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LSG Floor Report For POSTPONED BUSINESS- Thursday, May 13, 2021

Author	Caption	Committee	Analysis & Evaluation	Recommendation
HB 3598 By: Leach Rodriguez	Relating to increasing the minimum term of imprisonment and changing the eligibility for community supervision, mandatory supervision, and parole for persons convicted of intoxication manslaughter.	Corrections Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent	<p>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.</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>	Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org
HB 3920 By: Dean Thierry	Relating to an application to vote early by mail on the grounds of disability or confinement for childbirth.	Elections Votes: 5 Ayes, 4 Nays, 0 PNV, 0 Absent	<p>HB 3920 codifies that a person does not qualify for early voting-by-mail if they lack transportation, have a sickness that does not prevent them from leaving their residence to vote, or if they have to work that does not allow them to vote on election day.</p> <p>Although the bill does allow for pregnant women to vote-by-mail, to be eligible for an early voting ballot, an applicant must affirmatively indicate that they agree with the statement: "I have a sickness or physical condition that prevents me from appearing at the polling place on election day without a likelihood of needing personal assistance or injuring my health."</p>	Unfavorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org

OK for Distribution - Rep Garnet Coleman

			This bill is a response to unverified claims about widespread mail-in ballot fraud that does not exist. Texas voters deserve an election system that provides every citizen the right to vote in our democracy instead of one that adds specific provisions that further restrict the right to vote.,.	
HB 3916 By: Goldman	Relating to the interconnection and operation of certain distributed electric generation facilities.	State Affairs Vote: 12 Ayes, 0 Nays, 0 PNV, 1 Absent	<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 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>	Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
LSG Floor Report For MAJOR STATE HOUSE BILLS CALENDAR- Thursday, May 13, 2021				
HB 2022 By: Darby Rogers Johnson, Jarvis Morales Shaw Herrero	Relating to enrollment of certain retirees in the Texas Public School Employee Group Insurance Program.	Pensions, Investments, & Financial Services Votes: 9 Ayes, 0 Nays, 0 PNV,	In the 85th legislature, significant changes were made to the Texas Public School Employee Group Insurance Program or TRS-Care. Facing high premiums, and with Medicare-insurance industries marketing their products as being more cost-effective, many retirees elected to move from a multi-option plan to only one option based on Medicare eligibility. The premiums to cover dependents tripled under the new plan. Confused by their options, some retirees and their spouses left TRS-Care health benefits for less expensive alternatives, only to realize the plan they purchased fell short of what TRS-Care could offer. HB 2022 seeks to rectify the error for our retired educators and their families, honoring their service to the state.	Favorable Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org



		o Absent	<p>HB 2022 requires the Teacher Retirement System of Texas (TRS) by rule to provide one opportunity to reenroll in TRS-Care on or before December 31, 2023, for an otherwise eligible retiree who is Medicare-eligible and whose initial enrollment was voluntarily terminated between January 1, 2017, and December 31, 2019. The bill requires TRS, not later than November 1, 2021, to adopt the rules necessary to implement this requirement. These provisions expire on September 1, 2024.</p> <p>HB 2022 recognizes the contribution that educators have made to our state and would honor them by providing the opportunity to re-enroll in TRS-Care, allowing them to access the healthcare benefits they deserve.</p>	
LSG Floor Report For CONSTITUTIONAL AMENDMENTS CALENDAR- Thursday, May 13, 2021				
HJR 165 By: Jetton	Proposing a constitutional amendment providing additional powers to the State Commission on Judicial conduct with respect to candidates for judicial office.	Judiciary & Civil Jurisprudence Vote: 5 Ayes, 0 Nays, 0 PNV, 4 Absent	<p>Interested parties have raised concerns about an unfair playing field in judicial elections when a candidate is running for judicial office against an incumbent, because judges are subject to the Code of Judicial Conduct, whereas candidates are not.</p> <p>HJR 165 provides an amendment to the Texas Constitution to authorize the State Commission on Judicial Conduct (SCJC) to accept complaints, conduct investigations, and take other action with respect to a candidate for a state judicial office in the same manner that SCJC is authorized to take those actions with respect to a person holding state judicial office.</p> <p>HJR 165 seeks to even the playing field by ensuring that judicial elections are fair just by allowing SCJC to enforce the same standards on judicial candidates that they do for sitting judges. The corresponding legislation to HJR 165 is HB 4345 which was voted out of the Judiciary & Civil Jurisprudence Committee and has since been reported to Calendars.</p>	Favorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org
LSG Floor Report For GENERAL STATE CALENDAR- Thursday, May 13, 2021				
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	<p>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.</p> <p>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.</p>	Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org



<p>HB 4509 By: Bonnen</p>	<p>Relating to instruction on informed American patriotism in public schools.</p>	<p>Public Education Votes: 12 Ayes, 1 Nays, 0 PNV, 0 Absent</p>	<p>HB 4509 seeks to update the current Texas Essential Knowledge and Skills (TEKS) in Social Studies education.</p> <p>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:</p> <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 <p>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.</p> <p>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 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.</p>	<p>Unfavorable Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p>
<p>HB 3906 By: Goldman</p>	<p>Relating to the regulation of political funds, campaigns, and lobbying, including certain functions and procedures of the Texas Ethics Commission.</p>	<p>State Affairs Vote: 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<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>	<p>Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>



<p>HB 4472 By: Landgraf</p>	<p>Relating to the Texas emissions reduction plan.</p>	<p>Environmental Regulation Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<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 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% 	<p>Favorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p>
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<p>HB 3251 By: Thompson, Ed</p>	<p>Relating to the use of unmanned aircraft.</p>	<p>Homeland Security & Public Safety</p> <p>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</p>	<p><u>Favorable with Concerns</u> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>



			<p>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>HB 3013</p> <p>By: Biedermann Krause Burns</p>	<p>Relating to displays and exhibits located on the grounds of the Alamo complex.</p>	<p>Culture, Recreation, & Tourism</p> <p>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</p> <p>Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p>
<p>HB 2874</p> <p>By: Anchía</p>	<p>Relating to a requirement that public schools issue student identification cards to high school students.</p>	<p>Public Education</p> <p>Votes: 9 Ayes, 3 Nays, 0 PNV, 1 Absent</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 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>Favorable</p> <p>Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p>
<p>HB 3433</p> <p>By: Smithee Oliverson</p>	<p>Relating to prohibited discrimination on the basis of an individual's political affiliation</p>	<p>Insurance</p> <p>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</p>	<p>Will of the House</p> <p>Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>



	or expression by certain insurers.		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.	
HB 3250 By: Thompson, Ed	Relating to coverage of additional living expenses under a residential property insurance policy.	Insurance Votes: 8 Ayes, 1 Nays, 0 PNV, 0 Absent	<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>	Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org
HB 3467 By: Canales Cyrier Rodriguez	Relating to the amendment of an existing comprehensive development agreement for a portion of State Highway 130.	Transportation Votes: 11 Ayes, 0 Nays, 0 PNV, 2 Absent	<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>	Favorable Evaluated by: Audrey Erwin (419) 566-5465 Audrey@TexasLSG.org
HB 3385 By: Rogers	Relating to a landowner's bill of rights statement in	Land & Resource Management	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	Favorable Evaluated by: Victoria McDonough



	connection with the acquisition of real property through eminent domain.	Vote: 7 Ayes, 1 Nays, 0 PNV, 1 Absent	<p>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>	(251)422-0558 Victoria@TexasLSG.org
HB 1548 By: Bell, Cecil Guillen	Relating to the civil liability of certain businesses in connection with allowing concealed handguns on the business premises.	Judiciary & Civil Jurisprudence Vote: 5 Ayes, 3 Nays, 0 PNV, 1 Absent	<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 approach an armed person who could very well have malicious intentions creating a very dangerous situation.</p>	Unfavorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org
HB 2746 By: Ellzey	Relating to the punishment for the criminal offense of use of laser pointers; increasing a criminal penalty.	Homeland Security & Public Safety Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<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>	Will of the House With Concerns Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org



			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.	
HB 1516 By: Parker Sanford Frank	Relating to efficiency audits of the Temporary Assistance for Needy Families program and the state temporary assistance and support services program.	Human Services Vote: 5 Ayes, 3 Nays, 0 PNV, 1 Absent	<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>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>	Unfavorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org
HB 3113 By: Thompson, Ed	Relating to the county in which a person may apply for the registration of and title for a motor vehicle.	Transportation Votes: 10 Ayes, 2 Nays,	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.	Favorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org



		0 PNV, 1 Absent	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.	
HB 2534 By: Clardy	Relating to an appraisal procedure for disputed losses under personal automobile insurance policies.	Insurance Vote: 5 Ayes, 4 Nays, 0 PNV, 0 Absent	<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>	Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org
HB 2554 By: Gates Allen Lucio III Harris	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	Public Education Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent	<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</p>	Will of the House Evaluated by: Brittany Sharp (210) 748-0646 Brittany@TexasLSG.org



	<p>the application of certain student-based allotments under the public school finance system.</p>		<p>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>HB 2352 By: Parker White</p>	<p>Relating to an educational and vocational training pilot program for certain state jail felony defendants and certain inmates released on parole, changing parole eligibility</p>	<p>Corrections Vote: 6 Ayes, 1 Nays, 0 PNV, 2 Absent</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>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>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</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>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 admission methods.</p>	<p>Public Education</p> <p>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 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><u>Favorable with Concerns</u> Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org</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</p>	<p>Public Education</p> <p>Votes: 8 Ayes, 0 Nays, 0 PNV,</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><u>Favorable</u> Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org</p>



	for dyslexia and related disorders.	5 Absent	<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 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>	Relating to municipal annexation of certain rights-of-way.	<p>Land & Resource Management</p> <p>Vote: 8 Ayes, 0 Nays, 0 PNV,</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>Favorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>



		1 Absent	<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>	
HB 2953 By: Neave	Relating to the administration of and certain procedures under the Title IV-D program for child support enforcement.	<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>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>	Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org
HB 396 By: Moody Guillen Howard	Relating to the eligibility of nurses for workers' compensation benefits for coronavirus disease (COVID-19) and payment of those benefits.	<p>Business and Industry</p> <p>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>	Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org



			<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>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 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-</p>	<p>Favorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>



			<p>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 By: Frank González, Mary Noble Capriglione</p>	<p>Relating to interest lists and eligibility criteria for certain Medicaid waiver programs.</p>	<p>Human Services</p> <p>Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</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 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. 	<p>Favorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>



			<ul style="list-style-type: none"> 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>	
HB 3925 By: Collier Cain Thompson, Senfronia Krause Leach	Relating to pedestrian use of a sidewalk.	Transportation Votes: 13 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>Currently, it is a violation of Texas transportation code for pedestrians to walk on the right side of the road if there is no sidewalk or if the sidewalk is obstructed. The recent winter storm made many sidewalks impassible and at least one arrest was made due to this overly prescriptive mandate.</p> <p>HB 3925 no longer requires a pedestrian walking along and on a highway for which an adjacent sidewalk is not provided to walk on the left side of the roadway or the shoulder of the highway facing oncoming traffic.</p> <p>This bill is an important step to decrease encounters with law enforcement officers that criminalizes average behavior.</p>	Favorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org
HB 643				
HB 643 By: Raymond	Relating to disclosure of a beneficiary to a	Insurance Vote:	Funeral processes rely upon life insurance policy information for the deceased to be provided to funeral directors. Currently, life insurance companies are not required to disclose the beneficiary of a life insurance policy to a funeral director and often refuse such requests. HB 643 will remove bureaucracy	Favorable Evaluated by: Chelsea Dalton Pederson



	<p>funeral director under a life insurance policy.</p>	<p>8 Ayes, 1 Nays, 0 PNV, 0 Absent</p>	<p>issues between funeral directors and life insurance companies and act as a conduit to reduce some of the hardships many Texas families face while putting a loved one to rest.</p> <p>HB 643 requires life insurance companies to disclose certain beneficiary policy information upon written consent from the heir or a designated representative when the funeral director needs the information. The bill establishes requirements for what the written consent must contain and requires that the funeral director provide a copy directly to the life insurer. Upon receiving the copy, the bill requires the insurer to provide written disclosure of the requested information to the director no later than 5-days after receiving the request.</p> <p>Suppose the deceased is not the policy owner. In that case, the insurer is prohibited from disclosing until the policy owner provides written consent. However, the insurer may advise the director that the deceased is not the policy owner.</p> <p>HB 643 prohibits the bill's provisions from being constructed to:</p> <ul style="list-style-type: none"> • require an insurer to disclose information without written consent from the policy owner • unfoundedly establish rights for funeral directors to access policy benefits without written assignment from the beneficiary or their designees • enable directors to establish that certain benefits will be paid regardless of the policy terms <p>HB 643 only applies to certain life insurance entities with death benefit policies no more than \$15,000. The bill only applies to a funeral director who conducts the deceased's funeral in Texas and is provided sufficient information by the designee that the deceased may have a policy, and upon findings, discover that additional information is required from an insurer to determine the exact amount covered by the policy.</p>	<p>512-661-9708 Chelsea@TexasLSG.org</p>
<p>HB 461 By: Shaheen</p>	<p>Relating to the execution of a warrant issued for certain releasees who violate a condition of release on parole or to mandatory supervision.</p>	<p>Homeland Security & Public Safety</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>For people who are formerly incarcerated, different tiers of parole are determined by the seriousness of the offense and the public safety risk level of the releasee. The highest tier of supervision is the Super-Intensive Supervision Program (SISP), which includes sexual crimes, violent behavior, gang-related activity, weapons-related crimes, repeated criminal offenses, and serious substance abuse-related crimes. Concerns have been raised that law enforcement not being required to execute a warrant as soon as possible in response to SISP parole violations introduces potential threats to public safety.</p> <p>HB 461 attempts to address this issue by requiring warrants for SISP releases to be enacted as soon as possible when terms of parole have been violated, including electronic monitoring violations.</p> <p>The concern with this bill is that it applies to all parole violations rather than specifying more dangerous parole violations. The language of the bill leaves potential for people who are formerly incarcerated to be issued immediate arrest warrants for violating simple terms of parole that do not pose a threat to public</p>	<p>Will of the House Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>



			safety. The bill also includes electronic monitoring, which would allow warrants to be issued immediately for people who mistakenly enter an exclusionary zone or violate curfew orders. Though the bill intends to better protect potential victims from crimes committed by people classified within the SISIP, the bill's broad language could create problems for people who do not have any violent convictions or any history of victimizing others.	
HB 740 By: Fierro	Relating to preferential voting in runoff elections for certain voters voting by mail.	Elections Votes: 8 Ayes, 1 Nays, 0 PNV, 0 Absent	Currently, overseas, and military absentee ballots are mailed 45 days prior to an election day as mandated by the federal MOVE Act. However, runoff elections require additional ballots to be sent to voters and they may not return their ballots in time to be counted. Participation falls to below 10% for overseas absentee in runoff elections. HB 740 would allow for military and overseas voters to be sent a runoff ballot utilizing ranked choice voting. The Texas Secretary of State will be required to create procedures and provide detailed instructions with the mail ballot and on each county website. This bill will help increase participation in runoff elections for Military and Overseas voters by using a ranked choice runoff while completing their general election ballot	Favorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org
HB 1302 By: Guillen Meza	Relating to indicators of achievement under the public school accountability system.	Public Education Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent	The Texas Education Agency commissioner is charged with adopting quality of learning and achievement indicators to evaluate campus or district performance and assign an A-F rating to Texas public schools. These indicators include assessment results, the number of students who earn dual course credits, and students' completion of internships, industry certifications, or associate degrees, to name a few. While the current list is extensive, it does not give schools credit for all measures of student achievement. HB 1302 would include indicators used to evaluate the number of students who graduate early for high school campuses and their districts. To evaluate the performance of elementary, middle, and junior high school campuses and districts, this bill would add indicators for students who complete certain advanced courses, are promoted to a higher grade, are identified as gifted and talented, have received credit by examination, or have completed at least ten project-based learning projects throughout the school year. These provisions will present a more robust picture of a campus or district's success in educating students.	Favorable Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org
HB 2629 By: Thompson, Senfronia	Relating to the establishment of a registry for and requiring the registration of certain unmanned teller machines; imposing a fee; providing a civil penalty.	Pensions, Investments, & Financial Services Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	In Texas, there are over 900 illicit massage businesses (IMBs), which cover the use of spas and the massage industry to engage in storefront prostitution and human trafficking and are cash-only businesses. IMBs, unlicensed strip clubs and illegal gaming rooms utilize white-labeled ATMs to provide anonymity for themselves and their patrons. White label ATM's (WATM), which are owned and operated by private individuals and companies are unregulated and have been linked with vice crime and human trafficking. HB 2629 seeks to assist law enforcement in combating such criminal activity by requiring owners to register these WATMs and to update registration whenever it changes ownership or location. The bill would require the Texas Department of Banking to establish and maintain on its website an online	Favorable Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org



			<p>registry of ATMs that require registration. HB 2629 requires the operator to complete and file an application for registration with the department and sets out requirements related to the form, content, timeline, and approval provisions for the application. HB 2629 rules that a person in violation of the provision is liable to the state for civil penalties.</p> <p>HB 2629 would assist law enforcement in combatting crimes that leverage the anonymity of a WATM, helping to diminish and prevent human trafficking and other related offenses.</p>	
<p>HB 1480 By: Cyrier</p>	<p>Relating to the protection of animal and crop facilities; creating a criminal offense</p>	<p>Agriculture & Livestock</p> <p>Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>There has been a growing number of cases where individuals have trespassed on agriculture facilities and destroyed or damaged property and livestock.</p> <p>HB 1480 would make any destruction, property damage, theft or harm of an animal, crop, or animal crop facility a criminal offense. The actor would be charged with a Class B Misdemeanor for any loss to the facility or animals in the amount of \$500 -\$2,500. The actor would be charged with a Class A Misdemeanor for any loss greater than \$2,500. If convicted of the offense the defendant would be ordered to pay the owner or operator an equal amount to the loss caused by the actor.</p> <p>HB 1480 strengthens trespass and vandalism laws and helps ensure a quality food supply from Texas. However, here are concerns that this bill would severely punish and silence whistleblowers acting in good faith who compile evidence of factory farmers violating laws on animal welfare or pollution control.</p>	<p><u>Favorable, with Concerns</u> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>
<p>HB 1591 By: Leach</p>	<p>Relating to an exemption from cemetery location restrictions for a funeral establishment licensed in this state.</p>	<p>Land & Resource Management</p> <p>Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>A columbarium is a display in a wall or structure specifically designed to hold cremation urns. Currently in Texas, columbaria are only allowed to be located in cemeteries, churches, or universities.</p> <p>HB 1591 adds licensed funeral homes to the list of locations that are allowed to have a columbarium. Cemeteries are located on dedicated property and are not subject to eminent domain, while funeral homes are. This could leave remains displaced in instances of a funeral home shutting down, filing for bankruptcy, or if the land were to be seized through eminent domain.</p>	<p><u>Will of the House</u> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>
<p>HB 1633 By: Guillen</p>	<p>Relating to the audiology and speech-language pathology interstate compact; authorizing fees.</p>	<p>Public Health</p> <p>Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The Audiology and Speech-Language Pathology Interstate Compact is designed to allow reciprocity for audiologists and speech pathologists to maintain their licensure in multiple states.</p> <p>HB 1903 creates interstate reciprocity for occupational therapy licensure by entering the Audiology and Speech-Language Pathology Interstate Compact to improve accessibility to services. The bill clarifies individual state participation and sets provisions regarding how individuals currently authorized as audiologists and speech pathologists may continue practicing under the compact.</p>	<p><u>Favorable</u> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



			The bill designates the Texas Department of Licensing and Regulation as the administrator of the compact in Texas and authorizes the Texas Commission of Licensing and Regulation to adopt rules necessary to implement the bill's provisions.	
HB 2183 By: Moody	Relating to durable powers of attorney and the construction of certain powers conferred in those powers of attorney.	Judiciary & Civil Jurisprudence Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent	The Real Estate, Probate, and Trust Law section of the State Bar of Texas has suggested that there are changes needed to the Durable Power of Attorneys Act to provide clarity on its uses. HB 2183 clarifies that someone who signs a durable power of attorney must be an adult individual, rather than an adult person. This change is necessary because the term "person" as of now is defined to include corporations. HB 2183 also clarifies that references of disabled, incapacitated, and statutory durable power would only apply to individuals and not entities. Additionally, HB 2183 clarifies that the statutory power regarding business operation transactions also applies to limited liability companies. HB 2183 updates outdated language that refers to the use of powers of attorney.	Favorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org
HB 1306 By: Swanson Dominguez Pacheco	Relating to increasing the criminal penalty for assault or aggravated assault of a process server.	Criminal Jurisprudence Vote: 8 Ayes, 1 Nays, 0 PNV, 0 Absent	Process servers play a vital role in the judicial process. Still, they face risk due to the nature of their job duties, including interactions with an accused person who may have committed prior offenses. Recently, there are instances when process servers are assaulted while carrying out their essential job duties. Although there are codified laws to cover such assaults, HB 1306 seeks to implement further safeguards to deter violence against process servers by aligning penalties with assault of public servant offenses. Currently, assault offenses result in a Class A misdemeanor. HB 1306 will enhance the offenses against process servers to a third-degree felony for knowingly engaging in an assault or retaliating against a process server while conducting judicial business. While HB 1306 could improve the prosecutorial response of assault by increasing penalties, there are concerns around the term knowingly. Given that process servers often dress in plain clothing to prevent an accused person from avoiding interaction, only possess a badge or license to reinforce their job-related identity. The Castle Doctrine allows Texans to protect their homes from intruders, and without requirement of an official uniform or a definitive way to properly identify process servers - the offense is likely to result in litigation because an actor may not know the individual is a process server.	Will of the House Evaluated by: Audrey Erwin (928)210-4303 Audrey@TexasLSG.org
HB 1754 By: Hernandez	Relating to the inclusion of suicide prevention information on certain student identification	Public Education Votes: 10 Ayes, 2 Nays,	Suicide is the second leading cause of death among high school-aged youths and the 10th leading cause of death overall in the United States. Concerns have been raised that the state must do more to fight against the high suicide rate among Texas youth. In the wake of the global pandemic, suicide attempts and ideation rates have reportedly increased.	Favorable Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org



	cards issued by a public school.	0 PNV, 1 Absent	HB 1754 seeks to address this issue by mandating that public schools include the contact information for the National Suicide Prevention Lifeline on all student identification cards for grades six through twelve. The requirement would take effect in the 2022-23 school year. HB 1754 would increase access to mental health services for students in dire need, potentially saving the lives of our most vulnerable students.	
HB 2001 By: Canales	Relating to procedures and practices governing the appeal of a disciplinary action within the Department of Public Safety.	Homeland Security & Public Safety Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	Department of Public Safety officers can appeal disciplinary actions in hearings provided by the Public Safety Commission, but they are not guaranteed the right to provide testimony and evidence. Current law also does not allow charges to be modified based on hearing results. HB 2001 codifies the right of law enforcement officers to provide testimony and evidence in a disciplinary appeal and amends current law to allow disciplinary actions to be modified as a result of an appeal hearing. The bill provides a process for discharges to be reinstated and for officers to receive back pay for the period of time before a discharge was modified or set aside based on information from evidence presented in a hearing.	Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org
HB 2147 By: Allen	Relating to the punishment for the offense of driving while license invalid.	Homeland Security & Public Safety Vote: 6 Ayes, 3 Nays, 0 PNV, 0 Absent	The penalty for driving without a valid license enhances from a fine-only Class C misdemeanor to a Class B misdemeanor, which can include up to six months in jail and a \$2,000 fine if the individual has been previously convicted of the same offense or is also driving without insurance. This impacts thousands of individuals each year, and some receive harsher penalties because they could not afford expensive minor driving infractions. HB 2147 would repeal the Class B misdemeanor enhancement for driving without a valid license, as this offense results in unreasonably harsh penalties for a minor infraction. This measure could prevent Texans from accumulating long-lasting debt and criminal penalties, prevent the unnecessary expenditure of taxpayer dollars on incarcerating such individuals, and free up space in the court system to focus on more serious offenses.	Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org
HB 2027 By: Cortez	Relating to the allocation of low income housing tax credits.	Urban Affairs Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent	The Texas Department of Housing and Community Affairs (TDHCA) Housing Tax Credit Program (HTC) is one of the primary means of directing private capital toward the development and preservation of affordable rental housing for low-income households. There is a statewide shortage of quality, affordable housing for retirees, veterans, and low-income families that has been compounded by the COVID-19 pandemic. HB 2027 revises governing provisions related to the low income housing tax credit program for private activity bond program by: <ul style="list-style-type: none"> repeals the requirement that a county or municipality hold a hearing where the public may comment on the application. 	Favorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org



			<ul style="list-style-type: none"> requires each applicable governing body to submit a certification that it has been provided the required notice of the intent to file an application and granted sufficient opportunity to obtain a response regarding any questions or concerns. removes a statement that the governing body does not object to the proposed application from the items documented by the applicable governing body. <p>HB 2027 authorizes the governing board of TDHCA to approve an application without receiving each required certification if after the 60th day since notice the applicant submits to TDHCA a certification stating sufficient opportunity has been given for the governing body to ask any questions or state concerns.</p> <p>These changes to the low income housing tax credit program enable developers to continue on with their projects even if their attempts to reach out to local leaders are being ignored. This does not remove a developer’s obligation to notify government officials or the neighborhood they are building in. Simply, it allows low income housing tax credit recipients to be able to build in the same fashion as other developers. Increasing the supply of affordable housing and providing more flexibility for developers creates diverse and vibrant communities where all Texans can have the healthy lives and housing they deserve.</p>	
<p>HB 2081</p> <p>By: Reynolds Beckley</p>	<p>Relating to motor vehicle accidents involving a pedestrian or other vulnerable road user within the area of a crosswalk; creating a criminal offense.</p>	<p>Transportation</p> <p>Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>In Texas, pedestrian deaths account for 1 out of 5 traffic fatalities. In 2019 5,952 pedestrians were involved in crashes and 656 died, a 5% increase from 2018. Currently, there are no laws in Texas criminalizing injury to a pedestrian. The absence of accountability mechanisms emboldens a culture of reckless driving.</p> <p>HB 2081 creates an offense when a person driving a car negligently through a crosswalk causes bodily injury to a pedestrian or a person operating a bicycle, electric personal assistive mobility device, or golf cart. This offense is a Class A misdemeanor, unless the person hit suffers serious bodily injury, in which case the offense is raised to a state jail felony. A person may be prosecuted under this section or if applicable, any other law, or in combination. This bill allows an affirmative defense to prosecution if the pedestrian involved is not in a crosswalk.</p> <p>HB 2081 will help reduce instances of pedestrian involved crashes by creating serious accountability measures for harming walkers in Texas.</p>	<p>Favorable</p> <p>Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p>
<p>HB 4487</p> <p>By: Rosenthal</p>	<p>Relating to measures to facilitate the successful</p>	<p>Higher Education</p> <p>Vote: 6 Ayes,</p>	<p>Currently, there are concerns about adult learners successfully completing their degree or certification programs, especially following the loss of jobs resulting from the COVID-19 pandemic. HB 4487 rectifies this by incentivizing adult learners to complete their programs and incentivizing higher institutions to help them.</p>	<p>Favorable</p> <p>Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



	<p>completion of degree and certificate programs by certain adult learners at public institutions of higher education.</p>	<p>2 Nays, 0 PNV, 3 Absent</p>	<p>HB 4487 requires the Texas Higher Education Coordinating Board (THECB) to provide a grant to each “adult learner” enrolled in a bachelor’s, associate’s, or certificate program at a public higher education institution. The grant will equal 25% of the statewide average for full time tuition and fees per semester. The bill provides parameters for who is considered an “adult learner” under its provisions. Public higher education institutions will receive incentive funding for the 2023-2025 fiscal biennium based on the number of adult learners that received a bachelor’s, associate’s, or certificate in a target field or completed a specific program in the 2021-2023 biennium. THECB must collaborate with other higher education programs to establish the Grad TX program, providing support for adult learners to acquire profitable skills or complete their degree or certification programs.</p> <p>THECB is required to collaborate with participating Texas WORKS internship program employers to ensure employers prioritize adult learners in the final semester of their program, and that adult learners employed through the program receive an additional \$2,500 stipend. Internship opportunities through Texas WORKS must be certified by THECB to count as course credit applicable to the degree or certificate program.</p> <p>The bill establishes a \$50 million funding cap and authorizes THECB to accept gifts, grants, and donations from private and public sources. If THECB predicts they will go over the cap, they must reduce amounts of grants, incentive awards, or stipends. Implementing a provision in this bill is only mandatory if general revenue funds are appropriated for that provision. THECB is required to compile an annual report about the status and effectiveness of the program to the governor, the lieutenant governor, and the speaker of the House of Representatives.</p>	
<p>HB 2339 By: Klick</p>	<p>Relating to the use of information from the lists of noncitizens and nonresidents excused or disqualified from jury service.</p>	<p>Elections Votes: 5 Ayes, 3 Nays, 0 PNV, 1 Absent</p>	<p>Racially motivated concerns about noncitizens voting in the 2020 election have been widely disproven and have yet persisted at the state level in Texas. HB 2339 requires a county clerk to send a monthly list of people excused from jury duty related to county of voter registration, citizenship status, or death to the voter registrar, Secretary of State, and either district or county attorney or Attorney General.</p> <p>HB 2339 also requires the Secretary of State to submit to the Attorney General of Texas a quarterly review of the list of jurors who are ineligible because of citizenship, residency outside of the county they are registered to vote in, or because they are deceased. On this review the AG will check for potential offences of a person inaccurately applying to be a registered voter and may remove individuals from voter rolls.</p>	<p>Unfavorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p>



			<p>This bill has the potential to disenfranchise voters with common names and those who are recently naturalized citizens, who are overwhelmingly people of color. Texas has a shameful history of voter purges based on weak matches to voter rolls that have ended in the state losing hundreds of thousands of dollars in court costs and decreasing trust from voters.</p>	
<p>HB 2179 By: Moody</p>	<p>Relating to trusts.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>The Real Estate, Probate, and Trust Law section of the State Bar of Texas has made suggestions to remedy confusing standards and procedures regarding trusts and the gap in law on homestead exemption qualifications.</p> <p>HB 2179 amends the Property Code by providing revisions to the definition of qualifying trust to conform qualifying language for both homestead protection and homestead exemption. HB 2179 amends the Trust Code regarding the power of appointment someone may have in a testimony document to provide clarifying language ensuring Texas is following the Restatement 2nd of Property. The bill also clarifies that when decanting a trust, or turning one trust into another trust, it is permissible to use the same name and tax identification number for identification purposes. Additionally, the bill provides guidance as to when a judge should appoint an attorney ad litem to represent the interest of a minor or incapacitated person in a trust.</p> <p>These changes represent needed technical revisions, clarification, and updates for applicable statutes.</p>	<p>Favorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>
<p>HB 2384 By: Sherman, Sr.</p>	<p>Relating to measures to improve community supervision outcomes.</p>	<p>Corrections</p> <p>Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Current community supervision (CS) measures are outdated and need to be updated to include best practices and ensure the best outcomes for the defendant. HB 2384 states that the community justice assistance division (CJAD) shall allow the community supervision and corrections department (CSCD) to implement reporting intervals for defendants, determined by risk. The CJAD shall also prepare and make available documents that provide guidance and assistant departments and judges in determining the best practices for the use of progressive sanctions and implement an online technical assistance library.</p> <p>HB 2384 includes that the CJAD provides and receives training or prioritizes the implementation of innovative methods. Additionally, CJAD may provide grants to departments to employ specialists. The bill adds that CJAD must submit an annual report that includes CS outcomes, revocation rates, the proportion of terminations, the number of motions to adjudicate or revoked CS, and a detailed summary of efforts to reduce the county's revocation rate. These updates will provide better CS outcomes which better-equipped defendants with the resources they need for success.</p>	<p>Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>
<p>HB 2409</p>	<p>Relating to the waiver of requirements for removing a</p>	<p>Public Health</p>	<p>During the COVID-19 pandemic, Governor Abbott waived certain licensing regulations permitting inactive and retired nurses to help overwhelmed hospitals. Even as Texas continues to recover from the pandemic, there is still a shortage of nurses available in the state. HB 2409 establishes an effective tool to be used in times of crisis.</p>	<p>Favorable Evaluated by: Devan Daniel (419) 566-5465</p>



<p>By: Dean Guillen Howard Klick</p>	<p>person's license from inactive status during a state of disaster.</p>	<p>Vote: 8 Ayes, 2 Nays, 0 PNV, 1 Absent</p>	<p>HB 2409 requires the Texas Board of Nursing (BON) to waive the required fee and continued education for inactive licenses to become active. This waiver is restricted to the specific circumstances of preventing a nursing shortage during a disaster, and only for licenses that have been inactive for 4 years</p>	<p>Devan@TexasLSG.org</p>
<p>HB 2416 By: Gervin-Hawkins Patterson</p>	<p>Relating to the recovery of attorney's fees as compensatory damages for certain claims.</p>	<p>Judiciary & Civil Jurisprudence Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>In the 2013 In Re Nalle case, the Texas Supreme Court held that attorney's fees awarded to a prevailing party are "costs" not "damages" under a Commercial-General-Liability (CGL) insurance policy, meaning that insurance would no longer cover them. This ruling causes confusion and potentially exposes contractors due to uncertainty on how fees would be recovered by the prevailing party. This uncertainty also impacts cases being settled and cases being tried for breach of construction contracts. HB 2416 allows a party to recover reasonable attorney's fees from an individual, corporation, or other entity from as compensatory damages for breach of construction contracts but would not create or imply a new separate cause of action or independent basis to recover attorney's fees. HB 2416 provides certainty about whether breach of contract claims for construction are covered by general liability insurance, which has always been the case.</p>	<p>Favorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>
<p>HB 2710 By: Bowers</p>	<p>Relating to an exemption to the cancellation of a water right for nonuse.</p>	<p>Natural Resources Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Because much of the state's surface waters are diverted for private use, conservation must be incentivized to maintain natural habitats and the state's water supply. To retain water for public use, water rights permits may be wholly or partially canceled when the permit-holder does not use the entire permitted amount after ten years, with some exceptions - typically for nonuse related to long-term public water supply or electric generation needs. HB 2710 adds an exception for when nonuse results from a voluntary forbearance agreement to promote instream flow restoration, preservation, or enhancement. Such an agreement, typically entered by agricultural interests, allows another entity to lease or temporarily purchase water rights for another use and can increase the water right's value. The bill allows permit-holders to participate in conservation practices to support the state's natural resources without losing their right to use their permitted water in the future.</p>	<p>Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p>HB 2696 By: Morrison Harless</p>	<p>Relating to eligibility for a loan under the disaster recovery loan program.</p>	<p>Homeland Security & Public Safety Vote: 9 Ayes,</p>	<p>The disaster recovery loan account was created to provide short-term relief loans to eligible political subdivisions, administered by the Texas Division of Emergency Management (TDEM). The COVID-19 pandemic and Winter storm Uri made apparent that overly burdensome eligibility requirements are barriers to political subdivisions in need, particularly damaged infrastructure being a prerequisite to receiving a loan.</p>	<p>Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>



		<p>0 Nays, 0 PNV, 0 Absent</p>	<p>HB 2696 removes the requirement for a political subdivision to submit a loan application with the Federal Emergency Management Agency (FEMA) prior to applying with TDEM. The bill also removes the 15-day deadline for a political subdivision to submit its most recently adopted operating budget.</p> <p>HB 2692 expands the types of qualifying estimated disaster and recovery response costs for loan eligibility by requiring TDEM to determine eligibility based on the estimated cost of appropriate disaster response. In the wake of two declared statewide disasters, many cities, towns, and counties need relief to properly recover, but do not qualify for the TDEM program. New eligibility requirements will allow these entities to receive much needed aid.</p>	
<p>HB 2182 By: Moody</p>	<p>Relating to decedents' estates and the delivery of certain notices or other communications in connection with those estates or multiple-party accounts.</p>	<p>Judiciary & civil Jurisprudence</p> <p>Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>The Real Estate, Probate, and Trust Law section of the State Bar of Texas suggests that changes are needed to clarify procedures surrounding the disposition of decedents' estates, and HB 2182 serves as a cleanup bill. In response to the COVID-19 pandemic, attorneys started using unsworn declarations in lieu of affidavits, but many county clerks were not recognizing these declarations. HB 2182 addresses this by allowing the use of unsworn declarations to be filed in lieu of a sworn oath.</p> <p>HB 2182 expands on acceptable means of providing notice to allow certified mail, hand delivery by courier, or private delivery service designated by the U.S Secretary of Treasury. The bill provides clarity on which community property assets of a married couple are subject to a creditor claim if a spouse dies, and that the requirement for listing estate property is only applicable to property subject to the court's jurisdiction. HB 2182 includes a provision allowing the parents of anyone under the age of 16 to waive citation requirements on their behalf, and if an individual is over the age of 16, they may waive their own citation rights in proceedings to probate a copy of a written will not produce in court. This change increases the current legal age of 12 years old to waive citation requirements. HB 2182 would remove the requirement for an applicant to provide the last three digits of their social security number and their driver's license number for probate will application and clarifies an affidavit of heirship can serve as testimony in a proceeding to declare heirship.</p>	<p>Favorable Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>
<p>HB 2776 By: Deshotel</p>	<p>Relating to municipal release of extraterritorial jurisdiction and disannexation involving certain areas.</p>	<p>Land & Resource Management</p> <p>Vote: 6 Ayes, 2 Nays, 0 PNV, 1 Absent</p>	<p>West Rim is a small subdivision near lake Austin with about 95 homeowners. Most of the homes in this community are located in Austin's extraterritorial jurisdiction (ETJ) outside the city limit, whereas a few are within Austin city limits. Some West Rim community members claim they are not being provided city services and want to deannex from the City of Austin.</p> <p>HB 2776 authorizes registered voters in a municipality's ETJ to petition for release from the municipality if the area is subject to legal determination that the municipality failed to provide adequate services. Once the petition is filed, it authorizes a majority of the registered voters in an adjacent area to petition the municipality to release the or de-annex the area from the ETJ. Once the</p>	<p>Will of the House Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>



			<p>petition is validated, the governing body of the municipality shall order the area to be released. The bill allows the same procedures for when an area is seeking disannexation.</p> <p>HB 2776 is based partially on claims that the Austin Police Department (APD) does not provide full or adequate services to the area of West Rim, but these claims were disputed to reveal the opposite is true based on APD data. This would also place barriers on Austin Fire Department’s ability to plan for long-term growth and investment.</p>	
<p>HB 2438 By: Meyer</p>	<p>Relating to a limitation on property tax rates for municipalities that adopt budgets that defund municipal police departments.</p>	<p>Ways & Means</p> <p>Vote: 8 Ayes, 3 Nays, 0 PNV, 0 Absent</p>	<p>HB 2438 seeks to penalize cities that reallocate or reduce their police budgets, likely in response to widespread yet controversial calls for police reform to address systemic racism and reimagine more equitable and effective methods of promoting public safety.</p> <p>To do so, the bill classifies a municipality with a population greater than 250,000 that adopts a budget reducing appropriations to their police department in comparison with the previous one or two years as a defunding municipality, upon which the governor’s office must issue a written determination of the finding. Municipalities are not considered defunded if the percentage reduction does not exceed that of the total budget. Municipalities are also not considered defunded if they apply for and receive approval from the governor’s office regarding police department budgetary reductions for reasons related to capital expenditures, disaster response, or other approved justifications. The determination will continue until a written determination is issued by the division stating the municipality has undone the reductions and adjusted for inflation. The governor’s office division must publish the applicable inflation rate for each fiscal year.</p> <p>HB 2438 prohibits a defunding municipality from adopting a tax rate exceeding their no-new-revenue rate or voter-approval rate for that tax year. If a municipality is identified as defunding their budget on or after September 1st, 2021, they may not adopt a tax rate exceeding the least of their no-new-revenue rate or voter approval rate for that tax year or one or two years prior. To calculate a municipality's unused increment rate in a defunding year, the difference between their actual tax rate and voter-approval rate are considered zero and will no longer be considered defunded after the governor’s office issues the previously mentioned written determination.</p> <p>This bill exemplifies state overreach in local governments’ budgetary decisions. The governor’s office does not have the same insight to local issues like policing and budget decisions as local leaders and should not have the power to dictate this one-size-fits-all approach to spending local dollars. It is not fair to assume that higher police budgets equate to improvements in public safety, especially for overpoliced communities actively harmed by the increased presence and militarization of law enforcement. This bill fails to consider public safety improvements that could be gained from</p>	<p>Unfavorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>



			reallocating mental health crisis response and forensic lab testing to more suitable parties and investing in alternative methods of crime reduction such as community development and support services. Its provisions could harm the very residents it is purporting to protect by decreasing funds available for local needs.	
HB 2675 By: Guillen Morales, Eddie Toth	Relating to a license to carry a handgun for a person who is at increased risk of becoming a victim of violence.	Homeland Security & Public Safety Vote: 7 Ayes, 1 Nay, 0 PNV, 1 Absent	<p>HB 2675 establishes an at-risk designation on a handgun license for people at increased risk of experiencing violence, allowing them to obtain an expedited handgun license through a process administered by the Department of Public Safety. Eligible participants include those with protection orders and their family and household members, or participants in the attorney general's address confidentiality program. People would apply for the designation by applying with DPS including evidence of increased risk and any other information they may require. Current license holders can submit a renewal request alongside a designation application, and non-license holders must also apply for a license to carry alongside the designation request.</p> <p>People with the at-risk designation must annually certify their qualifications for the designation, including any information needed for verification. Those who no longer qualify are required to inform DPS immediately and DPS must also notify a person who is determined to be no longer eligible for the designation. DPS must then issue that person a duplicate license to carry, and the inapplicable designated license must be turned over. The agency is prohibited from charging a fee for issuing a duplicate license with the designation or for issuing a non-designated duplicate license if someone no longer qualifies and may only charge a license fee for new applications.</p> <p>The bill sets out provisions for DPS to expedite the license-issuing process for at-risk designation applicants with their completed application materials and prohibits the agency from charging any associated extra fees. DPS failing to issue or deny a license for more than 30 days equates to an application denial, regardless of whether the applicant was eligible for expedited processing associated with the at-risk designation. DPS is prohibited from accepting an at-risk designation application before January 1st, 2022, and the bill only applies for completed license application materials received on or after that date.</p> <p>Concerns are related to introducing guns into highly stressful and intense situations. Additionally, DPS is currently backlogged with existing License to Carry applications and introducing this new process without being able to charge any fees seems likely to cause an expensive administrative burden.</p>	Favorable with Concerns Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org
HB 2740	Relating to the posting of certain business and occupational	Defense & Veteran Affairs	Concerns have been raised that military service members, their spouses, and veterans have difficulty locating information relating to occupational licensing provisions provided to them. The information is often fragmented across several state agency websites.	Favorable Evaluated by: Maddox Hilgers (512) 739-4885



<p>By: Lopez Morales, Eddie</p>	<p>licensing information on state agency websites and the Texas Veterans Portal.</p>	<p>Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>HB 2740 requires any state agency that issues an occupational license to post on its website a list of licenses the agency issues either prominently on its homepage or on a single page of the website with a prominent link on the homepage. A description must be provided of the type of business or occupation covered by each license, along with a description of licensing provisions applicable to recipients of military service and veteran benefits. The agency must provide a direct link to the information on the Texas Veterans Commission (TVC). The TVC must then post the links on a single page of the Texas Veterans Portal for members to use.</p> <p>The Texas Veterans Portal is a centralized website that connects veterans to benefits and services available to them. Including occupation licensing provisions would centralize all the various options for veterans from across websites, making the process of locating a specific provision more efficient.</p>	<p>Maddox@TexasLSG.org</p>
<p>HB 1467 By: Jetton</p>	<p>Relating to property owners' association annual meetings held electronically.</p>	<p>Business & Industry Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Property owners' associations (POAs), commonly known as homeowners' associations, are sometimes required to register with the Secretary of State and implement procedural bylaws for things like board meetings, board elections, and rule enforcement.</p> <p>HB 1467 seeks to update statutes related to POA's required annual meetings of association members to provide for remote participation, which has become essential for accessibility to open meetings across public and private entities during the COVID-19 pandemic. This bill clarifies that a POA's annual meeting may be held by any method of communication, including electronic or telephonic means, so long as all members are provided notice and instruction and all attendees can hear and be heard. It clarifies that an owner must be allowed to vote for board members or association initiatives by one of three methods, which must now include electronic ballots along with currently authorized absentee or proxy voting. These provisions will modernize POA annual meeting guidelines to align with those of other POA meetings and provide for more accessible participation.</p>	<p>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p>HB 2889 By: Meyer Burrows</p>	<p>Relating to the calculation, collection, and remittance of state hotel occupancy taxes.</p>	<p>Ways & Means Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Under current law, hotel occupancy taxes (HOT) are collected based on the price of a hotel room, and all travel services (online or brick-and-mortar) calculate, assess, collect, and remit the taxes in the same way. Some have argued the room price should include additional elements not currently assessed for HOT collection, such as charges for cleaning, readying the room, furniture rental charges, and charges for reserving or booking the room. However, multiple Texas court cases have recently reviewed the current HOT calculation and concluded that taxes are already assessed, collected, and remitted appropriately.</p> <p>HB 2889 redefines the hotel room price base to include charges for cleaning, readying the room, furniture rental charges, and reservation or booking charges. Expanding this category of economic activity will create a new tax by significantly increasing the tax base for which the HOT is already assessed in the travel industry. The bill also allows an exemption from collecting and remitting HOT</p>	<p>Unfavorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>



			<p>if a person who collects hotel room payment for other reports annual gross receipts that are \$250,000 or less, which will realistically apply to very few businesses.</p> <p>The travel sector was hit hardest by COVID, with air travel, hotel accommodations, and rental car sales plunging 60-70-80 percent or more. The estimated \$67 million tax increase would negatively impact travel agencies, many of which are small businesses with fewer than five employees. Now is a particularly bad time to assess a new tax on the travel industry, which may not fully recover to pre-COVID markets for several years.</p>	
<p>HB 2894 By: Holland</p>	<p>Relating to participation in the comptroller's contracts for travel services.</p>	<p>State Affairs</p> <p>Vote: 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>State agencies must and certain other government entities may participate in the comptroller's system of procuring statewide contracts for travel services, which lowers the cost for all participating entities. HB 2894 expands the list of entities that may participate to include "qualified cooperative entities," specifically:</p> <ul style="list-style-type: none"> • local governments, specifically a county, municipality, special district, school district, junior college district, or local workforce development board. • a community center for mental health and intellectual disabilities that receives state funds. • an assistance organization that receives any state funds; and • any political subdivision. <p>The bill also removes language authorizing the comptroller to charge certain local entities a fee for participating in statewide contracts for travel services. These provisions will promote cost savings across a broader range of entities that operate using public funds.</p>	<p>Favorable Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p>HB 3126 By: VanDeaver Guillen</p>	<p>Relating to the health care providers authorized to examine a person to determine whether the person is incapacitated for purposes of certain guardianship proceedings.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Texas guardianship cases require the proposed ward to have a medical examination performed by either a psychiatrist or physician. Rural Texans have difficulty obtaining medical examinations due to some counties in Texas having neither a psychiatrist nor a physician.</p> <p>HB 3126 would allow an advanced practice registered nurse (APRN) acting under a physician's delegation authority and supervision to perform medical evaluations for courts making a guardianship determination. Under the bill, the opinion of the APRN's medical evaluation is considered the delegating physician's opinion also.</p> <p>HB 3126 would allow rural Texans to have medical examinations performed without the hassle of extensive travel. However, there is concern that an APRN under the doctor's supervision could still sign off on medical evaluations. Additionally, there is no requirement for the APRN to obtain specialized training in identifying intellectual disabilities before they assume this role. This could lower assessment quality for a proposed ward, and before the court takes away someone's rights, there should be a qualified professional offering evidence.</p>	<p>Favorable, with Concerns Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>



<p>HB 3985 By: Huberty</p>	<p>Relating to the offense of providing an alcoholic beverage to a minor; increasing a criminal penalty.</p>	<p>Licensing & Administrative Procedure Vote: 8 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Providing alcohol to minors can cause tragic incidents that hurt Texas families. Concerns have been raised that the penalty is not severe enough for providing alcohol to underage people when those actions result in their death.</p> <p>This bill enhances charges for providing alcohol to a minor who later dies as a result of intoxication from a Class A misdemeanor to a 3rd degree felony. The bill removes the requirement for a minor to be criminally negligent but maintains criminal negligence for adults providing alcoholic beverages to minors. This change means that regardless of what the minor does, an adult could be prosecuted if they provide alcohol to a minor in any manner.</p> <p>This change would allow easier prosecution for negligent adults who provide alcohol to an underage person, potentially deterring crimes resulting in tragedy and bringing closure to families of victims.</p>	<p>Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>
<p>HB 3255 By: Sanford</p>	<p>Relating to capital stock requirements for certain insurance companies.</p>	<p>Insurance Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Currently, shareholder-owned insurance companies are required to issue at least 50% of their common stock, totaling at least \$250,000, before being granted a charter. This allows shareholders significant oversight over the company's board, theoretically providing the public with greater voice and accountability in the company's operations.</p> <p>HB 3255 would remove this 50% threshold, which is argued to be outdated, and instead only require that insurance company shareholders own a total amount of at least \$250,000 in shares before the company is granted a charter. It has been suggested that this amount adequately protects consumers.</p>	<p>Will of the House Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p>HB 3266 By: Raymond Guillen</p>	<p>Relating to personal contact information submitted by certain local officials to the Texas Division of Emergency Management and local health departments.</p>	<p>Homeland Security & Public Safety Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Recommendations from the Texas Division of Emergency Management (TDEM) included having city officials submit their contact information to TDEM and their local health authority for use during a declared disaster or state emergency. This currently is not in place and would have aided in the coordination of relief efforts during the winter storm and the COVID-19 pandemic.</p> <p>HB 3266 requires each city manager, mayor, county judge, and director of a municipalities or county's local health department to submit their contact information to TDEM. Additionally, each city manager, mayor, and county judge are to give their contact information to their local health authority.</p>	<p>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p>HB 318</p>	<p>Relating to the prohibition of certain employment discrimination</p>	<p>Business & Industry 6 Ayes,</p>	<p>HB 318 prohibits an employer with more than 20 employees, including state and local government entities, from terminating, suspending, or discriminating against an employee based on their service as a volunteer emergency responder, even if responding to an emergency causes them to be absent or late to their workplace. Wrongfully terminated employees are entitled to reinstatement, lost wages, and may bring civil action against the employer.</p>	<p>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



<p>By: VanDeaver Cain</p>	<p>regarding an employee who is a volunteer emergency responder.</p>	<p>0 Nays, 0 PNV, 3 Absent</p>	<p>This bill does limit the number of days an employee may be absent for these purposes to fourteen per calendar year and requires the employee make reasonable efforts to notify their employer of absences or tardiness. It further permits an employer to reduce the employee's wages for taking authorized absences to serve as an emergency responder or to require that the employee use existing vacation, personal, or compensatory leave time for an absence authorized by this chapter. The bill maintains state-employed volunteer emergency responders' right to attend certain training without a deduction in salary.</p> <p>HB 318 will protect volunteer emergency responders from losing their jobs for providing needed emergency response services. It additionally provides the flexibility to permit employees to serve their community without causing employers to suffer from their absence financially or operationally.</p>	
<p>HB 3941 By: Guillen</p>	<p>Relating to surcharges imposed for the use of a credit card.</p>	<p>Business & Industry Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>In 2018, a federal district court found the state's provision prohibiting a surcharge on credit card transactions to be unconstitutional. Recognizing this determination, HB 3941 corrects the code to ensure state statute adheres to constitutional rights.</p> <p>HB 3941 will repeal the prohibition of a person selling goods or services from applying a surcharge on a credit card transaction. The bill will make conforming changes to align the code with the repeal.</p>	<p>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p>HB 3110 By: Meyer Hunter Johnson, Ann</p>	<p>Relating to possession or promotion of child sexual abuse material; increasing a criminal penalty; changing eligibility for community supervision</p>	<p>Criminal Jurisprudence Vote: 6 Ayes, 2 Nays, 0 PNV, 1 Absent</p>	<p>Often the possession or promotion of child pornography indicates sexual exploitation of a child. Given that these images are uploaded to private predatory websites, or within the dark web, causes lifelong revictimization as children are forced to live with the permanency, longevity, and constant circulation of their sexual victimization.</p> <p>HB 3110 aptly renames the offense of possessing or promoting "child pornography" to "child sexual abuse" throughout existing statutes and requires conforming amendments in various codes to be consistent with the updated language. Currently, this offense is a third-degree felony and would be enhanced to a second-degree felony, stipulating a 5-year minimum of incarceration. The bill adds that if a defendant is found guilty, they are ineligible for judge-ordered or jury-recommended community supervision in place of imprisonment. HB 3110 further clarifies that if an actor was previously found guilty of this offense, the offense enhances to a first-degree felony- removing the requirement of 2 to 3-subsequent offenses to occur.</p> <p>HB 3110 will deter child sexual abuse by adding increased penalties more adequately the heinous nature of the offense</p>	<p>Will of the House Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>



<p>HB 3601</p> <p>By: Leach Collier Cook</p>	<p>Relating to automatic orders of nondisclosure of criminal history record information for certain misdemeanor defendants following successful completion of a period of deferred adjudication community supervision.</p>	<p>Criminal Jurisprudence</p> <p>Vote: 8 Ayes, 1 Nays, 0 PNV, 0 Absent</p>	<p>An order of nondisclosure provides an opportunity for justice-impacted persons to seal their justice involvement records from public access. Current law often exacerbates barriers that require legal assistance to navigate the nondisclosure process, complete required documentation, and pay the associated fee.</p> <p>HB 3601 allows automatic nondisclosure for certain nonviolent misdemeanor cases that result in deferred adjudication community supervision. The bill states that no later than the 15th day of each month, the Department of Public Safety (DPS) shall: review justice-involvement records to identify and compile a list of each Texan that has not received a nondisclosure yet meets the associated criteria. And, based upon findings, provide the applicable Court notice of entitlement and a copy of the list.</p> <p>HB 3601 states that if DPS has not identified an individual eligible for nondisclosure, they may continue with prior statutes that require presentation of evidence to the Court that reinforces eligibility for nondisclosure. If the Court finds that the individual meets qualifications for nondisclosure, the Court will seal their justice-involvement record. HB 3601 attempts to address how financial-related constraints by removing the requirement to pay the associated \$28-fee. By removing the need for Courts to make the initial determination of nondisclosure eligibility, HB 3601 will reduce the Court's current backlog crisis. The bill provides an opportunity for the State to address and mitigate some of the barriers that impact these individuals by automating record relief for eligible Texans.</p>	<p>Favorable</p> <p>Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>
<p>HB 3331</p> <p>By: Murr</p>	<p>Relating to solicitation of patients and other prohibited marketing practices and the establishment of the task force patient solicitation; increasing criminal penalties.</p>	<p>Public Health</p> <p>Vote: 8 Ayes, 2 Nays, 0 PNV, 1 Absent</p>	<p>Patient brokering is when patients are connected to treatment programs or facilities for compensation or kickbacks to the referring entity. There is a call by constituents invested in substance use recovery to expand protections against this and to accurately capture the presence of the patient brokering in Texas.</p> <p>HB 3331 creates the Task Force on Patient Solicitation to study and report on mitigating Treatment Facilities Marketing Act violations or patient solicitation provisions to make recommendations on improving enforcement. The bill identifies the composition of the task force, requires the attorney general's office and HHSC to provide requested information, and requires information to remain confidential.</p> <p>HB 3331 expands the definitions of "advertise" and "advertising" to include solicitation or inducement to purchase services through the Internet. Under the expanded definitions, providing false or misleading information about the facility in media advertising or online and providing a link redirecting users to a website containing false or misleading statements or information are considered violations resulting in a minimum civil penalty of \$2000, which is an increase from the current \$1000 penalty.</p>	<p>Favorable</p> <p>Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



			<p>The bill expands conduct that constitutes soliciting patients, failure to disclose a soliciting patient offense, and soliciting patients in the healing arts. Charges for soliciting patients and failure to disclose a soliciting patient are enhanced from a Class A misdemeanor to a state jail felony, and further enhanced to a second degree felony for federal, state, or local government employees or second offenses. Soliciting patients in the healing arts will be raised from a fine only misdemeanor to a Class B misdemeanor.</p>	
<p>HB 3430 By: Landgraf</p>	<p>Relating to the establishment of a grant program for school districts or open-enrollment charter school campuses that are designated as full-service community schools.</p>	<p>Public Education</p> <p>Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Factors beyond the classroom setting can greatly impact a child’s academic performance: childcare quality, parental involvement, family finance, and home environment can adversely impact students, especially those in high-poverty schools. To meet the academic needs of Texas students and raise overall achievement, factors outside the classroom must be addressed. HB 3430 addresses factors impacting student success by authorizing schools to operate as a Full Services Community School (FSCS).</p> <p>An FSCS is a partnership between schools and other community resources integrating academics, youth development, family support, health, social services, and community development for improved student learning, stronger families, and healthier communities. HB 3430 establishes a grant program for public school districts and open-enrollment charters schools designated as full-service community schools if the campus provides students, their family members, and community members with comprehensive academic, social, and health services resulting in improved educational outcomes. The bill specifies what services must be provided by a designated campus. The bill also authorizes the commissioner to solicit and accept gifts, grants, and donations from any public or private source for the grant program.</p> <p>The FSCS model recognizes we must support students holistically to truly serve them. HB 3430 provides direction and means for schools to serve students and families, ensuring the development of their community outside school.</p>	<p>Favorable Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p>
<p>HB 2769 By: Campos</p>	<p>Relating to the essential knowledge and skills of the technology applications curriculum for public school students.</p>	<p>Public Education</p> <p>Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>HB 2769 requires the State Board of Education (SBOE) to approve the Texas Essential Knowledge and Skills (TEKS) for technology application curriculum for kindergarten through grade twelve that includes coding for video games. The bill requires the SBOE to review and revise the existing curriculum as needed to satisfy this requirement no later than December 31, 2022.</p> <p>Technology skills are and will continue to be essential to participate in modern society and thrive in an increasingly technical workforce. Implementing a curriculum in video game coding, a growing industry, at all grade levels will allow students to develop more specialized, in-demand skills.</p>	<p>Favorable Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p>



<p>HB 3798</p> <p>By: Minjarez Anderson Stucky Turner, John</p>	<p>Relating to county and municipal housing authority pet policies.</p>	<p>County Affairs</p> <p>Votes: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>There have been many occurrences of certain dog breeds being separated from families in public housing authorities because of their breed alone, as opposed to following existing county or municipal regulations surrounding dangerous dogs. Policies that only consider dog breed to determine danger level as opposed to having a more holistic review of every trait are not as effective. HB 3798 requires the pet policies of county and municipal housing authorities to be consistent with certain laws on dangerous dogs.</p> <p>This bill was introduced due to concerns raised about public housing authorities not enforcing pet policies consistently or equitably. Clarifying this law would promote happier and healthier communities and enable more low-income families to keep their pets.</p>	<p>Favorable</p> <p>Spencer Carruth 512-463-0760 Spencer.Carruth_HC@House.Texas.gov</p>
<p>HB 2726</p> <p>By: Martinez Fischer</p>	<p>Relating to eligibility to serve as a member of a board of directors of certain public improvement districts.</p>	<p>Urban Affairs</p> <p>Votes: 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>A public improvement district (PID) is a legal mechanism for property owners in a defined geographic area to jointly plan and implement a sustainable funding source that can pay for a set of services to improve their area. Currently, to serve on the PID board of directors in a district with a population greater than 1,000 in certain counties, a member must reside in the district itself. It has been noted that individuals outside of the PID who do not reside in the district may still have a vested interest in its operation.</p> <p>HB 2726 revises the eligibility criteria for directors of certain PIDs with a population greater than 1,000 to make residency in the district a prescribed qualification. Prescribed qualifications only require one to be fulfilled, so if the individual does not live in the district but meets another prescribed qualification then they are okay to sit on the board. This removes residency in the district as a mandatory requirement allowing individuals who live outside of the district but have a vested interest to sit on the board.</p>	<p>Favorable</p> <p>Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>
<p>HB 3969</p> <p>By: Sanford</p>	<p>Relating to consideration by an insurer of certain insurers' filed rates and factors in setting the insurer's rates.</p>	<p>Insurance</p> <p>Vote: 5 Ayes, 4 Nays, 0 PNV, 0 Absent</p>	<p>Although uninsured automobile (auto) coverage rates have dropped statewide, insurers express concerns that current provisions offer advantages to County Mutual Insurers (CMIs) over other automobile insurers.</p> <p>HB 3969 adds provisions to the Insurance Code's rate standards by stating:</p> <ul style="list-style-type: none"> regardless of existing statutory rate plan prohibitions, an insurer writing personal or commercial automobile (auto) insurance may include in a filing made under this chapter any rating rule, rate variable, or rate classification - similar to CMIs. if an insurer files in accordance with provisions mentioned above, the insurer shall indicate their associated rates within the required rate filing and reflect any realized cost savings. the added provisions may not be construed to affect any law relating to the confidentiality or public disclosure of rate filings or TDI's review of rate filings. 	<p>Will of the House</p> <p>Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>



		<p>Given the geographic vastness of Texas, CMIs were created decades ago to ensure sparsely populated regions and underserved Texans can access auto coverage. CMIs are right above the insurer of last resort, Texas Auto Insurance Plan Association (TAIPA), for the auto insurance market. CMIs are required to meet the same coverage standards as other insurers with exceptions from existing law. All auto insurers are required to provide a contribution to TAIPA for their risk coverage, and CMIs require a 3 to 4% surcharge on other insurers to defray costs of writing higher-risk drivers. Surcharges can arise when other insurers request to use CMI existing rate plans to write coverage plans for niche populations. Many states increase premiums for moving violations, but if an insurer does not own a CMI in Texas, they are required to pay CMIs a percentage of the increased premium. Proponents of the bill believe the 26 CMIs constitute a monopoly by requiring 3 to 4% of every \$100 collected from increased coverage premiums for motor violations.</p> <p style="text-align: center;">Rate Filings</p> <p>Insurers file rates once annually and create plans that cover additional rate variables that are required to indicate what the insurer will charge policyholders. Current provisions require the TDI Commissioner to approve or deny filed rates with procedural protections for insurers and policyholders. Currently, rating plans are prohibited from writing policies that do not assign a rate consequence for driving-related offenses that otherwise cause premiums to increase-requiring other insurers to rely on CMIs. However, federal consumer protections prevent standard market auto insurers from charging additional premiums due to moving violations. If an insurer files a rate, the Commissioner is required to file with the Secretary of State (SoS) to publish intended filings in the Texas Registry. If a rate plan exceeds 105% of the current average coverage rate, the Commissioner must schedule a hearing with the SoS for public comment, after which the original filing is approved, denied, or modified in writing.</p> <p style="text-align: center;">Disputes and Concerns</p> <p>Although it is reasonable to conclude that CMIs create a pay to provide auto coverage environment, there is a concern that other insurers may contribute to historical patterns of cherry-picking policyholders. Cherry-picking limited or no risk individuals from the market would negatively impact CMI's ability to continue providing coverage for high-risk drivers.</p> <p>Unlike other insurers, CMIs must be based in-state to ensure profits remain in the Texas economy. Despite statutory provisions for CMI's redistribution of savings, proponents suggest CMIs often pocket the savings. The bill does provide a cap for additional rate variables and could likely extend into variables outside of the auto insurers market to be considered. Also, the bill does not reassure that savings will result in decreased premiums, increased access, or redistribution of funds to consumers.</p>	
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HB 2983 By: Hull Frank	Relating to medical examinations for certain children entering the conservatorship of the Department of Family and Protective Services.	Human Services Vote: 6 Ayes, 3 Nays, 0 PNV, 0 Absent	<p>Currently, the Department of Family and Protective Services (DFPS) operates a protocol called the 3 in 30 that assesses a child’s medical, behavioral, and developmental strengths and needs. This is a series of three checkups for all children entering into the conservatorship of DFPS. The first is an initial medical checkup for immediate injuries or illnesses that must take place within the first three days of placement to ensure any necessary treatment is provided as soon as possible. Over the next 30 days the child must undergo a Child and Adolescent Needs and Strengths (CANS) Assessment which helps DFPS understand how trauma may be affecting the child and what services are needed. The child also receives a complete check-up with lab work.</p> <p>HB 2983 limits the categories of children in the conservatorship of DFPS for the three-day medical examination to only children who:</p> <ul style="list-style-type: none"> • were removed from their home as a result of sexual abuse, physical abuse, or an obvious physical injury to the child; and • have a chronic medical condition, a medically complex condition, or a diagnosed mental illness. <p>DFPS to submit a report evaluating the statewide implementation of the three-day examination requirement to the applicable standing legislative committees. The report must include the level of compliance for each region of the state, the number of medical examinations conducted, and the reason for each examine.</p> <p>Up to 80% of children who come into the care of DFPS, and foster placements come with at least one medical problem or significant medical need. Children removed from homes also have a higher likelihood of coming from a home that had inadequate access to proper health care. Case managers are also not medical professionals trained to identify injuries or illnesses and can miss if a child removed for neglect is suffering from a non-obvious ailment that needs immediate treatment. Having a medical professional conduct an initial medical check-up ensures no immediate ailments are missed and that the child will have an easier transition if all medical needs are addressed quickly.</p>	Unfavorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org
HB 4179 By: Bonnen Button	Relating to the procedures to be used by an appraisal district in resolving a protest following	Ways & Means Vote: 10 Ayes, 1 Nay,	<p>Prior to the COVID-19 pandemic many county appraisal districts (CADs) allowed property owners to meet informally with an appraiser to discuss a proposed increase in the tax liability for the owner. These informal meetings often resulted in there not being a need for a formal appraisal review board hearing as settlements were often made during the informal. However, the onset of COVID-19 saw CADs failing to notify property owners that they would not conduct informal conferences or that they would be closed to the public.</p>	Favorable with Concerns Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org



	the filing of a notice of protest by a property owner.	<input type="radio"/> PNV, <input type="radio"/> Absent	<p>HB 4179 requires an informal conference be scheduled by an appraisal review board (ARB) for each property owner who files a notice of protest with the ARB. The informal conference must be held before the hearing on the protest. The date, time, and location of the conference must be delivered to the property owner with the required notice for the protest hearing and it may not be scheduled on the same day as the hearing or within the five days prior to the hearing. Only with proper consent from the property can the conference be rescheduled to be within the five-days prior to the hearing. The bill expressly does not require an additional written notice be delivered to the owner for the rescheduling.</p> <p>The bill requires the appraisal office to cancel the conference if the property owner informs the appraisal office in writing that they will not participate. If the property owner fails to appear at the conference, the ARB may continue to hear the protest and issue an order determining the outcome. HB 4179 also removes the condition allowing an ARB from proposing that the hearing be conducted via telephone conference call with the property owner’s consent.</p> <p>Concerns have been raised that the changes restrict appraisal district’s procedural flexibility to decide what is right for them and the property owners they work with. Some owners might not want to hold an informal meeting and requiring them creates more work for both parties to cancel them. Informal meetings have been helpful in streamlining tax liability settlements and formal hearing processes with property owners, but this process is not a fit for everyone.</p>	
HB 4525 By: Gates	Relating to the approval of career and technology courses by the State Board of Education.	Public Education Votes: 11 Ayes, 2 Nays, <input type="radio"/> PNV, <input type="radio"/> Absent	<p>The State Board of Education (SBOE) has the authority to review and adopt the Texas Essential Knowledge and Skills (TEKS) for each subject of the required curriculum 4525 requires the State Board of Education (SBOE) to consider the relevant economic and market condition affecting the Texas workforces in scheduling and initiating a course review to provide updated and relevant course offerings in approving career and technology courses to be applied beginning with the 2021-22 school year.</p> <p>Career and technical education programs offer a sequence of courses that provides students with coherent and rigorous content. CTE content is aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions. HB 4525 ensures that CTE course offerings are updated to reflect relevant economic and market conditions affecting the state.</p>	<p><u>Will of the House</u> Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p>
HB 1744 By: Guerra	Relating to measures to prepare students	Public Education	<p>One in four Texas students are designated as English learners, yet bilingual education is one of the leading teacher shortage areas in Texas. According to the Texas Education Agency, there is only one qualified English as a second language teacher for every 46 students needing English support. To</p>	<p><u>Favorable</u> Evaluated by: Phuong Nguyen</p>



<p>Moody Bernal</p>	<p>to teach bilingual education, English as a second language, or Spanish.</p>	<p>Votes: 7 Ayes, 5 Nays, 0 PNV, 1 Absent</p>	<p>address this shortage and the needs of Texas students, HB 1744 seeks to incentivize more people to acquire certification in the bilingual education field.</p> <p>HB 1744 requires the Texas Higher Education Coordinating Board (THECB) to create a program providing financially incentivizing the employment of people with bilingual education certifications, English as a second language (ESL), or Spanish credentials to instruct public elementary and secondary school students. The bill requires the THECB to give priority to awarding financial incentives to eligible persons demonstrating the greatest financial need.</p> <p>With regards to the program, the bill sets out eligibility requirements, requires THECB to award financial incentives to each program participant assisting with the cost of tuition and certification fees, and lays out provisions related to those incentives. THECB must adopt rules as necessary to administer the program.</p> <p>HB 1744 requires Texas Education Agency to develop a program of study for career and technology education programs that prepares and assists students in pursuing a career teaching bilingual education, English as a second language, or Spanish. This information about postsecondary education must be provided by a school counselor to a student and the student's parent or guardian each year the student is enrolled at the high school level.</p> <p>HB 1744 addressed the shortage of bilingual, ESL, and Spanish teachers by incentivizing the profession with financial assistance and access to employment and prepares teachers to better serve our English language-learning students.</p>	<p>832-302-9940 Phuong@TexasLSG.org</p>
<p>HB 1971 By: Canales Sherman, Sr. Wu Rosenthal Allen</p>	<p>Relating to the purchase and installation of climate control systems at facilities operated by the Texas Department of Criminal Justice.</p>	<p>Corrections Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Currently, local and county jails are required to maintain facility climates of no less than 65-degrees and no more than 85 degrees Fahrenheit. However, TDCJ state jails and prisons are not held to the same standards - out of 116 facilities, 29 facilities only have air-conditioned beds.</p> <p>HB 1971 requires an extensive list of TDCJ areas to be temperature-controlled in every facility. The bill includes that TDCJ shall immediately contract with private entities through a competitive bidding process to purchase and install the climate control systems and the entire scope of the project. The bill breaks down phases of installation and stipulates dates and financial caps for implementation that must be completed no later than 2028.</p> <p>In light of TDCJ problems exacerbated by Winter storm Uri, as Summer approaches - often reaching over 100 degrees within facilities - HB 1971 will provide an opportunity to minimize future litigation of</p>	<p>Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>



			<p>horrific living conditions and reduce the medical-related cost to caring for Texans who suffer from heat-related illnesses while incarcerated.</p>	
<p>HB 3157 By: Reynolds</p>	<p>Relating to the criminal offenses of violation of civil rights of and improper sexual activity with persons in custody; increasing a criminal penalty.</p>	<p>Criminal Jurisprudence Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Concerns have been raised that the penalties for correctional and juvenile facility related workers who violate the civil rights of those in custody by engaging in sexual activities with a person in custody or under supervision - by whom consent cannot be reasonably given - are not severe enough. The former offense is a Class A misdemeanor. The latter is a state jail felony punishable by up to 2-years in state jail, a penalty associated with low-level property and substance use crimes.</p> <p>HB 3157 clarifies that an official, employee, or volunteer at a correctional or juvenile facility commits an offense if they intentionally deny the rights of an incarcerated individual, removing language that would require the actor to know their conduct is unlawful. It also increases this offense to a third-degree felony and increases inappropriate sexual activity with a person in custody to a second-degree felony. If such an act is committed against a minor, it enhances to a first-degree felony.</p> <p>By broadening the conduct that is considered illegal and enhancing the criminal penalties for such offenses, this bill will reflect the seriousness of crimes against individuals in custody and deter future misconduct.</p>	<p>Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>
<p>HB 1457 By: Johnson, Ann Parker</p>	<p>Relating to the consolidation of certain graduate programs of The University of Texas Health Science Center at Houston and The University of Texas M.D. Anderson Cancer Center.</p>	<p>Higher Education Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The COVID-19 pandemic highlighted areas of improvement for responding to global infectious diseases and the need to identify practices ensuring safety and security for Texans. One very apparent need was appropriate training in handling, mitigating, and responding to such crises. This expansion seeks to provide appropriate and rigorous training to future public health officials so they may address the variety of needs highlighted by the global COVID-19 pandemic.</p> <p>HB 1457 works toward addressing this demand in the future workforce by expanding the partnership between the University of Texas Health Science Center at Houston and The University of Texas MD Anderson Cancer Center. Currently, the University of Texas Health Science Center at Houston Graduate School of Biomedical Sciences and The University of Texas MD Anderson Cancer Center have a partnership that allows them to conduct graduate and doctoral degree programs and courses in the field of biomedical sciences. HB 1457 will expand this partnership to jointly conduct graduate programs and courses in the field of population and public health.</p>	<p>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p>HB 347 By: Geren Collier</p>	<p>Relating to a false statement made to illegally acquire a firearm; creating a criminal offense.</p>	<p>Criminal Jurisprudence Vote:</p>	<p>State law contains many provisions that limit the ability of certain individuals to obtain a firearm. These provisions also enforce those who legally sell firearms. Suggestions have been made for the need for stronger criminal penalties to deter unfit individuals from seeking a firearm in the first place.</p>	<p>Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org</p>



		8 Ayes, 1 Nays, 0 PNV, 0 Absent	<p>HB 347 maintains current Class A misdemeanor levels for unlawful transfer of certain weapons. The bill enhances the following offense to a state jail felony: while unlawfully possessing a firearm, the actor knowingly makes a false material statement on forms that are required by state or federal law for purchase, sale, or transfer and submitted false information to obtain a license through a firearms dealer.</p> <p>HB 347 directly reflects the legislative priorities of law enforcement against open-carry legislation. The bill will ensure safety amongst communities and law enforcement alike to hold those who do not abide by provisions accountable.</p>	
HB 929 By: Sherman, Sr. Krause Jetton Reynolds	Relating to law enforcement policies and procedures regarding body worn cameras.	Homeland Security & Public Safety Vote: 6 Ayes, 3 Nays, 0 PNV, 0 Absent	<p>In 2018, Botham Jean was killed by an off-duty police officer while eating ice cream in his living room. In the immediately following investigation, little body-worn footage evidence was available, and the officer was directed to turn off the camera in one certain recording.</p> <p>HB 929 requires law enforcement agencies to revise body-worn camera policies so that provisions are included governing the collection of a body-worn camera with applicable video and audio as evidence in an investigation. This policy must require peace officers to keep body cameras activated during the entire course of active investigations other than deactivations that comply with the policy. The bill only allows peace officers to deactivate body cameras or stop a recording in encounters not related to an investigation.</p> <p>Prohibiting an officer from tampering with a body-worn camera during an investigation will help ensure more evidence is produced, both protecting officers when they might be exonerated and holding them accountable when they violate people’s rights.</p>	Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org
HB 140 By: Rose Thompson, Senfronia Coleman Leach Krause	Relating to the applicability of the death penalty to a capital offense committed by a person with severe mental illness.	Criminal Jurisprudence Vote: 6 Ayes, 1 Nays, 0 PNV, 2 Absent	<p>There are significant gaps in legal protections in Texas and throughout the US for individuals suffering from severe and/or persistent mentally illness (SMI), which include psychotic disorders like schizophrenia, schizoaffective disorder, or bipolar disorder. In fact, court-ordered evaluations and treatment statutes are in every state as a means of helping SMI individuals prior to or in response to them harming themselves or others. Concerns have been raised regarding the use of the death penalty for persons with SMI as part of the diagnostic criteria for these disorders commonly includes delusions, disorganized thinking, and often with a diminished capacity for understanding the reality of their situation or ability to fully participate in their own defense.</p> <p>HB 140 seeks to address this issue by prohibiting SMI defendants with active psychotic symptoms, impairing their ability to understand or exercise rational judgement in relation to their actions, from being sentenced to death. In order for a defendant to be covered under this restriction to the death penalty, there must be a notice of intent to offer evidence of SMI submitted to the court 30 days prior</p>	Favorable Evaluated by: Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org



			<p>to the trial date and proof a copy of the notice has been served to the state attorney. If the defendant fails to give timely notice that they were suffering from a SMI at the time of the offense, then it cannot be used in court unless the court finds good cause for missing the notice deadline.</p> <p>A defendant's claim must include clear and convincing evidence that they were suffering from SMI at the time of the alleged offense prior to the claim being provided to the jury. The jury would then provide a special verdict regarding the SMI claim in addition to their verdict on the guilt or innocence. Upon request a third-party expert evaluation can be requested by either party, or the judge, to determine if the defendant suffers from SMI. The expert is required to use the least restrictive method to determine if the defendant has the specified disorder they claim to and they do not need to include an assessment of the defendant's risk to others. Attention is paid to health privacy, as the evaluation must be submitted to the defendant and state attorney but cannot be admitted into evidence.</p> <p>If a defendant is determined to be a person with SMI at the time of the alleged capital offense, and convicted of the offense, then the judge must sentence them to life without parole. If the jury determines the defendant is not a person with SMI at the time of the alleged capital offense and they are convicted of the offense, then the judge would be required to conduct judgement proceedings where evidence of SMI can be presented again.</p>	
<p>HB 3477 By: Rose</p>	<p>Relating to the termination of corporate privileges for certain business entities under enforcement action for a violation of environmental laws.</p>	<p>Environment al Regulation</p> <p>Votes: 6 Ayes, 3 Nays, 0 PNV, 0 Absent</p>	<p>Shingle Mountain is an infamous story in Texas, an insidiously growing mountain of waste left on the borders of a predominately Black and Brown neighborhood. The practice depicted in this example is pervasive in Texas and must be stopped. Currently, the Texas Commission on Environmental Quality (TCEQ) is able to levy fines against businesses for violations but cannot stop them from continuing their operation. HB 3477 authorizes the termination of corporate privileges for specific businesses that abuse the environment in which they operate and harm the surrounding populations. Businesses should not be permitted to continue causing such harm, whether intentional or not, as it demonstrates that businesses are given allowance to act without regard to others or their wellbeing.</p> <p>For the provisions of the bill, a filing entity is a corporation, a limited partnership, LLC, professional association, cooperative, or real estate investment trust. An environmental disaster is a violation of law under TCEQ resulting in significant harm to human life.</p> <p>HB 3477 requires TCEQ to adopt rules that delineate criteria to determine if a filing entity is responsible for an environmental disaster. TCEQ must consider if the violation caused the following items:</p> <ul style="list-style-type: none"> • an increase of fatal diseases, including cancer, in a population proximal to the facility. 	<p>Favorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p>



			<ul style="list-style-type: none"> • contaminated water. • contaminated air; or • a negative impact on the quality of life in a population proximal to the facility. <p>Under this act, if TCEQ determines that the filing entity is responsible for an environmental disaster then it must issue an order of the entity’s termination and deliver a copy of this order to the Secretary of State (SOS) and the entity. A filing entity is authorized to submit evidence to TCEQ that it has met remediation requirements as prescribed by TCEQ. If TCEQ determines that the entity meets remediation requirements, then it must issue an order of reinstatement and deliver a copy of this to SOS and the filing entity.</p> <p>Under this act, the SOS may now terminate a filing entity’s existence if TCEQ issued an order of termination under this bill’s provisions. The SOS may also reinstate the filing entity if the entity files a reinstatement certificate and TCEQ issues an order of reinstatement if the entity was involuntarily terminated under the bill’s provisions.</p>	
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