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*An Official Caucus of the Texas House of Representatives*

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### LSG Floor Report for GENERAL STATE Calendar– Tuesday, April 6, 2021

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 103</b> By: Landgraf   Meyer   Guillen   Kuempel	Relating to establishment of the Texas Active Shooter Alert System.	Homeland Security and Public Safety  Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>HB 103 also titled the Leila Hernandez Act in honor of a 15-year-old victim, is a response to an active shooter situation that happened in August of 2019. A gunman took the lives of 8 people and injured 25 more while driving across Midland/Odessa firing a semi-automatic rifle. Law enforcement was unable to locate the shooter for over an hour, resulting in significant loss of life and injury that could have been prevented if people in the community knew of the active shooter situation.</p> <p>HB 103 directs the Texas Department of Public Safety to work with all relevant entities to develop an Active Shooter Alert system to prevent future loss of life. The bill also requires the Texas Department of Transportation to utilize their existing Dynamic Messaging Signs (the system delivering Amber Alerts and Silver Alerts) to activate an emergency active shooter alert within a 50-mile radius. DPS will be responsible for statewide coordination of the system, including:</p> <ul style="list-style-type: none"> <li>• Recruiting relevant public and private participants to assist in developing and implementing the alert system</li> <li>• Creating forms for managing activation requests</li> <li>• Obtaining necessary information from law enforcement and coordinating response within a 50-mile radius</li> <li>• Distributing instructions for activation and deactivation.</li> </ul> <p>In the event of another mass shooting, this alert system will alert the public about the dangerous situation and minimize future fatalities and injuries.</p>	<b>Favorable</b> Evaluated by: Cassidy Kenyon (760) 429-8388 Cassidy@TexasLSG.org
<b>HB 1658</b> By: Murphy	Relating to the methods by which the comptroller may provide notice of a deficiency determination or	Ways and Means  Vote: 10 Ayes, 0 Nays,	In accordance with current law, the Comptroller’s Office can only use mail or personal service to deliver audit notices, efficiency determinations, and jeopardy terminations. However, the COVID-19 pandemic executive order allowed these notices to be sent via email. HB 1658 updates the Tax Code by adding provisions that give taxpayers the choice to receive audit notices, efficiency determinations, and jeopardy determinations by email. Taxpayers will be given the option to receive notices by email or mail during their	<b>Favorable</b> Evaluated by: Cassidy Kenyon (760) 429-8388 Cassidy@TexasLSG.org

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	jeopardy determination.	0 PNV, 1 Absent	biannual exit audits and asked to provide an email address for Comptroller records. This update will create greater efficiency and savings for the agency on postage costs.	
<b>HB 914</b> By: Hernandez	Relating to the authority of certain municipal employees to request the removal and storage of certain abandoned or illegally parked or operated vehicles.	Licensing and Administrative Procedure  Vote: 8 Ayes, 0 Nays, 0 PNV, 3 Absent	In many municipalities, parking compliance officers are responsible for responding to abandoned vehicle calls and peace officers are required by statute to be present for towing abandoned or illegally parked vehicles. This requirement creates problems when officers cannot respond to towing requests in a timely manner, particularly when vehicles are illegally parked in a public right-of-way and obstructing traffic.  HB 914 will allow employees designated by a municipality to request and oversee towing for vehicles in public spaces that are illegally parked and/or have been appropriately designated as abandoned. The bill additionally clarifies that employees may oversee abandoned or illegally parked vehicle towing and storage without the supervision of a peace officer.	<b>Favorable</b> Evaluated by: Cassidy Kenyon (760) 429-8388 Cassidy@TexasLSG.org
<b>HB 2677</b> By: Bonnen	Relating to the name of the statewide alert system for certain missing adults.	Homeland Security & Public Safety  Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	The 86th Legislature created an alert system for missing adults younger than 65 years of age. This program sends out statewide alerts that assist law enforcement in locating and rescuing missing, kidnapped, or abducted adults who may be in immediate danger of injury or death.  HB 2677 would name the existing alert system Coordinating Law Enforcement Adult Rescue (CLEAR) alert.	<b>Favorable</b> Evaluated by: Cassidy Kenyon (760) 429-8388 Cassidy@TexasLSG.org
<b>HB 2073</b> By: Burrows   Goldman   Longoria   Meyer   Sherman, Sr.	Relating to quarantine leave for firefighters, peace officers, and emergency medical technicians employed by, appointed by, or elected for a political subdivision.	County Affairs  Vote: 7 Ayes, 1 Nays, 0 PNV, 1 Absent	HB 2073 requires political subdivisions to provide all employment benefits and compensation, as well as costs related to quarantine, to a first responder who is ordered by a supervisor or a health authority to quarantine or isolate due to possible or known exposure to a communicable disease. Additionally, it stipulates that a political subdivision may not reduce a first responder's sick leave, vacation leave, holiday leave, or other paid leave balances in connection with quarantine leave.  This bill ensures that first responders and their families will not be burdened financially due to being exposed to a communicable disease.	<b>Favorable</b> Evaluated by: Spencer Carruth (512) 465-0760 Spencer.Carruth_HC@house.texas.gov
<b>HB 2462</b> By: Neave   Button   Collier   González, Mary   Meyer	Relating to a forensic medical examination occurring with respect to a sexual assault reported to a law enforcement	Homeland Security & Public Safety  Vote: 9 Ayes, 0 Nays,	The 2019 the Lavinia Masters Act was an omnibus bill that sought to address the backlog of untested rape kits in Texas. However, certain areas of the law still create barriers for victims, including the limited time frame of 96 hours to report a sexual assault and a law enforcement agency's ability to deny forensic medical examinations.  HB 2462 requires law enforcement agencies to fill out a form explaining denials for requested forensic examinations and extends the time limitation from 96 hours to 120 hours after the assault. While current	<b>Favorable</b> Evaluated by: Cassidy Kenyon (760) 429-8388 Cassidy@TexasLSG.org



	agency.	<ul style="list-style-type: none"> <li>o PNV,</li> <li>o Absent</li> </ul>	<p>law allows law enforcement agencies to request an examination when they consider it appropriate, HB 2462 stipulates that agencies may request an examination in the following circumstances:</p> <ul style="list-style-type: none"> <li>• It is determined that an examination would further an investigation based on the report of the assault.</li> <li>• Physicians, sexual assault examiners, or sexual assault nurse examiners conduct a medical evaluation and notify an agency that a forensic medical examination should be requested.</li> </ul> <p>Creating alternative channels to obtain a forensic medical examination will provide more power and autonomy to victims of sexual assault while improving law enforcement investigation practices to better apprehend perpetrators.</p>	
<b>HB 1445</b> By: Oliverson   Meyer   Allison	Relating to the applicability of the sales and use tax to certain insurance services.	<p>Ways and Means</p> <p>Vote: 10 Ayes 0 Nays 0 PNV 1 Absent</p>	<p>Third party medical billing companies are often used to assist small and large practices alike when they need help with submitting direct insurance requests to receive reimbursement. Due to the increasing complexity of medical billing, claims processing is more difficult for practitioners to manage without third party assistance.</p> <p>The comptroller recently determined that preparing medical claims is part of the insurance claim process, thus medical billing services preparing claims for filing are part of claims adjusting or processing. A rule will go into effect later this year imposing sales and use taxation on insurance processing services. However, the rule is intended for a process performed entirely in house, and third-party medical billing companies will be negatively impacted. To prevent repetitive taxation that punitively impacts small businesses such as third-party medical billing companies, HB 1445 provides an exemption for medical and dental billing services performed before the submission of a claim. Sales and use tax will still be remitted in accordance with the intent of the comptroller and third-party billing companies will not be forced to remit a tax they are not legally obligated to pay.</p>	<b>Favorable</b> Evaluated by: Cassidy Kenyon (760) 429-8388 Cassidy@TexasLSG.org
<b>HB 1755</b> By: Metcalf	Relating to the removal of an alcoholic beverage by an ultimate consumer from the premises of a mixed beverage permit holder.	<p>Licensing and Administrative Procedure</p> <p>Vote: 7 Ayes, 0 Nays, 0 PNV, 4 Absent</p>	<p>Texas currently allows patrons to take home recorked wine bottles purchased with food from restaurants holding a mixed beverage permit. HB 1755 would authorize restaurants with mixed beverage permits to allow patrons to take home opened or closed bottles of wine with purchase food. This change would afford some restaurants the opportunity to expand their offerings to customers while providing another option to increase revenue in the food and beverage industry following a difficult year due to the COVID-19 pandemic.</p>	<b>Favorable</b> Evaluated by: Cassidy Kenyon (760) 429-8388 Cassidy@TexasLSG.org
<b>HB 1675</b> By: Allison   Middleton   Pacheco	Relating to guardianships of the person of wards with profound intellectual disabilities who are	<p>Judiciary &amp; Civil Jurisprudence</p> <p>Vote: 8 Ayes, 1 Nays,</p>	<p>HB 1675, also known as Caleb's Law, offers an alternative application process to guardianship that would not require an initial hearing, attorney ad litem, or court investigators. HB 1675 applies to those who are minors or were minors when their guardianship proceedings commenced and have been found to have profound intellectual disabilities. The new application process for retaining guardianship of the proposed ward consists of a sworn affidavit stating that:</p> <ul style="list-style-type: none"> <li>• The applicant is the parent and has been the primary caregiver for all or most of the proposed ward's life.</li> </ul>	<b>Unfavorable</b> Evaluated by: Victoria McDonough (251) 422-0558 Victoria@TexasLSG.org



	<p>minors or were minors when their guardianship proceedings commenced.</p>	<p>o PNV, o Absent</p>	<ul style="list-style-type: none"> <li>The applicant has never been the subject of an allegation, complaint, or investigation concerning the abuse, neglect, or exploitation of the proposed ward.</li> </ul> <p>After the appointment of guardian, HB 1675 states that no other action shall be had in the probate court other than the review regarding the continuation, modification, or termination of the guardianship at the court's discretion, but not more frequently than once every five years unless the guardian of the person of the ward is also the guardian of the estate of the ward. HB 1675 states that the court shall seal a written letter or certificate, any medical records, or documents examined by the court unless the court finds good cause not to seal the documents. HB 1675 also states that letters of guardianship issued to a guardian do not expire unless the guardian is removed or would otherwise be ineligible to serve as guardian. HB 1675 would exempt the guardian of the ward from filing an annual report regarding the maintenance of the ward unless the court finds that it is in the best interest of the ward to do so.</p> <p>Disability rights groups oppose the bill due to serious concerns that the provisions of the bill would strip the rights of individuals with IDD by not requiring an initial hearing, attorney ad litem, or a court investigator. This bill would also decrease court oversight by limiting annual reporting and review requirements limiting the court's ability to determine if alternatives to guardianship are feasible. The current process for establishing guardianship is in place to ensure that the individual's rights are protected, their interests are represented by unbiased parties, and their rights are not removed unnecessarily.</p>	
<p><b>HB 699</b> By: Rosenthal</p>	<p>Relating to public school attendance and promotion requirements for students diagnosed with or undergoing related treatment for severe or life-threatening illnesses.</p>	<p>Public Education</p> <p>Votes: 13 Ayes o Nays o PNV o Absent</p>	<p>Currently, medical appointments are counted as excused absences by school districts if the student returns to school on the same day. However, the statute does not address the situation where a student cannot attend school for an indefinite amount of time because of a medical condition or a prolonged health emergency. Students with medical conditions such as cancer or chronic diseases sometimes require emergency care or treatment. Because a student must attend class 90% of the time to be promoted, these students are at a higher risk of not being promoted to the next grade.</p> <p>HB 699 seeks to allow excused absences to include those related to a severe or life-threatening illness or related treatment that makes the student's attendance impossible. Parents or legal guardians must provide a certification from a licensed Texas physician specifying the student's illness and the anticipated time of absence. HB 699 requires a school to offer additional counseling to the student instead of referring them to truancy court due to the student's illness or treatment. Further, HB 699 prohibits a district from denying promotion to a student who did not meet specific testing requirements due to circumstances related to a severe or life-threatening illness or related treatment.</p> <p>HB 699 ensures that students facing medical challenges do not get penalized because they have a severe or life-threatening illness.</p>	<p><b>Favorable</b> Evaluated by: Phuong Nguyen (832) 302-9940 Phuong@TexasLSG.org</p>
<p><b>HB 2404</b> By: Meyer</p>	<p>Relating to the creation and maintenance of a database of</p>	<p>Ways and Means</p> <p>Vote:</p>	<p>Currently municipalities can offer loans or grants from city money to business projects at little to no cost for the purposes of economic development. Concerns have been raised regarding lack of transparency on how this program is utilized. Without access to any information regarding what types of agreements are made, how much money is spent per agreement, and what incentives are offered, non-governmental economic</p>	<p><b>Favorable</b> Evaluated by: Cassidy Kenyon</p>



	<p>information regarding certain local economic development agreements; providing a civil penalty.</p>	<p>10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>research groups have no meaningful data to evaluate the effectiveness of these agreements. More importantly, there is a lack of transparency preventing taxpayers from holding their local governments accountable.</p> <p>HB 2404 requires local governments, defined as municipalities, counties, county industrial commissions, and county boards of development, to submit all relevant information regarding these agreements to the comptroller within 7 business days of making or amending an agreement. The comptroller will then publish these agreements in a public online database within 15 business days. This information must be accessible to the public for the duration of the agreement and no fees can be required for access. Local governments with a website are required to include a direct link to the database containing their agreements. If the information is not provided, the Comptroller’s Office will send a notice describing and requesting the required information within 30 days from receiving the notice. Previously existing agreements must be entered into the database by January 1st, 2022. The bill authorizes a \$1,000 civil penalty against local governments who do not comply after receiving notice and establishes a defense should the Attorney General sue for non-payment of a fee.</p> <p>Providing access to information regarding these agreements provides important transparency in government spending.</p>	<p>(760) 429-8388 Cassidy@TexasLSG.org</p>
<p><b>HB 1677</b> By: Holland</p>	<p>Relating to the establishment of the Texas Police Service Animals Memorial Monument in the Capitol Complex.</p>	<p>Culture, Recreation, &amp; Tourism</p> <p>Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The Texas Peace Officer Memorial Monument on the Capitol grounds honors those officers that have lost their lives in the line of duty. However, there is no recognition of service animals that have died in the line of duty. Police service animals are a highly trained part of law enforcement teams and are an integral part of pursuing fugitives and searching for missing persons, narcotics, and weapons. Some of these animals die in the line of duty to protect their human counterpart.</p> <p>HB 1677 seeks to establish a monument on the Capitol Complex’s grounds adjacent to the Texas Peace Officers Memorial Monument to recognize and honor service animals killed in the line of duty. Funds for the monument will come from public and private entity donations with no additional fiscal impact to the state. HB 1677 seeks to honor and recognize police service animals for their service.</p>	<p><b>Favorable</b> Evaluated by: Phuong Nguyen (832) 302-9940 Phuong@TexasLSG.org</p>

