TEXAS LEGISLATIVE STUDY GROUP

An Official Caucus of the Texas House of Representatives

Representative **Desk**

LSG Floor Report For POSTPONED BUSINESS - Tuesday, May 25, 2021

SB 1281 **Postponed until 6 AM** By: Hancock Sponsor: King, Phil	Relating to a reliability assessment of the ERCOT power grid and certificates of public convenience and necessity for certain transmission projects	State Affairs Vote: 12 Ayes, 0 Nays, 1 PNV, 0 Absent	It is estimated that Texans have paid over $1 billion a year in grid congestion costs, which are incurred by retail electricity providers when electricity demand exceeds what transmission lines can physically handle without malfunctioning. These costs may be directly or indirectly passed on to customers. During February's winter storm, transmission congestion prevented some generators from sending out available electricity to customers, contributing to the widespread, extended outages that resulted in the loss of life. Texas's population and industrial growth will require an expedient expansion of transmission infrastructure to maintain the electric grid's reliability and cost-efficiency. SB 1281 seeks to facilitate the construction of additional transmission infrastructure that will enhance grid reliability. It updates the criteria that the Public Utility Commission (PUC) must consider when granting certificates of convenience and necessity (CCNs) to transmission and distribution utilities (TDUs) for certain reliability projects to include: • historical load, forecasted load growth, and additional load currently seeking interconnection • predictive models for a reasonable range of power generation dispatch scenarios, including reliability limitations during high and low renewable generation output • costs to consumers of a new project compared to reduced congestion costs • current and future expected congestion levels and the transmission project's ability to reduce those congestion levels. The bill also permits a utility to construct limited new transmission lines without going through the lengthy process of amending its CCN, so long as relevant landowner's consent. Finally, the bill directs ERCOT to conduct an annual assessment of the grid's reliability in extreme weather scenarios that considers the variable performance of thermal and renewable resources and makes recommendations for future transmission projects to increase reliability. This bill will encourage transmission projects to be approved and constructed based on actual costs and benefits to customers, now and in the future. It places reasonable considerations on the intermittent nature of renewable generation without restricting its rapid and necessary growth. However, there are	**Favorable with Concerns** Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org

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			concerns that renewable generation facilities' ability to connect to the grid may be disadvantaged by the requirement for the PUC to directly consider the costs to customers of new transmission lines when deciding on CCNs, since these facilities are often located in more remote, and therefore costly, areas where renewable resources are more plentiful.	
SB 10 **Postponed until 6 AM** By: Bettencourt | Birdwell | Campbell | Creighton | Hall | Hancock | Hughes | Paxton | Perry | Springer Sponsor: Paddie	Relating to certain requirements applicable to political subdivisions and other entities that engage in lobbying and to the applicability of lobbyist registration requirements to a person who provides legal services to a political subdivision.	State Affairs Vote: 8 Ayes, 5 Nays, 0 PNV, 0 Absent	SB 10 would prohibit local governments, districts, and other public entities from spending public money or providing other compensation for lobbying services, which may include membership dues to associations such as the Texas Municipal League or the Association of Counties that participate in lobbying services directed towards state legislation unless the entity's governing body authorizes the expenditure in an open meeting. All public entities are prohibited from having a lobbyist advocate for changes to the property tax revenue cap established in last session's school finance bill. However, an entity's employees are still authorized to communicate with legislators on any legislative issue. Additionally, the bill clarifies existing transparency requirements by directing an entity to post on its website detailed information on any lobbying contract or relevant association dues and any current legislative agenda or resolution adopted by the entity. A resident of the public entity may file a complaint with the Texas Ethics Commission if these provisions are not followed. This bill is less restrictive than similar bills proposed this session, and its transparency provisions are favorable. However, SB 10 still places unnecessary limitations on the ability of a political subdivision or other public entity to represent their communities before the legislature, specifically regarding tax issues. This provision puts Texans at a disadvantage to private interests who face no similar restrictions. If constituents disagree with an entity's legislative agenda or the decision to employ a lobbyist, they can and will take appropriate action at the ballot box, rendering this state intervention unnecessary.	**<u>Unfavorable</u>** Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
SB 1282 **Postponed until 6:15 AM** By: Hancock Sponsor: Paddie | Vasut	Relating to cost recovery for costs arising from the interconnection of certain electric generation facilities with the ERCOT transmission system.	State Affairs Vote: 7 Ayes, 5 Nays, 1 PNV, 0 Absent	Customers pay the costs of transmitting electricity, including the construction of new infrastructure, upgrades, and operational costs. There have been concerns that, because generators do not bear the cost of building the infrastructure that connects their facilities to the electric grid and to customers, they are not incentivized to build their facilities in locations closer and therefore cheaper to customers. SB 1282 attempts to address this concern by requiring the Public Utility Commission (PUC) to establish a reasonable allowance for each generator or storage facility's interconnection costs, including direct costs of infrastructure or upgrades to the grid, to be paid through traditional methods. Any costs that exceed the allowance must be borne directly by the generator or storage facility. This "reasonable allowance" does not consider the financial benefits that may outweigh new or higher transmission costs, which may disadvantage and discourage new generation, facilities that serve rural customers, and renewable generators that build in remote areas where wind and solar resources are more abundant. Further, a recent ERCOT report showed that the annual cost of transmission per energy used has been dropping since 2017, raising questions on the need of a bill like this.	**<u>Unfavorable</u>** Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org

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SB 12 **Postponed until 10 AM** By: Hughes | Bettencourt | Campbell | Kolkhorst | Nelson | Perry | Schwertner | Springer Sponsor: Sanford | Metcalf | Smithee	Relating to complaint procedures and disclosure requirements for social media platforms and to the censorship of users' expressions by an interactive computer service.	State Affairs Vote: 8 Ayes, 5 Nays, 0 PNV, 0 Absent	There have long been calls for greater regulation of social media platforms for reasons related to the need for data protection, concerns over the harmful impacts of algorithmic content curation, and perceptions of bias against various types of users. Some find these platforms too restrictive; others have concerns over their lack of moderation. While there is controversy about whether private platforms should benefit from free speech protections, it is clear that some form of regulation is needed. Unfortunately, SB 12 addresses the issue in a way that would do more harm than good. **Transparency & Complaint Procedures** SB 12 requires major social media platforms to publicly disclose content and data management practices relating to content curation, promotion, and moderation and the utilization of user data. A platform must publish an acceptable use policy describing permissible content and enforcement procedures and offer various methods by which a user can report content violations. Platforms must publish a quarterly report on reported content, enforcement actions taken, and related information and must establish complaint procedures that allow for user notification and the prompt evaluation of reported content and appeals. The Attorney General can enjoin a violation and, if an injunction is granted, recover fees and investigative costs from the platform. **These provisions are favorable.** **Censorship** SB 12 prohibits a computer service from censoring users for their online expressions or another person's expressions that they share on major social media platforms. Censorship includes banning, removing, demonetizing, or otherwise discriminating against expression, despite these being the types of tools that social media platforms use to deter or penalize violations of an acceptable use policy. A computer service may only take enforcement actions against content authorized under federal law or unlawful content, such as direct incitements of criminal activity or threats against persons based on their protected status. Hate speech, intentional disinformation, harassment, and other objectionable content could not be removed. A user or the Attorney General may bring action against a computer service for violating these provisions and receive injunctive or compensatory relief that complies with federal protections. There are examples of smaller social media platforms that operate under this limited moderation policy. They tend to be rife with the hate speech, conspiracies, and other objectionable content that major platforms currently attempt to limit, despite their content curation algorithms functioning to promote extreme and divisive rhetoric. This bill's provisions will facilitate greater extremism on the most highly trafficked platforms, leading to negative individual and social impacts. Recognizing the Constitutional grey area of social media regulation and that similar proposals have not been upheld, SB 12 stipulates that all of its provisions are severable, making it incredibly difficult to remove all objectionable sections. **Therefore, without substantial amendment, this bill must be rated unfavorably.**	**<u>Unfavorable</u>** Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
SB 2185	Relating to procedures for the	Urban Affairs	Water control and improvement districts (WCID) are political subdivisions of the state that purchase, construct, operate, and maintain everything necessary to provide water, wastewater, and drainage	**<u>Favorable</u>** Evaluated by:

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Postponed until 5PM By: Hinojosa Sponsor: Canales	dissolution of the Hidalgo County Water Improvement District No. 3.	Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent	services. The Hidalgo Water Improvement District No. 3 was formed in 1921 to provide water to serve the agricultural land in the area. Since its creation, a majority of the district has been urbanized, but a portion of the district still serves as agricultural land. There are concerns that because a majority of the district services an urbanized area it should be dissolved. SB 2185 seeks to dissolve the Hidalgo County Water Improvement District No. 3. While it is normal for a district to be dissolved through legislative action, there are concerns about what impact dissolving the district will have on farmers and residents who rely on the district outside of McAllen. SB 2185 dissolves the Hidalgo County Water Improvement District No. 3 and transfers the assets, debts, and contractual rights and obligations of the district to the city of McAllen. The bill requires the city of McAllen to inform the Texas Commission on Environmental Quality (TCEQ) of when the district is dissolved and of when the transfer of any certificate of adjudication occurs.	Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org
LSG Floor Report For MAJOR STATE CALENDAR- Tuesday, May 25, 2021				
SB 14 By: Creighton | Bettencourt | Buckingham | Campbell | Hall | Huffman | Perry | Schwertner | Springer Sponsor: King, P. | Paddie | Metcalf | Burrows | Lucio III	Relating to the regulation by a municipality or county of certain employment benefits and policies.	State Affairs Vote: 8 Ayes, 2 Nays, 1 PNV, 2 Absent	After over a year of the world celebrating essential workers for sacrificing their health and safety to keep society moving during a pandemic, SB 14 would preempt any city or county from enacting and enforcing worker protection ordinances that conflict with or exceed state and federal law. This includes policies related to employee leave, hiring practices, benefits, scheduling, or any other terms of employment. Under this bill, any applicable ordinance or policy already enacted would be void. SB 14 does not intend to impact the Texas Minimum Wage Act, negotiations between government entities and their employees' public employees, or contracts voluntarily entered into between the government and private entities - though language meant to protect the collective bargaining rights of public employees and the right of cities and counties to offer benefits that exceed state requirements is vague enough to raise concerns. What SB 14 does impact is nondiscrimination ordinances, rest break requirements, paid sick leave policies, fair chance hiring, and livable minimum wage laws, to name a few. There are currently no state or federal employment protections against discrimination based on sexual orientation or gender identity. While there are federal court decisions that would protect these categories from employment discrimination, concerns remain over that decision's implementation in Texas and its application to businesses with fewer than 15 employees, which are not federally required to adhere to anti-discrimination laws. Local NDOs, the only protections that would apply to all businesses, would be made void under this bill. Two Texas cities have passed ordinances to provide water breaks to construction workers, which are not required by state or federal law despite a decade of legislative efforts. Construction workers in Texas are regularly exposed to extreme environmental heat on the job, placing them at risk of accidents, heat-related	**<u>Unfavorable</u>** Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org

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			illness, and injury. A 2013 survey found that more than one-third of construction workers did not receive rest breaks at their jobsite. This bill would render rest break policies void. Some cities have also passed fair chance hiring ordinances, which prohibit employers from inquiring about a person's criminal history and instead makes them consider the individual's qualifications and fit for the job. These ordinances provide formerly incarcerated individuals opportunities to gain employment and contribute to the community that would have been denied to them based on their past. This bill would render these policies void. Texans do not have the right to earn sick leave under state or federal law, and local ordinances establishing earned sick leave requirements are currently being litigated. This bill's preemption is bad for employees' and public health, since sick workers who cannot afford to stay home from work go to work and get other people sick, which can and has had significantly broader social and economic implications. Further, there were no state requirements to take health and safety precautions in the workplace until weeks after the pandemic began to spread. Under SB 14, local governments would have no authority to rapidly respond to such a situation to protect their workers and the public, as they did at the start of the pandemic. There are countless more examples of localities responding to the needs of their communities to provide better working conditions ahead of the legislature and executive actors, who often move far more slowly than public opinion and need. SB 14 would preempt, and undo county and city employment policies designed to recruit a talented workforce, ensure worker health & safety, and provide civil rights protections. It would hurt workers and hinder progress in our state.	
SB 2233 By: Menéndez|Alvarado|Bettencourt|Birdwell|Blanco|Buckingham|Campbell|Creighton|Eckhardt|Gutierrez|Hall|Hancock|Hinojosa|Huffman|Hughes|Johnson|Kolkhorst|	Relating to the completion of sexual harassment prevention training and ethics training to register as a lobbyist.	State Affairs Vote: 13 Ayes, 0 Nays, 0 PNV, 0 Absent	Lobbyists work closely with legislators and staff but are not subject to the same employment policies and required training, leaving open the possibility that inappropriate behavior will not face consequences. SB 2233 would require that, in order to register as a lobbyist, an individual must show proof of completing sexual harassment prevention training and ethics training. Trainings must be approved by the Texas Ethics Commission and be completed every two years to maintain registration. These measures will help prevent sexual harassment and further the legislature's efforts to create a safe working environment.	**Favorable** Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org

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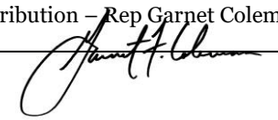

Lucio|Miles|Nelson|Nichol|Paxton|Perry|Powell|Schwertner|Seliger|Springer|West|Whitmire|Zaffirini Sponsor: Howard | Thompson, S.				
SB 1336 By: Hancock | Bettencourt | Birdwell | Buckingham | Campbell | Creighton | Hall | Huffman | Hughes | Kolkhorst | Nelson | Nichols | Paxton | Perry | Schwertner | Seliger | Springer | Taylor Sponsor: Bonnen | Oliverson | Paul | Krause | Schofield	Relating to a limit on the rate of growth of certain appropriations.	Appropriations Vote: 14 Ayes, 12 Nays, 0 PNV, 1 Absent	SB 1336 would create a new arbitrary and potentially harmful spending cap to limit the amount of general revenue-related funds the legislature can appropriate in the Texas budget. Current statute already has effective and fiscally conservative spending limits and caps in place to prevent appropriations from exceeding the state economy's estimated revenue collections in the upcoming biennium. In fact, this new spending cap would fall under the current one and have no impact on the 2022-23 budget but could impose excessive restrictions on future budget cycles. The spending limit created by SB 1336 would require the Legislative Budget Board (LBB) to use the preceding biennium's average rate of population growth and the state's estimated Consumer Price Index (CPI), which tracks the changing price of consumer goods, to determine the cap. This can create problems as the cost of government funded services, like health care or transportation infrastructure, often grow faster than CPI. The bill includes a provision instructing the cap to be set at the previous year's spending limit in a situation where the estimated rate of growth difference is negative. This could be problematic during seasons when a recession reduces state revenue, like with COVID-19 in 2020, with impacts that include: • unnecessary cuts to programs that historically do not get reinstated. • require the legislature vote to "bust a spending cap" - based on recent sessions this would not be easy - to restore the spending limit to pre-recession spending levels to include general revenue amounts that have been supplanted, as they have this session. • additional work in the following session would be needed to address the unaccounted growth due to this overly restrictive cap. LBB would also be prohibited from providing the House and Senate committees with budget recommendations that exceed the new cap without a three-fifths record vote approving the estimate even. This year's budget was provided with recommendations over the current spending limit, which allowed the	**<u>Unfavorable</u>** Evaluated by: Audrey Erwin (928) 210-4303 Audrey@TexasLSG.org

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			committees to have more flexibility in balancing the budget to best reflect the needs of Texas. Current statute already prohibits the budget from being signed into law if it is over the current spending limit making this entirely unnecessary and excessively restrictive.	
SB 966 By: Kolkhorst Sponsor: Klick	Relating to legislative oversight during a public health disaster or public health emergency, including the establishment of a legislative public health oversight board.	State Affairs Vote: 13 Ayes, 0 Nays, 0 PNV, 0 Absent	SB 966 establishes the Legislative Public Health Oversight Board, composed of the Lt. Governor, Speaker of the House, the chairs of Senate and House committees covering public health, and another Senate and House member selected by their respective house's leader. The Board will provide oversight of public health disasters and emergencies ordered by the governor and/or the commissioner of state health services (DSHS). It may meet at any time and be called in by either house leader or the legislature. SB 966 amends the rules for renewing a disaster or emergency order, which currently requires action from the commissioners of state health services or, per a COVID-19 emergency order, the Health and Human Services Commission. Under this bill, only the legislature and the Oversight Board would have the authority to renew this type of order, for 30 days at a time and as often as needed. This would apply to public health disasters, initially determined by both the DSHS commissioner and the governor, and to public health emergencies, a new term defined in the bill that would be subject to the same new renewal requirements as a disaster but initially only requires an order from the DSHS commissioner. The DSHS commissioner, with seven days of a public health emergency or disaster order, must meet with the two house's public health-related committee chairs. If the legislature or Board are unable to meet to consider renewal, the order would continue unless terminated by the governor or commissioner. This bill attempts to address the need for flexibility during a disaster or emergency and balance between the executive and legislative branches. There is concern, however, that removing the authority to renew emergency orders from health experts at state agencies and transferring it to a political body could lead to decision-making based more on political pressure than relevant expertise.	**<u>Favorable with Concerns</u>** Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
SB 321 By: Huffman Sponsor: Bonnen	Relating to contributions to, benefits from, and the administration of the Employees Retirement System of Texas.	Appropriations Vote: 14 Ayes, 12 Nays, 0 PNV, 1 Absent	SB 321 would make payments to bring the Employees Retirement System (ERS) back to actuarial soundness and change state employee retirement from a defined benefit plan to a cash balance benefit for members of the ERS and Law Enforcement and Custodial Officers Supplemental Retirement Fund (LECOS) hired on or after September 1, 2022. SB 321 would create a new group four- a lifetime annuity plan based on the account balance in a plan that allows employees who have an invested balance to receive the cash balance annuity when eligible for retirement benefits as laid out in statute. The change to a cash balance annuity would negatively impact state employees who begin their careers with the state later in life, but often have lower turnover rates, by giving them a lower annuity in the long run. Estimates of the impact of SB 321 show that this new plan will penalize people who start at a lower salary and work their way up with the state, because of starting at a lower pay rate since annuity payments are based on the overall average that is invested during employment with the state. The current plan makes annuity payments based on the last 5 years of service	**<u>Unfavorable</u>** Evaluated by: Audrey Erwin (928) 210-4303 Audrey@TexasLSG.org

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			or top 5 years of pay rate, rewarding career employees of the state, and is able to be used as a recruitment technique to attract talented individuals to work for the state. The cash balance plan would not be able to be used as an incentive as the cash balance plan is more volatile due to fluctuations in the stock market and not being able to predict employee investments overtime to estimate the payout. The new plan in SB 321 estimates the employees who would benefit are those who start employment early in life after they leave employment with the state but keep their money in ERS rather than incentivizing long term employees who spend their career with the state. The ideal option would be to continue the aspect of SB 321 that is a plan to pay off the unfunded liability and bring ERS to actuarial soundness and cut the changes to the benefit plan. Making payment towards the unfunded liability without changing the annuity plan would allow for time to look at all options without increasing the amount needed to pay off the unfunded liability. A bill has already been passed for a study to be conducted to identify equitable and effective solutions for ERS. This session alternative plans were presented, which included the state increasing their contribution to 16%, which can be approved on an emergency basis by the governor, but neither the Senate or the House approved the increased state contribution and pushing the burden onto state employees with this proposed solution is not the answer either. This bill would be jumping the gun making changes to employee benefits prior to re-evaluating the situation once payments towards the unfunded liability occur.	
SB 968 By: Kolkhorst Sponsor: Klick	Relating to public health disaster and public health emergency preparedness and response; providing a civil penalty.	State Affairs Vote: 13 Ayes, 0 Nays, 0 PNV, 0 Absent	SB 968 takes several steps to prepare the state for future public health disasters by ensuring the state has the staff, equipment, and policies to adequately respond. Its provisions shall only be required if appropriations are made available by the legislature. SB 968 directs the existing Preparedness Coordinating Council to conduct a study by December 2022 on the state's COVID response, including the roles of the Department of State Health Services (DSHS), the Texas Division of Emergency Management (TDEM), and the Health and Human Services Commission. **Public Health Disaster or Emergency Declaration** This bill adds a definition of public health emergency separate from a disaster and provides the legislature or an established legislative oversight board the sole authority to renew a declaration or, if the bodies do not meet for renewal, the declaration would continue until terminated by the governor or DSHS commissioner. The bill clarifies that a disaster or emergency may only be initially declared if a public health threat is imminent, and that declaration must be disseminated promptly to the public, the governor, the Secretary of State, and local officials as appropriate. **Chief Epidemiologist & Expert Panel** SB 968 establishes the Office of the Chief State Epidemiologist with DSHS. The chief epidemiologist would provide expertise on epidemics, disease, and public health and serve as the primary state contact with federal health agencies on matters related to public health. The epidemiologist shall collaborate with emergency management officers, healthcare facilities, and others as needed to support disaster response.	**<u>Favorable with Concerns</u>** Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org

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			The bill also establishes that, immediately after the declaration of a public health disaster or emergency, the DSHS commissioner must appoint an expert panel of healthcare professionals to provide recommendations to the chief epidemiologist. It would be abolished when the emergency is terminated. **PPE & Medical Procedures** Responding to the shortage of personal protective equipment at the start of the pandemic, in some cases due to expired supply, SB 968 directs the TDEM to contract for a guaranteed supply of PPE to meet the state's need. It must use any federal funds available to do so. SB 968 also prohibits the Texas Medical Board from issuing an order that limits or prohibits nonelective medical procedures, or those promptly needed to prevent loss of life or health deterioration, during a disaster. The Board may temporarily limit other procedures only as necessary to conserve resources for nonelective procedures and disaster response. Entities are protected from liability for following such an order. This aims to clarify orders that were issued at the start of the pandemic to limit elective procedures to conserve PPE, but in some cases had the effect of delaying needed procedures. **Concerns - "Vaccine Passports" & Penalties** SB 968 would prohibit a government entity from publishing or issuing a standardized documentation to certify an individual's COVID-19 vaccination status to a third party for a purpose other than health care. There is not an established framework for these vaccine passports, so banning them outright could prematurely limit a potentially useful tool to monitor public health and risks. The bill would also prohibit businesses from requiring individuals to present proof of vaccination before offering services. A business that does so would be barred from receiving state grants or contracts, and the bill permits agencies that regulate businesses to condition licenses or permits on compliance with this provision. Concerns remain that unvaccinated individuals could put others at risk for contracting COVID. Business owners should have the right to ensure their customers and employees are not unnecessarily exposed. Responding to delayed reporting during the pandemic that complicated the state response, this bill would assess a penalty of up to $1,000 against a healthcare facility that does not submit a report required under a public health disaster. However, healthcare facilities, especially in rural areas, are often understaffed and may face additional strains during a disaster. Rather than penalizing facilities that struggle to keep up with reporting in a chaotic environment, the state should be supporting their ability to comply with requirements and meet patient needs.	
SB 1232 By: Taylor	Relating to the management and investment of the permanent school	Appropriations Vote: 19 Ayes,	SB 1232 creates the Texas Permanent School Fund Cooperation (TPSFC), charged with managing and investing the Permanent School Fund (PSF) to ensure it remains a permanent and reliable source of funding for public education. Currently, these responsibilities are shared between the State Board of Education (SBOE)and General Land Office and SB 1232 would use a special purpose non-profit as is done	**<u>Favorable</u>** Evaluated by: Audrey Erwin (928) 210-4303

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Sponsor: Bonnen	fund, including authorizing the creation of the Texas Permanent School Fund Corporation to manage and invest the fund and limiting the authority of the School Land Board to manage and invest the fund if the corporation is created.	0 Nays, 0 PNV, 8 Absent	with the Permanent University Fund for higher education. Currently, the PSF has a liquid account, roughly 10% of the fund, that can be used for short term investments, but as a whole the fund needs to remain highly liquid due possibly needing to pull funds for education. Part of the Sunset Review recommendations for the PSF, from the previous session, included the SBOE and the School Land Board (SLB) to collaborate on a solution for better management and investment of the PSF. The bill lays out the collaborative solution the agencies came to. The changes implemented by SB 1232 would create a more efficient process to manage the PSF, are expected to increase the total return on investment for the account, and will allow for asset allocation analysis to be on the total portfolio rather than split between what is managed by GLO and SBOE to have a more holistic understanding of what is happening with the PSF. **Texas Permanent School Fund Cooperation** SB 1232 authorizes the SBOE to incorporate the TPSFC and delegate their authority to manage the PSF and the Charter District Bond Guarantee Reserve Fund to the TPSFC. The TPSFC board of directors would consist of nine members: 5 from the SBOE, the GLO Commissioner, 1 person appointed by the GLO Commissioner, and 2 appointed by the governor with the advice and consent of the Senate. It is unclear why this is just the Senate and not the House. The board would be allowed to conduct a closed meeting only if the purpose is to receive information or question employees, consultants, legal counsel, or third parties, but any vote or final action taken in these closed meetings must be conducted in an open meeting. TPSFC is allowed to amend, with SBOE approval, their articles of incorporation, resolutions and policies, and anything else necessary for the TPSFC to carry out its function. The TPSFC board would be required to: • employ a chief executive officer - giving SBOE more input on investment and management of the fund - in charge of TPSFC employees, including the hiring, development of an employee compensation model and performance evaluations, and may appoint an internal auditor. • create written investment objectives. • employ a well-recognized performance measurement service to evaluate and analyze the investment results; and • adopt an ethics policy relating to the management and investment of the PSF. The TPSFC CEO would be. In managing the PSF, the TPSFC board would be allowed to enter into contracts with private and other state agencies for the management and investment of the PSF. **Changes Management of PSF** SB 1232 redacts specifications for how the SBOE is authorized to invest the PSF and instead states the PSF can be invested as authorized under the prudent investor standard under the Texas Constitution. It removes the requirement for the SBOE to report on by a nonprofit corporation's management of the PSF and establishes that the TPSFC board of directors would be required to provide an annual audit report	Audrey@TexasLSG.org

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			that includes a report on the allocation of assets and investment performance of the portion of the PSF for which the corporation is responsible. The bill would transfer all powers, duties, foundation, programs, and activities for the management and investment of the PSF from the SBOE and Texas Education Agency (TEA) to the TPSFC by March 30, 2023 unless a delay in certain areas is warranted to protect the best interest of the PSF. The SBOE and GLO are required to work together to determine the TPSFC's role in the operation and management of the PSF in connection to the bond guarantee program. The TPSFC is given rule making authority to develop and establish an annual minimum distributions rate for transfers from the PSF to the Available School Fund, while keeping within the limits set by the Texas Constitution. The bill would abolish the PSF liquid account when all outstanding commitments required to be paid out have been fulfilled and then transfer the balance into the PSF **School Land Board** SB 1232 revises provisions related to school public land by the SLB and the GLO Commissioner by defining "real property holdings, codifies that any real property that is set apart for the PSF under the state Constitution or laws would be among interests that are under the sole management of the SLB and GLO commissioner, and requires all revenue received from mineral or royalty interests be transferred to TPSFC for investment monthly. The bill repeals limitations on the market value amount of funds invested for certain purposes and SLB is authorized to use funds to: acquire real property as public school land; to protect, maintain or enhance the value of mineral and royalty interests on public school land; acquire, sell, lease, trade, improve, maintain, protect, or use real property holdings. SLB would be able to appoint investment consultants or advisors to assist in these actions and SLB would be required to report annually to LBB and the TPSFC on the direct and indirect impact of these actions.	
SB 29 By: Perry | Bettencourt | Birdwell | Buckingham | Campbell | Creighton | Hall | Hancock | Hughes | Kolkhorst | Nelson | Nichols |	Relating to requiring public school students to compete in interscholastic athletic competitions based on sex and a study conducted by the University Interscholastic League on the effects of allowing a student to	Public Education Votes: 8 Ayes, 5 Nays, 0 PNV, 0 Absent	Sports are an integral part of young person development. For students, sports provide a priceless opportunity for students to gain leadership, self-discipline, learn the importance of physical fitness, and can bring a sense of community, and can encourage a student to go to college via an athletic scholarship. SB 29 prohibits a transgender student from competing on a sports team sponsored or authorized by a school district or open-enrollment charter school that aligns with the student's gender. The student's sex as designated on their birth certificate or other government records will be used to determine if the student is eligible to participate on a specific team or not. The bill does not prohibit a female student from participating on a team designated for male students if a corresponding team designated for females is not offered or available, i.e., football. SB 29 requires the University Interscholastic League (UIL) to conduct a study to determine if allowing transgender students to participate on a team opposite their birth sex causes disruptions among the	**<u>Unfavorable</u>** Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org

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Paxton | Seliger | Springer | Taylor Sponsor: Dutton | King, Ken	participate in an athletic competition designated for the sex opposite to the student's sex.		student's team or restricts opportunities for cisgender students. UIL is to submit a report on this study to the legislature with any recommendations for legislative actions no later than December 1, 2026. The provisions of this bill would not expire until September 1, 2027. Less than 2% of high school students in the U.S. identify as transgender. The number of transgender student-athletes is unknown, and the only time transgender student-athletes are discussed is when they are succeeding. However, conservative media would have you believe trans-student-athletes are dominating the sports arena. The International Olympic Committee has allowed transgender athletes to compete on the team they identify within the Olympics since 2003; yet never has a transgender athlete been known to compete in the Olympics, let alone win a gold medal. In fact, numerous studies have shown that there has been no significant recorded dominance of transgender athletes in either men's or women's sports. However, this harmful rhetoric of transgender domination still persists with no proof. There is proof that whenever anti-transgender legislation, whether it attacks trans youth or trans adults, is laid out or passed, the calls to the LGBTQ suicide hotline double. 86% of LGBTQIA youth have said that recent politics have negatively impacted their wellbeing. In its 2020 National Survey on LGBTQ Youth Mental Health, The Trevor Project found that over 50% of transgender and nonbinary youth respondents seriously considered suicide, 41% of these youth actually attempted suicide in the 12 months prior to the survey. Over 60% of transgender and non-binary youth reported self-harm. SB 29 is not about ensuring women's sports in Texas are protected; it is about spreading hateful rhetoric that ultimately harms children. Transgender and nonbinary youth already face unprecedented amounts of verbal harassment and physical violence in their schools. The Texas legislature prides itself on advocating and protecting children, but time and time again children are used as pawns and targets for political debate SB29 is a shameless display from such a prestigious body.	
SB 1365 By: Bettencourt Sponsor: Huberty | Dutton | King, Ken | Murphy | Oliverson	Relating to public school organization, accountability, and fiscal management.	Public Education Votes: 10 Ayes, 1 Nays, 0 PNV, 2 Absent	This bill, as reported from committee, stems from a 2020 court ruling by the Third District Court of Appeals that found that the commissioner of education did not follow laws and procedures that would give him the authority to temporarily replace HISD's school board with a state-appointed board of managers. SB 1365 addresses the specific statutory provisions that halted the commissioner from taking over the school district based on a high stakes accountability rating system that only affected one school within the district. A complete floor substitute will be offered that addresses some of the concerns about this bill. The analysis of the floor substitute can be found on the pre-filed amendment report. The current version of SB 1365 attempts to rewrite the state's high-stakes accountability A-F rating system. It clarifies the commissioner's power in the event that interventions or sanctions are warranted based on the low-performance ratings of schools and adds some additional measures regarding charter schools and the appointment of a board of managers.	**<u>Unfavorable</u>** Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org

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			SB 1365 requires the Commissioner to assign each district and campus an overall performance rating between A-F and a separate domain performance rating. The bill provides that a reference in law to an unacceptable performance rating includes an overall or domain performance rating of F and under certain provisions D or performance that needs improvement. The bill redefines "unacceptable" performance to include campuses and districts with multiple D ratings. Previously, a campus had to receive an F to be considered "unacceptable." This accelerates the rate at which the commissioner can take over an elected school board. Letter grades are sometimes considered an objective measure for allowing enforcement of improvements in low-performing schools; however little research has been done to determine the reliability or validity of using the A-F school rating system. Tying school funding and allotment of resources based on letter grades determined by high stakes test scores does not account for various factors that contribute to a school performance, including factors that are out of an educator's control. True improvement happens when resources are provided to those students with the highest needs, and not by teaching students how to pass a high stakes test. SB 1365 establishes that the commissioner has the power to delegate executive functions to the Texas Education Agency (TEA) staff, department leaders, and any other employees to perform TEA duties regardless of any other law. The bill sets up a permanent basis that any final determination or order relating to public education cannot be appealed by any interlocutory, intermediate order expanding the commissioner's authority to mandate a special investigation. The bill gives the commissioner of education the unilateral authority to create and adopt his own rules for evaluating schools for the upcoming year. It codifies that the commissioner's determination is final and unappealable and allows TEA to classify a witness whose complaint may spark an investigation as "confidential" and is not subject to disclosure. SB 1365 would remove elected oversight of the commissioner's decision, create a conflict of interest regarding the commissioner's roles, and undermine due process for school districts that cannot appeal the commissioner's decision. With regards to the powers and duties of the conservator or management team, SB 1365 clarifies that the conservator or management team may exercise the duties of these provisions regardless of whether they were appointed to oversee the operations of the school district entirely. The bill states that the implementation of a school improvement plan would remain in place until each campus in the district receives an acceptable performance rating for the school year or when the commissioner determines a conservator is no longer necessary. These broad provisions leave the commissioner to solely determine whether a school district is acceptable. SB 1365 also authorizes exemptions for charter schools from investigation and interventions, subjecting public school districts to a higher level of scrutiny. Schools that access public funding should be subjected to the same regulation to ensure equity.	

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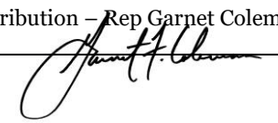

			In an attempt to circumvent the court's ruling, SB 1365 would give the Commissioner of Education unilateral power to take over an entire school district based on one school's low performance and appoint conservatorship. This would fabricate a "solution" in the expansion of charter schools instead of concentrating resources and investing in the hardest to educate with evidence-based practices that have been proven to work such as local control, wrap-around services, and community schools. SB 1365 does not improve the accountability system in a way that would help educators meet their students' needs. An additional note to consider is that SB 1365 did not receive a public hearing in the House public education committee, although the bill is somewhat different than its House companion. The purpose of the school accountability system should be to serve the schools with the most needs ensuring the education of those students is equitable in comparison to their counterparts. SB 1365 does not put resources in the hands of those students and will continue to create a system that fails to meet their needs.	
LSG Floor Report For GENERAL STATE CALENDAR- Tuesday, May 25, 2021				
SB 576 By: Hinojosa Sponsor: Lozano	Relating to the prosecution and punishment of the offense of smuggling of persons.	State Affairs Vote: 13 Ayes, 0 Nays, 0 PNV, 0 Absent	Law enforcement along the border has expressed concern with the difficulty of charging individuals for the crime of human smuggling since it requires proving pecuniary benefit. This can be challenging due to individuals' fear of retaliation from the smuggler or reasons related to the difficulty of housing immigrants in the state for the purpose of testifying against a smuggler. Additionally, there are no laws against a particularly dangerous and too often deadly component of smuggling that involves essentially dropping individuals on agricultural land where there is no food, water, or shelter for miles. SB 576 addresses these issues by removing the need to establish pecuniary benefit to charge a person with this crime, a third-degree felony. The bill adds a second-degree felony enhancement if an actor commits the offense with an intent to obtain financial benefits, if those who orchestrated the smuggling of a person possessed a firearm, or the actor flees from an officer or special investigators. Finally, to deter an often deadly practice, SB 576 creates a second-degree felony offense of assisting, guiding, or directing two or more persons to trespass on land without an owner's consent. There are concerns that without the need to establish pecuniary benefit or any affirmative defense provisions, actors attempting to provide humanitarian aid to immigrants could potentially be penalized as if they were smuggling persons. There are also concerns around whether enhanced deterrents will actually prevent this behavior, often borne out of desperate circumstances, or will only serve to further strain already overextended court systems and correctional facilities.	**Favorable with Concerns** Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
SB 452 By: West Sponsor: Rose	Relating to prevention and early intervention programs and practices.	Human Services Vote: 6 Ayes,	It is critical that services provided by the Department of Family and Protective Services (DFPS) are rooted in evidence-based practices and models proven to achieve positive outcomes. Statutory provisions must be updated to ensure best practices are used for abuse or neglect prevention programs and services, which would increase positive outcomes and increase quality of care while working with Texas children and families.	**Favorable** Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org

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		2 Nays, 0 PNV, 1 Absent	SB 452 stipulates any DFPS-required or court ordered parenting skills training service must be an evidence-based program, practice, or promising program or practice, and establishes criteria for what is considered evidence-based. An evidence-based program and practice must be associated with a Texas based organization, a national organization, a higher education institute, or a national or state public health institute, and criteria is additionally established for programs or practices that: • combine clinical experience and ethics, and client preferences and culture with well-researched interventions to guide and inform the delivery of treatment and services • has an active impact evaluation or demonstrates a schedule for implementing such an evaluation • substantially complies with a manual or design that specifies the purpose, outcome, duration, and frequency of the services • employs well-trained staff and provides continual, relevant professional development opportunities SB 452 clarifies the outcomes of evidence-based prevention and early intervention programs and practices related to prevention and early intervention programs or practices for school readiness, parenting skills to increase protective factors, and reduce youth involvement with the criminal justice system.	
SB 36 By: Zaffirini Sponsor: Turner, Chris	Relating to the offense of hazing.	Higher Education Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent	In 2019, legislation was passed that provided significant changes to the state's anti-hazing laws which granted immunity to those who voluntarily reported hazing and cooperated with the investigation. SB 36 provides updates to previous legislation to clarify provisions that have been put in place to incentivize reporting of hazing. Statute currently states that an individual is considered to have committed an offense if they had firsthand knowledge of a hazing incident and failed to report it. This report must be filed with the dean, other appropriate school officials and SB 36 adds that this report may also be filed with a peace officer or law enforcement agency. SB 36 also adds peace officers or law enforcement agencies to the list of entities that a report may be made, and immunity of liability is provided if the individual reports the incident before being contacted by the institution or law enforcement and following other provisions the institution has in place. SB 36 would provide further incentives for reporting hazing and provide greater safety measures for students who are victims of hazing and those who witness it.	**<u>Favorable</u>** Evaluated by: Victoria McDonough (251) 422-0558 Victoria@TexasLSG.org
SB 1716 By: Taylor Sponsor: Bonnen | Dutton	Relating to a supplemental special education services and instructional materials program for certain public school students	Public Education Votes: 10 Ayes, 1 Nays, 0 PNV, 2 Absent	As it passed the Senate, SB 1716 was a special educational voucher bill. Amendments in House committee improved the bill by allowing for oversight by Education Service Centers and by ensuring that ARD committees and public schools are involved the process. Instead of a voucher bill, SB1716 is now a vendor bill that allows an appointed commissioner to have the power to choose vendors and grant recipients – a bad precedent that would grant a limited amount of money to a limited number of students. the unelected commissioner of education to pick and choose the private vendors and the "grant" recipients.	**<u>Will of the House with Concerns</u>** Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org

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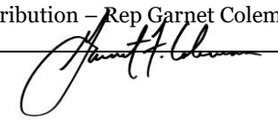

	receiving special education services.		Instead of this minimal effort, the state should make a long overdue, equitable investment in public education to ensure all students with special needs receive the services and supplemental materials they may need. Perhaps the greatest concern about this bill is the possibility that the product of House-Senate conference committee would be a voucher bill. In January 2018, Texas was found to be in violation of the federal Individual with Disabilities Education Act (IDEA) to provide free and appropriate education to every student and to identify every child with a disability in the state. The Governor, alongside TEA, issued an executive order during the COVID-19 shut down creating the Supplemental Special Education Service Program, which included the Supplemental Special Education Services (SSES). SSES are online accounts for eligible parents or caregivers of students with significant and complex disabilities that have been impacted by COVID-19 school closures. SB 1716 seeks to codify SSES into statute. SB 1716 requires TEA to establish and administer voucher-based supplemental special education services and instructional materials programs for students who meet the eligibility requirements. The bill authorizes TEA to approve student applications and establish program eligibility, which must require a student to be enrolled in a special education program in the current school year at a school district or open-enrollment charter school. It must also prioritize students in districts eligible for a compensatory education allotment. Each approved student's family would be provided a maximum credit of $1,500 to purchase supplemental special education services and special education instructional materials. The commissioner would set aside no more than $30 million from appropriated funds each fiscal year to fund the program. However, the bill restricts using funds to purchase supplemental special education services and instructional materials from TEA-approved vendors and providers, which is a major red flag.	
SB 1888 By: Creighton Sponsor: Parker	Relating to the establishment of certain programs to facilitate early high school graduation and enrollment at public institutions of higher education and to the repeal of the Early High School	Higher Education Vote: 9 Ayes, 0 Nays, 0 PNV, 2 Absent	SB 1888 replaces the pilot program that awards high school diplomas to students who demonstrate early college readiness and the Early High School Graduation Scholarship Program with the Texas First Scholarship Program and the Texas First Early High School Completion Program. THECB, in consultation with TEA and eligible higher education institutions, is required to establish standards for the early high school completion program regarding competencies assessments that demonstrate college readiness. SB 1888 authorizes public school districts and open-enrollment charter schools to issue a high school diploma to a student that complies with the standards set by THECB under this bill. While not guaranteed a placement into a postsecondary program, a student is permitted to apply for admission for the semester following receiving their diploma. SB 1888 establishes student eligibility requirements for the Texas First Scholarship Program. Beginning the 2021-2022 academic year, THECB will award state credit to eligible students equaling the annual	**<u>Favorable</u>** Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org

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	Graduation Scholarship program.		maximum amount TEXAS grant awards students who graduate two or more semesters early. Half will be awarded to students who graduate less than two semesters early. Awards are not permitted to impact calculations for a student's need-based aid awards or overall financial need unless the total anticipated aid exceeds an institution's cost of attendance. The bill requires THECB to submit a report to the Commissioner of Education about the amount of state credit awarded through the scholarship program. This report will dictate the amounts needed to cover the awarded state credit and the bill provides for this process. The commissioner is also required to count students that graduate early under this bill as having 100% perfect attendance in regard to the average daily attendance for their associated school district or charter school.	
SB 1936 By: Hughes Sponsor: Cook | Swanson	Relating to the beginning and ending possession times in certain standard possession orders in a suit affecting the parent-child relationship.	Juvenile Justice & Family Issues Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent	SB 1936 seeks to increase the amount of time a non-primary conservator may spend with their child. SB 1936 requires courts to provide non-primary conservators alternative beginning and ending possession periods in standard possession orders as if the primary conservator already elected for these alternatives. There is a distance specification for which this requirement applies. Also, the requirement does not apply to these certain circumstances: • the possessory conservator declines one or more of the offered alternative possession periods. • the court is denying or limiting the non-primary conservator's possession or access to the child due to potential sexual or physical abuse. • if one or more of the offered alternative possession periods does not align with the best interest of the child based on reasons provided by the bill. The attorney general is required to create and distribute informational materials regarding possession schedules for standard possession orders including alternative possession periods.	**Favorable** Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org
SB 1921 By: Lucio Sponsor: Guillen	Relating to Medicaid reimbursement for the provision of certain behavioral health and physical health services.	Human Services Vote: 7 Ayes, 1 Nay, 0 PNV, 1 Absent	Since 2013, managed care organizations (MCOs) have been authorized to contract with private providers to offer behavioral and physical health services. This provides Medicaid recipients not yet enrolled in managed care with the option of obtaining care but does not provide reimbursement to the facility administering treatment. SB 1921 aims to ensure these services are appropriately funded by requiring HHSC to provide Medicaid reimbursement through a fee-for-service delivery model for behavioral or physical health services provided by a public or private provider before and after a recipient's enrollment with and receipt of services through an MCO.	**Favorable** Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org
SB 2081 By: Menéndez Sponsor: Talarico	Relating to class size limits for prekindergarten classes provided by or on behalf of public schools.	Public Education Votes: 11 Ayes, 0 Nays, 0 PNV,	A combination of full-day Pre-K and low student-teacher ratios significantly contributes to student readiness. Classes with over 22 students are taxing for one teacher, with classroom management challenges and student needs taking away from instructional time. The 2019 passage of HB 3 provided for a full-day Pre-K program for Texas students provided adequate state funding is provided . To honor the legislature's intent and commitment to early childhood education, SB 2081 ensures teacher to student ratios in Pre-K classrooms are conducive to learning.	**Favorable** Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org

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		2 Absent	SB 2081 prohibits enrolling more than 22 students in a Pre-K class for most public school districts, a private entity operating a district's Pre-K program, and a private provider contracted for services or equipment in a district program. The bill establishes that prekindergarten class size limits do not apply to an open-enrollment charter school or campus or program operated under a campus or campus program charter. Beginning the 2021-22 school year, SB 2081 would provide manageable class sizes for teachers to better meet student needs while ensuring quality instruction and programming. Early childhood education is a key measurement of student success throughout their educational journey, and these changes give students a positive start to learning.	
SB 248 By: Johnson Sponsor: Thierry	Relating to the sale of cigarettes, tobacco products, and e-cigarettes; requiring occupational permits; imposing fees; providing civil and administrative penalties; creating criminal offenses.	Ways & Means Vote: 9 Ayes, 0 Nays, 0 PNV, 2 Absent	In response to concerns regarding the impact of easily-available e-cigarettes on public health, SB establishes an e-cigarette retailer permit and regulatory framework through the Comptroller for related businesses. The bill also creates a new wholesale retailer permit for transporting and selling tobacco products. Requirements will be implemented by January 1st, 2022. "E-cigarette" is defined as a consumable or vaporized liquid or other material consumed through an electronic cigarette or other similar device, but an appropriately labeled, FDA-approved product used for treating nicotine addiction would be exempt from permit requirements. The bill establishes Comptroller responsibilities to accept and issue permits, permit requirements, grounds for denial, and sets out provisions for suspending and revoking a permit, including grounds, procedures, notice, and hearing requirements under the Administrative Procedures Act. Permits would be valid for two year periods starting with applications on or after October 1, 2021 and application costs would be the same as other cigarette retailers but would be half that cost if paired with other permits or applications for them. A portion of permit revenue will be allocated to the Department of State Health Services for administering tobacco awareness programs and for a grant program supporting certain youth groups related to reducing tobacco and e-cigarette use. For retailers selling e-cigarette products without a permit and for violating the bill's provisions, a civil penalty of $2000 a day is established for each occurring violation, and the attorney general is authorized to bring suit to recover penalties. SB 248 creates a Class A misdemeanor for people acting as an e-cigarette retailer to receive, possess, or sell e-cigarettes without a permit. Certain provisions are extended to e-cigarettes that are applied to cigarette, cigar, and tobacco product retailers related to Comptroller disciplinary actions, which can be brought on a retailer committing an offense in distributing those products including related permit suspensions, administrative fines, and resulting hearings. An updated administrative penalties scale is provided applicable to a 24-month period in which a first violation would result in a $1000 fine, a $2,000 fine for a second violation, a maximum fine and five day permit suspension for the third violation, and permit revocation for the fourth violation. Businesses would have to wait 6 months before applying for a new permit after getting one revoked, and if violations are related to providing products to minors, the business would not be able to get a permit if	**<u>Favorable</u>** Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org

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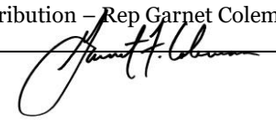

			they received that specific violation more than 7 times in a 24-month period alongside any other violations in the preceding 48 months. SB 248 would subject interstate warehouses and their transactions to certain provisions related to the cigarette tax and the cigars and tobacco products tax. Each applicable interstate warehouse business would be required to obtain a comptroller distributors permit, and the bill clarifies business transactions would not constitute a "first sale" that would be subject to certain taxes. These businesses are prohibited from making an interstate transaction without written approval from the Comptroller and paying a related authorized fee. The Comptroller may issue interstate warehouses a combination permit for cigarettes and tobacco products, and application fees are set at $300. These businesses must maintain records for each sale and meet other records requirements set out by the bill's provisions.	
SB 1495 By: Huffman Sponsor: Turner, John	Relating to certain criminal offenses related to highways and motor vehicles; creating a criminal offense; increasing a criminal penalty.	Criminal Jurisprudence Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent	When spectators participate in street racing by barricading actors involved from the interference of peace officers, the offense results in obstruction of a highway or other passageway, punishable by a Class B misdemeanor. SB 1495 enhances this penalty by adding a new offense for those who interfere with a peace officer's investigation of a highway racing offense or a reckless driving exhibition. SB 1495 categorizes 'exhibition of reckless driving' as a Class A misdemeanor offense. This occurs when a driver is in the presence of two or more assembled spectators to intentionally break the vehicle's rear tires in a continuous spinning manner by pressing the accelerator and increasing the engine speed and steering the vehicle in a manner designed to rotate the vehicle. At the time of an offense, if an actor was exhibiting reckless driving of a motor vehicle while intoxicated, or caused an individual to suffer bodily harm, or has been previously convicted - the offense enhances to a state jail felony. By holding spectators accountable for their role in highway racing and adding an offense for the exhibition of reckless driving, SB 1495 could improve public safety and reduce the burdens for police to combat these occurrences.	**<u>Favorable</u>** Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org
SB 1696 By: Paxton Sponsor: Wilson	Relating to establishing a system for the sharing of information regarding cyber-attacks or other cybersecurity incidents occurring in schools in this state.	Public Education Votes: 10 Ayes, 2 Nays, 0 PNV, 1 Absent	With the shift from in-person education to online remote learning during the COVID-19 pandemic, cybersecurity became a more pressing concern. Although many school districts have cybersecurity personnel, the approach may vary from district to district, and the resources necessary to combat cyber threats may vary as well. SB 1696 seeks to mitigate these issues by establishing a system for sharing information regarding cyberattacks and other cybersecurity incidents. SB 1696 transfers the responsibility to report any cyber-attacks for cybersecurity incidents against a public school district from the district's cybersecurity coordinator to the district and extends the reporting requirement to an open-enrollment charter school. The bill requires the Texas Education Agency (TEA), and the Department of Information Resources, to establish and maintain a system to coordinate sharing of information anonymously. TEA is required to establish a system to contract with third-party vendors to administer the system.	**<u>Favorable</u>** Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org

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SB 2050 By: Menéndez Sponsor: Allison | Meza	Relating to bullying and cyberbullying in public schools.	Public Education Votes: 11 Ayes, 0 Nays, 0 PNV, 2 Absent	Bullying in public schools affects approximately one out of every five Texas students. Students who have been bullied are at an increased risk of depression, anxiety, lowered academic achievement, and are more likely to commit suicide or have suicidal ideation. SB 2050 seeks to put provisions in place to help address cyberbullying and bullying that occurs at school facilities. SB 2050 states that the board of trustees of a school district shall adopt a policy that prevents bullying between students that interferes with education opportunities or substantially disrupts the operation of a classroom, school, or school-sponsored or school-related activity. SB 2050 requires the Texas Education Agency (TEA) to adopt minimum standards for such a policy and that they must: • include an emphasis on bullying prevention and establish a committee to address bullying • require students to meet periodically for instruction on building relations and prevent bullying • include an emphasis on increasing student reporting of bullying incidents to school • require districts to collect information annually through student surveys on bullying, and use those survey results to develop action plans to address student concerns regarding bullying • require districts to develop a rubric or checklist to assess an incident of bullying SB 2050 requires the education commissioner to require each school district or open-enrollment charter school to annually report through the Public Education Information Management System the number of reported incidents of bullying that have occurred at each campus. SB 2050 puts necessary steps in place in order to prevent bullying and provide for mediation of bullying incidents between students.	**Favorable** Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org
SB 1418 By: Schwertner Sponsor: Wilson	Relating to the compensation of the presiding judge of an early ballot voting board.	Elections Votes: 8 Ayes, 1 Nays, 0 PNV, 0 Absent	Currently, early voting ballot board members are entitled to the same pay as the presiding election judges of early voting ballot boards. Concerns have been raised that due to the higher responsibility and duties of the presiding judge they should be paid at corresponding a higher rate. SB 1418 allows a presiding judge to be compensated at a higher rate at the discretion of the appropriate authority, such as a county commissioners court.	**Favorable** Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org
SB 1261 By: Birdwell Sponsor: Landgraf	Relating to the exclusive jurisdiction of the state to regulate greenhouse gas emissions in this state and the express preemption of local regulation of those emissions.	Environmental Regulation Votes: 5 Ayes, 4 Nays, 0 PNV, 0 Absent	Acknowledging the economic and environmental necessity to mitigate climate change, some municipalities in Texas have enacted policies and regulations to reduce greenhouse gas emissions that threaten the safety, wellbeing, and livelihood of their residents. SB 1261 changes the Health and Safety Code to mandate that the State of Texas has exclusive jurisdiction of greenhouse gas emission regulations and prohibits municipalities or other political subdivisions from creating additional regulatory measures for these harmful gasses. Scientists warn that drastic change is needed to mitigate the effects of greenhouse gas emissions and avoid further climate-related issues like worsening storms, rising sea levels, and crop failures. SB 1261 seeks to establish one-size-fits-all regulation that is unfit for Texas's diverse environment and	**Unfavorable** Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org

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			communities. This bill unnecessarily blocks innovation and employment by local governments that could reduce polluted air and water and improves public health. .	
SB 1145 By: Perry Sponsor: Buckley	Relating to the advertising and labeling of certain food products.	Public Health Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent	SB 1145 changes the Health and Safety Code to apply Texas Meat and Poultry Inspection Act provisions. The definitions of "meat", "pork", and "poultry" are amended explicitly to exclude analogue products and cell-cultured products. SB 1145 provides definitions of "analogue" and "cell-cultured" products which will include meat-replacement, plant-based, and lab grown products. The changes delineate what is to be considered meat and poultry and create a clear distinction of what is to be labeled as "plant-based", "analogue", "meatless", or "made from plants". The Department of State Health Services (DSHS) will determine if an alleged food product's labeling or advertising is misleading, and must consider the following characteristics when making the determination: • representation made or suggestion by a statement, word, design, image, device, sound, or any combination; and • the extent the labeling or advertising suggests the food is authentic meat or poultry, a meat, or poultry product, or derived from livestock in any form. There are concerns that this bill may be challenged in courts as unconstitutional, as similar bills have been challenged in other states.	**<u>Will of the House</u>** Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org
SB 969 By: Kolkhorst Sponsor: Klick	Relating to reporting procedures for and information concerning public health disasters and to certain public health studies; providing a civil penalty.	Public Health Vote: 7 Ayes, 0 Nays, 0 PNV, 4 Absent	Accurate, consistent, and reliable information is essential for responding to public health crises. During the pandemic, there were reporting inconsistencies that impacted the initial reliability of numbers presented to the public. SB 969 requires the Department of State Health Services (DSHS) to promptly and accurately present information regarding a public health crisis and develop statewide information reporting standards for health entities. During a public health disaster, SB 969 requires DSHS to timely make readable, de-identified data about the public health disaster available to the public online. Under this bill, hospitals are required to report both to DSHS and the applicable trauma service area regional advisory council required information. Data reported is to be held to the same state confidentiality standards as data regarding communicable diseases, the immunization registry, and immunizations. DSHS in collaboration with local health authorities, hospitals, and laboratories are to design and implement a standardized, streamlined method to share information during a disaster or a disaster's response. SB 969 authorizes DSHS to impose civil penalties on health care facilities that fail to comply with the facility reporting provisions of the bill, and the attorney general is authorized to bring action to recover this civil penalty. DSHS is required to develop quality assurance procedures to systematically review submitted data for error or deficiency, and DSHS must implement procedures to correct discovered errors or deficiencies.	**<u>Favorable</u>** Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org

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			Under this bill, DSHS is required to do the following: • in coordination with HHSC, regional advisory councils, local health departments, and health care system organizations, DSHS must evaluate the planning and response capabilities of the state health care system • evaluate scope, size, function, barriers, and response capabilities of public health regions, regional offices, local health departments, and provide recommendations to improve these entities • improve and implement standardized data collection and reporting standards for applicable entities during a public health disaster	
SB 984 By: Schwertner | Campbell | Johnson | Zaffirini Sponsor: Klick	Relating to public health disaster and public health emergency preparedness and response, including the operation of the Task Force on Infectious Disease Preparedness and Response.	Public Health Vote: 8 Ayes, 0 Nays, 0 PNV, 3 Absent	SB 984 aims to ensure that Texans are informed regarding public health disasters by having trauma service area regional advisory councils report relevant data to the Department of State Health Services (DSHS). SB 984 also addresses the shortfall of the Task Force on Infectious Disease Preparedness and Response for not meeting as necessary to ensure and guide the state's preparation for a public health crisis. SB 984 updates statute to have the task force meet more frequently and to include an epidemiologist in their membership. SB 964 requires each trauma service area regional advisory council to collect de-identified health care data from each hospital in their service area, for the purposes of planning and responding to public health disasters. The Health and Human Services Commission is responsible to identify what information is necessary for these councils to collect. SB 964 requires that this data be provided to DSHS and to make the data publicly available. Information under this bill that identifies a patient is confidential and exempt from disclosure under state public information statute. The bill also amends the composition and meeting frequency of the Task Force on Infectious Disease Preparedness and Response. The task force will now meet annually as opposed to the discretion of the task force.	Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org
SB 967 By: Kolkhorst Sponsor: Klick	Relating to the expiration and extension of certain public health orders issued by a health authority.	Public Health Vote: 7 Ayes, 0 Nays, 0 PNV, 4 Absent	Local public health authorities currently have the ability to put in place public health orders without the approval or involvement of local elected officials. Due to the lack of input from local elected officials, in some instances it has caused the public to second guess the orders. The public would have more confidence in these public health orders if elected officials were able to be a part of the process when the health department implements these orders. SB 967 states that a public health order that is issued by a health authority that is imposed on more than one individual, animal, place, or object would expire on the 8th day following the date the order is issued. Under SB 967 the order could be extended if the governing body of a municipality or the commissioners court extended the order for a longer period. The order could also be extended if a municipality and county jointly appoint a health authority and by majority vote the commissioners court extend the order for a longer period of time. By allowing local officials to extend orders, public confidence engagement would increase in these orders.	**Favorable** Evaluated by: Victoria McDonough (251) 422-0558 Victoria@TexasLSG.org

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SB 1059 By: Paxton Sponsor: Klick	Relating to the process for determining the Medicaid eligibility of certain former foster care youth.	Human Services Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent	Under federal law, youth who age out of foster care are eligible for Medicaid coverage up to age 26. The state will automatically enroll those who age out into Medicaid; however, these young adults often face difficulty renewing their enrollment, causing a disruption in coverage or loss of coverage. A study revealed that only 47% of those who have aged out of foster care maintain health insurance coverage once they left the foster care system. This difficulty to renew is caused by the frequent moving of these youth. Even if a former foster youth receives the renewal documents, the documents can be confusing and complicated. SB 1059 requires the Health and Human Services Commission (HHSC), to consult with the Department of Family and Protective Services (DFPS) to design a streamlined process for determining eligibility for former foster care youth. The process must: • provide for the automatic enrollment and recertification in the STAR Health program and the STAR Medicaid managed care program or other Medicaid program for former foster youth • be designed to prevent any unnecessary interruption of the youths Medicaid benefits. If recertification is required under federal law, the streamlined process must use a simple application and recertification process that does not require a youth to verify that they are a resident of Texas unless HHSC determines that they are receiving Medicaid benefits outside of Texas. If federal law requires that a youth verify that they are a resident of Texas, the process must allow the youth to attest to the fact that without providing additional documentation or evidence that proves the youth is a resident of the state. The streamlined process that SB 1059 puts in place will ensure sustained and long-term medical and mental health coverage for these young adults, improve retention, and allow them to meet their individual health care needs as independent adults.	**Favorable:** Victoria McDonough (251) 422-0558 Victoria@TexasLSG.org
SB 507 By: Nichols Sponsor: Anderson	Relating to an accommodation process authorizing the use of state highway rights-of-way by broadband-only providers.	State Affairs Vote: 10 Ayes, 0 Nays, 0 PNV, 3 Absent	SB 507 directs the Texas Transportation Commission (TTC) to establish an accommodation process that authorizes entities exclusively providing broadband service to use state highway rights-of-way to install, maintain, relocate, or adjust new and existing broadband facility installations. Rights-of-way are the state-owned land on either side of a highway where certain electric and telecommunications utilities have been allowed to operate and maintain facilities without having to enter into a lease. SB 507 extends that authorization to broadband-only providers, who can use existing infrastructure or erect new facilities to provide essential broadband services. The TTC would establish minimum requirements for the accommodation, method, materials, and location of broadband facilities. This bill would follow a national trend allowing broadband providers to extend their services more efficiently to help close the digital divide in this state, particularly helping rural communities that currently lack the infrastructure to get connected.	**Favorable** Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
SB 68 By: Miles	Relating to a duty for peace officers to intervene and make a report	Homeland Security & Public Safety	Excessive use of force is often discussed by dichotomizing good cops and bad cops: many believe one bad cop should not ruin the reputation of all cops. Citizens have more frequently been recording police interactions using a smartphone, and these videos often show an officer brutalizing a citizen while other officers are present and fail to intervene. So, while a few bad cops may create a poor image for policing,	**Favorable** Evaluated by: Cassidy Kenyon (760)429 8388

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Sponsor: Reynolds | White | Thompson, Senfronia | Coleman | Crockett	when a peace officer uses excessive force.	Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	many good officers are complicit in the system that protects bad cops. Good officers frequently do not report the overreaching and abusive behavior of their peers out of fear of retaliation, or they are simply unprepared to act and step in when the time comes, and high pressure situations are difficult to respond to without guidance. SB 68 establishes that guidance by requiring peace officers to intervene to stop another officer from using excessive force against a suspect if: • the force goes beyond what is reasonable for the circumstances, such as using force on a compliant person • the officer is aware the other officer's use of force is illegal, puts another person at risk of bodily injury and is unnecessary for an officer to avoid bodily injury to themselves or another, and is not needed to apprehend a suspect The bill requires an officer who witnesses an excessive use of force by another officer to immediately report the incident to a supervisor. These changes will improve the professional integrity of law enforcement agencies and their police officers, as well as restore trust between officers and the communities they serve by sending a clear message that officers are there to protect citizens, not just their own.	Cassidy@TexasLSG.org
SB 598 By: Kolkhorst Sponsor: Jetton	Relating to auditable voting systems.	Elections Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	Elections in Texas are conducted primarily on Direct Results Election (DRE) machines. Calls of voter fraud and changed votes in Texas have in part stemmed from these machines not providing a means of a voter verified paper receipt for auditing that can be manually recounted. Currently, the Secretary of State (SoS) is required to audit 1% or three precincts, depending on which is greater, beginning 3 days after elections and completed within 21 days. However, the current statute allows for DREs without a paper component to be exempt from the audit. This bill will require a pilot study period and require voting machines to produce a voter verified paper audit trail as a means of easing fraud concerns. SB 598 implements a 4 year, 2022- 2026, pilot study of a risk-limiting audit program in at least 5 counties, with at least one over 500,000. A report with detailed evaluation of the success of the program and recommendations for an implementation timeline will be sent from the SoS to each member of the legislature. Beginning after 2026, the bill prohibits DRE machines that connect to a network and do not create a paper trail from being used in Texas Elections with an exemption on curbside voting machines from paper audit requirements. SB 598 requires a risk-limiting audit for statewide elections and measures to be conducted within 24 hours of ballots being counted. The SoS will be required to develop rules based on widely accepted statistical methods to implement a statewide election audit. The SoS is authorized to appoint an audit assistant, such as a voting system technician, or someone connected to the creation of the audit. The	**<u>Favorable</u>** Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org

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			bill also allows a poll watcher who has delivered a written certificate of appointment from a candidate to the general custodian to be present for the audit. A notice of the date, time and location of the audit is required to be posted at the custodian's office and on the county's website. The results of the audit must be published on the SoS website within 3 days of its completion. Official election results would be the electronic results if the risk limiting audit shows that the paper trail and results are the same. However, if the election results are recounted or contested, then the paper results would be used as official results. If an authority purchased a non-auditable voting system between 2014- 2021 they may use available federal funding or state funding reimbursements to convert the existing voting system into an auditable voting system. 100% of the conversion cost may be reimbursed if it was converted before the November 8, 2022 election or 50% reimbursement for conversions before the November 3, 2026 election. The secretary of state may use any available funds appropriated for auditable voting machine conversion purchases.	
SB 617 By: Kolkhorst Sponsor: Wilson	Relating to the regulation of certain direct sales of food to consumers and a limitation on the fee amount for certain permits.	Public Health Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent	In 2019, legislation was passed that reduced the burdens on farmers and other individuals who sell food at farmers markets by limiting the permit fees that could be charged by local health departments at $100 annually. Most jurisdictions have complied with this order; however, a few local health departments have not applied these provisions and have charged up to $2,080 annually. SB 617 provides a clear definition for "food producer" and "farmers market", which match what farmers market organizations and consumers around the state understand them to be. By better defining these terms it will eliminate the possibility for counties or municipalities to interpret the definitions differently in order to charge more than allowed by statute for a permit. SB 617 also allows for a farmer or food producer who is charged an annual fee that exceeds the amount authorized to bring an action against the governmental entity that charged the fee. The individual would be eligible to recover the amount they were charged that exceeded the authorized annual fee and reasonable attorney's fees. These provisions serve as a way to support small businesses who sell food at farmers markets and protect these vendors from excessive permitting fees.	**Favorable** Evaluated by: Victoria McDonough (251) 422-0558 Victoria@TexasLSG.org
SB 768 By: Huffman Sponsor: Johnson, Ann	Relating to increasing the criminal penalties for manufacture or delivery of fentanyl and related substances;	Criminal Jurisprudence Vote: 5 Ayes, 2 Nays, 0 PNV, 2 Absent	Fentanyl is responsible for the large increase in overdose deaths due to the high potency and that it is often mixed in other substances without the person using the drug knowing. SB 768 seeks to reduce fentanyl related deaths and crimes in Texas by holding those who manufacture and distribute fentanyl in Texas accountable. SB 768 includes the removal of fentanyl, and its derivatives, from its current classification into a new group referred to as Penalty Group (PG) 1-B. The bill adds a new section to the Controlled Substances Act specifically for the PG 1-B offense of knowingly manufacturing or delivering fentanyl. SB 768 sets out the	**Favorable with Concerns** Evaluated by: Brittany Sharp (210) 748-0646 Brittany@TexasLSG.org

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	creating a criminal offense.		following punishments based on the offense if the person knowingly manufactures, delivers, or possesses with intent to deliver fentanyl of: • less than 1-gram of a substance with fentanyl, resulting in a state jail felony. • less than 4-grams resulting in a second-degree felony • between 4 to 200 grams is punishable by life in prison or a term no less than 10, but no more than 99-years. • between 200 to 400 grams is punishable by life in prison or a term no less than 15, but no more than 99-years. • 400 grams or more result in life in prison for no less than 20, but no more than 99-years. Additionally, the bill includes that if an actor is caught with possession of or transport with certain chemicals with the intent to manufacture fentanyl, they will receive a second-degree felony. If an actor uses a child in the commission of a manufacturing or delivery offense, existing penalties are increased by one degree. The bill maintains possession penalties, delivery to a child offenses, existing drug-free zone enhancements, and penalty increases for causing detail or serious bodily injury. The bill also includes a provision stating that TDCJ is only required to implement this act if money is not appropriated for the bills purpose, although it may use existing appropriations. This bill could deter the manufacture and distribution of fentanyl in Texas and could decrease the amount of fentanyl related crimes and deaths with the increased penalties for large amounts of fentanyl. However, increasing penalties on 1-4 grams could impact low level dealers or users who are struggling with substance abuse and are in need of resources and treatment.	
SB 113 By: West Sponsor: Rodriguez	Relating to community land trusts.	Ways & Means Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent	Community land trusts (CLTs) are critically important to maintaining affordable home ownership opportunities for moderate and low-income families in a time of rapidly increasing property prices and taxes. Land use restrictions under the tax code are used to cap property prices and restrict ownership to people with eligible income for up to 99 years through a long-term ground lease. This is vital for providing affordable housing because many other low or moderate-income properties can only receive exemptions for a much shorter limited time. Nonprofit housing developers have experienced difficulties in pursuing these projects due to confusion around how these homes and land should be assessed for property taxes, leaving developers unable to determine what the potential tax burden will be. SB 113 clarifies the system for appraising CLT property and allows a CLT subsidiary to qualify as a CLT for land ownership purposes. The changes made by this bill would incentivize nonprofit housing developers to pursue these projects by appropriately restricting the associated tax burden. The bill provides the same tax opportunities to a CLT subsidiary, which would include a 501(c)(3) tax-exempt nonprofit corporation who has 100% land ownership interest or is a single under a limited liability company (LLC), that acquires land to develop long-term affordable housing through a CLT. A chief	**<u>Favorable</u>** Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org

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			appraiser would be required to use the income method of appraisal for land, or a housing unit leased by a CLT to a family meeting income eligibility requirements regardless of whether the appraiser prefers or considers that method appropriate. The same capitalization rate used to appraise other rent-restricted properties, which divides a property's net income by current market value, must be used to appraise CLTs. SB 113 requires a chief appraiser to consider property use limitations such as terms of lease to calculate the actual rental income from the property to project future rental income, whereas currently the limited use of the property was considered in relation to how it reduces market value. A chief appraiser would be prohibited from appraising a property above the price at which the housing unit may be sold. If the tax exemption for housing units located on CLT property is terminated due to the housing unit being sold to a charitable organization, prorated property taxes may not be collected if families meet income eligibility, retain the title to the applicable land, and are designated as a CLT by a municipality or county's governing body. This applies to land used by charitable organizations for improving low-income housing, land owned by community housing development organizations making improvements for moderate or low-income housing, or for building or improving low in-come housing if the property is sold. These changes only apply to property taxes following the year the bill is enacted.	
SB 149 By: Powell Sponsor: Goldman	Relating to the prosecution of the offense of operation of an unmanned aircraft over certain facilities.	State Affairs Vote: 13 Ayes, 0 Nays, 0 PNV, 0 Absent	The Federal Aviation Administration has guidelines in place that restrict the use of drones above military installations and airports, but guidelines do not address drones coming in physical contact with these facilities. These types of unmanned aircrafts have outpaced current regulations that are in place. Military installations and airports have raised concerns regarding drones being used over their locations and other critical infrastructure facilities, creating a need to place new protections in statute. SB 149 designates a public or private airport and a military installation as a critical infrastructure facility in an effort to prohibit operation of an unmanned aircraft over these facilities. This applies to facilities that are completely enclosed by a fence and is designed to exclude intruders. Applying these measures will enhance safety and security measures at these facilities.	**<u>Favorable</u>** Evaluated by: Victoria McDonough (251) 422-0558 Victoria@TexasLSG.org
SB 185 By: Perry Sponsor: White	Relating to the time for entering a final order in certain suits affecting the parent-child relationship involving the Department of Family Protective Services.	Juvenile Justice & Family Issues Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent	Currently, state statute does not provide deadlines for the rendering of court decisions for child protection suits involving the Department of Family and Protective Services (DFPS). There are concerns regarding prolonged legal proceedings and the impact it has on children, specifically how it prolongs a child's experience of living in uncertainty. SB 185 remedies this situation by providing a specific deadline for a court to render a decision for child protection suits involving DFPS. SB 185 requires courts to render a decision over a child protection suit for children under the care of the DFPS within 90-days of the initial trial for the suit. An extension for the proceedings can be given if the court determines that more time is needed based on a good cause. The court will render a written order for the extension, specify how long the extension is, and identify the cause and explanation for the extension. A party in the proceedings may file a mandamus proceeding which will have the court to render a decision over the suit. SB 185 ensures expedient decisions from juvenile courts.	**<u>Favorable</u>** Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org

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SB 225 By: Paxton Sponsor: Sanford	Relating to the regulation of certain child-care facilities and family homes.	Human Services Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent	Texas families rely on childcare facilities to provide quality care when entrusted with their children but choosing a facility or provider can be challenging. To aid in this process, the legislature directed the Health and Human Services Commission (HHSC) to provide a searchable database for parents to utilize when choosing a child-care provider. However, concerns have arisen regarding license numbers being tied to the facilities address so that if the facility provider moves, any past violations are not transferred over to the new license number. This leaves families unaware of past deficiencies unless the provider decides to provide all past licensing numbers. SB 225 aims to address these concerns by ensuring past violations remain with providers even after an address is changed. SB 225 establishes that the HHSC, instead of DFPS, must permanently maintain a searchable database that lists each group day-care home and family home licensed, registered, or those: • that previously had their license, registration, or listing involuntarily suspended or revoked • for which HHSC refused to renew a license, registration, or listing. The website will house facility information, including the year that an involuntary suspension or revocation occurred or the year HHSC refused to renew a license, registration, or listing. SB 225 requires on the application form for a license, registration, or listing for a group day-care home or a family home the applicant's name and the name of the sole proprietor, or each partner, who owns the child-care operations. If the owner is a business entity, the name of each officer responsible for the management of the operation is required on the application. The license issued will be associated with the applicant's name as stated on the application. The bill repeals provisions establishing a change in facility location does not automatically revoke the operating license. Instead, if a licensed child-care facility changes location, HHSC must be informed prior to the location change and the facility may not operate at the new location until HHSC approves the new location. In addition, the bill requires the executive commissioner by rule to establish standards that every group day-care home and registered family home will follow for visual and auditory supervision of infants engaged in tummy time. SB 225 increases the preceding years HHSC is required to evaluate when determining if all licensing requirements are met and if the facility has been cited for repeated violations from two years to five. HHSC shall collaborate with licensing authorities to determine the most efficient method for identifying facility employees who have had a license revoked by the licensing authority.	**Favorable** Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org
SB 334 By: Johnson Sponsor: Goodwin	Relating to disclosure under the public information law of certain records of an appraisal district.	Ways & Means Vote: 9 Ayes, 0 Nays, 0 PNV, 2 Absent	Recent legislation created exceptions allowing for usually private information related to private property sales prices to be disclosed by a chief appraiser for use in a protest hearing, but similar provisions do not exist for arbitrations, which occur after the initial protest process. If a different agent represents the taxpayer in arbitration, they cannot access information provided to the agent in the protest hearing process. Additionally, this exception is only provided to counties with populations under 50,000 when larger counties could also benefit, and central appraisal districts covering multiple areas where the exception may or may not be applicable sometimes makes appraisers unwilling to share information.	**Favorable** Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org

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			SB 334 authorizes a property owner or the owner's agent to obtain relevant comparable sales data for their property, determined by the hearing's arbitrator, from the chief appraiser of the applicable appraisal districts for a protest hearing on a disputed appraised value. The property owner or their agent is permitted to use certain information disclosed from the Chief Appraiser as evidence for a hearing. The bill repeals the limitation to counties under 50,000.	
SB 415 By: Hancock Sponsor: Holland | Paddie | Hernandez | Lucio III | Harless	Relating to use of electric energy storage facilities in the ERCOT power region.	State Affairs Vote: 12 Ayes, 0 Nays, 0 PNV, 1 Absent	Energy storage technology, such as advanced battery storage, has developed over the years, necessitating clearer regulatory frameworks to maintain the separation of industries in the ERCOT electricity market. SB 415 establishes guidelines to permit a transmission and distribution utility (TDU) to contract with a generator to reserve energy from a storage facility for the purpose of ensuring reliable service, with permission from the Public Utility Commission. Contracts would only be permissible if they were more cost-effective than upgrading or installing traditional distribution facilities. A regulatory authority may permit a TDU to recover the costs of a storage contract through its rates if the cost is determined to be reasonable. The bill also places limits on the total amount of storage that may be contracted in the state and gives the PUC authority to allocate that amount across TDUs. These changes would provide regulatory clarity and another tool for TDUs to maintain reliable service to customers, particularly during periods when generation is curtailed or unable to meet demand.	**<u>Favorable</u>** Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
SB 500 By: Miles Sponsor: Rose	Relating to creating the criminal offense of operating a boarding home facility without a permit in certain counties and municipalities.	Human Services Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent	Boarding home facilities often house vulnerable populations, such as elderly or individuals with disabilities. Currently, municipalities and counties are allowed to require boarding home facilities to obtain a local permit to operate but are not required to be licensed. However, many unpermitted facilities still operate and while some of these follow proper guidelines, there are many that do not. Often reports are filled on these facilities of unsanitary and dangerous living conditions, allegations of abuse, neglect, and many other crimes. SB 500 seeks to deter unpermitted facilities and recognize the danger they pose by creating a criminal offense. SB 500 creates class B misdemeanor for a person who operates a boarding home facility without a permit in a county or municipality that requires a person to obtain a permit to operate a boarding home facility. Increasing this penalty could help stop the abuse of these vulnerable populations and improve the living conditions in which they live.	**<u>Favorable:</u>** Victoria McDonough (251) 422-0558 Victoria@TexasLSG.org
SB 518 By: Kolkhorst Sponsor: Morrison	Relating to the use of certain data collected by the Texas Workforce Commission to determine general prevailing wage rates for certain	State Affairs Vote: 7 Ayes, 4 Nays, 0 PNV, 2 Absent	Setting accurate prevailing wages for workers is vital to ensuring a competitive and strong local workforce. To set prevailing wages for publicly funded construction projects, government entities must either use U.S. Department of Labor wage rates established under the Davis-Bacon Act or conduct their own local wage survey. SB 518 would allow local entities the option to set prevailing wage rates using the Texas Workforce Commission's labor market information data, which raises concerns due to the limited and inadequate information provided by the state. Federal data provides county-level, detailed wage information for diverse construction-related professions, differentiating between types of construction and what types of tasks similarly titled tradesmen perform, and includes benefits like health insurance or paid leave in its	**<u>Unfavorable</u>** Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org

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	public work contracts.		calculations. This data provides a more comprehensive account of the actual costs of this labor than is available through the TWC, which does not, for example, differentiate between a residential or an industrial electrician or consider employee benefits. Prevailing wage laws were intended to ensure public works projects benefit the local economy. SB 518 will make it easier for entities to "pick and choose" the lowest wage rate, which will only drive down local wages and hurt local construction contractors, workers, and their families. It may also make the employers that do offer meaningful benefits uncompetitive, further harming their employees.	
SB 526 By: Kolkhorst Sponsor: Jetton	Relating to the requirements for meetings held and Internet websites developed by certain special purpose districts.	Natural Resources Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent	Special purpose districts provide essential services such as water management, infrastructure maintenance, emergency services, and economic development. However, district residents are often not aware they are part of a district or where specifically their taxes go. SB 526 attempts to increase transparency around special purpose districts, allowing Texans the opportunity to be better informed and have better access to public meetings. This bill requires certain special purpose districts that impose property taxes and have over 500 residents to post or have posted specific identifying information about the district on a website, such as the members of its governing body, extensive contact information, property tax rates, hearing notices, and its most recent financial audit. A link to this website must be made available in the comptroller's database of special purpose districts, on a district's customer bills, and on the district's own website, if applicable. The bill also establishes certain rules for districts' board meetings in rural areas. Meetings, if they occur at least once quarterly, must occur within or near the district's boundaries unless it is determined to be impractical, in which case the board must meet elsewhere within the district's county.	**Favorable** Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
SB 734 By: Paxton Sponsor: White	Relating to an exemption from ad valorem taxation of property owned by a charitable organization that provides services related to the placement of a child in a foster or adoptive home.	Ways & Means Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent	Charitable organizations are eligible for property tax exemptions under the tax code, which provides a non-exhaustive list of what constitutes a charitable organization for those purposes. It is currently unclear if child placement agencies that help find children adoptive and foster homes can qualify for this property tax exemption, and SB 734 provides it to them. The bill includes a charitable organization that provides services related to planning a placement for children in need of foster or adoptive homes or provides support to pregnant women considering adoptive placement for their unborn child in the list of qualifying charities.	**Favorable** Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org
SB 1008 By: Hinojosa	Relating to fees for pipeline construction	Natural Resources Vote:	As the population of the Rio Grande Valley grows, there is a timely need to expand water and sewer utilities to provide service to new developments, often on subdivided farmland. Utility pipelines often have to cross over irrigation canals, which has caused some irrigation districts to charge the utility providers	**Favorable** Evaluated by: Hannah Hall (832) 425-1224

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Sponsor: Canales	imposed by certain districts.	7 Ayes, 0 Nays, 1 PNV, 3 Absent	fees and ensure they meet certain engineering requirements to address the district facility's relocation, repairs, or permitting costs. SB 1008 would prohibit special purpose districts from imposing overly burdensome requirements or unreasonable fees on a retail public utility proposing to construct a water or sewer pipeline or associated infrastructure within the district's service area. Unreasonable fees would exceed the costs a district would incur due to pipeline construction. This bill only applies to districts wholly or partly within Hidalgo, Cameron, or Willacy Counties.	Hannah@TexasLSG.org
SB 1233 By: Seliger Sponsor: Raymond	Relating to a study of the disaster preparedness for certain state military installations.	Defense & Veterans' Affairs Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent	The severe effects Winter Storm Uri and the concerns which arose regarding the state's level of preparedness to respond to natural disasters led to SB 1233, which requires The Texas Military Department (TMD) to identify and recommend improvements for each state military installation. SB 1233 requires TMD to conduct a natural disaster preparedness study of Camp Bowie, Camp Maxey, Camp Swift, Fort Wolters, Camp Mabry, and facilities located at Austin-Bergstrom International Airport. Through this study, the department shall identify enhancements to each facility necessary to improve the installation's disaster preparedness. No later than December 1, 2022 TMD shall report its findings and any recommendations to the legislature.	**Favorable:** Victoria McDonough (251) 422-0558 Victoria@TexasLSG.org
SB 1522 By: Taylor Sponsor: Allison	Relating to the adjustment of the average daily attendance of a school district on the basis of a calamity.	Public Education Votes: 9 Ayes, 0 Nays, 2 PNV, 2 Absent	Currently, the Texas Education Agency (TEA) commissioner may adjust the average daily attendance of a school district in which a disaster, flood, extreme weather conditions, fuel curtailment, or other disaster has a significant effect on the district's attendance. During the COVID-19 pandemic, the school districts adjusted to accommodate remote learning, and attendance in Texas schools dropped by roughly three percent across all grades. To ensure schools were able to continue to operate despite a decline in attendance-based funding, the state "held-harmless" schools' funding based on historical average daily attendance. SB 1522 would allow the commissioner to adjust the average daily attendance of a public school district for a particular disaster. Attendance can only be adjusted for an additional amount of instructional days equivalent to one school year, in addition to the adjustment for the number of instructional days during the semester in which the disaster first occurred. The bill authorizes the commissioner of education to divide the adjustment between two consecutive school years. SB 1522 would restrict the commissioner's authority to accommodate this provision to the first occurrence and for adjustment days equivalent to one year. We do not know what the next calamity will be, how it will affect our schools, teachers, or students. While this bill seeks to clarify the duration of a hold harmless agreement, SB 1522 could leave school districts vulnerable to a lack of resources depending on the duration of the next calamity.	**Will of the House** Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org

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SB 1628 By: Miles Sponsor: Rose	Relating to the authority of the Health and Human Services Commission's office of the ombudsman to resolve complaints against the Department of Family and Protective Services.	Human Services Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent	Complaints filed against the Department of Family and Protective Services (DFPS) go through the department itself, leaving no independent entity for foster homes and child placing agencies to seek accountability. Agencies and homes are vulnerable to DFPS retaliation, which can leave complaints unresolved without proper independent oversight. SB 1628 transfers authority from DFPS to the office of the ombudsman under the Health and Human Services Commission (HHSC) as the independent entity responsible for receiving and resolving complaints filed against DFPS. SB 1628 requires the executive commissioner of HHSC by rule to develop and implement a uniform process for the office of the ombudsman to receive and resolve complaints against DFPS throughout the state. The bill makes conforming changes to require HHSC to develop a consistent, statewide process for encouraging complaint submissions to local DFPS personnel before contacting the ombudsman office.	**Favorable** Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org
SB 2026 By: Taylor Sponsor: Bonnen	Relating to instruction on informed American patriotism in public schools.	Public Education Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent	Every session, the validity of the social studies curriculum is debated. As an extension of the lasting debate on "informed patriotism," SB 2026 seeks to update the current Texas Essential Knowledge and Skills (TEKS) in Social Studies education. SB 2026 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: • the fundamental moral, political, and intellectual foundations of the American experiment in self-government • the history, qualities, traditions, and features of civic engagement in the United States • the structure, function, and processes of government institutions at the federal, state, and local levels • the founding documents of the United States, including certain specified documents that must be used as part of the instructional materials (the Declaration of Independence, the Constitution, the Federalist Papers, including Essays 10 and 51, excerpts from Alexis de Tocqueville's Democracy in America, the transcript of the first Lincoln-Douglas debate, and the writings of the founding fathers) The bill updates the stated objectives of public education in state law to reflect educators' responsibility in the cultivation of informed American patriotism and in leading students in a close study of the founding documents of the United States and Texas. The bill applies beginning with the 2021-2022 school year. While SB 2026 attempts to direct the TEKS in the social studies curriculum, it fails to clarify what "informed patriotism" is. The requirement this bill lays out is currently part of the social studies curriculum. SB 2026's language could potentially be a vehicle in which a more restrictive, one-sided view	**Unfavorable** Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org

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			of civic education could enter into state statute, leading to curriculum requirements that do not align with the integrated study of social sciences and humanities to promote civic competence.	
SB 1901 By: Zaffirini Sponsor: Kuempel	Relating to the authority of the secretary of state to order the performance of certain election functions.	Elections Votes: 6 Ayes, 1 Nays, 0 PNV, 2 Absent	Concerns have been raised about certain local elected officials canceling or postponing elections without the proper authority. While local elected officials are permitted to make some decisions about elections, only the Secretary of State (SoS) may order a person to cease activities that inhibit a citizen's right to vote. However, the Office of the Attorney General (OAG) must issue a legally binding order, such as a restraining order, writ of injunction, or mandamus, to enforce compliance. SB 1901 clarifies that if a local elected official administration engages in conduct that delays or cancels an election - without an order from a competent court - the SoS has the authority to order a temporary restraining order, writ of injunction, or mandamus from the OAG. This bill will ensure that the SoS can guarantee that local elections take place in a timely manner and that enforcement is compelled through legal actions.	**Favorable** Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org
SB 1020 By: Hughes Sponsor: Gervin-Hawkins	Relating to the reimbursement of state employees for groceries consumed while traveling on official state business.	State Affairs Vote: 13 Ayes, 0 Nays, 0 PNV, 0 Absent	One of the obstacles that state employees faced during the COVID-19 pandemic involved grocery shopping in advance of traveling for the job. This obstacle led many employees to grocery shop from locations that were typically not used prior, and oftentimes these new stores had higher grocery prices. Currently, most state employees are not authorized to be reimbursed for meal expenses incurred within their designated headquarters. SB 1020 states that agencies are authorized to reimburse state employees for grocery purchases within their designated headquarters, to be considered meal expenses for the purposes of determining the expense limit. Reimbursements are authorized if the groceries are purchased the day before or the day the employee travels for official state business and are consumed by the employee while traveling. The bill also states that a state agency must develop a policy for authorizing reimbursements before they may reimburse a state employee. SB 1020 provides state employees the ability to easily purchase groceries which could save state agencies money and provides more flexibility and options when employees are purchasing food, especially when travelling to areas without sufficient meal options.	**Favorable** Evaluated by: Victoria McDonough (251) 422-0558 Victoria@TexasLSG.org
SB 1865 By: West Sponsor: Thompson, Ed	Relating to an annual permit for certain equipment used to apply paint to roadways; authorizing a fee.	Transportation Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent	Oversize and overweight vehicles have to receive a permit from The Texas Department of Motor Vehicles (TxDMV) to operate on state highways. Currently TxDMV issues these types of permits to many types of vehicles such as concrete mixers, oil drilling equipment, etc., however, they do not issue permits that would authorize the use of vehicles that are used to paint or stripe highways. SB 1865 allows TxDMV to issue an annual permit to allow the operation on a state highway of equipment that exceed weight limits provided by law if the equipment does not exceed 120,000 pounds and is used for the purpose of applying paint to a roadway as part of the construction or maintenance of public roads.	**Favorable** Evaluated by: Victoria McDonagh (251)422-0558 Victoria@TexasLSG.org

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			Implementing authorizing a permit to these types of vehicles will allow for transportation of these vehicles to occur with more convenience and in a timelier manner.	
SB 1149 By: Kolkhorst Sponsor: Noble | Hinojosa | Minjarez | Frank | Shaheen	Relating to the transition of case management for children and pregnant women program services and Healthy Texas Women program services to a managed care program.	Human Services Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent	Currently, Medicaid recipients under the children and pregnant women program receive case management services administered by the Department of State Health Services (DSHS). SB 1149 aims to transition those services and the Healthy Texas Women (HTW) program services to a Medicaid managed care program under the Health and Human Services Commission (HHSC). SB 1149 requires HHSC to implement a seamless and uninterrupted transition to a Medicaid managed care model for case management services provided to Medicaid recipients under children and pregnant women programs. The bill additionally requires HHSC to contract with managed care organizations (MCOs) to provide HTW Medicaid program services. During implementation, HHSC will: • consult with the state Medicaid managed care advisory committee prior to contracting with MCOs • identify and mitigate barriers preventing women from obtaining program services • designate HTW providers as significant traditional providers until at least the third anniversary of the initial contract date SB 1149 requires HHSC and each MCO participating in HTW to provide a written notice regarding eligibility requirements to women who are enrolled in HTW and have a household income between 100-200% of the federal poverty level. SB 1149 requires HHSC to assess the feasibility, cost-effectiveness, and benefits of automatically enrolling women who become pregnant while receiving HTW services. Specifically, the assessment must examine whether automatic enrollment leads to the earlier delivery of prenatal care.	**Favorable** Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org
SB 802 By: Paxton | Bettencourt | Campbell | Hall | Hughes | Lucio | Perry Sponsor: Leach | Klick	Relating to a required resource access assistance offer before an abortion is performed or induced.	Public Health Vote: 6 Ayes, 4 Nays, 0 PNV, 1 Absent	SB 802 requires physicians performing or inducing an abortion to confirm that patient received a pre-abortion resource assistance access offer, and for pre-abortion resource care agents to provide patients with these numbers. The confirmation process would include the physician verifying the patient's unique identifying number which would not be attached to any of the patient's personal information. This requirement is in addition to informed consent requirements, the completion of the requirement is to be recorded in the patient's medical records, and the requirement is not applicable to emergency situations. The Health and Human Services Commission would develop and maintain the authentication system for this process and the bill delineates the specific functions required of the system. SB 802 sets up the standards for the care agents that would be extending the pre-abortion resource assistance offer. One notable standard is that participating agents could not have operated within a licensed abortion clinic within the past two years prior to becoming an agency. Agents would not be permitted to refer a patient to an abortion clinic. The care agents must either be licensed in a relevant healthcare provider field, such as a physician, or they do not have to be licensed and can operate under someone else's license. The bill provides that patients are not charged for an agent's information services, sets out specific information and assessment of applicable services that must be given by the agent, and	**Unfavorable** Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org

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			provides a process for an agent that suspects the patient is a victim of human trafficking or coerced into receiving an abortion. SB 802 requires the HHSC to establish a single 24-hour toll-free telephone number for abortion patients to call and speak to a pre-abortion resource care agent. During this call, the patient does not have to provide any information to the agent or contracting agency, the patient does not have to receive and can decline services offered, and the patient is able to receive accepted services two years after initial acceptance despite pregnancy status. SB 802 provides for severability for every provision, section, subsection, sentence, clause, phrase, or word and for the application of remaining provisions if an application to any person, group of persons, or circumstances that was found to be invalid by the court. Requiring the verification of an individualize unique number creates an additional barrier for abortion access. If a patient forgets to complete the call before the appointment or does not recall the unique number, then they might not be able to receive their procedure. There is also the possibility for user or technological error that can occur and result in a patient not being able to receive an abortion because of this. Reflecting on the recent legislation passed this session, time is of the essence to receiving an abortion while not risking a physician's livelihood or career for an error. The introduced statute would be repetitive of the current practices of what patients must accomplish before receiving an abortion. Physicians and other health care staff already provide recommendations based on what the patient desires, this legislation would not provide anything new. The severability of the bill would make it significantly difficult to amend via case law which is often the main vehicle of ensuring proper interpretation and constitutionality of legislation. The bill is another addition to a long string of stringent anti-abortion legislation pursuing an agenda that has no place in public policy.	
SB 839 By: Schwertner Sponsor: Huberty	Relating to the regulation of electric vehicle supply equipment; requiring an occupational registration; authorizing fees; authorizing an administrative penalty.	Licensing & Administrative Procedure Vote: 8 Ayes, 0 Nays, 0 PNV, 3 Absent	SB 839 establishes a regulatory framework for electric vehicle charging equipment and its providers, including a temporary provision establishing a workgroup to evaluate the efficacy of resulting changes. The bill provides for the inspection of electronic vehicle supply equipment and owner, operator, or user records, and the Texas Department of Licensing and Regulation (TDLR) is authorized to contract for related duties. Certain equipment is exempted from the bill's provisions, including non-commercial use or equipment provided free of charge to certain users. SB 839 establishes registration requirements and procedures for providers, applications, and calibrating equipment. TDLR is required to issue an application to eligible providers, delineate how long registrations are valid, and when registrations are required to be renewed. SB 839 requires the specifications for the installation and operation of electric vehicle supply equipment to align with relevant state statute and the recommendations of the National Institute of Standards and Technology.	**<u>Favorable</u>** Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org

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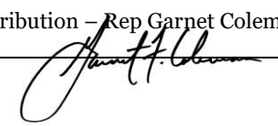

			The TDLR executive director is required to establish consumer notification methods to provide direction to refer complaints to TDLR, and providers are required to inform consumers how they can file a complaint. Penalties are created for violating the bill's provisions and the Texas Commission of Licensing and Regulation (TCLR) will establish fees sufficient to cover the cost of implementation.	
SB 1079 By: Campbell Sponsor: Noble	Relating to monthly reports of certain activity of the Department of Family and Protective Services.	Human Services Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent	At the beginning of fiscal year 2020 the Department of Family and Protective Services (DFPS) began publishing monthly statistical reports containing data regarding children within DFPS care. These reports provide public transparency and accessible information for community providers to better offer support and services to families involved with DFPS. SB 1079 codifies these monthly reports to ensure DFPS continues to provide them. SB 1079 requires DFPS to publish a monthly report containing statistical information for the preceding month including information on statewide intake of reports and calls relating to child abuse, neglect, or exploitation; child protective investigations; family-based safety services; conservatorship services; residential child-care licensing; and parent child safety placements agreements. This provision regarding these specific placements is the only new information DFPS would be required to include in these monthly reports. The report will be made electronically available to the public no later than the 30th day after the end of each month. DFPS may contract with a third party to assist with collecting, analyzing, and reporting the data as long as the entity is a Texas-based university independent of DFPS and has demonstrated expertise in these types of analysis.	**Favorable** Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org
SB 1112 By: Bettencourt | Birdwell | Creighton | Hall | Kolkhorst | Schwertner Sponsor: Swanson	Relating to requirements for an early voting ballot voted by mail; creating a criminal offense.	Elections Votes: 5 Ayes, 4 Nays, 0 PNV, 0 Absent	In response to the COVID-19 pandemic, many counties in Texas attempted to mitigate the risks for poll workers and voters alike by initiating more flexible provisions regarding voting by mail… In response, some counties sent mail-in ballot applications to voters who could contract COVID-19. Consequently, propaganda campaigns sowed fears of fraudulent voting through absentee ballots, claiming that 'anyone who received mail-in ballot applications could vote fraudulently under another name,' disregarding the longstanding approval process required to receive the ballot by mail. SB 1112 prohibits county and early voting clerks, election administrators, or members of an early voting ballot board from waiving witness signature requirements on accepting a mail-in ballot. A witness must be a deputy early voter clerk or must list their relationship to the voter. The bill creates a Class A misdemeanor for early voting clerks who accept such ballots without witness signatures or relationship statements. Class A misdemeanors carry a fine of up to $4,000 and up to a year in jail. This bill codifies conspiracy theories of widespread voter fraud and harshly punishes election workers for reasonable suspension of overly stringent requirements.	**Unfavorable** Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org

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SB 1114 By: Bettencourt | Birdwell | Creighton | Hall | Kolkhorst | Schwertner Sponsor: Swanson	Relating to verification of the citizenship status of certain registered voters.	Elections Votes: 5 Ayes, 4 Nays, 0 PNV, 0 Absent	The Texas election code requires county officials to submit an abstract summary of voters who have indicated on a jury form that they are non-citizens to the Secretary of State and local voter registrars. Additionally, filling out a voter registration form with false information, is a state and federal perjury charge that may result in imprisonment up to 180 days, a fine up to $2,000, or both. SB 1114 creates an information partnership between the Secretary of State (SoS) and Department of Public Safety (DPS), despite recent attempts to purge voter rolls based on DPS information that ended in expensive lawsuits and disenfranchised voting citizens. SB 1114 requires the SoS to enter into an agreement with DPS under which information in the statewide computerized voter registration list is compared monthly against information in the DPS database to verify citizenship status information provided on voter registration applications. Information that will be compared between agencies include: a voter's full legal name and former name, if applicable; date of birth; residence address; driver's license or state identification card number; social security number; and voter's citizenship status with documentation of lawful presence in this state. DPS does not require a resident to submit notice of a changed citizenship status. SB 1114 also requires the SoS to annually report the number of cancelled voter registrations to the legislature. Between 2017-2019 nearly 213,000 immigrants became naturalized citizens in Texas, according to the U.S. Department of Homeland Security with the majority being of Latin American or Asian origin. This bill is based on racist fears of undocumented immigrants thwarting U.S. elections despite extremely limited instances of noncitizens voting.	**Unfavorable** Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org
SB 1171 By: Taylor Sponsor: Huberty	Relating to the electronic administration of certain required assessment instruments, measures to support Internet connectivity for purposes of those assessment instruments, and the adoption and administration of certain optional interim	Public Education Votes: 11 Ayes, 0 Nays, 0 PNV, 2 Absent	During the 86th Legislative Session, Texas Education Agency (TEA) was given the authority to develop and administer a statewide assessment program in line with the State of Texas Assessments of Academic Readiness (STAAR) test to be administered electronically. The legislation included an expiration date of August 21, 2021. However, due to COVID-19, additional time is needed to complete this transition plan. Therefore, SB 1171 removes the expiration date and adds a grant program to aid districts in adopting the transition to digital administration of the assessment exam. SB 1171 revises provisions related to TEA implementation of a transition plan to electronically test by limiting the statewide standardized tests designed to assess essential knowledge and skills in reading, writing, mathematics, social studies, science, and any other subject required by law. In addition, the bill removes the expiration date of August 21, 2021. SB 1171 authorizes the Commissioner of Education to establish a matching grant program to ensure that all public school districts and open-enrollment charter schools have the necessary infrastructure to administer the test. The Commissioner may set eligibility criteria to receive a matching grant and contract with technology developers as required. This provision expires on September 1, 2025. SB 1171 allows the use of instructional materials and technology allotment for the bill.	**Favorable** Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org

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	assessment instruments.		While SB 1171 facilitates the transition of using digital tools to administer state assessment and creates a grant matching program that the Commissioner may distribute to the school districts for technology and internet connectivity needs, it does not define how the grant-matching program would be funded.	
SB 1018 By: Zaffirini Sponsor: Hinojosa	Relating to an early voting ballot voted by mail.	Elections Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	Current Texas law can disqualify an early voting mail-in ballot but does not allow a voter to correct a disqualifying mistake. SB 1018 addresses this issue by allowing a voter who has received notice of a defect on the mail ballot application to cure the defect in person. The bill requires an early voting ballot board or signature verification committee who notices an issue with a ballot to notify the voter by phone or email within 2 business days before a decision is made about the validity of the ballot. The ballot must also be returned by mail to the voter if the defect can be corrected before the election day. A defective ballot can be corrected in person until the 6th day after an election in the following instances: • the voter did not sign the carrier envelope certificate • the signature on the carrier envelope cannot immediately be determined to be that of the voter • of missing any required statement of residence • containing incomplete witness information A ballot cannot be rejected for those reasons until the 7th day after an election. This bill allows poll watchers to observe the curing process. The Secretary of State also would be authorized to create procedures for this process. SB 1018 will help instill confidence in the election process and reduce suspicion of mail ballots being rejected due to fraudulent actors.	**<u>Favorable</u>** Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org
SB 1253 By: Hall Sponsor: White	Relating to the issuance and renewal of licenses to carry a handgun.	Homeland Security & Public Safety Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	The permitless carry bill (HB 1927) was recently passed out of both houses and is currently awaiting the governor's signature. This legislation did not remove the License to Carry (LTC) program allowing gun owners to legally carry weapons in certain places and across state lines and strengthening the LTC program is important in a permitless carry environment. SB 1253 requires the Department of Public Safety (DPS) to issue or renew an LTC to applicants who meet all current eligibility requirements and submit all current application materials, regardless of whether the applicant may legally carry a handgun without license under new permitless carry statutes. These changes ensure LTC requirements will remain in place and the process will continue to function as it currently does without any changes as a result of permitless carry.	**<u>Favorable</u>** Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org
SB 912 By: Buckingham	Relating to increasing the criminal penalty for certain	Homeland Security & Public Safety	This bill is a response to several riots that resulted from largely peaceful protests over the summer. Charges for bad actors instigating riots during peaceful protests are appropriate under current law and increasing criminal penalties as a response to Black Lives Matter protests after years of ignoring riots at sporting events seems racially motivated. Legislation responding to the Black Lives Matter movement has	**<u>Unfavorable</u>** Evaluated by: Cassidy Kenyon (760)429 8388

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Sponsor: Slawson	conduct engaged in while participating in a riot and to restitution for property damage resulting from participating in a riot.	Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent	solely focused on criminalizing young people who were often brutalized by the police at entirely peaceful protests, while efforts to limit guns at peaceful protests or increase criminal penalties for insurrections would better support public safety efforts. SB 912 amends the penal code definition of "riot" to clarify the term does not apply to a group of seven or more people exercising their 1st Amendment right to assemble. The bill enhances the charge for knowingly participating in a riot from a Class B misdemeanor to a state jail felony if the actor knowingly or recklessly assaults an identifiable first responder. Charges are enhanced in the same manner if the actor knowingly or intentionally initiates physical contact with a first responder when they know or should reasonably believe the contact would be perceived as offensive or provocative, which is quite concerning considering the broad scope of this penalty. Courts would be permitted to order a convicted person to pay restitution for fees for riot-related damages. Protesters are overwhelmingly young people who likely cannot afford to pay for damages, so this bill will do little to help business owners regardless and only serves to criminalize the First Amendment right to peacefully assemble. Reimbursing the owner of a business for damages incurred during a riot is hugely important and should be covered by their insurance. If this was not available to damaged businesses or reimbursed by insurance providers, meaningful change would require insurance companies to reimburse businesses for riot-related damages.	Cassidy@TexasLSG.org
SB 2051 By: Menéndez Sponsor: González, Jessica	Relating to step therapy protocols required by health benefit plans for coverage of prescription drugs for serious mental illnesses.	Insurance Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent	Some health benefits plan (HBP) insurers challenge a doctor's preference of medication for insured Texans with mental illnesses by requiring the individual to exhibit multiple failures of two-to-three different insurer-prioritized drugs before authorizing payment or dispensing of other prescribed drugs. This process is referred to as step therapy and is often utilized by insurers to push policyholders towards cheaper prescription drugs despite a doctor's preference or a patient's history. SB 2051 prohibits many HBPs' protocols from requiring policyholders above 18 years to fail or prove a history of failure in response to more than 1 different drug for each drug prescribed for a mental illness - excluding generics or pharmaceutical equivalents of the prescribed drug. The bill also limits authorization of step therapy to instances where generic or pharmaceutical equivalents are available - stipulating that this may only occur once in a plan year and if the drug is within the plan's existing formulary. SB 2051 removes step therapy barriers that reduce health outcomes for Texans with mental illnesses, and it prioritizes the management of medications that reduce symptoms rather than reduce fraud or waste of insurers - allowing patients to focus on their quality of life.	**<u>Favorable</u>** Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org
SB 1372 By: Huffman | Schwertner	Relating to the evaluation and reporting of the performance of certain public	Pensions, Investments, & Financial Services	During the last session, the legislature established requirements for a public retirement system to have an independent firm evaluate the retirement system's investment practices and performance. The bill changes the evaluation and reporting requirements of certain public retirement systems. SB 1372 will allow for more transparency in processes taken by independent firms when evaluating public retirement systems and creates a grading system for pension funds.	**<u>Favorable</u>** Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org

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Sponsor: Murphy	retirement systems.	Votes: 7 Ayes, 0 Nays, 0 PNV, 2 Absent	SB 1372 require the requested evaluation by an independent firm of a public retirement system's practices and performance to include the following: • a summary of the firm's experience in evaluating institutional investment practices • a statement indicating the nature of any existing relationship between the firm and the public retirement system and confirming that the firm and any related entity are not involved indirectly or indirectly managing the investments of the system • a list of the types of remuneration received by the firm from sources other than the system for services provided to the system; a statement identifying any potential conflict of interest that could impact the analysis included in the evaluation • an explanation of the firm's determination regarding whether to include a recommendation for certain evaluated matters The bill revises provisions determining the frequency of the required evaluation. SB 1372 requires the independent firm to submit the evaluation to the public retirement system within 30 days for the purpose of discussion and clarification. The bill also requires the State Pension Review Board to establish the program including the system's procedures and capacity for satisfying accrued obligations. SB 1372 requires the program to include a rating schedule for use in evaluating and grading each public retirement system. It exempts a defined contribution plan and retirement system under the Texas Local Firefighters Retirement Act from being graded.	
SB 1572 By: Paxton Sponsor: Schofield	Relating to the numbering and signing of ballots by early voting clerks and deputy early voting clerks.	Elections Votes: 5 Ayes, 4 Nays, 0 PNV, 0 Absent	Currently, Texas requires in-person early voting ballots to bear the signature or initials of the early voting clerk. Deputies may use a stamp to satisfy this requirement. SB 1572 changes this code and implements new requirements that the deputy early voter clerk must sign or initial each early voting ballot with a wet signature and stamps will no longer be accepted. The bill prevents unsigned ballots from being used and, in the event of a recount, unsigned ballots will not be counted. SB 1572 also prohibits the Secretary of State from creating a rule to waive or modify these requirements. This bill creates more work for early voting clerks unnecessarily. Further, there have not been indications that this change in statute is needed.	**<u>Unfavorable</u>** Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org
SB 2094 By: Taylor Sponsor: Dutton	Relating to the assessment of public school students, the establishment of a strong foundations grant	Public Education Votes: 9 Ayes, 3 Nays, 0 PNV,	Current law requires when a student does not pass the 5th and 8th-grade STAAR assessment, schools must provide them accelerated instruction along with another test on the same subject the same year. Students who do not pass the 5th and 8th-grade assessment cannot advance to the next grade and are provided a grade placement committee that can determine advancement. SB 2094 seeks to address concerns with this policy and the learning loss that has occurred during the COVID-19 pandemic.	**<u>Will of the House</u>** Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org

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	program and providing accelerated instruction for students who fail to achieve satisfactory performance on certain assessment instruments.	1 Absent	SB 2094 redesignates the grade placement committee as an accelerated learning committee and revises standards for accelerated instruction and the strong foundation grant program. It gives the TEA commissioner authority to mandate instructional materials for the district and authorizes parents of students who fail the STAAR assessment to choose their student's teacher for the accelerated instruction. **Accelerated Learning Committee and Accelerated Instruction** SB 2094 removes the prohibition against promoting a student to the 6th and 9th grades because the student failed the applicable STAAR test. Instead, the bill requires a district to establish an accelerated learning committee for each student who does not satisfactorily pass on those exams or on the 3rd-grade math or reading STAAR test. The bill removes and repeals requirements relating to the repeated administration of an applicable test to a student who fails to perform satisfactorily and the consequences of a student's failure on a second or third attempt of the same test. The bill renames a grade placement committee as an accelerated learning committee and requires the committee, not later than the start of the subsequent school year, to develop an educational plan for the student that provides the necessary accelerated instruction to enable the student to perform at the appropriate grade level by the conclusion of the school year. The bill authorizes the parent of a student who fails on a 3rd, 5th, or 8th-grade mathematics or reading standardized test to choose the classroom teacher who will provide instruction to the student in the failed subject area for the subsequent school year. The bill requires such a student who is promoted to the next grade level to be assigned, in the subsequent school year in each failed subject, to an appropriately qualified teacher. If the student also fails in the subsequent school year to perform satisfactorily on a test in the same subject, the district superintendent or superintendent's designee must meet with the student's accelerated learning committee to identify the reason and determine whether the educational plan must be modified. SB 2094 revises the provisions for accelerated instruction for high school students so that it is no longer required to be funded through appropriations for that purpose and requires the instruction to comply with those for 3rd through 8th grade. SB 2094 repeals the provision relating to administering optional statewide standardized tests in Algebra II and English III. **Strong Foundations Grant Program and Intervention** SB 2094 requires the commissioner to establish a strong foundations grant program for campuses or a campus program serving students enrolled in prekindergarten through 5th grade to implement a rigorous school approach that combines high-quality instruction, materials, and support structures. The bill requires the commissioner to adopt required components for the program. SB 2094 requires the commissioner to use appropriated funds, federal funds, and other available funds to assist districts and	

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			open-enrollment charter schools in implementing the program and authorizes the commissioner to accept gifts, grants, and donations from any source. SB 2094 authorizes the commissioner, as an intervention under the public school accountability system, to require a district or charter school to comply with all requirements of the strong foundations grant program at a campus that meets the following conditions: • serving students from prekindergarten through 5th grade • was assigned an overall performance rating of D or F • is in the bottom five percent of campuses in the state based on student performance on the 3rd-grade STAAR test during the previous year as determined by the commissioner. This authorization applies notwithstanding an exception delaying certain interventions for a campus assigned an overall performance rating of D that is ordered to implement a targeted improvement plan. SB 2094 provides standards for accelerated instruction to assist students in addressing learning loss during the pandemic. However, concerns linger particularly around how teachers' assignments will be managed and class size ratios maintained. The provisions of the bill are very prescriptive for districts and hinder the district's ability to address local needs in a one size fits all program. This bill expands the commissioner's authority that would outlast federal funding in response to COVID-19, putting a future unfunded mandate on districts once the federal funds run out.	
SB 1675 By: Campbell |Bettencourt|Buckingham|Hall|Hancock|Hughes|Kolkhorst|Paxton|Perry|Schwertner|Springer Sponsor: Paddie	Relating to procedures for early voting by mail.	Elections Votes: 5 Ayes, 2 Nays, 0 PNV, 2 Absent	Currently, mail in ballots may only be returned by mail in an official carrier envelope or to the clerk's office during voting hours on election day. These restrictions have created confusion for voters who believe they can return a mail in ballot to a polling location or drop off their marked ballot to the early voting clerk before election day. SB 1675 creates a blanket restriction on modifying or suspending qualifications for early voting by mail for any purpose by the Texas governor, or any presiding officer of the governing body of a political subdivision. The bill creates an exception for the governor if they issue a disaster declaration and a voter is in an affected area, then an early mail-in ballot may be hand delivered to the early voting clerk on or before election day. This bill creates more rigidity for Texas officials' ability to respond to power outages, natural disasters, or global pandemics.	**<u>Unfavorable</u>** Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org
SB 2089 By: Lucio Sponsor: Dominguez	Relating to the use of certain tax revenue to acquire, construct, enhance, upgrade, operate, and maintain	Ways & Means Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent	The tax code has to be amended every time a municipality or county wants to use Hotel Occupancy Tax (HOT) revenue for improvement projects. The Riverfront Project in Cameron County is a development plan to transform the city of Brownsville's riverfront into a retail and cultural mecca, driving around $300 million in private construction capital in the area. However, the project has been hitting financial roadblocks and the municipality is not authorized to use HOT revenue for infrastructure improvements related to an international bridge, even though they are permitted to if the bridge is owned by the county and promotes tourism.	**<u>Favorable</u>** Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org

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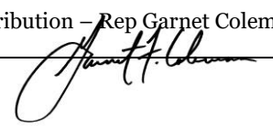

	convention center facilities, multipurpose arenas, venues, and spaceport and spacecraft observation facilities in certain municipalities.		SB 2089 authorizes Brownsville's municipality to use revenue from the municipal hotel occupancy tax for qualified projects, which would include tourism, convention centers, or hotel venues on land owned by a governmental entity, partially financed by private contributions, or facilities used by hotel guests and tourists to observe spacecraft operations and launches. The bill authorizes the municipality to pledge HOT revenue from hotels located in the project financing zone to finance bonds or obtain land for a qualifying project. Brownsville would be required to notify the comptroller of their project financing zone no later than 30 days after the designation date and would be entitled to any resulting incremental revenue, which is money generated by development projects creating an increase in sales, from this zone for a specified period of time. The comptroller would deposit these funds in a separate account for the municipality.	
SB 568 By: Huffman Sponsor: Wu	Relating to the prosecution of and punishment for the criminal offense of hindering the investigation or prosecution of certain sexual offenses committed against a child; increasing criminal penalties.	Criminal Jurisprudence Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent	Given the rise in child human trafficking cases across the state, concerns have been raised around reporting standards that require observation to hold actors liable in such offenses. Currently, failure to stop or report aggravated sexual offenses is a Class A misdemeanor in Texas. If an actor is older than 17 years, SB 568 enhances failure to report and hindrance of an investigation for child sexual offenses to a third-degree felony. The offense is enhanced to a second-degree felony if the actor subsequently commits the sexual offense and if an individual's failure to report an offense enabled or facilitated the commission of the assault. By removing specific public information data related to these cases, SB 568 is likely to ensure that these vulnerable children are adequately protected from predatory behaviors.	**Favorable** Chelsea Dalton Pederson 512-661-9708 Chelsea@TexasLSG.org

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