



TEXAS LEGISLATIVE STUDY GROUP

An Official Caucus of the Texas House of Representatives

STEERING COMMITTEE

Chair, Rep. Garnet Coleman
 Co-Vice Chair, Rep. Yvonne Davis
 Co-Vice Chair, Rep. Ana Hernandez
 Treasurer, Rep. Armando Walle
 Secretary, Rep. Victoria Neave
 General Counsel, Rep. Lina Ortega

Rep. Diego Bernal
 Rep. Abel Herrero
 Rep. Mando Martinez
 Rep. Eddie Rodriguez
 Rep. Toni Rose
 Rep. Harold Dutton
 Rep. Chris Turner
 Rep. Rafael Anchia
 Rep. Carl Sherman

Rep. Mary González
 Rep. Gina Hinojosa
 Rep. Rhetta Bowers
 Rep. John Turner
 Rep. Ina Minjarez
 Rep. Sergio Muñoz
 Rep. Alex Dominguez
 Rep. Nicole Collier
 Rep. Julie Johnson

Rep. Vikki Goodwin

Representative Tracy King Desk 1

| LSG Floor Report For POSTPONED BUSINESS- Wednesday, May 12, 2021 | | | | |
|--|---|--|---|---|
| Author | Caption | Committee | Analysis & Evaluation | Recommendation |
| HB 416 Walle Reynolds | Relating to plot plan requirements for an application for a standard permit for a concrete batch plant issued by the Texas Commission on Environmental Quality. | Environmental Regulation Votes: 7 Ayes, 0 Nays, 0 PNV, 2 Absent | <p>Concrete batch plants can significantly impact quality of life in surrounding neighborhoods, creating dust, noise or even causing respiratory issues such as asthma. The Texas Commission on Environmental Quality (TCEQ) requires air quality standard permits for these businesses to protect the public in terms of clean air. However, lack of pertinent information in applications has resulted in certain distance requirements not being met, which puts concrete batch plants in close proximity to neighborhoods in a manner that can cause environmental harm.</p> <p>HB 416 requires an air quality standard permit application for concrete plants performing wet and dry batching or central mixing as defined by the TCEQ. The same permit application is also required for concrete batch plants to include a mapping plot plan that clearly shows scale, equipment locations, property lines, and setback information if that is a condition of the permit.</p> <p>These changes will show exactly where concrete batch stockpiles are located in relation to surrounding neighborhoods impacted by their presence. Increasing air quality standard permit application requirements ensures concrete batch plants accurately submit what is required of them to provide better accountability measures.</p> | Favorable Evaluated by: Cassidy Kenyon (713)817-3842 Cassidy@TexasLSG.org |
| HB 1418 By: Leach Gervin-Hawkins Lucio III Holland | Relating to civil liability and responsibility for the consequences of defects in the plans, specifications, or | Judiciary & Civil Jurisprudence Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent | <p>Currently in Texas, if a contractor follows the plans and specifications given to them by the owner, architect, or engineer, and the plans contain a defect in the design, the contractor can be held liable, regardless of if they had a hand in the design or not. This statute dates back to a 1907 Texas Supreme Court Case Lonergan v. San Antonio Loan & Trust, which was affirmed in 2012.</p> <p>HB 1418 seeks to amend the Business and Commerce Code by making it so that a contractor is not responsible for the consequences of defects in a contract, and it may not warrant the accuracy, or suitability of plans, specifications, or other design or bid documents provided to the contractor. If the contractor finds a</p> | Will of the House Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org |

OK for Distribution - Rep Garnet Coleman

| | | | | |
|-------------------------------------|---|--|---|---|
| | <p>related documents for the construction or repair of an improved real property.</p> | | <p>defect in the plans, then the contractor must provide written disclosure about known defects in the plans, specifications, or other design or bid documents, to whom they entered the contract with, within a reasonable amount of time. If a contractor fails to disclose a defect in the plans once they become aware, then they may be held liable for the consequence of the deficit.</p> <p>HB 1418 also amends the Civil Practice and Remedies Code by stating that a construction contract for architectural or engineering services be performed with the professional skill and care ordinarily provided by competent architects or engineers practicing under the same or similar circumstances. The design services provided under a design-build contract are subject to these same standards of care. If a contract contains different standards of care, then the contract would be void and unenforceable.</p> <p>The bill would not apply to a contract entered into by a person for the construction or repair of a critical infrastructure facility. For purposes of this bill, the definition of critical infrastructure includes pipelines, related appurtenances or facilities, utility-scale equipment, or facilities to transmit or distribute electricity, and utility-scale water storage facilities, and that the absence of fencing or signage would not disqualify an item from being classified or treated as a critical infrastructure facility for the purpose of the bill.</p> <p>Many stakeholders would still not be exempt under the definition of the bill of critical infrastructure and the bill could also increase construction costs, and limit freedom to contract for large, specialized construction projects such as aerospace, semiconductors, automotive, pharmaceuticals, etc., that we are trying to attract to the state of Texas. These projects would provide high-wage jobs with the ability for the jobs to multiply. The bill has the ability to make Texas less competitive with neighboring states.</p> | |
| <p>HB 1396 By: White</p> | <p>Relating to law enforcement agencies and policies and procedures affecting peace officers.</p> | <p>Homeland Security & Public Safety</p> <p>Vote: 5 Ayes, 4 Nays, 0 PNV 0 Absent</p> | <p>There is a need to increase citizen trust in peace officers. HB 1396 seeks to increase trust in peace officers in our communities by expanding law enforcement regulation. To help build trust, TCOLE must be properly equipped to hold law enforcement agencies (LEAs) accountable and set expectations that create trustworthy peace officers.</p> <p style="text-align: center;">Employment Practices</p> <p>The re-hiring of dangerous peace officers is a serious public safety threat in Texas. Current policy requires LEAs to fill out a termination report known as a notice of separation form (F-5), and the bill removes the requirement for this report to explain whether resignation, termination, or retirement occurred and state if the officer was honorably, generally, or dishonorably discharged. HB 1396 requires the report be updated to indicate whether the officer was eligible for honorable discharge or suspected of misconduct regardless of if termination occurs. Misconduct is specifically described as criminal behavior, regardless of whether the officer was charged with an offense, and a separation designated as an honorable discharge signifies an officer was in good standing with no suspicion of misconduct. LEA leadership will be required to submit a report every time an agency separation occurs for any reason, and forms must be updated by December 1st, 2021 for separations occurring on or after that date.</p> | <p>Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p> |



| | | | |
|--|--|---|--|
| | | <p>HB 1396 authorizes TCOLE to require all LEAs submit a report detailing each substantiated instance of police officer misconduct and indicating whether the officer received disciplinary action, was fired, or retired. TCOLE must make this information available to all state LEAs, and following an incident, investigating federal agencies must also be provided access. Outside of this use, information reported to TCOLE is confidential from disclosure under the public information act. TCOLE will also be required to update misconduct incidences with information required by the bill as soon as possible after each regularly scheduled meeting, and the initial report must be published by June 1st, 2022. LEAs and officials will be exempt from civil liability for damages resulting from making an officer’s employment records available to hiring agencies, which is an important measure to ensure agencies can hold officers accountable and comply with these requirements without fear of a potential lawsuit.</p> <p style="text-align: center;">Developing Model Policy</p> <p>The bill sets out provisions on mandatory policy changes by amending the Code of Criminal Procedure. LEAs will be required to meet with judiciaries, prosecutors, local government bodies, and residents living within each agency’s jurisdiction to workshop written policies that must be approved by a district judge or county court judge. LEAs must adopt policies by the 180th day after model policy information is made publicly available, and rulemaking must promote efficiency, effectiveness, and community safety within the following topics:</p> <ul style="list-style-type: none"> • citations for fine-only misdemeanors and conforming applicable procedures to confirm an individual’s identity and issue a citation or notice to appear. • no-knock entry • duty to intervene in excessive use of force. <p>HB 1396 requires TCOLE to consult with the Bill Blackwood Law Enforcement Management Institute of Texas and other key stakeholders to develop a model policy and associated training materials for the following topics:</p> <ul style="list-style-type: none"> • citations for fine-only misdemeanors. • duty to intervene in excessive use of force. • no-knock entry. • banning chokeholds or neck restraints outside reasonable belief of necessity. • preventing serious bodily injury or death in police interactions; and • the duty to render aid unless there is reasonable belief doing so will cause serious bodily injury or death to the officer. <p>TCOLE must consult with the Health and Human Services Commission and LEAs to develop a model policy implementing peace officer and mental health professional coordinated responses - with associated training materials. TCOLE must survey existing programs and work to create specialized training programs for mental health responders and peace officers to become trained in coordinated responses involving people coping with mental illness and disabilities, houselessness, or other mental health-related incidences.</p> | |
|--|--|---|--|

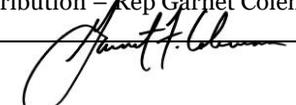


| | | | | |
|--------------------------------------|---|---|---|--|
| | | | <p style="text-align: center;"><u>Enhancing TCOLE’s Regulatory Authority</u></p> <p>HB 1396 establishes TCOLE’s authority to reprimand an officer, place an officer on probation, or revoke or suspend a peace officer license if an officer engages in conduct equating to a felony, Class A, or Class B misdemeanor. A statute is repealed outlining conditions for revoking and reinstating a dishonorably discharged peace officer’s license.</p> <p>To be eligible for law enforcement grants from the governor’s office, agencies must be in full compliance with the bill’s provisions, which include maintaining current credentialing designated by the advisory committee, regularly reporting misconduct, and certifying full compliance with model policy requirements regarding use of force and chokehold prohibitions.</p> <p>TCOLE is under the sunset review process this session, and HB 1396 relates to sunset recommendations in important ways. TCOLE’s primary sunset recommendation creates a blue-ribbon panel that is responsible for evaluating the effectiveness of law enforcement policies to identify areas that require reform. The aforementioned panel’s membership will include law enforcement leaders, experts, appointed officials, and Chairman of the House Committee on Homeland Security and Public Safety. If the TCOLE Sunset Act is enacted as currently drafted, the changes made by HB 1396 will codify certain priorities for the commission moving forward.</p> <p>A significant root cause of the damaged relationship between peace officers and the public is a lack of accountability. This bill helps move the ball forward in increasing peace officer accountability.</p> | |
| <p>HB 1550 By: Cyrier</p> | <p>Relating to the continuation and functions of the Texas Commission on Law Enforcement.</p> | <p>Homeland Security & Public Safety</p> <p>Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p> | <p>HB 1550 is the Sunset Act for the Texas Commission on Law Enforcement (TCOLE), the state agency responsible for implementing law enforcement personnel licensing and training requirements. Many would assume TCOLE has full functionality for setting minimum law enforcement standards and the ability to hold licensees accountable. Sunset findings revealed the commission responsible for the law enforcement agencies has no authority to investigate law enforcement agencies to make sure they are responsible. This renders TCOLE’s unable to hold peace officers accountable to licensure standards and holds the state back from addressing systemic problems in law enforcement. TCOLE needs reform if it is to meaningfully maintain the integrity of Texas law enforcement agencies and peace officers.</p> <p>TCOLE received a limited scope review from the Sunset Commission, and HB 1550 extends TCOLE for two years while establishing a “blue ribbon panel”. This appointed body will review improvements made this session and recommend future improvements. The 88th legislature is given authority by the bill to receive a panel update on TCOLE’s progress and give further legislative recommendations.</p> | <p><u>Favorable</u> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p> |

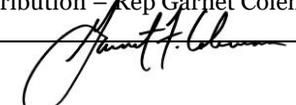


| | | | |
|--|--|--|--|
| | | <p>Establishing the 17-member blue ribbon panel is the primary approach for improving law enforcement regulation in Texas. The panel is required to meet monthly, granted subpoena power, and provided confidentiality in all work correspondence. The panel will focus on four key areas:</p> <ul style="list-style-type: none"> • accountability for licensees and law enforcement agencies • statewide professional conduct standards for licensees • training and education requirements • regulation of training programs and schools <p>Automatic members of the blue ribbon panel are the current chairs of the Senate Criminal Justice Committee and the House Homeland Security and Public Safety Committee. The chair of the board of District and County Attorneys Association or their designee would also be a member. The governor, lieutenant governor, and the speaker of the House will each appoint one public member and three law enforcement industry members, of which one member must be from a rural area.</p> <p>HB 1550 requires TCOLE to suspend a license if any mental or physical examination shows the license holder does not meet applicable standards, and if they find any imminent threat to public health, safety, or welfare. The bill authorizes TCOLE to develop rules for when they may issue an emergency order to suspend a license, and circumstances under which they may request a psychological, psychiatric, or physician examination to determine if a license holder continues to meet applicable licensing standards. The bill authorizes TCOLE to require hearings for license suspension or examination refusal to be administered by the State Office of Administrative Hearings (SOAH) within 10 days of issuing an order. TCOLE must establish procedures for these hearings, identify emergency circumstances for bypassing a hearing, and must suspend licenses during any appeal process. All associated records are confidential and cannot be disclosed under public information laws.</p> <p>The bill authorizes TCOLE to conduct fingerprint-based criminal background checks on all licensure applicants and licensees, which is a common regulatory practice across industries. A fingerprint-based criminal history record check must be conducted for all license holders. TCOLE is forbidden from granting licenses to new applicants who do not provide fingerprints and must suspend the license of any current holder who refuses to submit fingerprints.</p> <p>The current bifurcated law enforcement system in Texas has not allowed TCOLE to develop and enforce high standards for holding all peace officers accountable. HB 1550 enacts immediate changes to provide TCOLE with adequate regulatory oversight powers and providing for license suspension ensures TCOLE has the authority to handle immediate issues. The blue ribbon panel tasked with evaluating policy and procedure sets the stage for more meaningful change.</p> | |
|--|--|--|--|

LSG Floor Report For MAJOR STATE HOUSE BILLS CALENDAR- Wednesday, May 12, 2021



| | | | | |
|--|---|--|---|--|
| <p>HB 2730 By: Deshotel Burns Geren King, Ken Canales</p> | <p>Relating to the acquisition of real property by an entity with eminent domain authority and the regulation of easement or right-of-way agents.</p> | <p>Land & Resource Management Vote: 7 Ayes, 1 Nays, 0 PNV, 1 Absent</p> | <p>The Texas property code establishes requirements for a public or private entity that has eminent domain authority and is planning to acquire property for public purposes. However, landowners are asking the legislature to make these entities meet additional requirements to make the process more transparent, accountable, and fair.</p> <p style="text-align: center;">Landowners Bill of Rights</p> <p>HB 2730 amends the landowner’s bill of right to notify each property owner of their right to file a written complaint with the Texas Real Estate Commission (TREC) should they believe there has been misconduct by a registered easement or right-of-way agent acting on behalf of the entity exercising eminent domain authority. The landowner bill of rights statement must also include an addendum of the terms required for an instrument of conveyance and the terms a property owner may negotiate. The attorney general will evaluate the statement and make necessary changes.</p> <p style="text-align: center;">Certificate of Registration for Easement or Right-of-Way Agent</p> <p>In order to be eligible for a certificate of registration or a renewal certificate, agents must successfully complete qualifying or continuing education requirements approved by TREC and required courses of study, including law of eminent domain, rights of property owners, ethical considerations, and standards of professionalism. The bill stipulates that TREC must adopt reasonable requirements to issue a probationary certificate, and TREC may suspend or revoke a certificate of registration if the individual accepts a financial incentive.</p> <p style="text-align: center;">Changes to Eminent Domain Provisions</p> <p>Bona Fide Offer Requirements: HB 2730 requires additional documentation that an eminent domain authority must provide when making an initial offer on the property, which includes a landowner’s bill of rights, a statement of damages to the remainder, a property appraisal, an instrument of conveyance if the entity is a private citizen, and the condemning entity’s contact information. These provisions do not prevent an entity from seeking survey access rights.</p> <p>Required Terms for Instruments of Conveyance of Certain Easement:</p> <ul style="list-style-type: none"> • HB 2730 provides a definition for what is considered a private entity. • A deed, agreement, or other instruments of conveyance must address an extensive list of general terms when the instrument conveys a pipeline right-of-way easement or easement related to pipeline appurtenances. • The location of the easement, limiting a private entity’s right to allow a third party access to the easement, property owner’s right to recover certain monetary damages, and a provision describing the private entity’s rights are all required by general terms. | <p>Favorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p> |
|--|---|--|---|--|



| | | | | |
|---|---|---|---|---|
| | | | <ul style="list-style-type: none"> • HB 2730 adds required terms for an electric transmission line easement. The bill prohibits the assignment of the entity’s interest in the property to an assignee that will not operate as a utility subject to the Public Utility Commission without written notice to the property owner. • A private entity must notify the property owner that they can negotiate specific things to be included in a deed, agreement, or other instrument of conveyance, including terms and conditions not required by the bill. <p>These provisions do not prohibit a private entity or the property owner from negotiating terms after the private entity first provides a deed, agreement, or other instrument containing the required general terms to the property owner.</p> <p>Condemnation Petition: HB 2730 allows an entity that filed a condemnation petition to provide a copy to the property owner by first class mail. If the entity receives written notice the property owner is represented by counsel, the entity must also provide a copy of the petition to the attorney via first-class mail, commercial delivery service, fax, or e-mail.</p> <p>Special Commissioners: HB 2730 revises requirements for the appointment of special commissioners, including setting an appointment deadline within 30 days after the petition is filed, revising the court’s appointing procedure and time frame for parties striking a special commissioner, the appointment of an alternative commissioner, and providing contact information of the special commissioner.</p> <p>These updates help better inform landowners of their rights and provide them with the necessary materials when their land is being condemned by an entity with eminent domain authority. This bill addresses landowner is concerns, modernizes easement terms, and overall makes the process more transparent, accountable, and fair for these landowners.</p> | |
| <p>HB 2275</p> <p>By: Zwiener Huberty Oliverson Frank Paddie</p> | <p>Relating to the creation and uses of the critical infrastructure resiliency fund and the eligibility of certain water-related projects for</p> | <p>State Affairs</p> <p>Vote: 7 Ayes, 4 Nays, 0 PNV, 2 Absent</p> | <p>The House recently passed HB 2000 to provide financial assistance for the weatherization of electric, natural gas, and water utilities, broadband providers, and power generators. HB 2275 seeks to create a funding mechanism to help finance weatherization and reliability projects for facilities more directly connected to the everyday health and wellbeing of Texans.</p> <p>To accomplish this goal, HB 2275 would create the Critical Infrastructure Resiliency Fund to be managed by the Texas Division of Emergency Management. It would be made up of legislative appropriations, revenue dedicated to the fund by law, interest on deposited funds, available grants, gifts, and donations, and any funds designated by TDEM. Funds may only be used to cover administrative costs and provide matching grants for specified projects that would weatherize or improve electric reliability at certain facilities.</p> | <p>Favorable</p> <p>Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p> |



| | | | | |
|--|-----------------------------|--|--|--|
| | state financial assistance. | | <p>Within the Resiliency Fund, the Electric Grid Improvement Account would be used for specific projects that would improve electric grid reliability, including facility weatherization, energy efficiency incentives, energy storage, and more. Entities eligible for grants include municipally-owned utilities, electric cooperatives, transmission and distribution utilities, and vertically integrated utilities. The Hospital Infrastructure Resiliency Account, the Nursing Home Resiliency Account, and the Dialysis Infrastructure Account would be used to assist eligible healthcare facilities with purchasing reserve power supply, such as on-site generation or energy storage, needed to sustain critical medical care. TDEM may consult with relevant agencies when considering grant applications for each of these accounts. HB 2275 also permits the Texas Water Development Board to use the existing Water Assistance Program to provide grants to political subdivisions and federal agencies for specific weatherization or resiliency projects for water and wastewater facilities.</p> <p>For all grants authorized by this bill, the managing agency must consider the number of people who would benefit from the project, specifically benefits to low-income communities or disparate parts of the state, the availability of matching federal funds, and impacts on electric resiliency, among other factors. Additionally, all grants are subject to the condition that an entity must provide non-state funds, partially from local sources, equal to or above 10% of the grant amount.</p> <p>Creation of the Critical Infrastructure Reliability Fund is contingent upon the passage of HJR 103 and voters' approval of a constitutional amendment. This resolution has not yet been heard in committee.</p> | |
|--|-----------------------------|--|--|--|

LSG Floor Report For CONSTITUTIONAL AMENDMENTS CALENDAR- Wednesday, May 12, 2021

| | | | | |
|--|--|--|--|--|
| <p>HJR 99 By: Canales Guillen</p> | <p>Proposing a constitutional amendment authorizing a county to finance the development or redevelopment of transportation or infrastructure in unproductive, underdeveloped</p> | <p>Pensions, Investments, & Financial Services</p> <p>Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p> | <p>A recent study that ranked Texas roads 13th worst in the country found that one in five Texas roads are in poor condition and found that only 42% of the state's roads are in good shape. The Texas population continue is growing and transportation currently is underfunded by \$7.2 billion each year, and new approaches to address the conditions of the state's roadways need to be identified. HJR 99 seeks to grant counties the authority that cities and towns have to create a Transportation Reinvestment Zone (TRZ) to fund transportation projects.</p> <p>Currently, TRZ's can be used by cities to fund transportation infrastructure without increasing property taxes. Cities and towns with a TRZ designation are able to obtain bonds to finance transportation projects through a pledge to dedicate a portion of tax revenue, the difference of the current tax collection year, and the appraised value when the TRZ was created, that result from transportation infrastructure improvements. This bill will provide the much needed funds to improve our infrastructure.</p> | <p>Favorable Evaluated by: Audrey Erwin (928)210-4303 Audrey@TexasLSG.org</p> |
|--|--|--|--|--|



| | | | | |
|---|---|---|--|--|
| | d, or blighted areas in the county; authorizing the issuance of bonds and notes. | | | |
| HJR 82 By: Craddick Raymond Darby Landgraf Paddie | Proposing a constitutional amendment providing for the creation of and use of money in the Grow Texas fund and allocating certain general revenues to that fund, the economic stabilization fund, and the state highway fund. | Appropriations Votes: 24 Ayes, 1 Nays, 0 PNV, 2 Absent | <p>The Texas energy industry is responsible for more than one-third of the country’s total oil production, but energy-producing areas are experiencing teacher shortages, roadways in poor condition, and struggling hospitals. HJR 82 seeks to address these challenges by reinvesting in energy producing communities.</p> <p>HJR 82 would commit 12% of the oil and gas severance tax, after 25% is taken out for the Foundation School Program fund, for a net 9% to be deposited to a newly created Grow Texas Fund (GTF). The remaining revenue continues to be divided evenly between the State Highway Fund (SHF) and the Economic Stabilization Fund (ESF). The GTF would remain in the state treasury, receive deposits from general revenue once each fiscal year and be capped at \$250 million for the fiscal biennium. Any unused balance at the end of the biennium would be transferred into the ESF. This fund may receive additional deposits from legislative appropriations, gifts or grants, investments and interest earned, and federal funds dedicated to the same purpose as the GTF.</p> <p>HJR 82 creates a commission to administer GTF funds and advise the legislature on making appropriations. The GTF may only be used in oil and gas producing areas to address infrastructure impacted by that industry. Grants may be made from the GTF to state agencies and political subdivisions for these projects.</p> <p>HJR 82 would require an initial transfer to the GTF, and a contingency amendment was adopted by the House making the fund eligible to receive up to \$50 million in available federal funds. A previous version passed the House with 129 votes last session but was unable to be heard in the Senate prior to Sine Die. If passed this session the constitutional amendment would be submitted to voters in the November 2, 2021 elections.</p> | Favorable Evaluated by: Audrey Erwin (928)210-4303 Audrey@TexasLSG.org |
| HJR 141 By: Goldman | Proposing a constitutional amendment to authorize a political subdivision other than a school district to establish a | Ways & Means Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent | <p>Many senior citizens and people with disabilities often live on a fixed income. Property values in many areas have risen rapidly in recent years due to population growth, gentrification and other factors and other factors, and this has placed many vulnerable Texans at risk of being taxed out of their homes. Counties, municipalities, and junior college districts may adopt a property tax limit on these individuals’ homesteads, but water and hospital districts that are political subdivisions do not have the same ability.</p> <p>HJR 140 amends the Texas Constitution by authorizing all political subdivisions besides school districts to establish property tax limitations for a person who is disabled or 65 years of age or older and their surviving spouse. The amendment takes effect January 1, 2022.</p> | Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org |



| | | | | |
|--|---|--|--|--|
| | <p>limitation on the amount of ad valorem taxes that the political subdivision may impose on the residence homesteads of persons who are disabled or elderly and their surviving spouses.</p> | | <p>This change would ensure retirees on fixed incomes and people with disabilities would not be burdened by inflation and quickly rising property tax rates.</p> | |
|--|---|--|--|--|

LSG Floor Report For GENERAL STATE CALENDAR- Wednesday, May 12, 2021

| | | | | |
|--|---|--|---|---|
| <p>HB 547 By: Frank Dutton Huberty González, Mary Burrows</p> | <p>Relating to authorizing equal opportunity for access by home-schooled students to University Interscholastic League-sponsored activities; authorizing a fee.</p> | <p>Public Education Votes: 7 Ayes, 6 Nays, 0 PNV, 0 Absent</p> | <p>University Interscholastic League (UIL) exists to provide educational, extracurricular academic, athletic, and music contests. It represents quality educational competition administered by the school on an equitable basis. The contest rules for UIL activities and standards of eligibility to be met by students who earn the privilege of representing their school in interschool contests prohibit home-schooled students from participating. Some homeschooling families across Texas have requested the ability to participate in UIL activities. HB 547 would honor that request by requiring:</p> <ul style="list-style-type: none"> • a public school that participates in an activity sponsored by UIL to provide a home-schooled student with an opportunity to participate in the activity on behalf of the school similar to a student enrolled in the school. • a home-school student who wishes to participate in a league activity on behalf of the school to be subjected to the following relevant policies that apply to the student enrolled in the school (registration, age eligibility, fees, insurance, transportation, physical condition, qualifications, responsibilities, event schedules, standards of behavior, and performance). • home-schooled parents are responsible for oversight of academic standards related to the student’s participation in league activity. • UIL league may not prohibit a home-schooled student from participating. <p>While the bill’s intent would provide access to UIL activities for home-schooled students, HB 547 may lead to inequitable accountability practices such as passing grades and attendance between a private home-school and a public school entity. HB 547 does not specify provisions that would ensure that the home-schooler would be subjected to the exact requirement as a public school student, ensuring they participate on a level</p> | <p>Unfavorable Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org</p> |
|--|---|--|---|---|



| | | | | |
|---|--|---|--|--|
| | | | playing field. The bill also gives the homeschooling parent the responsibility for their children’s academic eligibility, which would be problematic and unfair to other students. HB 547 would not be equitable to all students. | |
| HB 3333 By: Smithee | Relating to limitations periods in arbitration proceedings. | Judiciary & Civil Jurisprudence Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent | Arbitration is a private process, distinct from mediation, in which disputing parties allow for one or more individuals to make a ruling following the presentation of arguments and evidence. There is ambiguity within current state statute and case law regarding the application of the statute of limitations to arbitration proceedings. HB 3333 prohibits a party from asserting a claim in an arbitration proceeding if the party could not file the suit in court due to being outside the statute of limitations. A claim can be asserted outside the statute of limitations in an arbitration proceeding if the claim was filed in a court within the statute of limitations and both parties agreed, or were court ordered, to arbitrate the claim. This clarification allows for consistent arbitration practice regarding claims that are outside the statute of limitations. | Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org |
| HB 3789 By: Guillen | Relating to the statute of limitations for tampering with certain physical evidence. | Criminal Jurisprudence Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent | Possible destruction or tampering of evidence has made resolving many cold case murders in Texas difficult. Arguments have arisen around removing the statute of limitations for the destruction of or tampering with evidence in capital murder cases. In Texas, tampering with or fabricating any form of physical evidence before or during an investigation is a third-degree felony. HB 3789 adds that there is no statute of limitation for a defendant who tampers with physical evidence of a human corpse. Additionally, the bill states there is no limitation if an investigation shows that the defendant was tampering with evidence knowingly to alter, destroy, conceal evidence to avoid prosecution or conviction of criminal homicide. Although HB 3789's provisions do not pertain to the prosecution of an offense before passage, removing the statute of limitations could provide law enforcement another tool to prosecute defendants involved in capital murder cases and reduce the number of unsolved cold cases statewide. | Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org |
| HB 805 By: Huberty Munoz, Jr Guillen Raymond Martinez | Relating to certain increases in benefits under the firefighters' relief and retirement fund in certain municipalities | Pensions, Investments, & Financial Services Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent | In 2017, adjustments to the Houston Firefighters' Relief and Retirement Fund (HFRRF) were made which impacted a small number of the retired firefighters in the state from being able to receive a cost-of-living adjustment (COLA). These retirees were eligible for COLA benefits at the time they retired but the revision did not account for these situations when it was enacted. HB 805 would address the unintentional oversight that did not grandfather these firefighters into the terms of their retirement prior to these changes being made. HB 805 would ensure these retirees are not unfairly penalized by restoring COLA benefits to these members alone and upholding the 2017 revision changes for future retirees. | Favorable Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org |



| | | | | |
|---|--|---|---|---|
| <p>HB 2014 By: Lucio III Shine</p> | <p>Relating to the system for appraising property for ad valorem tax purposes.</p> | <p>Ways & Means Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p> | <p>The Texas property tax system seeks to maintain fairness, but systemic changes are needed to ensure the process is fair and efficient for taxpayers. HB 2014 is a series of ad valorem property tax reform measures designed to enhance taxpayer accessibility and improve efficiency and transparency. These provisions will streamline the property tax appraisal system to promote efficiency, improve property tax exemptions to work better for the taxpayers they are designed to serve, and move taxpayers through the appeals process at a much quicker rate.</p> <p style="text-align: center;">Tax Exemptions</p> <p>The goods-in-transit exemption allows businesses to exempt certain materials if they are in transit for a certain period of time in Texas. HB 2014 extends this period of time for a taxing unit located in a disaster area to no later than the 270th day after the item was first acquired, and it only applies to that specific taxing unit for the tax year it is adopted. This change will ensure businesses storing goods in transit will not be inappropriately penalized due to circumstances outside their control.</p> <p>Open-space designations provide a tax exemption to properties used for agriculture or scenic destinations. Properties sometimes change ownership and lose their open-land tax status, then are subject to roll back taxes equal to the difference between the cheaper appraised value and market value. HB 2014 authorizes a property owner with open-space designated land to request the chief appraiser determine whether a change of property use has occurred, and the chief appraiser must provide a written determination verifying changes in the land's use. This bill would prohibit a chief appraiser from going back and changing a designation for open-land space, and people who received a written determination once would not be subject to roll back taxes in the future, as long as the land maintained its general characteristics. Thus, a rollback for change of use will only occur when physical characteristics of land are changed to non-agricultural use.</p> <p style="text-align: center;">Appraisal Process</p> <p>HB 2014 requires each appraisal to be assigned an account number, and also allows property owners to have multiple parcels of land sharing a border to have their properties bundled in one appraisal roll or one parcel of land separated into parts, before January 1st each year. If appraisers refuse to parcel land, taxpayers can order them to do so through a motion filed by the property owner or filing a protest with the Appraisal Review Board (ARB).</p> <p>The bill prohibits a chief appraiser from delivering an amended notice of appraised value after June 1st if a person filed a rendition statement or property report, unless the notice is meant to include omitted property or correct a clerical error. The chief appraiser must post the notice as part of the property's appraisal record on the appraisal district's website as soon as possible after delivering a notice of appraised value to a property owner.</p> <p style="text-align: center;">Appraisal Protests</p> | <p>Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p> |
|---|--|---|---|---|



| | | | | |
|---|---|---|---|---|
| | | | <p>HB 2014 allows taxpayers to request a protest hearing in front of a single-member panel instead of a three member panel before 10 days of the hearing date. If all members of the ARB do not accept the request, they can recommend the hearing to another ARB member who is not familiar with the original protest. The bill also allows taxpayers to submit a written request for delivering a copy of a notice regarding protest determinations automatically as emails. This change will reduce expenditures resulting from requiring notifications to be sent by certified mail.</p> <p>HB 2014 prohibits a property owner from separately appealing parts of an ARB order determining the appraised value of land or an improvement to the land if the original order determined the appraised value of both. A person leasing property who is contractually obligated to reimburse the property owner for taxes imposed on the property is entitled to appeal a protest order determination if the property owner does not appeal.</p> <p>There is currently an exemption from provisions regarding overpayment refunds or erroneous property tax overpayments caused by changing an exemption status or correcting a tax roll. HB 2014 clarifies that this exemption also applies to overpayments received from appeals lawsuits and judicial reviews. The bill also prohibits courts from entering a protective order that conflicts with established conditions under which parties to protest appeals are considered seeking affirmative relief for the purposes of discovery regarding expert witnesses.</p> | |
| <p>HB 1346 By: Paddie</p> | <p>Relating to a sales tax refund for sales tax overpayments by certain oil or gas severance taxpayers.</p> | <p>Ways & Means Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p> | <p>Currently, non-permitted purchasers must obtain a refund assignment from vendors before they can seek a refund from the comptroller. This requirement was intended to prevent an excess amount of low-dollar refund claims from being filed with the comptroller for everyday purchases by individuals.</p> <p>HB 1346 simplifies the refund process for oil and gas producers who do not typically hold sales and use tax permits because their sales are not applicable to these taxes. The bill authorizes oil and gas production taxpayers who do not have limited sales, excise, and use tax permits to obtain a refund for erroneously paid sales and use taxes. Applicable individuals can file a refund claim with the comptroller within a specified period by provisions establishing a statute of limitations for tax collection. The comptroller is required to provide additional rules and procedures for claiming the refund.</p> <p>This change would help expedite the refund process for oil or gas severance taxpayers.</p> | <p>Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p> |
| <p>HB 525 By: Shaheen Dean</p> | <p>Relating to the protection of religious organizations.</p> | <p>State Affairs Vote: 12 Ayes, 1 Nay, 0 PNV, 0 Absent</p> | <p>HB 525 orders that religious organizations be deemed “essential businesses” at all times, meaning that they would be authorized to operate without alteration of activities during shutdown orders in the event of a declared disaster. It allows individuals to sue, or the Attorney General to bring action against, a government entity or employee for violating this proposed rule. In this case, sovereign or governmental immunity would be waived.</p> | <p>Unfavorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p> |



| | | | | |
|---------------------------------------|--|---|--|--|
| | | | While religious freedoms must be protected even during a disaster, government authorities should not be prevented from taking scientifically-supported actions, like ordering the closure of certain facilities, to protect public health. This bill's broad language could even be construed to limit an authority's ability to impose guidelines such as limiting capacity or requiring masks be worn during religious activities, even if these minimal alterations would help prevent the spread of communicable disease while maintaining the ability to conduct religious activities. Setting statewide policy based on current circumstances, which may differ entirely from future disasters, could severely hinder officials' ability to respond to the next emergency. | |
| HB 4343 By: Rose | Relating to the content of an application for Medicaid. | Human Services Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent | <p>The Health and Human Services Commission (HHSC) was required by the legislature to amend the Medicaid application to allow applications to indicate their preferred method of contact. HHSC determined that the prescribed application language did not adequately inform applicants of the risks of electronic communication. The commission concluded that it would be required of managed care organizations (MCOs) to educate recipients. This negated the purpose of the original legislation to capture a preferred method of communication.</p> <p>HB 4343 revises required preferred contact method content of the Medicaid application form and a renewal form. A question must be given to all applicants, on both the application form and renewal form, that asks how they would like to be contacted. HB 4343 requires that the forms must include language to notify applicants that their listed preferred method of contact will be shared with their MCO or health plan provider and allows the applicant to consent to being contacted that way. The form will also explain the risks of electronic communication and allow them to change their contact preferences in the future and that they may opt out of electronic communication</p> <p>It is often difficult to reach an individual by phone, creating communication barriers to gain informed consent from Medicaid recipients. Providing alternative options, such as email or text message, mitigates that chance of a recipient missing the opportunity to give their consent to their contact information being shared.</p> | Favorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org |
| HB 3629 By: Bonnen Button | Relating to the date a deferral or abatement of the collection of ad valorem taxes on the residence homestead of an elderly or disabled person or disabled | Ways & Means Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent | <p>People over 55 years of age, people with disabilities, or veterans with disabilities are able to seek deferrals or abatements on paying property taxes. However, these taxes accrue interest each year they remain unpaid, which can result in a significant sum of money to pay back. Families of these populations may not even know about the debt until a suit seeking collection is filed. HB 3629 provides a longer timeline for families to address the delinquent debt.</p> <p>HB 3629 changes the expiration date of a deferral or an abatement to collect the property taxes of properties owned by applicable individuals to 181 days after the applicable tax collector delivers a notice of delinquency when the owner or their spouse no longer owns or occupies the property. Originally, the expiration date was 181 days after the owner, or their spouse no longer owned or occupied the property.</p> <p>HB 3629 provides a better grace period for families to address the accrued debt as well as not be surprised by a sudden suit.</p> | Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org |



| | | | | |
|---|--|--|--|---|
| | veteran expires. | | | |
| <p>HB 144 By: González, Mary</p> | <p>Relating to supplemental information required for inclusion with a written statement of an individualized education program developed for certain public school students who received special education services during the 2019-2020 or 2020-2021 school year.</p> | <p>Public Education Votes: 10 Ayes, 2 Nays, 0 PNV, 1 Absent</p> | <p>Among all students who were and still are affected by the COVID-19 pandemic, students with disabilities experience greater disruption in needed special services resulting in impeding progress and even regression of learning. The pandemic left parents of special education students at a loss as to how best to serve their students. HB 144 seeks to address the needs of special education students during the COVID-19 pandemic.</p> <p>HB 144 requires a public school district to prepare a supplement for all students enrolled in the district's special education program during the 2019-20 or 2020-21 to be included with the written statement of the individual education program (IEP) developed for the student. The supplement must include information indicating:</p> <ul style="list-style-type: none"> • if applicable, whether a written report of the child's full individual and initial evaluation for special education services was completed during the 2019-2020 or the 2020-2021 school year and if the report was completed by the required date. • if applicable, whether the child's initial IEP was developed during the 2019-2020 or the 2020-2021 school year and if it was developed by the date required under federal regulations. • whether the provision of special services to the child under an IEP during the 2019-2020 or the 2020-2021 school year was interrupted, reduced, delayed, suspended, or discontinued. • whether compensatory educational services are appropriate for the child based on the information included in the supplement or any other factors. <p>The bill exempts a district from the supplement requirement during the 2020-21 school year if the child's IEP document includes the information required by the supplement. The bill requires the districts to complete the supplement requirement by May 1, 2022, and the provision expires September 1, 2023.</p> <p>HB 144 ensures our vulnerable population of students do not get left behind during times of great challenges and we prepare appropriately for in-person education in the near future.</p> | <p>Favorable Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org</p> |
| <p>HB 3916 By: Goldman</p> | <p>Relating to the interconnection and operation of certain distributed electric generation facilities.</p> | <p>State Affairs Vote: 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>Distributed energy generation refers to customer-side generation equipment or facilities that can provide back-up or supplementary electricity on the customer's premises. This includes resources such as rooftop solar panels, small- and community-scale wind turbines, fuel cells that run on hydrogen, and natural gas, gasoline, or diesel generators. There is currently no framework concerning the sale of distributed energy onto the broader electric grid, which can provide generation capacity and grid stability during periods of high demand.</p> <p>HB 3916 addresses this by authorizing the owner or operator of a large-scale distributed generation facility within the ERCOT power market to sell generated power back to customers or to the wholesale market. Depending on whether the service area has customer choice for retail providers, the operator may only sell back to the retail electric customer during periods of emergency, service interruption, or other select circumstances that merit additional generation capacity. The operator may sell distributed energy as an</p> | <p>Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p> |



| | | | | |
|---|--|--|--|---|
| | | | <p>ancillary service to supplement shortages from licensed power generators. Whatever entity sells power to customers in a region may purchase distributed generation from the operator based wholly or partly on the wholesale price of the market at the time. The bill also requires that an electric utility facilitate interconnection between a distributed energy facility and the electric grid through distribution and transmission service or additional infrastructure, paid for by the distributed energy operator. Distributed generation facilities must comply with emission standards for standard electric generation facilities.</p> <p>This bill outlines the framework to allow distributed energy generators to support individual customers and the entire ERCOT grid across both customer choice and non-customer choice markets. Should another crisis such as Winter Storm Uri occur, this increased generation capacity could mitigate widespread extended outages.</p> | |
| <p>HB 170 By: Ortega Morrison</p> | <p>Relating to the hours for public consumption of alcoholic beverages.</p> | <p>Licensing & Administrative Procedure</p> <p>Vote: 7 Ayes, 0 Nays, 0 PNV, 4 Absent</p> | <p>Due to a lack of conforming statute, businesses operating as “bring-your-own” alcohol establishments are currently able to get around the prohibition on consuming alcohol after 2:15am. This has created regulatory difficulties for the Texas Alcoholic Beverage Commission, who do not have regulatory authority in these circumstances, and other law enforcement agencies investigating crimes at establishments operating after-hours.</p> <p>HB 170 simply codifies the requirement that all establishments must stop serving alcohol by 2:15am. This change will allow for better TABC regulation of bring-your-own alcohol establishments and prevent negative situations from occurring with impunity after-hours.</p> | <p>Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p> |
| <p>HB 2168 By: Krause</p> | <p>Relating to ticket sales for charitable raffles conducted by the charitable foundations of certain professional sports teams.</p> | <p>Licensing & Administrative Procedure</p> <p>Vote: 8 Ayes, 0 Nays, 0 PNV, 3 Absent</p> | <p>Professional sports teams often have philanthropic organizations dedicated to fundraising for important causes. The COVID-19 pandemic has caused a substantial decrease in charitable raffles at sporting events due to forced closure of venues. The provisions in HB 2168 will help charitable foundations for professional sports teams recover some of their lost funds used to help important causes benefitting Texans in need.</p> <p>HB 2168 allows charitable raffle tickets to be sold at the home venue of a professional sports team with the foundation conducting the raffle and virtually on a website or mobile application provided by the team for the associated foundation. Online sales are restricted to people physically within Texas. The bill removes the Class C misdemeanor offense for accepting any payment other than US currency or debit card for purchasing charitable raffle tickets</p> | <p>Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p> |
| <p>HB 2204 By: Thompson, Senfronia</p> | <p>Relating to the conduct of charitable bingo.</p> | <p>Licensing & Administrative Procedure</p> <p>Vote: 8 Ayes, 0 Nays,</p> | <p>Charitable bingo games allow nonprofit organizations across Texas the opportunity to raise money for important causes. HB 2204 seeks to streamline the Occupational Code to make the operations of charitable bingo games more efficient and keep regulatory costs down.</p> <p>HB 2204 increases the maximum number of temporary licenses for a nonprofit’s charitable bingo events from 24 to 48 licenses for each twelve month period and directs the Texas Lottery Commission to provide electronic issuance of temporary licenses to existing license holders as soon as practical. After over 20 years</p> | <p>Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p> |



| | | | | |
|---|---|---|---|---|
| | | <p>0 PNV, 3 Absent</p> | <p>of the non-inflation adjusted amount, the bill raises the cap for the prize amount players can be awarded in a single bingo session from \$2500 to \$3500. Currently, counties have the option to collect a percentage of a 5% prize collection fee on charitable bingo games if they hold an election to do so, and up to 50% of the fee can be remitted to the county. There is debate on what is to be done with the 50% should the county not claim the fee. HB 2204 changes the language to mandate that 25% of the fee must be remitted to the county and 25% goes to the charitable organization if an election results in favor of remitting the fee to the municipality and clarifies in statute that the full 50% will default to the charity otherwise.</p> <p>These changes allow charitable bingo games to be conducted more effectively to raise money for important causes in Texas.</p> | |
| <p>HB 1838 By: Gonzalez, Mary Schaefer</p> | <p>Relating to intelligence databases for combinations and criminal street gangs.</p> | <p>Homeland Security & Public Safety</p> <p>Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p> | <p>Serious issues have resulted from a lack of transparency regarding how people are entered in the law enforcement database documenting criminal gang members. Members of motorcycle clubs have been arrested without committing a crime because their symbols have been mistakenly identified as belonging to a criminal gang, and people have even reported being denied entry to other countries. Once somebody is in this database, there is no procedure to facilitate their removal under current law.</p> <p>HB 1838 affirms people are legally entitled to request to view their information or their child’s information submitted into a criminal street gang intelligence database and TxGANG by establishing the following rights:</p> <ul style="list-style-type: none"> • information collected in violation of federal criminal intelligence systems operating policies, the Texas Constitution, or the U.S. Constitution is grounds for database removal • the evidence standard for reviewing the accuracy of information used to justify inclusion in the database is changed from reasonable suspicion to probable cause • the destruction of all recordings containing information found to not meet that standard must be prompt • the agency must provide notice of a determination to destroy records within 10 business days and another notification must be provided within 10 business days of the first notice confirming records in TxGANG were destroyed. <p>HB 1838 requires DPS to notify people of their entry in the intelligence database regarding criminal street gangs, known as TxGANG, and creates a system for people mistakenly entered to be removed. Within 60 days of information regarding a specific person being entered, DPS must provide:</p> <ul style="list-style-type: none"> • notification of the person’s information that was entered • description of how to dispute information entered in TxGANG • a description of the process for removing information after someone leaves a gang. <p>Once someone renounces their gang membership, DPS must remove their information from TxGANG within 2 years, and the bill requires DPS to create rules, procedures, forms, and evidentiary requirements for this process.</p> | <p>Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p> |



| | | | | |
|---|---|--|--|--|
| | | | <p>HB 1838 requires an annual audit of TxGANG database and that information that has been in the database for over 10 years be removed unless DPS can provide evidence the information should stay in the system. DPS must provide audit result summaries and removal process information on their website. The bill prohibits a person’s information in the TxGANG database from being made available to potential employers, limiting the person’s legal rights, or preventing someone from getting any type of licensure, permits, or benefits.</p> <p>These changes ensure upstanding citizens with no criminal record or people who were formerly in gangs are not mistakenly penalized or unjustly harassed by law enforcement.</p> | |
| <p>HB 1885 By: Harris</p> | <p>Relating to restrictions on municipal regulation in certain areas.</p> | <p>Land & Resource Management</p> <p>Vote: 6 Ayes, 3 Nays, 0 PNV, 0 Absent</p> | <p>Extraterritorial jurisdictions (ETJ) are unincorporated areas that are contiguous to the boundaries of a municipality and located within a specific distance of those boundaries in accordance with the city population. ETJs were established to promote and protect the general health, safety, and welfare of persons residing in and adjacent to cities. HB 1885 would strip a city of its ability to fulfill that legislative purpose.</p> <p>HB 1885 restricts a municipality from regulating any activity or structure in an area in which the residents are ineligible or have only limited eligibility to vote in municipal elections, or ETJs. The bill does include an extensive number of exceptions to this restriction such as solid waste disposal services, slaughterhouses, traffic safety, nuisance abatement, infrastructure development, water, and city utilities. Restricting a municipality from setting regulations for what is best for their community impedes local control and have negative effects on individuals residing close to cities. Additionally, there are concerns that this bill would have negative impacts on the further development of military bases.</p> | <p>Unfavorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p> |
| <p>HB 2405 By: Rodriguez</p> | <p>Relating to the municipal regulation of housing for homeless individuals provided by a religious organization.</p> | <p>Urban Affairs</p> <p>Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>Many religious organizations have provided resources and services to individuals experiencing homelessness and often work with municipalities as partners to address homeless issues. In other states municipalities have tried to bar religious organizations from using their land to provide housing for individuals experiencing homelessness.</p> <p>HB 2405 prohibits municipalities from using zoning or land ordinances to bar religious organizations from using their facilities or land to house homeless individuals. HB 2405 maintains that municipalities may adopt or enforce an ordinance that imposes reasonable health and safety regulations on housing for homeless individuals on a religious organization’s property. A municipality may require that the housing have electricity and heat for each housing unit and at least one kitchen and bathroom on the property that the individuals may use. HB 2405 states that for this section, “housing” does not include temporary housing that is provided during a life-threatening emergency or for natural disaster relief.</p> <p>As legislation passes that would ban municipalities from allowing open camping ordinances, it is important that the legislature provide alternative options to municipalities to serve their homeless population. Allowing</p> | <p>Favorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p> |



| | | | | |
|---|--|--|--|---|
| | | | religious organizations to utilize their own land as a means to provide housing offers these individuals an alternative to moving to another city or facing civil penalties for simply existing in their experience. | |
| HB 1764 By: Guillen | Relating to authorizing certain counties to impose a hotel occupancy tax and the use of revenue from that tax. | Ways & Means Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent | The city of Poteet which is referred to as the “Strawberry Capital of Texas.” and has hosted the annual Poteet Strawberry Festival for over 70 years. This festival along with other attractions have increased tourism in the Atascosa county. In recommendations to continue this growth, it was suggested that a civic center with an arena should be built to encourage other forms of entertainment available. HB 1764 authorizes the Atascosa county commissioners court to impose a county-specific hotel occupancy tax at a capped rate of 2% of the hotel room’s price. The revenue from this tax is to be used to build, operate, and maintain a civic center with an arena used for rodeos, livestock shows, and agricultural expositions. HB 1764 will allow for Atascosa County to further develop tourism attractions and increase revenue to be used for the county. | Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org |
| HB 1686 By: Cortez Wilson Toth Rodriguez | Relating to the regulation of food production on single-family residential lots by a municipality or property owners’ association. | Agriculture & Livestock Vote: 8 Ayes, 1 Nays, 0 PNV, 0 Absent | There is an increased interest in Texans raising their own food, through gardening and animal husbandry. The impact of the COVID-19 pandemic on food distribution has emphasized the importance of implementing a way for residents who wish to produce their own food. However, there are some restrictions on what municipalities and property owners’ associations allow residents to grow and what animals to raise. HB 1686 would prevent a municipality or a property owners association from adopting an ordinance prohibiting a single-family residential lot from growing fruits and vegetables or raising 6 or fewer domestic fowls or adult rabbits on their property. The bill does allow for a municipality or property owners association to adopt reasonable regulations relating to the maintenance of growing fruits and vegetables and the order, noise, safety, and sanitary conditions of keeping animals on their property. The allowed regulations that can be imposed on the raising or keeping of the fowls or rabbit in the bill include: <ul style="list-style-type: none"> • a limit on the number of fowls or rabbits as laid out above or a total combined number of eight • prohibiting raising or keeping of a rooster • minimum distance requirements between an animal shelter and a residential structure • requirement for fencing or shelter sufficient to contain the animals on the owner’s property • minimum requirements for combined housing and outdoor space of at least 20 square feet per fowl and 9 square feet per rabbit • requirements to address sanitary conditions preventing an accumulation of animal waste that could create an offensive order. HB 1686 would not apply to a condominium apartment. HB 1686 clarifies that any ordinance adopted by the municipality that violates this stature would be considered void. These provisions limit local authority which would limit their ability to self-regulate on this issue. However, community gardens and personal animal husbandry has allowed Texans who live in food deserts to have access to quality healthy food, that they otherwise would not be able to easily access. | Favorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org |



| | | | | |
|---|--|---|--|---|
| <p>HB 3016 By: Moody</p> | <p>Relating to the prohibited suspension of a provision of the Code of Criminal Procedure or Penal Code during a declared state of disaster.</p> | <p>State Affairs Vote: 13 Ayes, 0 Nays, 0 PNV, 0 Absent</p> | <p>HB 3016 clarifies that, while the governor may issue executive orders during a declared state of disaster to suspend the provisions of any regulatory statute, such an order may not suspend a provision of the Code of Criminal Procedure or Penal Code. This follows concerns from criminal justice advocates and professionals in Texas and across the country regarding the use of executive orders to curtail certain rights and procedures during the COVID-19 pandemic.</p> <p>In Texas, the governor suspended certain statutes that would have facilitated the release of more incarcerated people from jails either on no-cost personal bonds or through a commuted sentence, disproportionately impacting individuals who would otherwise be released if they could afford bail. These facilities were especially susceptible to COVID-19 outbreaks due to overcrowding and potentially unsanitary conditions. Even during disaster situations, due process and the rights of individuals impacted by the criminal justice system should not be suspended on one executive's whim.</p> | <p>Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p> |
| <p>HB 1861 By: Cortez</p> | <p>Relating to the requirements for interlocal contracts.</p> | <p>Urban Affairs Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>An interlocal agreement is a written contract between local government agencies such as a city, a county, a school board, or a constitutional office. By law, certain local government contracts are required to be authorized by the governing bodies of each party to the contract. There is a more streamlined process for interlocal contracts that do not exceed \$100,000 entered into by municipally owned electric utilities by allowing exempting them from requiring authorization by both governing parties in interlocal contracts. HB 1861 would extend this streamlined process to the San Antonio Water System.</p> <p>This would allow the San Antonio Water System to use a streamlined process for entering into a contract and minimize the amount of time staff and members of the governing body spend on administrative matters such as this.</p> | <p>Favorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p> |
| <p>HB 1886 By: Noble Frank Swanson Shaheen</p> | <p>Relating to a study on streamlining public safety net programs to reduce costs and improve outcomes for recipients under the programs.</p> | <p>Human Services Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>More than 4 million Texas children receive food and health care assistance from a number of state and federal assistance programs. Every session, little substantive legislation is passed to address disparities in health care and food security for the most vulnerable Texans, and focus is instead placed on whether Texas is spending too much money on providing “handouts” to people.</p> <p>Instead of dedicating resources to addressing the root problems causing the need for government assistance programs, HB 1886 proposes a five year study identifying methods for streamlining eligibility requirements, improving recipient outcomes, and reducing taxpayer cost. A cost-benefit analysis comparing program cost with overall effectiveness and a statistical analysis of the data collected will also be included.</p> <p>HB 1886 requires the Legislative Budget Board (LBB), in coordination with the Health and Human Services Commission (HHSC) to analyze the following state and federal public assistance programs:</p> <ul style="list-style-type: none"> • Temporary Assistance for Needy Families (TANF) • Supplemental Nutrition Assistance Program (SNAP) • Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) • Medicaid | <p>Unfavorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p> |



| | | | | |
|--------------------------------------|--|--|--|--|
| | | | <ul style="list-style-type: none"> • Children’s Health Insurance Program (CHIP) • Child Care and Early Learning Services Program • Comprehensive Energy Assistance Program (CEAP) <p>A large portion of this study is focused on gathering demographic and socioeconomic information for program recipients, as well as the amount of state appropriated funds for each program. There is no appropriated funds allocated for this study and it is assumed costs associated with the study would be covered using existing resources. Forcing already underfunded agencies to conduct yet another study analyzing the effectiveness of programs for the most vulnerable people in Texas is a frivolous waste of government resources. The legislature would better spend its time focusing on enacting improvements already recommended in past audits and studies, such as addressing the serious issue of Texas having the highest rate of uninsured children in the nation.</p> | |
| <p>HB 1929 By: Wilson</p> | <p>Relating to the breach of development agreement contracts governing land in the extraterritorial jurisdiction of certain municipalities</p> | <p>Land & Resource Management</p> <p>Vote: 5 Ayes, 3 Nays, 0 PNV, 1 Absent</p> | <p>Development agreements are voluntary contracts between a local jurisdiction and a landowner that detail the obligations of both parties and specify the standards that govern the development of the property. Development agreements often result in positive outcomes between the two parties. However, HB 1929 will make entering these agreements significantly riskier for cities, making cities less willing to agree to them.</p> <p>HB 1929 lays out a definition of adjudication of a claim and changes language to redefine a development agreement as a contract. HB 1929 states that annexation of land by a municipality is not a reason for the municipality to breach the contract. Additionally, HB 1929 contains a broad waiver of immunity from suit for the purposes of adjudicating breach of contract claims. The bill states that actual damages or injunctive relief may be granted for breach of contract. The amount of money awarded is limited to:</p> <ul style="list-style-type: none"> • the balance, as amended, that is due and owed by the municipality under the contract • any amount owed by the landowner as a result of the municipality’s failure to perform under the contract, including compensation for the increased cost as a result of delays caused by the municipality • reasonable attorney’s fees and interest as allowed by law <p>HB 1929 makes it so that any development agreement, or contract, that was entered into prior to the effective date of the bill would be valid, enforceable, and may be adjudicated based on what is laid out in the bill.</p> <p>HB 1929 introduces new liability for municipal functions that cities have been immune to in the past, which would likely result in cities no longer entering into these contracts to avoid the new risks. Development agreements are used to guarantee landowners access to in-city advantages without having to be annexed into the city as a prerequisite negotiation, and without these agreements it would cause significant development risks to the taxpayer without any benefit.</p> | <p>Unfavorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p> |
| <p>HB 3583</p> | <p>Relating to energy savings</p> | <p>Energy Resources</p> | <p>Local governments, school districts, institutions of higher education, and state agencies are permitted to use Energy Savings Performance Contracts (ESPCs) to procure services that would increase energy and water</p> | <p>Favorable Evaluated by:</p> |



| | | | | |
|---|--|--|---|--|
| <p>By: Paddie</p> | <p>performance contracts.</p> | <p>Vote: 8 Ayes, 0 Nays, 0 PNV, 3 Absent</p> | <p>conservation in new or existing public facilities. These contracts include projects such as insulation, energy efficient lighting and air conditioning systems, water metering, and other improvements or equipment that would result in utility cost-savings. Instead of being paid upfront, ESPCs are “self-funding,” meaning they are paid for through guaranteed annual cost-savings.</p> <p>There have been concerns that local governments are using ESPCs to fund projects that do not comply with statutory requirements, having the effect of circumventing the established contracting process for what should be defined as a public works project and stifling competition and transparency. HB 3583 addresses this by clarifying the appropriate projects and standards for change orders that local government ESPCs must abide by. The bill excludes from local government ESPCs the design or new construction of certain water, wastewater, and drainage projects. It also clarifies that a change order to an ESPC may not be used to add work that significantly strays from the original scope of the project or that increases the contract’s price by more than 25%. These provisions may be enforced through an action of declaratory or injunctive relief filed within ten days of the contract being awarded, and contracts that are in violation are voidable.</p> | <p>Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p> |
| <p>HB 2569 By: Cortez Toth</p> | <p>Relating to the dates a retail fireworks permit holder may sell fireworks to the public.</p> | <p>County Affairs Vote: 6 Ayes, 3 Nays, 0 PNV, 0 Absent</p> | <p>HB 2569 extends the deadline for selling fireworks by 24 hours—specifically from midnight on July 4th to midnight on July 5th.</p> <p>While there are always some safety concerns around fireworks, this bill only minorly amends the allowable window for purchase and would bring significant revenue to the private companies and nonprofits that are licensed firework vendors.</p> | <p><u>Favorable with Concerns</u> Evaluated by: Jenny Catchings (925) 628-0628 Jenny.Catchings_HC@house.texas.gov</p> |
| <p>HB 2641 By: Rodriguez Ortega</p> | <p>Relating to annually adjusting for inflation the maximum amount of a motor vehicle excluded in determining eligibility for the supplemental nutrition assistance program.</p> | <p>Human Services Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p> | <p>Working Texans rely on their vehicles to get to work or even utilize them for working purposes. Since 2001 Texas has allowed a resource limit for applicants of the Supplemental Nutrition Assistance Program (SNAP) to maintain eligibility that includes a first vehicle worth up to \$15,000 and any additional vehicles can be worth up to \$4,650. Any excess vehicle value is counted towards the cash resource limit that may disqualify an individual from being eligible for SNAP benefits. Since the limit was set it has not accounted for inflation rates, even as the fair market value (FMV) of a vehicle has nearly doubled in that time.</p> <p>HB 2641 requires the executive commissioner of the Health and Human Services Commission by rule to adjust for inflation the maximum amount of the FMV for a vehicle that may be excluded from the resources of a SNAP applicant’s household. This means the current vehicle caps would be adjusted to account for the inflation over the last two decades since the caps were instated.</p> <p>When the COVID-19 pandemic hit, many working Texans lost their jobs and income, forcing them to rely on food banks and apply for SNAP benefits to put food on the table. However, many applicants did not meet eligibility requirements because their vehicle exceeded the limit allowed for vehicles. Denying Texans in need</p> | <p><u>Favorable</u> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p> |



| | | | | |
|--|---|--|---|--|
| | | | of temporary assistance because their vehicle is worth too much based on a limit instated decades ago is unjust in a state where reliable transportation is necessary. | |
| HB 2664 By: Martinez Reynolds | Relating to the authority of an independent school district to change the date of the general election and terms for offices. | Public Education Votes: 10 Ayes, 2 Nays, 0 PNV, 1 Absent | <p>Texas school districts are overseen by school boards elected by their communities. Under current statute, a board trustee can serve a term of three or four years. ISDs that have board members serving a three-year term shall have elections annually. While some school districts have shifted to annual elections in compliance with state statute, there are some districts that have not complied because the municipality in which they reside cannot practically hold annual elections, placing those ISDs under additional burden leaving them in violation of the law. HB 2664 solves this issue by authorizing ISDs to revise the terms and date of the general election of their board of trustees.</p> <p>HB 2664 authorizes the board of trustees of an ISD to change the date on which it holds its general elections for officers to the November uniform election date if the district does not already do so. The board of trustees has until December 31, 2026, to make this change. HB 2664 also authorizes the board of trustees to adopt a resolution changing the length of the term of its trustees, providing for staggering terms of three or four years and for the transition from the previous term to the new term.</p> | Favorable Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org |
| HB 3656 By: Turner, Chris | Relating to the classification of certain construction workers and the eligibility of those workers for unemployment benefits; providing penalties. | Business & Industry Vote: 6 Ayes, 3 Nays, 0 PNV, 0 Absent | <p>Employee misclassification - when an employee is classified as an independent contractor and not as an employee - has been a method of committing payroll fraud. This has been an especially significant concern in the construction industry. This misclassification denies workers access to employee rights and benefits, health insurance benefits, workers' compensation, overtime, and unemployment benefits. Misclassification also makes it harder for responsible contractors who follow the law to competitively bid on construction contracts, because they are undercut by unscrupulous employers who fail to pay their share in payroll taxes. Payroll fraud also costs Texas \$54.5 million in lost unemployment tax revenue. HB 3656 provides the solution to this practice and ensures construction workers are treated properly.</p> <p>HB 3656 requires contractors to properly classify individuals providing construction services as either employees or independent contractors as established by Texas Workforce Commission (TWC) rules. HB 3656 also establishes that construction services provided by an independent contractor are to be excluded from the definition of "employment" in the Texas Unemployment Compensation Act. An individual will not be considered an employee solely based on if the employer requires a background check, a pre-employment drug screening, or possesses the required credentials to perform the work. Furthermore, the bill establishes which certain people are not required to report to TWC under this bill's provisions, and establishes which certain individuals are exempted from its provisions.</p> <p>Under this bill, TWC is required to make information about the reporting procedure for employment classification violations publicly accessible on their website. TWC is authorized to impose administrative penalties for each initial and subsequent violation for each employee and is required to notify any governmental entity that TWC reasonably believes received construction services from the violating</p> | Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org |



| | | | | |
|---|---|--|---|---|
| | | | <p>contractor. TWC will also complete an annual report regarding the compliance and enforcement of the bill's provisions.</p> <p>HB 3656 promotes the fair treatment of construction workers, levels the playing field for construction employers, and returns lost state revenue from lost unemployment tax revenue.</p> | |
| <p>HB 2742 By: Reynolds Guillen</p> | <p>Relating to the reentry and reintegration programs provided by the Texas Department of Criminal Justice.</p> | <p>Corrections Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent</p> | <p>Suggestions have been made around improvements in the Texas Department of Criminal Justice's (TDCJs) reentry and reintegration (R&R) programs. The implementation of transition programs is often started late and extends release dates due to failure of program completion before release.</p> <p>In addition to existing requirements, HB 2742 requires the TDCJ reentry and reintegration plan to begin an individual's required programming as soon as practicable upon intake. The programs must provide a comprehensive network of transition programs that address an offender's needs following the completion of parole or mandatory supervision.</p> <p>HB 2742 will no longer require providing information about employment training, treatment programs, and parenting or relationship-building classes as a part of their life skills programming. The bill adds that the programs must provide justice-involved persons with information about their development of prosocial behavior and positive relationships and upon request spiritual guidance. Expanding access to TDCJ's R&R programs for a greater period of time could reduce recidivism and will allow opportunities for justice-involved persons to invest in themselves and prepare for life challenges upon release.</p> | <p>Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p> |
| <p>HB 3221 By: Leach</p> | <p>Relating to the accrual of a cause of action for purposes of certain laws governing certain construction liability claims.</p> | <p>Judiciary & Civil Jurisprudence Vote: 5 Ayes, 4 Nays, 0 PNV, 0 Absent</p> | <p>In 2019, legislation passed that favored contractors and design professionals by allowing them to repair construction defects on public facilities before the government entity could file suit for construction or design defects. The provisions laid out in HB 3221 would give contractors and design professionals more advantages.</p> <p>HB 3221 prevents a government entity from asserting a construction liability claim before the cause of action report is postmarked detailing the basis of the claim causing damage or loss of property due to an alleged construction defect to a government building or interested public work. HB 3221 has the ability to, in some circumstances, limit the time frame of which a governmental entity could bring forth a construction liability claim by making this change in statute. These new provisions would make it even more difficult for a governmental entity to hold contractors and design professionals responsible for fault construction of public facilities.</p> | <p>Unfavorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p> |
| <p>HB 2793 By: Johnson, Jarvis Sherman, Sr. Wu</p> | <p>Relating to parole determination s and individual treatment</p> | <p>Corrections Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p> | <p>Currently, a justice-involved person may become eligible for release years before the Parole Board Panel (PBP) reviews their case and sets an expected date for release. Concerns have been raised around the Texas Department of Criminal Justice's (TDCJs) inability to properly enroll justice-involved persons into programming and treatment required for release. Frequently, these persons are unaware of requirements and cannot begin programming until after they have been approved for release by the PBP, forcing them to remain in custody for months or years past their intended date of release.</p> | <p>Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p> |



| | | | | |
|-------------------------------------|--|--|--|--|
| | plans for inmates. | | <p>HB 2793 requires the PBP to provide a copy of statements regarding the granting or denial of release on parole or mandatory supervision to the justice-involved person and the rehabilitation programs division. If the decision results in a denial, the panel is required to specify actions that the justice-involved person must take to address factors that contributed to the denial.</p> <p>On an annual basis, the Board submits a report of their application of the parole guidelines to the Criminal Justice Legislative Oversight Committee and other legislative officials. Based on the PBP's review, HB 2793 encourages the Board to update and adjust how guidelines account for progress and risk-levels on a justice-involved person's individual treatment plan (ITP). The bill adds that the report must include accounts for an individual's progress on their ITP and uses the guidelines to make an individualized determination. Guidelines to approve or deny release must contain an analysis of parole denials and include reasons for denial and information regarding additional rehabilitative programming recommended for those who are denied.</p> <p>HB 2793 significantly reduces current date-related provisions that require all information relating to the individual to be captured by TDCJ no later than the 45th day after an individual has been admitted. Also, the bill requires the Board to conduct their initial review by no later than the 90th day after admission.</p> <p>HB 2793 adds that the information gathered must include an evaluation of the educational, rehabilitative, and vocational needs of the individual and the results of an assessment made using a risk and need assessment or another validated instrument adopted by TDCJ. Also, the bill specifies that TDCJ shall identify any classes or programs that the Board intends to require, make the classes or programs available, and provide this information to the individual before their eligibility date.</p> <ul style="list-style-type: none"> • TDCJ must establish an ITP within 60-days after obtaining the individual's information and provide the plan directly to the justice-involved person. • The bill adds that 1-year before their parole eligibility date, TDCJ shall assess the individual based on the validated instrument and revise their score as necessary to reflect the completion of programming as required by the ITP. • Annually, TDCJ shall review each ITP and, as necessary, revise the ITP and the individual's risk and needs assessment score to reflect completion of required programming. <p>HB 2793 will reduce overcrowding by providing earlier opportunities for critical programming and create opportunities for successful reentry into the community to improve public safety. Provisions laid out in the bill will provide accountability within TDCJ, and integration of an individual's progress will create more informed and accurate PBP release decisions in the future.</p> | |
| <p>HB 4212 By: Moody</p> | <p>Relating to procedures regarding defendants</p> | <p>Corrections Vote: 6 Ayes,</p> | <p>In 2019, the Texas Supreme Court's Commission on Mental Health established a task force composed of judicial stakeholders and mental health providers involved in court cases. The task force studied and made recommendations to improve or refine laws relating to defendants with mental health and intellectual and developmental disabilities. HB 4212 implements these recommendations, including the specification that in</p> | <p>Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708</p> |



| | | | | |
|--|--|--|--|-----------------------------|
| | <p>who are or may be persons with a mental illness or intellectual disability.</p> | <p>0 Nays, 0 PNV, 3 Absent</p> | <p>the early identification of a defendant's mental illness or intellectual disability, magistrates are not required to order the interview or collect information if the defendant is no longer in custody.</p> <p style="text-align: center;">Requisites of a Personal Bond</p> <p>HB 4212 adds that a personal bond is not required to contain the oath if the magistrate determines that the defendant has a mental illness or is a person with an intellectual disability or found incompetent to stand trial.</p> <p style="text-align: center;">Plea Procedures for Justice and Municipal Courts</p> <p>HB 4212 adds that these defendants or persons who are related, provide care, or have a fiduciary relationship with the defendant shall determine whether probable cause exists to believe that these defendants cannot understand the proceedings, require assistance in their defense, or are unfit to proceed. If the court determines that probable cause exists, the court may dismiss the complaint or appeal to a complaint after providing the State notice. HB 4212 prohibits the judiciary from accepting guilty or no contest pleas unless the defendant is mentally competent, and that the plea is free and voluntary.</p> <p style="text-align: center;">Time Credits</p> <p>HB 4212 adds that a court shall issue a time credit to the term of these individual's sentences if at any period the person participated in an outpatient competency restoration program.</p> <p style="text-align: center;">Competency Restoration Period</p> <p>Currently, if questions arose around the defendant's ability to stand trial and findings suggest that they are indeed competent, a trial for the restoration of the defendant's competency must occur before further action takes place. HB 4212 adds that the competency restoration period begins, including extensions of the period, on the later date that a defendant is ordered to participate in an outpatient program or is committed to mental health, residential care, or jail-based program, or the date that services actually begin.</p> <p style="text-align: center;">Jail-based Restoration of Competency Pilot Programs and County Implementation</p> <p>To contract with the Department of State Health Services (DSHS), the bill adds that a local behavioral health authority is eligible to develop and implement program services on their own. Also, the bill removes provisions that required providers to have one or more years of previous program experience.</p> <p>HB 4212 removes existing language specifying "clinical" competency restoration treatment currently offered within inpatient mental health facilities and expands to similar programs. The bill also removes provisions that required providers to be certified by a national nonprofit organization and have demonstrated a history of successful outcomes. However, the bill stipulates that the program must use a multidisciplinary treatment team to provide services, including mental health treatment and substance use disorder treatment as necessary, to restore competency through licensed or qualified mental health professionals within the jail. The bill adds that a provider may use a qualified psychologist to evaluate the defendant's competency and report to the court.</p> | <p>Chelsea@TexasLSG.org</p> |
|--|--|--|--|-----------------------------|



| | | | | |
|---|---|---|---|---|
| | | | <p>Suppose competency is not restored by the 60th day. In that case, the program services shall continue, unless the program has been notified that space at a facility or outpatient program is available and appropriate. Transfer only applies to defendants charged with a felony that has 45-days remaining in their restoration period or a misdemeanor where an extension has been ordered with no less than 45-days remaining. The bill adds that the defendant may be transferred to an outpatient program, including any extensions, for the remainder of their restoration period.</p> <p style="text-align: center;">Incompetency to Stand Trial</p> <p>HB 4212 adds order modifications following inpatient civil commitment placement for defendants who have been transferred from a maximum-security unit to any other facility. Defendants, or those who represent them, must request the court modify current orders for the defendant to participate in outpatient treatment. If the program facility makes this request by the 14th day, the court shall hold a hearing to accept or deny the modification. The bill stipulates that the court is not required to hold a hearing unless the request is accompanied by supporting materials proving the appropriate basis of the requested modification. Upon receipt of a request, the court requires the local authorities to submit a statement of need and the head of the program facility to submit a medical examination for mental illness for outpatient care before a hearing is held.</p> <p style="text-align: center;">Insanity Defense</p> <p>HB 4212 removes provisions that experts have at least 5-years of experience in performing criminal forensic evaluations for courts and more than 8-hours of continuing education and that documentation be provided to the court.</p> <p style="text-align: center;">Commission on Jail Standards</p> <p>HB 4212 adds that individuals with a mental illness must be provided with each prescription medication that a qualified medical professional or mental health professional determines is necessary for the prisoner's care, treatment, or stabilization.</p> | |
| <p>HB 2802 By: Dean Guillen Lozano</p> | <p>Relating to the administration of public school assessment instruments and the temporary suspension of certain accountability determination for public</p> | <p>Public Education Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>The COVID-19 pandemic has significantly disrupted schools and negatively impacted students throughout the country. These impacts question the validity of statewide standardized testing requirements and the cost of administering them in the current academic environment characterized by significant learning loss. HB 2802 seeks to address standardized testing requirements when a state of disaster is declared.</p> <p>HB 2802 requires the commissioner of education to apply for a U.S. Department of Education waiver from administering standardized testing under the federal Every Student Succeeds Act if a statewide disaster is declared that significantly disrupts public school operations in a majority of Texas districts during the school year. If the U.S. Department of Education fails to grant such waiver, the statewide standardized test results <i>may not</i> be used by the commissioner to:</p> <ul style="list-style-type: none"> • evaluate school district or campus performance for the applicable school year to impose any interventions or sanctions in regard to statutory provisions; and • determine a student’s qualification for promotion or graduation. | <p>Favorable Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org</p> |



| | | | | |
|-------------------------------------|---|---|--|--|
| | <p>schools in a school year in which public school operations are disrupted as a result of a declared disaster and the requirement to use those assessment instruments as a criterion for promotion or graduation of a public school student.</p> | | <p>HB 2802 takes into consideration the impact and challenges experienced by school districts and their students during declared states of emergency outside their control and avoids penalizing schools by releasing them from testing requirements during such emergencies.</p> | |
| <p>HB 3984 By: Davis</p> | <p>Relating to service of expert reports for health care liability claims.</p> | <p>Judiciary & Civil Jurisprudence Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>Expert reports serve to justify a claimant’s pursuit of a healthcare liability claim aid in distinguishing legitimate claims versus frivolous claims from bad actors. However, there are imprecise timeframes in which these claims should be presented. This often results in confusion for both parties of the claim and can elongate court proceedings. HB 3984 provides necessary clarifications and establishes clear deadlines for these expert reports. These clarifications will allow for expedient trials, and these provisions will remove any confusion about expert report expectations.</p> <p>HB 3984 authorizes a court to make a preliminary determination regarding a health care liability claim. The preliminary determination would be a designation if the claim requires an expert report. If a court determines that an expert report is required, then the claimant must present the report within the following timeline:</p> <ul style="list-style-type: none"> • 120 days after the defendant’s original answer - first plea - in the case. • 60 days after the court’s preliminary determination under this bill. • a date that was mutually agreed on by all parties. <p>If a preliminary determination is not issued within 90 days of the claim’s filing, then the court is required to issue a preliminary determination that an expert report is required for the case. The claimant or defendant is able to appeal a preliminary determination. If an appellate court reverses a district court’s preliminary</p> | <p>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p> |



| | | | | |
|---|---|--|--|---|
| | | | determination that a claim is not a health care liability claim, then the claimant is required to submit an expert report within 120 days of that ruling. | |
| HB 3388 By: Thompson, E. | Relating to information regarding state agency vehicle fleets. | State Affairs Vote: 11 Ayes, 0 Nays, 0 PNV, 2 Absent | Currently, all state agencies are required to submit quarterly reports on their respective fleets to the Comptroller’s Office of Vehicle Fleet Management, which reviews fleet operations and makes recommendations to agencies. Agencies are required to submit a fee of \$5.25 per vehicle to assist in the maintenance of the Office’s reporting system. Responding to concerns that this external reporting process is costly and unreasonably time-consuming for agencies with large fleets, HB 3388 requires that agencies with a fleet of over 2,500 vehicles establish an internal vehicle reporting system to assist in fleet management. These agencies - currently including the Department of Transportation, the Department of Criminal Justice, the Department of Public Safety, and the Parks and Wildlife Department - must only report requested information to the Office once per year. Any such agency shall be exempt from paying a fee to the office for maintaining the statewide reporting system. These measures will improve agency efficiency and allow them to focus on their core mission, rather than excessive reporting requirements. | Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org |
| HB 2950 By: Smith | Relating to the composition of and actions transferred by the judicial panel on multidistrict litigation. | Judiciary & Civil Jurisprudence Vote: 6 Ayes, 3 Nays, 0 PNV, 0 Absent | Multidistrict litigation (MDL) refers to a legal process where one can consolidate common questions of fact by putting them into one court, which ultimately speeds up the process of handling such cases. Texas’ Judicial Panel on MDL consists of judges that are appointed by the Chief Justice of the Texas Supreme Court. HB 2950 expands on who is able to serve on the panel by including a former or retired court of appeals justices or active administrative justices. Additionally, the bill states that the MDL panel would now be decided by the whole Texas Supreme Court, and not just the Chief Justice. HB 2950 also includes a provision that adds that facts of law could now be eligible for MDL. This broadens the category of what can be transferred, which creates opportunities for a defendant to possibly choose where their case is heard and ultimately decided. Federal law on MDL does not include facts of law, which would create inconsistencies in statute. | Favorable with Concerns Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org |
| HB 2711 By: Hinojosa Murphy Guillen | Relating to the continuation of a residence homestead exemption from ad valorem taxation while the owner is temporarily absent because of | Ways & Means Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent | There are several current exemptions that allow property owners to temporarily freeze their property taxes, which are commonly used by property owners who deploy abroad in the military or are hospitalized for extended periods of time. HB 2711 extends the property tax freeze exemption to foreign officers, such as diplomats or security officials, who are serving abroad representing the United States. This change will allow people serving the U.S. and Texas abroad to save on property taxes for residential homesteads they are not physically occupying. | Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org |



| | | | | |
|---|--|---|--|--|
| | service outside of the United States as a foreign service officer employed by the United States Department of State. | | | |
| HB 2344 By: Zwiener Bernal VanDeaver Buckley Lozano | Relating to authorizing the use of a writer portfolio assessment to assess writing performance for public school students. | Public Education Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent | <p>Texas assesses students' writing proficiency through the State of Texas Assessment of Academic Readiness (STAAR) exam. Concerns have been raised by educators that the current system is insufficient in assessing a child's writing proficiency and hinders a student's writing growth. The exam is graded on a metric system and encourages writing to be taught in a formulaic fashion that hampers creativity and independent thought.</p> <p>HB 2344 seeks to improve the current students' writing assessment model by authorizing districts to adopt a writing portfolio assessment as a component of the required reading exam. A school district may opt in to elect the use of a writing portfolio assessment for students in place of administering a portion of the reading STAAR exam for grades three through eight and an English I or II end-of-course exam that is not presented as in a multiple-choice format. The bill requires a district that chooses to assess with a portfolio assessment component to design the assessment in conjunction with public and private institutions of higher education and submit it to TEA for approval. HB 2344 requires a district to adopt a policy allowing the assessment to be scored by a classroom teacher assigned to the same campus as the student to whom the assessment is administered.</p> <p>Teaching students to write to a prescribed formula hinders their writing development and would cause many young talented writers to lose confidence and interest in writing. HB 2344 would benefit students by allowing this portion of their assessment to be completed throughout the school year and receive immediate teacher feedback rather than adhering to a rigid and formulaic essay task on a given test day. These teachers are better positioned to understand student performance at their campus and appropriately adjust instruction to meet their needs.</p> | Favorable Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org |
| HB 2821 By: White | Relating to the diversion of certain foster youth from the juvenile justice system, | Juvenile Justice & Family Issues Vote: 9 Ayes, 0 Nays, | Children in the foster care system often face trauma which results in maladaptive behavior outputs e.g., extreme emotional outbursts, poor self-regulation, depression, or anxiety symptoms, etc. Stakeholders that provide juvenile services have jointly voiced concerns about children being referred to the juvenile justice system via general residential operations (GRO) - a 24 hr. child-care facility that cares for 7 or more children. Often, trauma-related behaviors are mistakenly identified as criminal behaviors by GROs and result in | Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org |



| | | | | |
|---|--|--|---|---|
| | including through emergency behavior intervention by certain persons providing foster care services. | o PNV, o Absent | <p>children entering the juvenile justice system. HB 2821 addresses this issue via several paths to ensure a holistic solution.</p> <p>HB 2821 requires a person conducting a child’s preliminary investigation to refer the case to certain local or community based juvenile service entities. These entities will then make the determination if the child will reside in a GRO. HB 2821 requires residential childcare facility employees to be trained in crisis response training for emergency behavior intervention.</p> <p>Under HB 2821, a juvenile board is required to adopt policies, specifically targeting children that live in a GRO, that prioritize diversion and utilizing juvenile detention as a last resort.</p> <p>Criminalizing children, especially for mental health conditions, does not align with Texas’ vision for juvenile justice. Ensuring that children are able to grow up to be successful, empowered, and healthy aligns with this vision. HB 2821 will help keep children out of the system and to connect them with essential services.</p> | |
| <p>HB 3121</p> <p>By: Turner, John Price Coleman</p> | Relating to a voluntary quality standards certification process for certain private residential psychiatric treatment facilities that provide treatments and services to youth; imposing fees; authorizing civil and administrative penalties. | <p>Public Health</p> <p>Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>HB 3121 specifically addresses the lack of mental health care options available for youth during post-hospitalization. The bill will allow for existing residential facilities to voluntarily meet heightened standards as well as incentivize new programs to expand to Texas.</p> <p>HB 3121 creates the framework for the development and implementation of a voluntary quality standards certification process for eligible psychiatric residential youth treatment facilities. The Health and Human Services Commission (HHSC) will be responsible for the creation of the certification process as well as conducting the annual compliance inspections. The bill establishes admission criteria for facilities certified under this act.</p> <p>The bill requires the HHSC executive commissioner to establish all necessary fees to cover the costs of administering the certification process. The executive commissioner will also establish the minimum eligibility standards, and their criteria, for residential youth treatment facilities to become certified. Certified facilities are subject to civil and administrative penalties for violations of this bill’s provisions. The bill also clarifies that its provisions are not applicable to mental hospitals, private mental hospitals, or other mental health facilities. Additionally, the bill’s provisions will not impact other existing licensing or requirements of psychiatric residential youth treatment facilities.</p> <p>Adolescents and their families need support that is not available currently, but HB 3121 will ensure this support becomes readily available for Texans.</p> | <p>Favorable</p> <p>Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p> |
| <p>HB 4355</p> <p>By: Krause</p> | Relating to providing children committed to | <p>Juvenile Justice & Family Issues</p> <p>Vote:</p> | <p>HB4355 will ensure that children or individuals have access to necessary identification and removes another roadblock to successful reintegration. Often, those that go through incarceration or secured supervision lose identification needed to apply for s social services and need to have them replaced. This process is difficult and keeps people from successfully reintegrating back into their community. HB 4355 addresses this issue</p> | <p>Favorable</p> <p>Evaluated by: Devan Daniel (419) 566-5465</p> |



| | | | | |
|---|---|--|---|---|
| | the Texas Juvenile Justice Department and prisoners serving a sentence in a county jail with certain documents on discharge or release. | 9 Ayes, 0 Nays, 0 PNV, 0 Absent | <p>by having the Texas Juvenile Justice Department (TJJD) or the county sheriff confirm or provide access to identification documentation prior to release or discharge.</p> <p>HB 4355 requires that the TJJD and a county sheriff must do the following before releasing a child under supervision or discharging an individual serving a county jail sentence:</p> <ul style="list-style-type: none"> determine if the child or individual has a valid driver’s license or personal identification certificate, a certified copy of their birth certificate, and a copy of their social security card. if the child or individual does not have a driver’s license or personal identification certificate, then a request for this document must be submitted to the appropriate entity when practicable to ensure it can be provided at the time of release or discharge. <p>The issuing fee of a personal identification certificate under this bill’s provisions is \$5.</p> <p>HB 4355 requires that TJJD or the Commission of Jail Standards enter into a memorandum of understanding with the vital statistics unit of the Health and Human Services Commission (HHSC). The memorandum must establish the responsibilities of the TJJD or Commission of Jail Standards and HHSC to carry out the bill’s provisions and require that the identity related information gathered is verified by and reported to the appropriate entities. TJJD, the county sheriff, or the county’s commissioners court is required to reimburse DPS or DSHS for costs accrued to carry out the responsibilities from this bill. These entities are also given the authority to charge the parents of the child or the discharged individual to cover these costs. The bill excludes non-residents.</p> | Devan@TexasLSG.org |
| HB 3141 By: Dominguez Cain Harris Price | Relating to requiring the disclosure of fees charged for the sale of concert and other event tickets. | Business & Industry Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent | <p>There is a lack of transparency regarding all ticket sale fees charged by ticket vendors, in person and online. These hidden fees often raise prices to be significantly higher and are not noticed until the transaction is completed. HB 3141 addresses this issue by increasing the transparency required for fully informed decisions when purchasing tickets.</p> <p>HB 3141 requires a person that sells or resells tickets, including operators of a ticket website, to disclose fees in connection to the transaction. For ticket websites, operators must post these fees in an easily accessible location on their website for purchasers or potential purchasers.</p> <p>HB 3141 increases the information available for consumers to make fully informed decisions when purchasing tickets and to not be caught off guard by hidden fees.</p> | Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org |
| HB 1984 By: Vasut | Relating to the duration of a special open hunting season for | Culture, Recreations, & Tourism Votes: | The Texas Youth Hunting Program (TYHP) was established in 1996 to provide youth, under 17 years old, with opportunities to learn about hunting safely, legally, and ethically and the roles landowners and hunters play in wildlife conservation. The Parks and Wildlife Commission oversees TYHP and offers more than 200 hunts a year, but many of the youth hunting seasons are limited to only two weekend days. | Favorable Evaluated by: Audrey Erwin (928)210-4303 Audrey@TexasLSG.org |



| | | | | |
|---|---|---|---|---|
| | game animals and certain game birds restricted to persons under 17 years old. | 7 Ayes, 1 Nays, 0 PNV, 1 Absent | HB 1984 would ensure TYHP’s special open season, excluding the special open season for migratory game birds or waterfowl, is a minimum of seven consecutive days. | |
| HB 3286 By: Schofield | Relating to the overnight parking of a commercial motor vehicle near certain apartment complexes. | Transportation Votes: 11 Ayes, 0 Nays, 0 PNV, 2 Absent | Counties have expressed concerns on behalf of apartment complexes about commercial trucks and trailers parking overnight and creating street congestion and safety issues. Currently, municipalities may adopt restrictions to public street parking, but counties do not enjoy the same clear regulatory authority to adjust regulations for residential subdivisions that are apartment complexes. Residential subdivisions may petition a county to post parking restriction signs, but Texas Transportation Code does not account for apartment complex petitions. HB 3286 permits a county with a population over 220,000 to restrict commercial vehicle parking between 10 p.m. and 6 a.m. on rights-of-way adjacent to apartment complexes if the request is made by the owner or manager of that apartment complex. This bill will allow counties the regulatory mechanism to ensure safe rights-of-way near apartment complexes through posted signage restricting the use of roads as overnight commercial parking. | Favorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org |
| HB 3294 By: Bell, Cecil Walle Capriglione Thompson, Ed Bonnen | Relating to funding for the Texas emissions reduction plan. | Appropriations Votes: 23 Ayes, 0 Nays, 0 PNV, 4 Absent | The Texas Emissions Reduction Plan (TERP) is a program offering grants to incentivize the purchase of equipment or vehicles with a smaller carbon footprint in an effort to improve air quality in metropolitan areas of the state that are struggling to meet federal clean air requirements. The TERP fund is housed outside of the state treasury, as intended, but concerns have brought to light regarding some of the fees collected from the motor vehicle titles not being deposited in the fund because of complex chains of distribution. HB 3294 would have all motor vehicle title fees deposited directly into the TERP fund as recommended by the comptroller. Currently, motor vehicle fees are deposited to the Texas Mobility Fund (TMF) with \$5 from each fee dedicated to the TERP fund. The bill would require the Texas Department of Transportation (TxDOT) to report the amount deposited to TERP each month and for TxDOT to request the comptroller match that amount in the form of a transfer from the State Highway Fund (SHF) to the TMF. Any fees collected on or after the last day of the fiscal biennium are to be deposited to the TMF, during this time the Texas Commission on Environmental Quality will publish the National Ambient Air Quality Standards from the EPA for ozone and air quality in the Texas Register. Streamlining transferring into TERP can help to ensure the stability of the fund, continuation of the popular incentive program, and improvement of air quality for Texans. | Favorable Evaluated by: Audrey Erwin (928)210-4303 Audrey@TexasLSG.org |
| HB 3162 By: Martinez | Relating to a certificate of merit in | Judiciary & Civil Jurisprudence | Certificates of merit are sworn statements made by a third party who practices within the same profession providing confirmation that a claim is legitimate. In 2019, legislation passed extending certificate of merit requirements for plaintiffs who sue certain licensed or registered engineers, architects, landscape architects, | Favorable Evaluated by: Victoria McDonough |



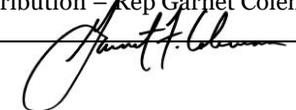
| | | | | |
|--------------------------------------|---|---|---|--|
| | <p>certain actions against certain licensed or registered professionals.</p> | <p>Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>or land surveyors to all claims for these lawsuits. This change in statute resulted in unintended consequences for design-build projects, which HB 3162 seeks to address.</p> <p>HB 3162 states that a third-party plaintiff that is a design-builder or design-build firm would no longer be required to file a certificate of merit for some third-party claims. In instances where issues have not arisen from the previous legislation, the certificate of merit requirements remain. HB 3162 would resolve the problematic dilemma that currently exists in statute.</p> | <p>(251)422-0558 Victoria@TexasLSG.org</p> |
| <p>HB 782 By: Swanson</p> | <p>Relating to requirements for certain petitions requesting an election and ballot propositions.</p> | <p>Elections Votes: 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p> | <p>Currently, 376 home-rule chartered municipalities oversee the ballot language of propositions. City attorneys and city councils work together to draft proposition language that adheres to municipal and state requirements. Recently, there have been court cases targeting ballot propositions in Austin and Houston stating that the language was misleading to voters. The Texas election code currently limits ballot propositions to a single statement on the ballot and city charters contain requirements that must be adhered to in the drafting of ballot proposition language for their cities.</p> <p>HB 782 seeks to unify petition forms throughout Texas and change oversight procedures for ballot propositions and acceptable processes of petitioning a proposition. HB 782 requires the Secretary of State to create a uniform process for petitions including the form, content, and procedures. Giving the SOS this power takes away local control. A home-rule city may not dismiss a petition if they use a form different from the SOS that contains additional information that is not provided. A city would verify signatures for a petition within 30 days and may not limit who is allowed to collect signatures. A petition signature cannot be invalidated on the basis of illegibility as long as the signer is eligible to sign and did so in the required timeframe.</p> <p>HB 782 would allow voters to directly submit propositions they feel are misleading to be reviewed by the office of the Secretary of State (SOS). The SOS would be responsible for ensuring that ballot language is stated with “definiteness and certainty that the voters are not misled” within 7 days of receiving the submitted proposition. If the SOS determines that a rewrite of a ballot proposition is needed, then a county must work to rectify the language. If, on notice of the revised proposition language, a voter still finds a proposition misleading the SOS will draft the new language.</p> <p>This bill gives an exemption to religious organizations to circulate or submit a petition and ballot language in connection with an election and could negatively impact cities and counties with inclusive LGBTQIA policies amongst other issues. Currently, corporations, which are broadly defined to include any corporations as for-profit or non-profit businesses and labor organizations, are prohibited from taking such actions. Providing an exemption would give religious organizations that benefit from tax exemptions preferred treatment over other entities. Additionally, if a city is brought to court by a petition complaint and ballot language has been found to be misleading, then the city is responsible for the petition plaintiff’s court and attorney’s fees. The city is then required to seek approval on all proposition language from the SOS for 4 years after the court’s</p> | <p>Unfavorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p> |



| | | | | |
|---|--|--|---|--|
| | | | finding. The city cannot accept pro-bono services for court proceedings and must pay fair-market value. HB 782 requires a municipality to use court issued language without regard to home-city charter regulations and waives governmental immunity liability. | |
| HB 3298 By: Allison Guillen | Relating to the establishment of a computer science strategic advisory committee and the essential knowledge and skills of the technology applications curriculum. | Public Education Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent | There is a large demand for computer science skills in all job markets, and Computer Science is one of the fastest-growing academic disciplines. The 86th legislature required the State Board of Education (SBOE) to review and revise Texas Essential Knowledge and Skills (TEKS) inventory to include coding, computer programming, computational thinking, and cybersecurity. Despite this, computer science course enrollment remains low for Texas students. HB 3298 addresses this disparity by establishing a new deadline for SBOE to update TEKS with technology applications curriculum. The bill also requires the Texas Education Agency (TEA) to permanently establish the computer science strategic advisory committee to develop recommendations for increasing computer science instruction and participation in public schools. Provisions outline the composition, appointment, operation, and compensation of the advisory committee, which must include a TEA-appointed employee. The committee is required to submit a report with recommended changes to state law, including funding proposals and timelines for implementing recommended changes, to the governor and legislature each odd-numbered year. HB 3298 seeks to ensure Texas students develop the necessary computer science knowledge and skills to help them be competitive in the future workforce. | Favorable Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org |
| HB 3959 By: Buckley Guillen Bailes Cyrier | Relating to the establishment of the Texas youth livestock show grant program. | Agriculture & Livestock Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent | Agriculture education for Texas youth is an experience that provides job skills, scholarship funding, and community engagement. Students compete in livestock shows that are supported by the community throughout the year and participate in livestock auctions that provide prize earnings. Due to COVID- 19 most of these livestock shows were canceled in 2020 and students were unable to participate affecting a critical source of scholarship funds in many rural districts. To address the absence of financial security in economic downturns for the production of these livestock shows, HB 3959 creates the Texas Youth Livestock Show Program and Texas Youth Livestock Show Fund that will grant funding to youth livestock shows from the Texas Department of Agriculture. The grants would be made to fund youth livestock shows that are regional or under 10 years in existence. The fund would utilize a portion of state sales tax from items related to the raising or selling of livestock shows as well as grants, including federal grants, donations, gifts, interest from the fund, and other state-appropriated funding. | Favorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org |
| HB 1156 By: Thierry Leach Bell, | Relating to creating the criminal offense of financial | Criminal Jurisprudence Vote: 9 Ayes, | National reports indicate that older Americans collectively lose nearly \$37 billion each year to financial scams and abuse. Since Texas has one of the largest and fastest-growing populations of senior citizens, the influx of financial abuse reports has created concerns around the need to protect vulnerable older Texans from scams. HB 11156 will create an offense for the financial abuse of older Texans to protect them from financial scams and abuse. | Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org |



| | | | | |
|--|--|---|---|--|
| <p>Keith Crockett</p> | <p>abuse of an elderly individual.</p> | <p>0 Nays, 0 PNV, 0 Absent</p> | <p>The bill adds definitions for elderly individuals, financial abuse, and financial exploitation. Financial exploitation is defined as a breach of a relationship that results in the unauthorized appropriation, sale, or transfer of property, taking of assets, and the misappropriation or misuse of an individual’s money. A breach of this relationship is done when the actor knowingly or intentionally fails to effectively use the victim’s resources for their support and maintenance. HB 1156 specifies that the actor is in breach if they have a relationship of confidence or trust with the victim as well. Specifically, if they are a parent, spouse, adult child, or another relative by blood or marriage; joint tenant or tenant; have a legal or fiduciary relationship, act as a financial planner or investment professional, and act as a paid or unpaid caregiver of the victim.</p> <p>The offense depends upon the value of the victim’s resources in question and results in a Class B or A misdemeanor if the value is less than \$750 or state jail, third-degree, second-degree, or first-degree felony if the value is more than \$750 to \$150,000. HB 1156 also allows the court to prosecute the actor under provisions laid out by the bill, another section of the Penal Code, or both Sections.</p> | |
| <p>HB 2558 By: Capriglione Bell, C. Schaefer Slawson Oliverson</p> | <p>Relating to prohibited state contracts with companies that discriminate against the firearm or ammunition industries.</p> | <p>State Affairs Vote: 8 Ayes, 3 Nays, 0 PNV, 2 Absent</p> | <p>HB 2558 prohibits state agencies and political subdivisions from entering into a contract valued at \$100,000 or more with companies that have over 10 full-time employees if that company does not verify that it does not and will not discriminate against the firearm or ammunition industries. This] includes sales, manufacturing, distribution, and related commercial entities, as well as sport shooting ranges and firearm trade associations. Discrimination could include refusal to engage in trade, refusal to continue doing business with, or other expressions of prejudice against these industries. This would not apply to a governmental entity that determines the requirement is inconsistent with its fiduciary duties or to contracts entered into prior to the bill’s passage.</p> <p>This bill addresses certain practices undertaken by financial institutions, some of whom have been cautious about doing business with industries that are believed to be at high risk for fraud, such as the firearm and payday lending industries. The bill’s overly broad language does not outline specific rules under which a company’s actions may be seen as discriminatory, leaving open the possibility that closing a firearm seller’s account or refusing to extend a loan to a sport shooting range due to financially or administratively sound reasons could be construed as discrimination. Further, this bill does not outline any sort of enforcement mechanism to ensure a company’s compliance.</p> <p>This bill would likely have little direct impact. However, it would set a precedent that the state is comfortable with providing certain industries with special financial protections not available to others that are equally if not more important to the Texas economy. The bill could further cause government entities to pass on the most high-quality, cost-effective goods and services due to a company’s refusal to sign a legally-binding contract that prohibits certain broadly defined behaviors that may well fit within its current, sensible business practices.</p> | <p>Unfavorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p> |



| | | | | |
|---|--|---|--|---|
| <p>HB 3673 By: Johnson, Jarvis</p> | <p>Relating to the establishment of a sickle cell disease registry.</p> | <p>Public Health Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>The CDC estimates that over 100,000 people in the US suffer from sickle cell disease (SCD), this diagnosis disproportionately present in Black Americans. It is estimated that SCD occurs in 1 of 365 Black American births. However, this estimate is based on newborn screenings and life expectancy data. A registry would allow for a more accurate accounting of those with SCD in this country as well as Texans with SCD. Additionally, a registry would provide a central location to promote the further development of treatment and cures for SCD. HB 3673 will provide such a registry for individuals with SCD.</p> <p>HB 3673 requires the Department of State Health Services (DSHS) to create and maintain an SCD registry. The registry will serve as a single central location for records of individuals diagnosed with SCD which will include information deemed necessary by the Health and Human Services Commission’s (HHSC) executive commissioner. Health care facilities are required to submit data about SCD patients to DSHS, and the HHSC executive commissioner is responsible to ensure these records remain confidential when the information is ultimately added to the registry. DSHS is required to submit an annual report to the Texas legislature regarding the information gathered for the registry. DSHS also has the authority to release supplemental reports, in collaboration with other reporting or research entities, to carry out the registry’s purpose.</p> <p>SCD disproportionately impacts Black Americans and requires action from state leaders. This registry aligns with Texas’ vision of equitable healthcare and to eradicate health disparities and disproportionality.</p> | <p>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p> |
| <p>HB 3546 By: Cortez</p> | <p>Relating to the authority of a municipality to add property to a common characteristic public improvement district.</p> | <p>Urban Affairs Vote: 7 Ayes, 1 Nay, 0 PNV, 1 Absent</p> | <p>Public Improvement Districts are legal mechanisms for property owners in a defined geographical area to jointly plan and put in place a sustainable funding source that can pay for a set of services to improve their area. These districts are solely made up of hotels with district proceeds used for marketing and sales initiatives to grow local hotel activity and tourism. There has been confusion regarding a municipality’s authority to add new hotels to an existing district.</p> <p>HB 3546 allows municipalities to add a property to a Public Improvement District if a sufficient number, more than 60% of appraised value owners, of the record owners of the real property currently included in the district and proposed to be included in the district have consented. Consent is given by signing the original petition to establish the district or by signing a petition or written consent to include the property in the district.</p> <p>Public Improvement Districts have been created have been widely successful and are vital in the recovery of the Texas tourism industry in the wake of the COVID-19 pandemic.</p> | <p>Favorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p> |
| <p>HB 100 By: Gervin-Harkins</p> | <p>Relating to a notarized affidavit requesting a municipal animal control</p> | <p>Urban Affairs Vote: 9 Ayes, 0 Nays, 0 PNV,</p> | <p>There have been concerns regarding the number of dog attacks on domestic animals and livestock in the extraterritorial jurisdiction of cities and counties across Texas. Many of these areas do not have an internal operating animal control authority.</p> <p>HB 100 allows municipal animal control authorities to impound and manage dangerous and aggressive dogs in the municipality’s unincorporated area that is contiguous to the corporate boundary if:</p> | <p>Favorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p> |



| | | | | |
|---|--|--|---|---|
| | authority to manage dangerous dogs and aggressive dogs in the municipality's extraterritorial jurisdiction. | 0 Absent | <ul style="list-style-type: none"> the authority receives a notarized affidavit requesting assistance from residents of an unincorporated area without an animal control authority that can manage dangerous dogs. there is no animal control authority in the area authorized to operate or the operating authority does not provide impoundment or management of those types of dogs. <p>An aggressive dog is defined as a dog that makes an unprovoked attack on a domestic animal or livestock that causes bodily injury to the animal and occurs outside of the dog's secure enclosure. Granting authority to municipalities to allow their animal control agencies to operate in those areas would help address the issue of dog attacks.</p> | |
| HB 2095 By: Wilson | Relating to water research conducted by The University of Texas Bureau of Economic Geology. | Natural Resources Vote: 9 Ayes, 0 Nays, 0 PNV, 2 Absent | <p>There have been concerns that water availability models, which help local and state water management authorities plan for water needs based on available resources, population growth, drought conditions, and other factors, are not adequately disseminated to all relevant parties. Since water resources across Texas are interconnected, a statewide entity that can aggregate and analyze data from all available sources is needed to produce more accurate models.</p> <p>This bill directs the University of Texas Bureau of Economic Geology, which conducts geoscience research, to collaborate with the Texas Water Development Board to improve available data and modeling of the state's water resources, including groundwater, surface water, and soil or atmospheric moisture. The bureau must advance modern and integrated modeling techniques that consider the interconnections of various water sources that are managed separately by law. The bureau shall collaborate with other research, regulatory, and water management entities to carry out these duties, and data shall be made available through current statewide data collection and dissemination networks.</p> <p>These provisions will promote better understanding of interrelated water resources through more efficient and modern data collection and modeling procedures. This will allow local and statewide authorities to better manage the state's water to ensure adequate supply for current and future use.</p> | Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org |
| HB 156 By: Ortega Moody González, Mary Fierro Ordaz Perez | Relating to the authorization by referendum of an optional county fee on vehicle registration in certain counties. | Transportation Votes: 13 Ayes, 0 Nays, 0 PNV, 0 Absent | <p>The El Paso area's roads are critical to national security and safety, encompassing some of the busiest ports of entry along the U.S.-Mexico border and a large military base, Fort Bliss. Additionally, the region's aging roads are supporting increased trade activity and a rapidly growing population.</p> <p>HB 156 would allow El Paso County residents to vote on a referendum that would create an additional \$10 fee on vehicle registration for priority projects that are managed by the Metropolitan Planning Organization. This bill creates new funding capacity for long term projects in the El Paso region and could relieve Texas Department of Transportation funds for other uses.</p> | Favorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org |
| HB 3598 | Relating to increasing the minimum | Corrections Vote: | Currently, intoxication manslaughter is a second-degree felony that carries 2- to 20-years of prison time and/or a fine up to \$10,000. If an individual is convicted, judicial officials hold the discretion to sentence the individual to minimal confinement. | Favorable Evaluated by: Chelsea Dalton Pederson |



| | | | | |
|--|--|--|---|---|
| <p>By: Leach Rodriguez</p> | <p>term of imprisonment and changing the eligibility for community supervision, mandatory supervision, and parole for persons convicted of intoxication manslaughter.</p> | <p>7 Ayes, 0 Nays, 0 PNV, 2 Absent</p> | <p>For this offense, HB 3598 requires a 5-year minimum term of imprisonment. Given that minimal terms of confinement limit judicial discretion, HB 3598 adds that judges granting community supervision to a convicted defendant may reduce the minimum term of imprisonment to as low as 2-years. Judges may only reduce minimum terms if it is in the community's best interest, that no one will further be harmed, and enters the finding on the record. HB 3598 establishes that these individuals are not eligible for parole until completing the 5-year minimum, regardless of good conduct time. The bill also prohibits a parole board panel from releasing these justice-involved persons until provisions are met.</p> <p>By requiring minimal jail time, HB 3598 will ensure public safety from individuals convicted for intoxication manslaughter offenses.</p> | <p>512-661-9708 Chelsea@TexasLSG.org</p> |
| <p>HB 1884 By: Dominguez White Raymond Guillen Middleton</p> | <p>Relating to the award of grants by the Texas Workforce Commission to facilitate the participation of certain veterans and military personnel in apprenticeship training programs.</p> | <p>Defense & Veteran Affairs Vote: 6 Ayes, 2 Nays, 0 PNV, 1 Absent</p> | <p>Community and technical colleges collaborate with the Texas Workforce Commission (TWC) to train veterans for in demand occupations. Many active duty military members also struggle transitioning from service to a civilian occupation. There have been requests to provide incentives to non-profit organizations who may be interested in assisting veterans participate in apprenticeship training programs.</p> <p>HB 1884 requires TWC to develop and administer a program that would allow TWC to award grants to non-profit organizations who facilitate veterans' and active duty military members' participation in apprenticeship training programs, based in Texas, during their transition into civilian employment. TWC shall adopt rules for verifying that state funds awarded are being appropriately used.</p> | <p>Favorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p> |
| <p>HB 1781 By: Krause Martinez</p> | <p>Relating to the propagation of breeder deer by cloning.</p> | <p>Culture, Recreation & Tourism Votes: 6 Ayes, 2 Nays, 1 PNV, 0 Absent</p> | <p>HB 1781 would allow deer breeders to use cloning as a form of breeding through in vitro fertilization. In November of 2020, Texas Parks and Wildlife Department (TPWD) updated its rules for deer breeding permit holders by ruling cloning as a form of deer propagation, after the public input period, for white-tailed or mule deer, with the exception of the scientific need for credible research. This is prohibited to prevent unintended negative consequences on the deer population from using technology not fully understood or definitively free from negative outcomes. HB 1781 will overrule this decision and make deer cloning an allowed method of deer breeding.</p> <p>There is an assertion that the intent of the cloning is to preserve preferred genetic traits in deer, but the Texas Foundation for Conservation and the Texas Wildlife Association caution against this outside of authorized</p> | <p>Unfavorable Evaluated by: Audrey Erwin (928)210-4303 Audrey@TexasLSG.org</p> |



| | | | | |
|--|--|---|--|--|
| | | | <p>research settings. The Texas Wildlife Association stated issues could arise where deer cloning makes tracking where an animal came from for epidemiological purposes more difficult.</p> <p>Research on cloning mammals has not produced overwhelmingly positive or negative results to conclusively determine how expansively it should be used. The FDA is doing ongoing research of the technology including assessing the need for updates to the risk assessment as new information becomes available. Cloning wild animals should only be done in a research setting where guidelines exist to ensure the best outcomes for the animals.</p> | |
| <p>HB 4293</p> <p>By: Hinojosa Krause Moody Leach González, Jessica</p> | <p>Relating to the creation of a court reminder program for criminal defendants.</p> | <p>Judiciary & civil Jurisprudence</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p> | <p>There are well reported concerns of an inflated number of Texans in jail due to a failure to appear to a court date they were unaware existed, had changed time, or simply forgot about. Failure to appear at court is costly for the court system, the individual, and the county.</p> <p>HB 4293 creates a text alert program from the Office of Court Administration of the Texas Judicial System (OCA) free of charge for counties to notify people who are criminal defendants of scheduled court proceedings. The program aims to reduce costs, improve the efficiency of TX courts, remind people of court dates, and decrease the number of people in county jail due solely to their absence from a scheduled court appearance.</p> | <p>Favorable</p> <p>Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p> |
| <p>HB 1568</p> <p>By: Middleton Buckley Bell, Keith Krause</p> | <p>Relating to the school district property value study conducted by the comptroller of public accounts.</p> | <p>Public Education</p> <p>Votes: 11 Ayes, 1 Nays, 0 PNV, 1 Absent</p> | <p>The Property Value Study (PVS) helps to ensure the equitable distribution of state funding for public education. Government Code requires the comptroller’s office to conduct a study to determine the total taxable value of all property in each school district at least once every biennium. The comptroller’s Property Tax Assistance Division (PTAD) conducts the PVS to estimate a school district’s taxable property value. The results affect a school district’s state funding. The Commissioner of Education uses the PVS to ensure equitable distribution of education funds, so school districts have roughly the same amount of money to spend per student regardless of the school district’s property wealth. The secondary purpose of the PVS is to collect data to provide taxpayers, school districts, appraisal districts, and the legislature with measures of appraisal district performance. PTAD measures the level and uniformity of property tax appraisals using data collected in the school district PVS. Each county appraisal district (CAD) determines local property values and set school district tax rates that determine the number of local tax revenues. The comptroller’s office tests the values the CAD assigns by constructing a statistical margin of error around the comptroller’s estimate. Currently, the margin of error is five percent.</p> <p>HB 1568 would amend the Government Code to modify the eligibility for a school district to receive a grace period when they are found to be appraising below market value by lowering the required level of appraisal for all categories of property sampled from 90 percent to 85 percent. The bill would increase the maximum margin of error to be used in determining the validity of school district taxable values from five percent to 7.5 percent. The bill would apply beginning with the tax year 2022 property values.</p> | <p>Favorable</p> <p>Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org</p> |



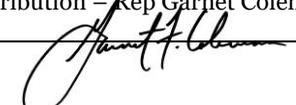
| | | | | |
|------------------------------|--|---|---|---|
| | | | In the short term, this would mean fewer districts would fail the property value study, thus lowering the property value used in state aid calculations for some school districts, which would increase state aid and/or reduce recapture in those districts. In the long term, this change could reduce pressure on appraisal districts to keep appraisals at fair market value. This would likely mean lower property tax collections as compared to current law for school districts as well as cities, counties, and other taxing jurisdictions. For school districts, increased state aid and reduced recapture would partially offset the lower tax collections. For other taxing jurisdictions, there is no mechanism to make up for the lost revenue. Additionally, lower appraised values could result in higher tax rates because property tax rate compression is triggered by property value growth. | |
| HB 1530 By: Murphy | Relating to authorizing the issuance of revenue bonds to fund capital projects at public institutions of higher education. | Higher Education Vote: 9 Ayes, 0 Nays, 0 PNV, 2 Absent | As Texas continues to grow, the needs and demands of higher education systems grow too. In order to keep up, higher education systems need to construct new buildings and to renovate current infrastructure. HB 1530 authorizes the boards of regents of specific Texas public higher education institutions to issue bonds and use their system-wide revenue financing program to fund functions, e.g., acquire, purchase, construct, etc., related to specific capital projects. The bill delineates the specific projects and the maximum sum that can be financed for each project. Applicable boards are authorized to pledge revenue bonds and the bill permits for the transfer of funds between a system’s institutions, branches, and entities to comply with the established obligations in this bill. The total projected sum of the tuition bonds would be \$4.3 billion, and each entity will be responsible for the repayment of these bonds. | Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org |
| HB 4509 By: Bonnen | Relating to instruction on informed American patriotism in public schools. | Public Education Votes: 12 Ayes, 1 Nays, 0 PNV, 0 Absent | HB 4509 seeks to update the current Texas Essential Knowledge and Skills (TEKS) in Social Studies education. HB 4509 requires the State Board of Education (SBOE) and each public school district to require informed American patriotism, Texas history, and the free enterprise system in the adoption of instructional materials for K- 12 grade. The bill requires the adoption of essential knowledge and skills that includes an understanding of the following concepts: <ul style="list-style-type: none"> • the fundamental moral, political, and intellectual foundations of the American experiment in self-government • the history, qualities, traditions, and features of civic engagement in the United States • the structure, function, and processes of government institutions at the federal, state, and local levels • the founding documents of the United States, including certain specified documents that must be used as part of the instructional materials The bill updates the stated objectives of public education in state law to reflect educators’ responsibility in the cultivation of students of informed American patriotism and in leading students in a close study of the founding documents of the United States and Texas. The bill applies beginning with the 2021-2022 school year. While 4509 attempts to direct the TEKS in the social studies curriculum, it fails to clearly define what “informed patriotism” is. The requirement this bill lays out is already part of the social studies | Unfavorable Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org |



| | | | | |
|--------------------------------|--|--|---|---|
| | | | curriculum. HB 4509 language could potentially be a vehicle for a more restrictive- one sided view of civic education could enter to be adopted in state statute, leading to curriculum requirements that do not align with the integrated study of social sciences and humanities to promote civic competence. | |
| HB 3906 By: Goldman | Relating to the regulation of political funds, campaigns, and lobbying, including certain functions and procedures of the Texas Ethics Commission. | State Affairs Vote: 11 Ayes, 0 Nays, 0 PNV, 2 Absent | <p>HB 3906 makes technical updates to the Election and Government Codes based on recommendations from the Texas Ethics Commission (TEC), which oversees campaign finance and professional lobbying practices. Many provisions either resolve statutory conflicts, provide clarity to ensure uniform interpretations, or update language to reflect modern communication practices permitting or prescribing electronic notifications rather than contact by mail.</p> <p>The bill also makes minor changes in TEC procedures regarding filed complaints. It permits TEC to dismiss a complaint if an individual files a correction and asserts that any error in the original statement or registration was made in good faith, and it removes the requirement that an individual must be a Texas resident to file a sworn complaint with TEC. HB 3906 also makes changes to clarify prohibited expenditures by lobbyists to or for legislative and executive branch employees, and in doing so removes certain limitations on offers made to employees' family members or guests.</p> | Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org |
| HB 4472 By: Landgraf | Relating to the Texas emissions reduction plan. | Environmental Regulation Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent | <p>The Texas Commission on Environmental Quality (TCEQ) manages the Texas Emissions Reduction Program (TERP), which is authorized to issue grants to lower vehicle emissions from transportation projects in nonattainment areas (NA), as designated by the EPA. Technological advancements and shifting needs could result in TERP cost-effectively reaching federal attainment levels and reduce adverse health outcomes.</p> <p>Emissions Reduction & Energy Efficiency Programs HB 4472 creates a program to improve air quality in coastal counties that do not meet federal air safety standards, including Galveston, Chambers, Brazoria, San Patricio, and Nueces. The new program will enable TERP funds to be spent on fee-based contracts to capture NOx and particulate matter originating from large cargo vessels. Quarterly payments to the contracted company from TERP will be based on the actual tonnage of pollution collected and requires certification of reduction from TCEQ. These large vessels are estimated to produce 2,805 tons of NOx per year in Texas ports.</p> <p>HB 4472 reduces the amount of time vessels are required to spend in nonattainment areas to a minimum of 55%, rather than 75%, to qualify for Diesel Emissions Reduction Incentive (DERI) grants. HB 4472 also expands incentives to help individuals afford energy efficient vehicles, including new electric motorcycles and certain natural gas vehicles made after 2017. It further allows grant funds to be used on the maintenance and operating costs of purchased or leased equipment that reduce emissions from facilities or other stationary sources.</p> <p>HB 4472 creates a loan program to provide financial assistance to homeowners to improve energy efficiency. This program will help deliver retrofitted upgrades to residential buildings to be administered by the State Energy Conservation Office. Homeowners would be able to protect their home from harsh weather by sealing</p> | Favorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org |



| | | | |
|--|--|---|--|
| | | <p>leaky entry points, installing solar screens for windows, and maintaining efficient insulation. This program would save homeowners money and ease demand on the electric grid during high demand events. The bill also expands grant program eligibility and preferences to include programs that install systems that reduce flaring emissions and other site emissions.</p> <p>Program Funding & Revenue HB 4472 changes the funding allocation for various TERP programs from percentages to hard dollar amounts. The amounts in this bill are based on the 2020-2021 biennium and fail to account for the current biennium's state budget shortfall or allow for higher amounts to be transferred when state revenue collections are higher. The bill changes required allocations each fiscal year to implement programs as follows:</p> <ul style="list-style-type: none"> • Clean School Bus Program - \$3 million instead of 4% • New Technology Implementation Grant Program - \$5 million instead of 3% • Texas Clean Fleet Program - \$4 million instead of 5% • Texas Natural Gas Vehicle Grant Program - \$8 million instead of 10% • Seaport and Railyard Area Emissions Reduction Program - \$5 million instead of 6% • Light-duty Motor Vehicle Purchase or Lease Incentive Program - \$4 million instead of 5% <p>The remaining fund balance in the TERP fund will be used for the DERI Program and the Texas A&M Transportation Institute to identify the cost effectiveness of existing programs and programs that could improve TERP's emissions reduction capabilities.</p> <p>This bill raises the funding limit for research related to air quality from \$750,000 to \$1 million. Research funding is doubled to \$5 million for EPA activities, demonstrating a higher level of commitment to addressing air quality. The bill establishes the following three new spending caps: \$10 million to purchase, maintain, upgrade, and operate air monitoring equipment and conduct data analysis; \$10 million for the fee-based contracts for the new NOx emission capture program; and \$5 million for the Energy Efficiency Loan Guarantee Program. These additions will enable Texas to better direct resources and keep air monitors reliable.</p> <p>Finally, HB 4472 amends the formula for depositing revenue from motor vehicle title fees by depositing directly into the TERP fund rather than sending revenue to the Texas Mobility Fund (TMF) and then submitting a request for the amount deposited to TMF to be matched and deposited by way of a transfer from the State Highway Fund (SHF) to the TERP. The comptroller recommended this to simplify complex chains of distribution and ensure funds were deposited to the TERP fund as intended by state statute. Streamlining transfers into TERP can help ensure the fund's stability, continuation of the popular incentive program, and improvement of air quality for Texans.</p> | |
|--|--|---|--|



| | | | | |
|---|---|---|---|---|
| <p>HB 3251 By: Thompson, Ed</p> | <p>Relating to the use of unmanned aircraft.</p> | <p>Homeland Security & Public Safety Vote: 5 Ayes, 4 Nays, 0 PNV, 0 Absent</p> | <p>The state has laws regarding who may use an unmanned aircraft or drone to capture an image, and for what purpose, in order to protect the privacy of individuals and privately owned property. Law enforcement agencies have requested statutory clarification for terms and procedures regarding the use of unmanned aircrafts, since current law has not caught up with technology: definitions for the terms “capture” and “surveillance” create confusion over permissible practices concerning images from drones, and reports are required with extraordinarily little information provided on how or where to send reports.</p> <p>HB 3251 provides needed clarifying definitions and revises the circumstances under which law enforcement agencies have the authority to capture an image using an unmanned aircraft in Texas. Under the bill’s provisions, it is lawful to capture an image while in pursuit of a person suspected of committing a crime or for the purposes of investigating the scene of a crime for misdemeanors and fine-only offenses, which were previously excluded. The bill also removes as a requisite condition for the capturing of an image of private property to be lawful that the property is generally open to the public but maintains that the authority must have permission from the property owner to carry out specific law enforcement activities. It further prohibits the capturing of an image from a height eight feet above ground level at most in a public place and without using any means to amplify the image beyond normal human perception, which is currently lawful.</p> <p>HB 3251 revises the recipients of the reports submitted by applicable law enforcement agencies in Texas that used or operated an unmanned aircraft during the preceding 24 months to remove as a recipient each member of the legislature and include as new recipients the speaker of the house of representatives and the Legislative Reference Library. These measures will clarify expectations for law enforcement agencies’ use of drones, increase their powers to capture images for law enforcement purposes, and maintain reasonable privacy protections for the public.</p> | <p>Favorable with Concerns Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p> |
| <p>HB 3013 By: Biedermann Krause Burns</p> | <p>Relating to displays and exhibits located on the grounds of the Alamo complex.</p> | <p>Culture, Recreation, & Tourism Votes: 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p> | <p>The Alamo is a prominent historical site in the history of Texas. The city-owned Alamos Plaza has recently undergone a revitalization process with guiding principles to recognize the entire rich history of the site.</p> <p>HB 3013 requires the General Land Office to ensure that displays and exhibits located on the grounds of the Alamo complex prominently feature the story of the 1836 Battle of the Alamo and the history of the Texians and Tejanos who fought in that battle. In addition, the grievances to the Mexican federal government listed in the Declaration of Independence of the Republic of Texas must also be prominently displayed.</p> <p>Concerns have been raised that these displays might not address the true story of the Alamo and that they may also exclude the history of Indigenous peoples who lived in that area. Texas has a rich, diverse history. It is important to recognize key historical moments that took place during the state’s formation. Still, it is equally important to learn the full history of these historical sites and the people who resided there long before the Alamo existed.</p> | <p>Will of the House Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p> |
| <p>HB 2874</p> | <p>Relating to a requirement</p> | <p>Public Education</p> | <p>Identification cards (IDs) are a necessity to access important resources and services such as a job application, library access, etc. Currently, not all students have equal access to state-issued ID cards. Public schools and</p> | <p>Favorable Evaluated by:</p> |



| | | | | |
|--|---|--|---|---|
| <p>By: Anchía</p> | <p>that public schools issue student identification cards to high school students.</p> | <p>Votes: 9 Ayes, 3 Nays, 0 PNV, 1 Absent</p> | <p>open-enrollment charters are not required to issue IDs to enrolled students, creating a lack of uniformity among Texas schools.</p> <p>HB 2874 seeks to give all students access to an ID card by requiring all public school districts and open-enrollment charter schools to issue each high school student enrolled a student's Photo ID that includes the student's name and birthdate. This provision would apply beginning in the 2021-22 school year.</p> | <p>Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p> |
| <p>HB 3433 By: Smithee Oliverson</p> | <p>Relating to prohibited discrimination on the basis of an individual's political affiliation or expression by certain insurers.</p> | <p>Insurance Vote: 7 Ayes, 1 Nays, 0 PNV, 1 Absent</p> | <p>In light of recent political declarations - HB 3433 would prohibit insurance companies and health maintenance organizations (HMOs) from refusing to provide, limit, and charge an individual a different rate for coverage based on the individual's political affiliation or expression.</p> <p>Such actions would not be prohibited if they were based on sound actuarial or underwriting principles reasonably related to actual or anticipated loss or where required by law. An insurer or HMO found to be in violation would face sanctions and administrative penalties. While insurance companies have been increasingly reviewing policy holders' social media accounts, and this bill's intent to protect consumers is sound, there have been few, if any, instances of insurance discrimination against individuals based on their political expression that would merit legislative action.</p> | <p>Will of the House Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p> |
| <p>HB 3250 By: Thompson, Ed</p> | <p>Relating to coverage of additional living expenses under a residential property insurance policy.</p> | <p>Insurance Votes: 8 Ayes, 1 Nays, 0 PNV, 0 Absent</p> | <p>Some residential insurance policies cover additional living expenses (ALEs) to protect an individual should their dwelling becomes uninhabitable due to a covered loss. Additional living expenses allow policyholders to reside elsewhere while their dwelling is being repaired.</p> <p>Particularly following natural disasters, report rates influx around policyholders being denied claims for additional living expenses. These tactics are occurring while a policyholder's home is being subject to uninhabitable conditions. During Winter storm Uri, there was a significant lack of basic utility service and often the presence of standing water beyond the individual's control, potentially leaving these individuals with nowhere safe to go.</p> <p>HB 3250 protects individuals with residential property insurance policies that cover additional living expenses by specifying certain circumstances under which an insurer must cover ALES. Including situations where the insured property becomes uninhabitable due to stoppages in utility service, such as electricity, water, sewer, or natural gas, for at least 24-hours that are beyond the policyholder's control. Coverage must become available within 24-hours of the stoppage of service, and the insurance commissioner may adopt rules to implement these provisions.</p> <p>The dire impacts of natural disasters often extend beyond the weather event itself, as exemplified in February. This bill clarifies statute to ensure that Texans receive the ALE coverage they pay for and are not left out in the cold should their dwelling become uninhabitable.</p> | <p>Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p> |



| | | | | |
|--|---|--|--|--|
| <p>HB 3467 By: Canales Cyrier Rodriguez</p> | <p>Relating to the amendment of an existing comprehensive development agreement for a portion of State Highway 130.</p> | <p>Transportation Votes: 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p> | <p>Texas has long struggled to find adequate funding to keep up the demand for new transportation infrastructure and maintenance on existing highways. One area where Texas has fallen short is its infrastructure needs is the construction of State Highway 130. The construction began in 2007 but was stalled leaving the project incomplete 15 years later.</p> <p>HB 3467 seeks to correct this by amending the initial development agreement to extend the term of the lease agreement for an additional 20 years to allow for the project's completion. This would be accomplished by allowing a private party, who has already shown interest in the project, to participate in the completion of SH 130. The party would be required to provide a mutually agreed upon amount in funding to the Texas Department of Transportation (TxDOT) that is based on a traffic and revenue study analyzing estimated toll rates and growth, as forecasts by the comptroller and a nationally recognized government agency or financial institution.</p> | <p>Favorable Evaluated by: Audrey Erwin (419) 566-5465 Audrey@TexasLSG.org</p> |
| <p>HB 3385 By: Rogers</p> | <p>Relating to a landowner's bill of rights statement in connection with the acquisition of real property through eminent domain.</p> | <p>Land & Resource Management Vote: 7 Ayes, 1 Nays, 0 PNV, 1 Absent</p> | <p>The comptroller's office currently provides a decreased value form in instances when a property owner believes that the appraised value of their property decreased during the preceding tax year for any reason other than normal depreciation and to state the nature of the cause of the decrease. The reason for the decrease in property value is typically because of eminent domain authority being exercised over a portion of the property. However, currently, very few property owners know that this form exists.</p> <p>HB 3385 adds to the list of things that the landowner bill of rights must notify each property owner, including that the owner has the right to submit to the appraisal district office the decreased value form for the remainder of the property. The bill also includes that the bill of rights statements that is provided to the landowner must include a copy of this form.</p> <p>The landowner bill of rights was created to inform property owners of their statutory and constitutional rights. By adding this provision, it makes the landowner aware of another tool that is available to them when approached by an entity with eminent domain authority.</p> | <p>Favorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p> |
| <p>HB 1548 By: Bell, Cecil Guillen</p> | <p>Relating to the civil liability of certain businesses in connection with allowing concealed handguns on the business premises.</p> | <p>Judiciary & Civil Jurisprudence Vote: 5 Ayes, 3 Nays, 0 PNV, 1 Absent</p> | <p>The Texas Senate and House of Representatives have taken up the permitless carry proposals. That legislation would allow people who may legally own a firearm to carry a handgun on the premises of a business, and business owners are required to provide oral notice that weapons are not permitted on their premises. This bill creates similar oral notice requirements for Concealed Carry permit holders and removes liability for businesses if any damage arises from a Concealed Carry holder lawfully carrying a concealed handgun on their premises.</p> <p>There are concerns related to applying the same system for open-carrying a handgun that is required for concealed carrying, as these two situations are quite different from a safety standpoint. People who are open-carrying a handgun are often correctly assumed to be LTC holders, however, it is much more likely somebody unlawfully carrying a handgun would conceal the weapon in public. Though HB 1548 absolves private businesses of liability should damages occur from concealed carrying a weapon, requiring employees to</p> | <p>Unfavorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p> |



| | | | | |
|--|--|---|--|---|
| | | | <p>approach an armed person who could very well have malicious intentions creating a very dangerous situation.</p> | |
| <p>HB 2746 By: Ellzey</p> | <p>Relating to the punishment for the criminal offense of use of laser pointers; increasing a criminal penalty.</p> | <p>Homeland Security & Public Safety</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p> | <p>During protests over the summer, some peace officers sustained injury after protesters used laser pointers on officer’s eyes to temporarily blind them. In response to this tactic, there has been a string of legislation targeting the use of laser pointers against civil servants, specifically public safety officers. Though charges for endangering a peace officer could be applied in these situations, a laser pointer-specific charge is likely needed due to the small likelihood that laser pointers can cause permanent eye damage.</p> <p>HB 2746 would enhance the legal penalties for using a laser pointer on a uniformed safety officer from a Class C misdemeanor to a third degree felony if the officer sustains serious bodily injury. The original charge and its enhancement may be stacked by other charges if applicable to the same conduct. The current statutory definition “uniformed safety officer” is applied to include a peace officer, security guard, firefighter, emergency medical service worker, or other uniformed municipal, state, or federal officer. This blanket term encompasses most first responder roles, so other criminal charges can easily be applied to offenses under this act.</p> <p>Causing serious bodily injury by using laser pointers to blind the officers is serious and should not be taken lightly. However, enhancing a laser pointer charge from a Class C misdemeanor to a 3rd degree felony and permitting the stacking of additional charges would be overly punitive. This could lead to the increased criminalization of protestors, often young people, and could drastically alter their life trajectory.</p> | <p><u>Will of the House With Concerns</u> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p> |
| <p>HB 1516 By: Parker Sanford Frank</p> | <p>Relating to efficiency audits of the Temporary Assistance for Needy Families program and the state temporary assistance and support services program.</p> | <p>Human Services</p> <p>Vote: 5 Ayes, 3 Nays, 0 PNV, 1 Absent</p> | <p>The purpose of the Temporary Assistance for Needy Families (TANF) program is to provide financial and medical assistance to extremely low-income dependent children and the parents or relatives they live with. Texas TANF provides cash assistance to families where the parents are either unemployed or underemployed. However, Texas eligibility requirements for TANF are stringent and limits those who can qualify for benefits to only the most destitute, causing extremely low enrollment numbers.</p> <p>Instead of addressing outdated eligibility requirements for TANF that have not been updated in 25 years or utilizing funds to address root issues that lead to the need for TANF, HB 1516 proposes that an efficiency audit be conducted by an external auditor on the program in 2022 and every six years after that. The auditor will prepare and submit a report of the audit and recommendations for efficiency improvements.</p> <p>HB 1516 requires the state auditor to select an external auditor who is independent and not under the direction of the Health and Human Services Commission (HHSC). HHSC will be required to pay for the cost of the audit out of existing resources. HB 1516 requires the Legislative Budget Board (LBB) to establish the scope and determine the areas of investigation for the audit. The scope will include a review of how resources dedicated to the program are being utilized and for what purposes, identify cost savings or reallocations of resources, and identify opportunities to outsource services.</p> | <p><u>Unfavorable</u> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p> |



| | | | | |
|--|--|---|---|---|
| | | | <p>Eligibility barriers for TANF have already been identified through various studies, audits, and reports conducted by HHSC and other organizations outside of the commission. Wasting already limited resources on yet another efficiency audit is not going to address known issues. Outsourcing resources is not going to assist families in need when eligibility requirements are so strict. TANF is meant to be a temporary cash assistance program to help families in need until they are able to get back on their feet. Legislative effort and funds should be put toward addressing outdated eligibility requirements that are not in line with the current cost of living, not towards an audit that would outsource state funds into the hands of privatized organizations.</p> | |
| <p>HB 3113 By: Thompson, Ed</p> | <p>Relating to the county in which a person may apply for the registration of and title for a motor vehicle.</p> | <p>Transportation Votes: 10 Ayes, 2 Nays, 0 PNV, 1 Absent</p> | <p>Currently, vehicles bought and sold in Texas must be titled and registered in the county where the owner resides, with limited flexibility provided when the county assessor-collector office is closed. In 2020, when the Governor waived registration requirements, many offices closed, and dealers had to rely on the limited flexibility granted. When offices reopened after pandemic restrictions were lifted, they were met with a backlog of applications leading to increased processing times.</p> <p>HB 3113 allows vehicles to be titled and registered in any county where the assessor-collector is willing to accept fees and distribute them to the county where the vehicle owner resides. The county in which an individual applies for the title and registration may keep a portion of the fees for processing and handling the transaction. This bill will create permanent flexibility and efficiency in the title and registration application process by allowing applications to be processed by any willing county.</p> | <p>Favorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p> |
| <p>HB 2534 By: Clardy</p> | <p>Relating to an appraisal procedure for disputed losses under personal automobile insurance policies.</p> | <p>Insurance Vote: 5 Ayes, 4 Nays, 0 PNV, 0 Absent</p> | <p>The Appraisal Clause (AC) of an insurance policy covers the resolution of loss disputes in a fair, timely, and cost-effective manner. When disputes arise over the proper automobile repair plan or loss settlement received, a policy with limited or restricted appraisal rights can leave the policyholder with expensive losses. Often, repair plan estimates are valued low and can result in an unsafely repaired vehicle when minimal compensation is paid out by an insurer.</p> <p>HB 2534 codifies AC policy requirements by establishing mandatory appraisal procedures for all insurers providing personal, property, and casualty auto insurance policies. If there is a loss settlement dispute, the bill sensibly enables either party (insurer or policyholder) to initiate the appraisal process within a 90-day timeframe after proof of loss. Each party will appoint a competent appraiser to determine the loss value and provide the other party notification of the appraiser's identity by the 15th-day after an appraisal is first requested. By invoking an AC, the policyholder is protected from an appraiser's undermining tactics to undervalue loss settlements.</p> <p>HB 2534 makes an AC mandatory for every automobile insurance policy to ensure the insurer or policyholder has a third-party mechanism to resolve disputes without going to court, which will reduce the number of disputes ending in lawsuits. The bill will provide safeguards for policyholders forced to choose between safe auto repairs and cheap repairs that could result in bodily injury or further loss incurred for policyholders.</p> | <p>Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p> |



| | | | | |
|--|--|---|--|---|
| <p>HB 2554 By: Gates Allen Lucio III Harris</p> | <p>Relating to the operation by a school district of a vocational education program to provide eligible high school students with vocational and educational training under a plan for the issuance of a high school diploma and the application of certain student-based allotments under the public school finance system.</p> | <p>Public Education Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>Texas has an especially high demand for skilled trades workers like welders, electricians, and plumbers. It is a growing industry with an estimated 30% increase in new jobs created in construction trades and manufacturing over the next ten years. While Career and Technical Education (CTE) in public school systems is effective in exposing students to skills to participate in jobs right out of high school, there is not enough time in a student’s day to earn a high school diploma while participating in a rigorous vocational education that leads to a certification or credential in skilled trade work industry. HB 2554 seeks to create a new framework that allows students a new pathway in earning a high school diploma and graduating with industry-based credentials.</p> <p>HB 2554 creates provisions relating to the operation of a vocational education program for eligible high school students. The bill requires each vocational education program granted a campus charter or campus program charter to offer a program that is aligned with industry-recognized credentials and certificates developed by the Texas Education Agency, the Texas Higher Education Coordinating Board, and the Texas Workforce Commission, and industry-defined and industry-recognized skill standards developed under the Workforce Investment Act. HB 2554 requires the State Board of Education (SBOE) to establish minimum curriculum requirements, courses to be included, rules for allowance of substitutions to satisfy those requirements, and basic instruction in technical writing.</p> <p>HB 2554 authorizes a district to form partnerships with a postsecondary institution in Texas offering academic and technical education or vocational training under a certificate program or an associate degree program. HB 2554 entitles a student who successfully completes the course requirements for a vocational education program to receive a high school diploma from the district in accordance with the commissioner of education rules.</p> <p>HB 2554 also limits a district’s entitlement to the career and technology education allotment with respect to a student enrolled in a vocational education program. The bill requires the state plan for career and technology education to include procedures designed to ensure that the opportunity for students to participate in focused vocational education through those programs is a component of statewide career and technology education.</p> <p>Under the current statute related to Career and Technology Education in high school, the goals of HB 2554 can already be met and are already established in high schools across Texas. Under CTE, high school students are able to earn industry certification, and school districts have partnered up with postsecondary institutions to provide more industry certifications. Within the framework of CTE, students may take career preparatory classes in which they spend part of their school day in on-the-job training where they earn credit for academic courses as well as gain real-world work experience.</p> | <p>Will of the House Evaluated by: Brittany Sharp (210) 748-0646 Brittany@TexasLSG.org</p> |
| <p>HB 2352</p> | <p>Relating to an educational and vocational</p> | <p>Corrections Vote:</p> | <p>In 2017, the 85th Legislature established a community supervision pilot program to provide educational and vocational job training, employment, and re-entry services. HB 2352 updates participant eligibility of the pilot program to include other justice-involved persons to make the process more streamlined.</p> | <p>Favorable Evaluated by: Devan Daniel</p> |



| | | | | |
|--|--|--|---|---|
| <p>By: Parker White</p> | <p>training pilot program for certain state jail felony defendants and certain inmates released on parole, changing parole eligibility</p> | <p>6 Ayes, 1 Nays, 0 PNV, 2 Absent</p> | <p>HB 2352 removes the condition that a judge may impose a 90-day maximum state jail sentence on a defendant who will be deferred to community supervision for a state jail felony offense at the beginning of intake programming. The bill makes conforming changes to recognize this removal.</p> <p>A parole panel is authorized to release a justice-involved person approximately 180-days before their parole eligibility date if:</p> <ul style="list-style-type: none"> the person is serving a third-degree felony sentence for an offense under the Texas Controlled Substances Act. the person does not have prior felony offenses the person’s parole eligibility date was calculated in accordance with existing statute or has served 15-years, whichever is shorter. <p>The parole board is required to have justice involved people that are released under this act’s provision immediately participate in the TDCJ educational and vocational program.</p> <p>HB 2352 does the following for early release and program participation:</p> <ul style="list-style-type: none"> TDCJ is required to recommend at least 100 individuals for early release to the parole panel and participate in the program. the Board of Pardons and Parole (BPP) and TDCJ must jointly adopt rules to identify eligible candidates. BPP or TDCJ must notify candidates that they are being considered for early release. if not selected, consideration for early release does not interfere with the person’s original parole review date. They must receive a parole review on that date. <p>The bill establishes the number of sites and requires TDCJ to select areas sites that would produce the best program outcomes regardless of geographic region or population size. Judges will be annually informed and updated about the program via a training program developed and presented by the Office of Court Administration of the Texas Judicial System.</p> | <p>(419) 566-5465 Devan@TexasLSG.org</p> |
| <p>HB 2391 By: Dominguez</p> | <p>Relating to the methods by which students may be admitted to public schools and the disclosure of information regarding public school</p> | <p>Public Education Votes: 11 Ayes, 1 Nays, 0 PNV, 1 Absent</p> | <p>An independent school district (ISD) with magnet school programs may create special admissions processes for their program when the number of applicants exceeds the number of available seats. Similarly, public charter schools are required by federal law to conduct blind lotteries to admit students when the number of applicants exceeds the number of available seats. Federal laws allow public charter schools to use “weighted lotteries” instead of a blind lottery to give students from historically disadvantaged backgrounds an advantage in admissions lotteries. Texas Education Agency rules do not allow this. HB 2391 seeks to give historically disadvantaged students precedence in admissions to a public charter school or a public ISD magnet school.</p> <p>HB 2391 authorizes an open-enrollment charter school and an ISD that fills available admissions slots by lottery to use a weighted lottery that assigns weights to applicants if the applicant is eligible to participate in</p> | <p>Favorable with Concerns Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org</p> |



| | | | | |
|---|---|---|---|---|
| | admission methods. | | <p>the school’s special education program, has limited English proficiency, or is at risk of dropping out of school. The bill requires the charter school to post on their website prominently their admissions selection process. The provisions of the bill apply with admissions for the 2022-23 school year.</p> <p>HB 2391 gives historically disadvantaged kids an edge in access to charter schools and magnet school programs. There are concerns that this bill opens the admissions process to further allow open- enrollment of charter schools to hand-pick their students.</p> | |
| <p>HB 3880 By: Dutton Huberty Guillen Toth</p> | <p>Relating to a student's eligibility for special education services provided by a school district, including services for dyslexia and related disorders.</p> | <p>Public Education Votes: 8 Ayes, 0 Nays, 0 PNV, 5 Absent</p> | <p>The Individuals with Disabilities Act (IDEA) is a federal law that ensures children with disabilities are granted a free public education in the least restrictive environment. IDEA establishes a legal duty for the Texas Education Agency (TEA) to identify, locate and evaluate every child with a disability to determine a child’s need for special education and related services. Public school students suspected to have a learning disability are entitled to have a full and individual evaluation (FIE) in compliance with IDEA.</p> <p>Among the learning disabilities listed by IDEA that may trigger a need for an FIE is dyslexia. Texas students who are struggling with dyslexia are not regularly identified and subsequently denied an FIE along with special education and related services. Texas needs to do a better job in identifying, serving, and remediating students with dyslexia to follow IDEA. This failure lies in Texas education law’s inappropriate categorization and labeling of dyslexia. In fact, the specially designed instruction used to remediate this disability is inconsistent with IDEA statutory languages. In Texas, dyslexia is not recognized as a learning disability and the instruction prescribed as an intervention for students is a “general education intervention” according to the Texas Dyslexia Handbook. HB 3880 seeks to rectify these issues by aligning the language of the Texas Education Code with the federal IDEA language.</p> <p>HB 3880 clarifies language replacing “special services” with “ special education”. The bill extends a requirement that a district improvement plan provides for evidence-based practices addressing students with dyslexia.</p> <p>HB 3880 requires the State Board of Education (SBOE) to improve a program for assessing students for dyslexia and related disabilities. It requires the SBOE to give guidance information to public school districts in regard to evidence-based practices for intervention and instruction of a student with dyslexia. The bill requires the commissioner of education to ensure services are provided for students with disabilities. The bill also repeals some requirements relating to classroom technology and training for educators to align with the provisions of the bill, lays out guidelines in relation to dyslexia screening, and prohibits the use of the reading instruction program to delay an evaluation for special education services.</p> <p>HB 3880 specifies that, for purposes of a district's entitlement to the dyslexia allotment, qualifying instruction must meet applicable dyslexia intervention components established by the SBOE or TEA. The bill requires a school district to notify the parent of a student identified as having dyslexia or a related</p> | <p>Favorable Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org</p> |



| | | | | |
|---|---|--|---|--|
| | | | <p>disorder in accordance with the federal Rehabilitation Act of 1973 during the 2020-2021 school year of the parent's or person's right to request a full individual evaluation for a special education program.</p> <p>HB 3880 rectifies systemic problems with how our current system responds to children with dyslexia and aligns provisions to the federal IDEA standards.</p> | |
| <p>HB 545 By: Thompson, Ed Vasut</p> | <p>Relating to municipal annexation of certain rights-of-way.</p> | <p>Land & Resource Management</p> <p>Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>In order for a municipality to annex land, they first have to have approval from the landowner. However, in situations where a municipality is seeking to annex roadways, the technical landowner is the state, in which case Texas Department of Transportation (TxDOT) would be the consenting entity. However, in recent sessions, legislation was passed that took away TxDOT's ability to consent to annexation, which is required for annexation to take place. This has caused issues and has prevented municipalities from annexing roadways.</p> <p>HB 545 states that a municipality may annex a road right-of-way if the right-of-way meets the qualification laid out in the bill. The bill also lays out provisions that a municipality must complete before a municipality may annex the road right-of-way. Additionally, the bill states that if the proposed right-of-way is owned by a governmental entity, that the governmental entity must notify the municipality in writing where the municipality must deliver a written notice.</p> <p>By allowing a municipality the ability to easily annex roadways, it would decrease confusion that dispatchers face in areas where state highways run through a municipality. Municipalities would now be able to annex those portions of the road resulting in faster response times for first responders and eliminating confusion.</p> | <p>Favorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p> |
| <p>HB 2953 By: Neave</p> | <p>Relating to the administration of and certain procedures under the Title IV-D program for child support enforcement.</p> | <p>Juvenile Justice & Family Issues</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p> | <p>The Integrated Child Support System (ICSS) is a state mechanism to implement Title IV-D programs i.e., child support enforcement programs. The 19 participating Texas counties adopt federal waivers that permit newly established support orders to automatically become Title IV-D cases. Currently, there is a discrepancy in child support guidelines between federal and state statutes, which would put Texas at risk of non-compliance. HB 2953 is a part of a series of legislation aimed to rectify these discrepancies and ensure the continued receipt of federal funding.</p> <p>HB 2953 will allow for the use of digitized signatures and unsworn declarations to complete the child support review process documentation. Courts may use substituted service - indirect serving of court documents - to serve a non-agreed child support review process order. Under this act, judges will have 7 days, an increase from the original 3 days, to review and sign agreed child support review process orders. HB 2953 ensures that the record of a support order filed with the county clerk will encompass child support, medical support, and dental support. The record form will now include an option for a party to apply for child support services through the office of the Attorney General(OAG). If this option is selected, then the party or their representative must sign the form.</p> | <p>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p> |



| | | | | |
|---|---|--|---|---|
| | | | <p>HB 2953 requires OAG to review the State’s child support guidelines every four years to ensure alignment with federal guidelines for setting child support. The bill establishes that certain filings are additional evidence that support rights are assigned to OAG and do not require further authentication or verification.</p> | |
| <p>HB 396 By: Moody Guillen Howard</p> | <p>Relating to the eligibility of nurses for workers' compensation benefits for coronavirus disease (COVID-19) and payment of those benefits.</p> | <p>Business and Industry 5 Ayes, 1 Nay, 0 PNV, 3 Absent</p> | <p>Nurses on the frontlines faced a significant risk of contracting COVID-19 during the pandemic. Texas statute does not provide for presumptive COVID-19 claims to cover injuries or deaths of nurses. HB 396 addresses this need by establishing a presumptive claim workers’ compensation process to rectify these damages. Nurses that suffered from COVID-19 and their families deserve to receive compensation to cover losses accrued.</p> <p>HB 396 establishes that a licensed nurse who contracted COVID-19 resulting in disability or death has a presumptive claim to workers’ compensation if:</p> <ul style="list-style-type: none"> • the nurse was assigned to or had duties that required direct contact with a patient diagnosed with COVID-19. • the nurse contracted COVID-19 within 14 days of treating or coming in contact with the patient: or • before diagnosis, the nurse did not decline or refuse to receive a COVID-19 vaccination. <p>This presumptive claim is applicable to diagnoses from February 1, 2020, and onward. Under this act, legal beneficiaries of nurses who suffered from COVID-19 and died are entitled to a death benefit of \$500,000 in place of other entitled benefits.</p> <p>The bill provides and establishes the requirements for a rebuttal process for individuals wishing to contest the presumptive claim. An insurance carrier is not required to promptly initiate workers’ compensation for a presumptive claim if the carrier provides the following within 15 days of an injury notice:</p> <ul style="list-style-type: none"> • notice to the nurse and the Texas Department of Insurance workers’ compensation division documenting steps taken to investigate the injury. • necessary evidence for the carrier to complete an investigation; and • justification for why the carrier does not believe the presumption is applicable to the claim. | <p>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p> |
| <p>HB 3691 By: Frank Minjarez</p> | <p>Relating to the statewide implementation of community-based foster care by the Department of Family and Protective Services.</p> | <p>Human Services Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>In 2017, the Department of Family and Protective Services (DFPS) was directed to implement a regional approach to administering foster care and began shifting to a community-based care model. HB 3691 makes substantiated changes for the statewide transition to community-based foster care and family preservation services to avoid foster placement or reduce the amount of time a child is under DFPS conservatorship.</p> <p>HB 3691 redefines “community-based care” as the provision of child welfare services by a community-based nonprofit or a local governmental entity providing direct case management to prevent entry into foster care, reunify and preserve families, ensure child safety, permanency, and well-being, and reduce future referrals of children or parents to DFPS. HB 3691 expands the plan’s required components to:</p> <ul style="list-style-type: none"> • define DFPS’s statewide strategic plan and associated costs for implementing community-based care • include a timeline and specific plan for implementation in each expanding catchment area | <p>Favorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p> |



| | | | | |
|--|---|---|--|--|
| | | | <ul style="list-style-type: none"> • improve methodology for determining state-level and catchment-level resources for DFPS contractors • include an evaluation of each contractor’s outcomes for children and families <p>Single source continuum contractors (SSCC) are nonprofit groups responsible for finding foster homes or other living arrangements for children in DFPS conservatorship. In consultation with local stakeholders, DFPS must identify an SSCC for catchment areas and designate an entity to evaluate the implementation process. DFPS must also evaluate unsolicited proposals to provide community-based care in geographical areas currently without services. Provisions are expanded for SSCC contractors to provide community-based care services, which must include a risk-sharing fund model. Performance measurement must be clearly defined and SSCC contractors must be allowed operational discretion in meeting performance outcomes. The bill further revises provisions regarding the transfer of certain services, such as foster care and family preservation services, from DFPS to SSCCs.</p> <p>DFPS is a broken system that has been failing Texas families and traumatizing children for far too long: it is time for a new approach to services. Initiating an efficient and flexible model for transitioning to a community based approach would prevent further harm impacting Texas families and children.</p> | |
| <p>HB 1631 By: Guerra Raney Darby</p> | <p>Relating to the requirements for an application for a permit to manage wildlife and exotic animals from aircraft; authorizing a fee.</p> | <p>Culture, Recreation, & Tourism</p> <p>Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p> | <p>To manage wildlife by aircraft, landowners must apply for an Aerial Wildlife Management (AWM) permit issued by Texas Parks and Wildlife Department (TPWD) through an online application that requires the landowners to map their land using a complicated electronic mapping system. Landowners report this process is difficult and time-consuming, the online mapping tool, in particular, requires some technical skills.</p> <p>HB 1631 seeks to offer a solution to simplify the application process in assisting these landowners in acquiring an AWM permit. The bill authorizes TPWD to require an applicant for a permit for the management of wildlife and exotic animals by aircraft to submit the application with one of the following types of maps:</p> <ul style="list-style-type: none"> • a georeferenced map prescribed by TPWD showing exact boundaries of the property • a map prescribed by TPWD indicated the location and boundaries of the property where the Park and Wildlife Commission would convert the map to a georeferenced map for a fee. <p>A written statement that the provided map is true and correct would be required. TPWD must maintain records of all submitted maps and would be prohibited from requiring an applicant to submit a duplicative map of a property when one was previously submitted. HB 1631 would help landowners needing an AWM permit by giving them the option to pay TPWD a fee to convert their land map to a georeferenced map required for the application.</p> | <p>Favorable Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p> |
| <p>HB 3720</p> | <p>Relating to interest lists and eligibility</p> | <p>Human Services</p> <p>Vote:</p> | <p>Due to high demand, applicants for Texas’ 1915 (c) Medicaid Home and Community Based Services (HCBS) waiver programs are often placed on an interest list, and over 167,000 people are currently waiting to receive</p> | <p>Favorable Evaluated by: Maddox Hilgers</p> |



| | | | | |
|---|---|--|---|---|
| <p>By: Frank González, Mary Noble Capriglione</p> | <p>criteria for certain Medicaid waiver programs.</p> | <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p> | <p>services. The 86th Legislature directed the Health and Human Services Commission (HHSC) to study interest lists for certain programs and come up with strategies for improvement.</p> <p>HB 3720 incorporates strategies to improve data collection and promote interest list reduction for priority populations. HHSC, in consultation with the Intellectual and Developmental Disability (IDD) System Redesign Advisory Committee, the state Medicaid managed care advisory committee, and key stakeholders, would be required to develop an interest list questionnaire for:</p> <ul style="list-style-type: none"> • the community living assistance and support services (CLASS) waiver program. • the home and community-based services (HCS) waiver program. • the deaf-blind with multiple disabilities (DBMD) waiver program. • the Texas home living (TxHmL) waiver program. • the medically dependent children (MDCP) waiver program; or • the STAR+PLUS home and community-based services (HCBS) program. <p>The questionnaire for interested individuals must include contact and demographic information, types of assistance required, current caregiver supports, and when waiver service delivery should begin. HHSC will require individuals to update the questionnaire annually based on funding availability. If feasible, the bill requires HHSC to develop an online portal for individuals to request interest list placement and update the questionnaire. HHSC will provide a list of individuals on a list, including those with inactive status, to the IDD System Redesign Advisory Committee by September 1st each year.</p> <p>To ensure a person is eligible for waiver services, HB 3720 requires HHSC to conduct a medical necessity assessment of a child whose parent or legal representative has expressed interest in placing the child on the interest list for the MDCP waiver program. For the TxHmL waiver program specifically, an individual is eligible to participate as long as family income does not exceed HHSC’s special income limit, and medical eligibility criteria is expanded to individuals with:</p> <ul style="list-style-type: none"> • a primary diagnosis of a related condition approved by HHSC; and • moderate to extreme deficits determined by a standardized assessment of adaptive behavior. <p>HB 3720 improves communication between individuals on the list and agencies to better maintain important information and caregiver status. A medical necessity assessment for dependent children will enable HHSC to prioritize those with the most need for services. Finally, expanding medical eligibility criteria under TxHmL will allow more individuals to continue living independently in their homes rather than residential facilities.</p> | <p>(512) 739-4885 Maddox@TexasLSG.org</p> |
|---|---|--|---|---|

