention such as school psychologists or guidance counselors have been shown to have better outcomes than increased policing in schools.</p>	<p>Unfavorable Evaluated by: Victoria McDonough (251) 422-0558 Victoria@TexasLSG.org</p>
<p>HB 2374 By: Sanford Hull Noble</p>	<p>Relating to efficiency audits of the Department of Family and Protective Services.</p>	<p>Human Services</p> <p>Vote: 5 Ayes, 3 Nays, 0 PNV, 1 Absent</p>	<p>HB 2374 would require the Department of Family and Protective Services (DFPS) to undergo an efficiency audit every four years, to be conducted by an external third-party auditor. The goal of this audit would be to examine fiscal management, efficiency, outcomes for children and families served by DFPS, and utilization of resources. In collaboration with the Family and Protective Services Council, the DFPS CFO, and the DFPS internal audit director, the DFPS commissioner will select the auditor. However, the Legislative Budget Board would establish the scope and areas of investigation the audit will cover. DFPS would be responsible for covering the costs associated with the audit through money appropriated for administrative and internal audit operations. If DFPS fails to conduct this audit, during the next fiscal biennium the department may not be appropriated funds greater than DFPS's baseline budget.</p> <p>There are concerns that the auditor might recommend outsourcing DFPS functions to private vendors. DFPS functions regarding sensitive privacy matters of families and individuals in crisis should be retained by the state agency. DFPS already creates an annual audit plan to perform internal audit activities that addresses issues of control, risk management, and governance of the agency. To add an additional strain on an already stretched agency raises concerns about how the added audit could affect agency function.</p>	<p>Favorable, with concerns Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>
<p>HB 3788 By: Holland</p>	<p>Relating to the training and education of appraisal review board members.</p>	<p>Ways & Means</p> <p>Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The Tax Code currently requires Appraisal Review Board (ARB) members to complete certain training and continuing education courses, specifically stipulating in-person attendance.</p> <p>HB 3788 allows ARB members to complete required training and continuing education courses through distance learning rather than solely in person. This change helps limit out-of-pocket travel expenses and ensures training requirements can be met when in-person attendance is not feasible.</p>	<p>Favorable Evaluated by: Cassidy Kenyon (760) 429 8388 Cassidy@TexasLSG.org</p>



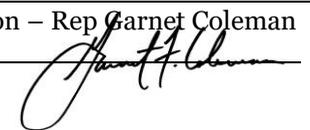
HB 2530 By: Ashby	Relating to the rate of interest on certain tax refunds.	Ways & Means Vote: 9 Ayes, 0 Nays, 0 PNV, 2 Absent	Taxpayers are entitled to interest on refunds and overpayments at a rate determined by the Comptroller, who calculates that rate annually in December based on money deposited in the state treasury interest fund. The Comptroller is often unable to update their system with the correct interest rate by January 1st due to holiday time off at the end of the year. HB 2530 changes the rate-determining month from December to November, which will ensure taxpayers are informed of the appropriate rate by January 1st.	Favorable Evaluated by: Cassidy Kenyon (760) 429 8388 Cassidy@TexasLSG.org
HB 3348 By: Pacheco Middleton Campos Cortez Allison	Relating to the number of baccalaureate degree programs certain public junior colleges may offer.	Higher Education 10 Ayes, 0 Nays, 0 PNV, 1 Absent	Currently, public junior colleges are not able to offer more than three bachelor's degree programs at one time. This severely limits options for individuals seeking higher education who may not have the finances or the ability to attend postsecondary institutions that offer more programs. Expanding the number of bachelor's degree programs offered will attract more students to seek higher education as well as increase opportunities for lower income students. HB 3348 will remove the three program restrictions and increase the cap to five bachelor's degree programs. HB 3348 will allow for more Texans to seek higher education in more diverse subject areas and increase their ability to find better compensated, long-term employment.	Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org
HB 3801 By: Metcalf	Relating to desired future conditions for groundwater that are declared unreasonable.	Natural Resources Vote: 9 Ayes, 0 Nays, 0 PNV, 2 Absent	Every five years, Groundwater Conservation Districts (GCDs) are required to develop and submit to the Texas Water Development Board (TWDB) management plans for efficient groundwater use, balancing production for current needs and conservation for the future. These plans must incorporate "desired future conditions" (DFCs) for each aquifer, decided upon by GCD representatives in each water management region using groundwater availability models and other technical considerations, and then adopted by each district. There has been confusion around how the TWDB should address management plans in which the adopted desired future conditions are being petitioned or were deemed unreasonable. HB 3801 clarifies that a management plan shall be considered administratively complete by the TWDB so long as it includes, in addition to the other established requirements, the most recently adopted conditions, the model those conditions were based on, and, if the conditions are petitioned, a statement on the status of the petition. The bill also requires that GCDs amend their management plans within 2 years of adopting new DFCs, ensuring clarity for all involved parties and the assurance that any contested, potentially unreasonable DFCs will be addressed in a timely manner.	Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
HB 3429 By: Harris	Relating to inspection requirements for buyer's temporary tags for vehicles sold to nonresident buyers of certain vehicles.	Transportation Vote: 13 Ayes, 0 Nays, 0 PNV, 0 Absent	The expansion of licensed online vehicle dealerships has created a situation where drivers from other states are purchasing vehicles located in Texas that are then transported back to the purchaser's home state. However, current law requires a dealer to have a vehicle inspected before issuing a temporary buyer's tag without regard to where the vehicle will be used. HB 3429 would create an exemption for dealerships to provide temporary buyers tags in these situations. This bill would exempt online dealers from issuing a temporary tag when the vehicle buyer is residing, registering, and titled in another state. Additionally, the vehicle must comply with all inspection, title, and registration requirements by the home state.	Favorable Evaluated by: Joy Fairchild (713) 817-3842 Joy@TexasLSG.org

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<p>HB 3619 By: Bowers</p>	<p>Relating to the criteria considered by groundwater conservation districts before granting or denying a permit.</p>	<p>Natural Resources Vote: 9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>HB 3619 orders that groundwater conservation districts (GCDs), when considering granting or denying a well permit, must consider its impact on existing wells that are exempt from the requirement to obtain a permit from the GCD - typically shallow wells operated for domestic use or to provide water for livestock. There is concern that industrial wells, which pump significant amounts of water, can have negative impacts on the nearby groundwater supply, and in some cases, have caused small domestic wells to dry up. This bill does not require GCDs to make permitting decisions one way or another, but instead seeks to include the needs of small-scale ranchers, farmers, and other domestic well users in permitting considerations.</p>	<p>Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p>HB 530 By: Patterson White Hull Dominguez</p>	<p>Relating to the applicability to election judges of a prohibition on the carrying of a handgun at a polling place.</p>	<p>Homeland Security and Public Safety 6 Ayes, 3 Nays, 0 PNV, 0 Absent</p>	<p>Texas law prohibits carrying weapons at polling locations on the day of an election or during early voting. HB 530 will exempt election judges with a License to Carry (LTC) from the offense of intentionally, knowingly, or recklessly possessing a handgun at a polling place during early voting and official election days.</p> <p>The rationale for this bill is the Attorney General’s nonbinding opinion that general prohibitions do not apply to specific individuals, specifically election judges statutorily obligated by the Election Code to “preserve order and prevent breaches of peace and violations.” The Attorney General’s opinion also states that carrying weapons on prohibited premises is still not legal for election judges without making any exemptions to the Penal Code section 46.035, which describes charges related to unlawfully carrying a weapon. Each criminal penalty in this section lists locational exemptions specific to each charge, thus amending section 46.03 alone would not constitute any legal protections or exemptions to prosecution for an election judge holding an LTC.</p> <p>The Attorney General’s finding that it is permissible for presiding judges at polling places to carry firearms at an election location cites a 1913 court case establishing precedence, but that legal decision was made long before the Voting Rights Act of 1965 and amendments made in 1983 further preventing voter intimidation.</p> <p>Given the tension of the last election and the number of counties with limited peace officers, the desire for protection is understandable. However, allowing election judges to carry weapons at polling places could increase voter intimidation, create liability for counties, and pose complications at polling places located in zones that are federally prohibited from allowing firearms.</p>	<p>Unfavorable Evaluated by: Cassidy Kenyon (760) 429 8388 Cassidy@TexasLSG.org</p>
<p>HB 1490 By: Dean Frank</p>	<p>Relating to notice of the cash price of certain health care services by certain hospitals.</p>	<p>Public Health 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Medical costs are often the most daunting aspect of seeking medical care in Texas. More so, the arduous task of trying to decipher the accurate cost of care is time consuming and confusing. Hospitals currently maintain public postings of the cost of healthcare services via a federal rule from the Centers of Medicare and Medicaid Services. However, there is a risk that the rule could be subject to change.</p> <p>HB 1490 would codify that rule into the Texas Health and Safety Code so that even if the federal rule is changed, allowing Texans to benefit from the state law, which would require that hospitals disclose the cash price for health care services, either on the hospital’s website or in written form upon request. The transparency of cost would benefit Texans that are trying to make the most effective choice with health care.</p>	<p>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>

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<p>HB 1403</p> <p>By: Johnson, Ann Metcalf</p>	<p>Relating to the imposition of consecutive sentences for certain offenses arising out of the same criminal episode.</p>	<p>Criminal Jurisprudence</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>When judges assign sentences consecutively, they are served back-to-back. Sentences that run concurrently are served at the same time. These tools are used when guilt is determined for multiple similar or repeated offenses in one episode of criminal activity. In certain cases, such as human trafficking, multiple offenses are often committed in one criminal episode, but existing statute does not allow prosecutors to assign sentences consecutively.</p> <p>HB 1403 allows courts to levy consecutive sentences in certain cases currently not permitted by law. The bill applies to several human trafficking and sex offender-related offenses, offenses that inflict injury to children, elderly, or disabled individuals, driving or operating motor vehicles while intoxicated (DWI), and DWI manslaughter. HB 1403 adds that any combination of these offenses could be levied consecutively to increase an overall sentence, but the court may not supersede plea agreements.</p> <p>HB 1403 clarifies existing case law and expands consecutive sentencing to loop activities that arise from the same episode, enhancing accountability and safety for all Texans.</p>	<p>Favorable</p> <p>Evaluated by: Chelsea Dalton Pederson (512) 661-9708 Chelsea@TexasLSG.org</p>
<p>HB 907</p> <p>By: Johnson, Julie</p>	<p>Relating to prior authorization for prescription drug benefits related to the treatment of autoimmune diseases.</p>	<p>Insurance</p> <p>Vote: 6 Ayes, 3 Nays, 0 PNV, 0 Absent</p>	<p>Prior authorizations (PAs) are used by health insurance companies to evaluate the medical necessity and appropriateness of medications. There are concerns that PA requirements delay access to important medications. 81% of PA reauthorizations are reported to interfere with continuity of care for patients with arthritis, asthma, and other autoimmune diseases. This can cause confusion and frustration amongst patients who often require these medications for a lifetime. HB 907 seeks to reduce the number of patients who leave treatment due to medication delays and ameliorate circumstances leading to adverse events.</p> <p>HB 907 limits the number of PAs for prescription drugs to treat autoimmune diseases that a health plan issuer may require to one per year. The bill applies to small employers, groups, nonprofits, church-related entities, Medicaid, and local or regional benefit plans providing basic and standard insurance.</p>	<p>Favorable</p> <p>Evaluated by: Chelsea Dalton Pederson (512) 661-9708 Chelsea@TexasLSG.org</p>
<p>HB 2450</p> <p>By: Vasut</p>	<p>Relating to antique outboard motors.</p>	<p>Culture, Recreation & Tourism</p> <p>Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Texas law requires all motorized vessels, non-motorized vessels 14 feet in length or longer, and all outboard motors to be titled. Generally, outboard motor vessels are older and are utilized by those less able to purchase newer models. Obtaining a title for an outboard motor is costly, time-consuming, and challenging because they often are purchased from junkyards with no bill of sale. This requirement makes it difficult for younger generations and low-income families to enjoy recreational boating.</p> <p>HB 2450 seeks to make it easier for Texans to use antique outboard motors that are at least 40 years old with a capacity of not more than 25 horsepower from having a certificate of title requirement.</p>	<p>Favorable</p> <p>Evaluated by: Phuong Nguyen (832) 302-9940 Phuong@TexasLSG.org</p>

