



TEXAS LEGISLATIVE STUDY GROUP

An Official Caucus of the Texas House of Representatives

STEERING COMMITTEE

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

Rep. Diego Bernal
 Rep. Abel Herrero
 Rep. Mando Martinez
 Rep. Eddie Rodriguez
 Rep. Toni Rose
 Rep. Harold Dutton
 Rep. Chris Turner
 Rep. Rafael Anchia
 Rep. Carl Sherman
 Rep. Mary González
 Rep. Gina Hinojosa
 Rep. Rhetta Bowers
 Rep. John Turner
 Rep. Ina Minjarez
 Rep. Sergio Muñoz
 Rep. Alex Dominguez
 Rep. Nicole Collier
 Rep. Julie Johnson
 Rep. Vikki Goodwin

Representative Desk

LSG Floor Report For POSTPONED BUSINESS CALENDAR- Monday, May 17, 2021				
SB 155 By: Perry Sponsor: Klick	Relating to the use of information from the lists of noncitizens and nonresidents excused or disqualified from jury service.	Elections Vote 5 Ayes 4 Nays 0 PNV 0 Absent	<p>Racially motivated concerns about non-citizens voting in the 2020 election have been widely disproven and have yet persisted at the state level in Texas. SB 155 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>SB 155 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>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>	Unfavorable Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org
LSG Floor Report For GENERAL STATE CALENDAR- Monday, May 17, 2021				
SB 2212 By: West Huffman Miles Whitmire Sponsor: Thompson, Senfronia	Relating to the duty of a peace officer to request and render aid for an injured person.	Homeland Security & Public Safety Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>Law enforcement agencies across Texas create their own policy aside from what is mandated by the state for peace officer licensure. Many agencies have their own policy regarding the duty to request and render aid for injured people, but a statewide requirement would ensure all officers are accountable to help any injured person regardless of whether they are a perpetrator or victim. Such a change would prevent people from needlessly dying when aid could have helped them survive an encounter with a peace officer.</p> <p>SB 2212 requires peace officers encountering an injured person in the line of duty to immediately request Emergency Medical Services (EMS) personnel and provide first aid or treatment to the extent of the officer's knowledge or training while waiting for assistance. Officers would not be required to</p>	Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org

OK for Distribution - Rep Garnet Coleman

			request EMS or provide aid if they are physically incapable or if doing so would expose the officer or other person to risk of bodily injury.	
<p>SB 601</p> <p>By: Perry</p> <p>Sponsor: Burrows</p>	<p>Relating to the creation and activities of the Texas Produced Water Consortium.</p>	<p>Natural Resources</p> <p>Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Texas’s oil and gas industry produces billions of barrels of wastewater each year, a number that is only expected to increase. Drilling activities produce a significant amount of fluid waste that could be reused to avoid further diversion of fresh water, which will be essential as the state’s population and residential water needs grow. However, further study is needed to understand the benefits and risks to human health and the environment of treating and reusing fluid oil and gas waste, on-site or for other purposes.</p> <p>SB 601 would create the Texas Produced Water Consortium through Texas Tech University to research the technology needed for beneficial reuse and its economic, environmental, and public health impacts. The Consortium would be composed of representatives from various state agencies, diverse stakeholder groups, and technological and economic experts, funded by various levels of private membership fees, grants and gifts, and funds appropriated for this purpose. Private entities may access data collected by the Consortium proportionate to their level of membership, though broader information about its work shall be publicly available. The Consortium shall issue a report by September 2022 including suggested law or rule changes needed to facilitate increased fluid waste recycling, permitting, and testing guidelines, a pilot study proposal on state participation in recycling, and an economic model for efficient reuse.</p> <p>Since this research is in its early stages, legislators should be wary of prematurely seeking regulatory suggestions to enable broad wastewater recycling before establishing clear safety standards for its treatment, which neither the EPA nor the TCEQ currently have. Fluid waste often contains chemicals and radiation that are harmful to nearby communities and to the land and wildlife. Measurement standards for protecting the public have yet to be set, even as some oil and gas operators are already permitted to discharge wastewater directly into water sources. Understanding the impacts on surface and groundwater should be prioritized to prevent long term irreparable damage. Additionally, concerns arise over language that would limit access to data based on level of membership, which could disadvantage Consortium members with fewer resources. This access must adequately balance the needs to protect proprietary information and provide fair access to the public.</p> <p>Even though more than one year of study is necessary to understand the risks to every community. SB 601 is a good start to reducing the oil and gas industry’s reliance on fresh water, which will have long term benefits for Texas’s water supply.</p>	<p>Favorable</p> <p>Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p>SB 153</p>	<p>Relating to the exclusion of certain</p>	<p>Ways & Means</p>	<p>Currently, sales and use taxes are levied on any service categorized as data processing, but the comptroller has always excluded merchant credit and debit card processing from this categorization.</p>	<p>Favorable</p> <p>Evaluated by:</p>



<p>By: Perry</p> <p>Sponsor: Sanford Burrows Frullo</p>	<p>payment processing services from the definition of "data processing service" for purposes of sales and use taxes</p>	<p>Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>In response to suggestions that the comptroller may reconsider this exclusion, businesses are very concerned they will soon be required to remit millions in taxes for electronic transfers if they are no longer interpreted as being nontaxable.</p> <p>SB 153 codifies electronic transfers as nontaxable transactions and defines "settling an electronic payment transaction" as the authorization, clearing, or funding of a payment made by credit card, debit card, gift card, stored value card, electronic check, cryptocurrency, and loyalty program currency such as points or miles. The bill excludes the following from "data processing service" as it pertains to the settling of an electronic payment transaction:</p> <ul style="list-style-type: none"> • a downstream payment processor or point of sale payment processor that routes electronic payment to a federally insured financial institution or payment card network • a professional who is required to obtain a money transmission license • a federally insured financial institution organized under state and federal law • a person in a sponsorship agreement with a federally insured financial institution for settling that entity's electronic payment transactions through a payment card network • a payment card network that allows a person to accept a specific brand of debit or credit card by routing information and data to settle an electronic payment transaction • services to encrypt electronic payment information for acceptance onto a payment card network that allows a person to accept a specific brand of debit or credit card by routing information and data to settle an electronic payment transaction. 	<p>Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>
<p>SB 884</p> <p>By: Zaffirini</p> <p>Sponsor: Raymond</p>	<p>Relating to the management and operation by The University of Texas System of a multi-institution center in the city of Laredo.</p>	<p>Higher Education</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Currently, the University of Texas (UT) Health Science Center at San Antonio operates a campus extension in Laredo. The UT System performed a recent review of the extension, determining that the extension would better serve its purpose if it were expanded into a multi-institutional center. The multi-institutional center will perform more functions and continue improving the quality of health provider education in Laredo .</p> <p>SB 884 revises the existing statute that references the UT Health Science Center at San Antonio and transfers statute to the UT System's multi-institution center in Laredo. The multi-institution (MI) center will no longer be under a Board of regents, instead, under a component institution of the UT System. SB 884 amends permitted operation funding sources and permits general revenue funds for the MI center. The component institutions of the system can use the MI center for undergraduate and graduate medical or dental education, including residency training programs and other education programs.</p>	<p>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p>SB 1354</p> <p>By: Miles</p>	<p>Relating to the prosecution of the offense of injury to</p>	<p>Criminal Jurisprudence</p>	<p>Children, the elderly, and disabled individuals have various protections in the Penal Code. However, current statute creates prosecutorial barriers for proving that an actor has engaged in misconduct - resulting in criminal liability.</p>	<p>Favorable Evaluated by: Chelsea Dalton Pederson</p>



<p>Sponsor: Collier</p>	<p>a child, elderly individual, or disabled individual.</p>	<p>Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>SB 1354 revises conditions that detail when an actor has assumed care, custody, or control of these protected groups. SB 1354 makes prosecutorial action easier for criminal negligence by requiring the prosecution to meet one, rather than all four, elements that would lead to a reasonable conclusion that the actor has taken responsibility for any of these individuals (protection, food, shelter, “or” medical care). SB 1354 clarifies existing language to hold these bad actors accountable for any misconduct or negligence of these protected individuals.</p>	<p>512-661-9708 Chelsea@TexasLSG.org</p>
<p>SB 313 By: Huffman Sponsor: Meyer</p>	<p>Relating to a sales and use tax exemption for firearm safety equipment.</p>	<p>Ways & Means Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>SB 313 aims to make communities safer by incentivizing consumers through tax exemptions. SB 313 provides a sales and use tax exemption for firearm safety equipment to encourage safe firearm use. The bill includes gun lock boxes, gun safes, barrel locks, trigger locks, or other accessories designed for firearm safe handling and storage. Considering the expensive price of many items covered under the proposed exemption, SB 313 could encourage consumers to buy gun safety equipment by providing a substantial discount.</p>	<p>Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>
<p>SB 581 By: Bettencourt Creighton Kolkhorst Sponsor: Schofield</p>	<p>Relating to regulation by a property owners’ association of certain religious displays.</p>	<p>Business & Industry Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Currently, property owners’ associations (POAs) may not adopt or enforce restrictions on religious items or displays affixed to an owner or a resident’s door, however POAs can limit other religious displays. SB 581 will prevent POAs from prohibiting religious displays on an owner or resident’s property. SB 581 will ensure that POAs may no longer interfere with any Texan’s ability to express their religious beliefs on their property or dwelling.</p>	<p>Favorable Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p>SB 383 By: Powell Sponsor: Perez Fierro</p>	<p>Relating to disclosure requirements of certain facilities that provide care for persons with Alzheimer’s disease and related disorders.</p>	<p>Human Services Vote: 6 Ayes, 1 Nay, 0 PNV, 2 Absent</p>	<p>Currently, nursing facilities that advertise, market, or otherwise promote the ability to provide specialized care for persons with Alzheimer’s disease or related disorders must be certified by the Health and Human Services Commission with an Alzheimer’s Certification License. However, nursing facilities without certification may advertise as providers for “memory care services,” - creating confusion amongst consumers about the type of care a facility can provide.</p> <p>SB 383 requires all nursing facilities to prepare a written notice disclosing whether the facility is certified to provide specialized care and treatment for facility residents with Alzheimer’s disease and other related disorders. They must also notify each resident and every person applying for these services from the facility. SB 383 will provide clarity, transparency and help individuals searching for a nursing facilities get the care that they need.</p>	<p>Favorable Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>



<p>SB 922 By: Seliger Sponsor: Patterson</p>	<p>Relating to contracts for fingerprinting services entered into by the Department of Public Safety of the State of Texas.</p>	<p>Homeland Security & Public Safety Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The Department of Public Safety (DPS) currently partners with third-party vendors to provide agencies across Texas with electronic fingerprinting services for criminal history checks for prospective employees. Current contract provisions require the vendor to have an operating facility within a 50-mile radius of consumers, but the intent of the requirement is often unfulfilled due to long wait times and facilities closing without notice.</p> <p>SB 922 allows DPS to contract with a second vendor if the first does not meet its obligations, requires the initially chosen vendor to publish public notice 45 days before closing and provides a mobile unit in the area of the closure until another location is opened. The bill also requires DPS to provide the legislature and governor with an annual report detailing the ability of vendors to meet their contractual obligations to provide fingerprinting services for criminal history checks.</p>	<p>Favorable Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>
---	---	---	---	---

