



# TEXAS LEGISLATIVE STUDY GROUP

*An Official Caucus of the Texas House of Representatives*

## STEERING COMMITTEE

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

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

## Representative Desk

LSG Floor Report For POSTPONED BUSINESS UNTIL 10 AM- Thursday, May 6 , 2021				
Author	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 3262</b> By: Smith	Relating to causes of action for withholding payments of the proceeds from the sale of oil and gas production.	Judiciary and Civil Jurisprudence  Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>Texas oil and gas companies frequently face situations where two or more persons claim ownership of royalty interest. In response to competing claims to a title, the oil and gas company will sometimes suspend payments until the claim is resolved. This has been standard practice for oil and gas companies since the 1990's. However, a 2018 Texas Supreme Court decision held that despite obligations set by statute that established the statutory cause of action for non-payment, the law can be interpreted in many ways and would not prevent competing owners of a title to file a claim for breach of contract.</p> <p>HB 3262 provides clarity by amending the Natural Resource Code by stating that a payee (royalty owner) would not meet standards to file a common law cause of action against an oil or gas company for withholding payments unless the contract specifies otherwise. The law also provides that if the oil or gas company holds onto payments wrongfully, the payee has a cause of action for the funds they are owed, the interest, and attorney fees related to the cause of action suit.</p> <p>This bill would reinstate prior legislation that allows oil and gas companies to stop payments in good faith, when there are competing claims to a title. This bill allows for freedom of contract and serves as a safe harbor for oil and gas companies. This would help avoid unnecessary disputes that would create an even larger backlog in Texas courts.</p>	<b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org
<b>HB 3827</b> By: Wilson	Relating to the municipal disannexation of certain areas	Land & Resource Management	The community of Lost Creek was forcibly annexed into the city of Austin in 2015 before the legislature had a process in place that would give communities such as Lost Creek the ability to hold elections to decide if they wanted to be annexed or not.	<b>Will of the House</b> Evaluated by: Victoria McDonough (251)422-0558

OK for Distribution - Rep Garnet Coleman

	formerly designated as census designated place.	Vote: 6 Ayes, 3 Nays, 0 PNV, 0 Absent	<p>HB 3827 amends local government code and would allow the disannexation of the Lost Creek district community.</p> <p>The bill is based partially on claims that the Austin Police Department does not provide full or adequate services to the area. These claims were fought during a public hearing using data by Austin Police Department, and it was found that the opposite was true. The bill would also place barriers on Austin Fire Department’s ability to plan for long-term growth and investment. This bill would create a negative impact on the quality of emergency services because it would interfere with the ability to respond to emergency calls and maintain efficient response times. By removing Lost Creek from the city of Austin’s tax base, the city is set to lose \$4.0 million dollars annually. The community of Lost Creek currently has no plans or discussions happening about who will take over certain services if they are no longer part of the city.</p>	Victoria@TexasLSG.org
<b>HB 1791</b> By: Button   Guillen	Relating to eligibility for job-training programs provided under the self-sufficiency fund.	International Relations & Economic Development  Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>The Self-Sufficiency Fund provides grants to Community and Technical colleges and community-based organizations who deliver customized job training in partnership with employers to provide opportunities to certain individuals who receive Temporary Assistance for Needy Families (TANF) benefits.</p> <p>HB 1791 intends to expand eligibility for the job-training program under the Self-Sufficiency Fund, for certain recipients of the TANF program to include those not receiving TANF benefits. Eligibility would be expanded to include individuals identified by the Texas Workforce Commission who meet unemployment and low wage requirements for the program but are not a recipient of TANF.</p> <p>Expanding the eligibility requirement for the job-training program to include individuals who would otherwise not qualify provides a direct path to develop occupational skills. The training received through this program must lead to an acceptable industry recognized certification that the individual can then use to acquire a job and lead to upward socio-economic mobility.</p>	<b>Favorable</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org
<b>HB 2705</b> By: Stucky   Crockett   Johnson, Ann   Parker   Raney	Relating to the establishment and administration of the Texas Woman's University System.	Higher Education  10 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>Texas Woman’s University offers many types of degrees, serving primarily women. Texas Woman’s University is working to become an independent system to increase enrollment and graduation rates. Texas Woman’s University has a significant student population in health programs that prepare many nurses and health care professionals to serve Texans.</p> <p>HB 2705 would lead to establishing the Texas Woman’s University System and make the necessary codifying changes in the Education, Agriculture, and Health and Safety Codes to reflect this. The system would include Texas Woman’s University, Texas Woman’s University at Dallas, and Texas Woman’s University at Houston.</p>	<b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org



			<p>HB 2705 would aid in the development of higher education opportunities for Texas and furthering the opportunities for women. Additionally, this would serve as an innovative method of addressing the nursing and medical professional shortage in Texas.</p>	
<p><b>HB 3276</b> By: Parker   Cain   Schofield   Fierro</p>	<p>Relating to the security of voted ballots.</p>	<p>Elections Votes: 7 Ayes, 1 Nays, 0 PNV, 1 Absent</p>	<p>HB 3276 would require the county elections clerk to implement a live feed video stream posted on the county election website to retain a record of all areas containing ballots voted from the time the last voter has cast their ballot until the canvass of precinct election returns. The live stream will continue while ballots are transferred from one location to another. HB 3276 also mandates that a licensed peace officer guard the ballot boxes containing voted ballots. The Secretary of State would adopt rules to implement the video recording provisions.</p> <p>This bill could create a false sense of security and put a burden on smaller counties who may have limited staffing capacities and resources for elections or licensed peace officers. This bill could divert law enforcement from other duties that may arise over a 24 hour multi-day process.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p>
<p><b>HB 1812</b> By: Swanson</p>	<p>Relating to filing fees for certain candidates for office in primary elections.</p>	<p>Elections Votes: 5 Ayes, 1 Nays, 0 PNV, 3 Absent</p>	<p>Currently, third party candidates do not participate in primaries or pay filing fees because they are typically appointed by party convention. The candidate filing fees offset the cost of primary party election administration, but convention nominations are not supported by funds or support from the state.</p> <p>HB 1812 requires a candidate who is nominated by convention to submit a petition with the correct number of signatures congruent to the level of election contest or pay a filing fee to the county judge for local elected office or in a statewide race to Secretary of State.</p> <p>This bill could create a burden for nominated third party candidates and will suppress voters' choices.</p>	<p><b><u>Favorable with Concerns</u></b> Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p>
<p><b>HB 1653</b> By: Craddick</p>	<p>Relating to disannexation of certain areas that do not receive full municipal services.</p>	<p>Land &amp; Resource Management Vote: 7 Ayes, 1 Nays, 0 PNV, 1 Absent</p>	<p>In 1891 the City of Austin added parts of the Colorado River to the city limits for the sole purpose of maintaining the shores. At this time, an agreement was made to not tax these residents, and they would be responsible for their own water, sewer, and fire services because the city could not provide services when the area was initially annexed. However, many services are now being provided to the residents. Recently, the Austin City council repealed the original agreement and stated that the community would now be subject to city tax. Through this additional tax, the City of Austin could collect \$3 million dollars in additional funds. The Austin City Council has requested that these funds be directed towards City of Austin priorities.</p> <p>HB 1653 seeks to set disannexing procedures for areas that:</p> <ul style="list-style-type: none"> <li>do not receive full municipal services and was exempt from municipal taxation for more than 20 years under an ordinance that provided that the area was exempt from taxation until full municipal services were provided; or</li> </ul>	<p><b><u>Unfavorable</u></b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>



			<ul style="list-style-type: none"> <li>was annexed for limited purposes and has not received at any time full municipal service.</li> </ul> <p>If the municipality fails to disannex the property after a petition has been filed, the person who filed the petition may bring an action against the municipality to compel disannexation of the property.</p> <p>The limited scope of the bill would only apply to landowners who live along the Colorado River. The homeowners in these communities have avoided paying city taxes for decades even though the city has provided essential environmental and public maintenance services such as spending on Lake Austin and its shores, water quality protection, erosion control, and maintaining public open spaces for years, which benefit the lakeside communities. The claims by the homeowners that they are not being provided essential services were contradicted by testimony at a public hearing by using data from Austin Police Department and other City employees who identified public services being provided to the lakeside residents.</p>	
<p><b>HB 4272</b> By: Klick</p>	<p>Relating to requirements for information contained in the immunization registry.</p>	<p>Public Health 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The ImmTrac2 is the Texas immunization registry that only authorized personnel, such as doctors and schools, may access. Currently, the consent procedures for participation in the registry relies on physicians to indicate if a patient has given consent to be placed on the registry. This process burdens physicians and prevents patients from having direct say on what information about them is placed in it. The registry’s electronic medical records could be updated to serve a more functional purpose for providers and patients.</p> <p>HB 4272 would make the following changes to requirements for individual’s information contained on the state immunization registry:</p> <ul style="list-style-type: none"> <li>Removes the executive commissioner of the Health and Human Services Commission (HHSC) responsibility of determining the period of time that applicable information remains in the immunization registry following specific events such as a declared disaster or terrorist attack. Instead that information will remain on the registry for 7 years following the end of such an event.</li> <li>The executive commissioner would develop procedures to obtain necessary consent from an individual, or their legally authorized representative, to continue including them in the registry beyond the 7 year period.</li> <li>Prior to the expiration of time for individual’s whose consent has not been obtained, the Department of State Health Services (DSHS) must make at least 2 attempts to provide notice via phone, e-mail, or postal mail. The notice must inform the individual, or their representative, that their immunization record will be removed from the registry unless consent has been given. DSHS must make a reasonable effort to obtain current contact information for notices returned due to incorrect address information.</li> </ul>	<p><b>Favorable</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>



			<p>HB 4272 would make changes to the verification process for an employer of a first responder in providing direct access to the employee’s immunization information in the registry after affirming the employee is currently employed with them. DSHS would also be authorized to establish a process to provide an immediate family member access to the first responder’s immunization information.</p> <p>HB 4272 requires DSHS to develop and maintain a secure internet portal through which an individual, or their representative, has authorization to request to exclude their records from the registry. The bill specifies that a “yes” or “no” field must be included to indicate a patient’s consent has been obtained to be included in the registry. The fields and specific data standards related to a patient’s consent prohibit the inclusion of demographic information relating to the patient.</p> <p>The consent and confidentiality of a patient’s immunization record should be left in the hands of the patient to ensure that they can choose whether their information is included in the registry or not. Establishing a more functional portal for patients to operate through relieves the burden on providers to inform ImmTrac2 of patient consent. It also reduces the risk of including information for patients who have not consented from being added to the registry.</p>	
<p><b>HB 3610</b> By: Gervin-Hawkins   Sanford   Middleton</p>	<p>Relating to the applicability of certain laws to open-enrollment charter schools.</p>	<p>Ways &amp; Means Vote: 7 Ayes, 3 Nays, 0 PNV, 1 Absent</p>	<p>HB 3610 provides a property tax exemption for certain real property leased with funds provided by a charter holder. Proponents claim that millions of dollars of state allocated funds could be kept in classrooms if open enrollment charter schools were exempt from paying property taxes on their leased school buildings. They assert that state funds could—and should— be used on teacher salaries, improved technology, instructional materials, and other critical classroom needs. Current law provides certain property tax exemptions for properties owned by local schools. However, local property tax exemptions are not permitted in certain circumstances for leased spaces used by public schools or open-enrollment charter schools. There are concerns that not providing property tax exemptions for facilities leased by charter schools would decrease property tax revenue available for public schools and by making changes that benefit charter schools that do not receive funds from property taxes.</p> <p>Although charter schools are not accountable to locally elected school boards whose members live in the community, the bill classifies an open enrollment charter school as a “political subdivision” with respect to public property tax exemptions and includes civil provisions that grant charters the authority to bring action regarding any property leased, constructed, or renovated using state funds. These changes allow open enrollment charter schools to exempt leased facilities from property taxes with the same scope of legal authority granted to actual, locally accountable political subdivisions, including public school districts.</p>	<p><b><u>Will of the House with Concerns</u></b> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>



			<p>This legislation intends to create parity for open-enrollment charter schools and public schools regarding local property tax exemptions. However, many public schools do not receive exemptions for leased property. Subsequently, the bill creates unique local tax exemptions for charters only. Charter schools frequently lease property and receive a per-student state funding allotment to help with the cost of all elements of educating students. Additionally, several charter schools have successfully filed comptroller appeals to be refunded remitted property taxes eligible for exemption from existing state law. The need to provide exceptional tax treatment to charter schools in statute is unfounded and unfair to local property taxpayers.</p> <p>HB 3610 would result in property tax savings for open-enrollment charter schools at the expense of local taxpayers. Significant decreases in property tax revenue will reduce the tax base for local governments, decrease public school funding, and pass off the cost to taxpayers.</p> <p>Finally, this bill faces legal obstacles. A constitutional amendment may likely be required to create property tax exemptions for charters, and there is currently no such companion legislation. Several courts have ruled that open-enrollment charter schools are legally subject to property taxes for leased properties, and the case is currently before the Texas Supreme Court. Before adopting changes proposed by HB 3610, legislators should avoid making an end run around the court.</p> <p>If there is a need to provide property tax exemptions to open-enrollment charter schools, these changes should be applied equitably for all schools without impacting the property tax system that plays a major role in funding public schools and local governments.</p>	
--	--	--	---	--

**LSG Floor Report For MAJOR STATE HOUSE BILLS CALENDAR- Thursday, May 6, 2021**

<p><b>HB 6</b></p> <p>By: Cain   Schofield   Klick   Clardy   Jetton</p>	<p>Relating to election integrity and security, including by preventing fraud in the conduct of elections in this state; increasing criminal penalties; creating criminal offenses.</p>	<p>Elections</p> <p>Votes: 5 Ayes, 4 Nays, 0 PNV, 0 Absent</p>	<p>Last year in Texas, 11.2 million voters - 66% of registered voters – cast ballots in the general election, a significant increase from the 59% of voters who cast ballots in 2016. Instead of celebrating a record turnout, state leaders trying to use HB6 to peddle the same old voter fraud lie that has haunted Texas for decades or longer. It is a lie that is a predicate for vote suppression, and that is the singular purpose behind HB6: Suppress the vote to maintain power while Texas becomes more and more diverse.</p> <p>Otherwise, why wouldn't all Texans celebrate a record turnout achieved during the life and death threat of a pandemic?</p>	<p><b>Unfavorable</b></p> <p>Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p>
--	---	--	---	---



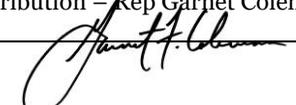
		<p>Otherwise, why would not all Texans celebrate the words of former President Trump’s Cybersecurity, who said: “the November 3rd election was the most secure in American history. There is no evidence that any voting system deleted or lost votes, changed votes, or was in any way compromised.” Otherwise, why would not all Texans celebrate the words of the Director of Elections for the Texas Secretary of State, who said: “the election in Texas last year was a success. In spite of all the circumstances, Texas had an election that was smooth and secure.”</p> <p>Yet, HB6 proponents scoff at the clear and simple fact that the 2020 election was secure, as evidenced by Attorney General Ken Paxton’s Voter Fraud Task Force’s inability to resolve more than a handful of voter fraud convictions, despite logging 22,000 staff hours investigating “Voter Fraud,” almost twice as many than they logged in 2018.</p> <p style="text-align: center;"><b>Texans Want Convenient Voting, Not Voting Restrictions</b></p> <p>HB6 is an effort to restrict convenient, secure voting that Texans of both parties enjoyed in the 2020 election. State leaders are pushing to restrict voting, even though most Texans want more time to vote early and do not approve of threatening voters or those who assist them with felony charges for violations, <a href="#">according to a poll</a> conducted by Chris Perkins of Ragnar Research, a firm that has polled for Republicans over the last decade.</p> <ul style="list-style-type: none"> <li>• 66 percent of Texans said they do not believe significant fraud occurred in the 2020 presidential election, when Republican officeholders held their own in Texas.</li> <li>• Overwhelmingly, 97 percent of Texans said they had a good experience with the election, which raises questions about why they would restrict ballot access.</li> <li>• Fewer than 1 in 5 Texas Republicans voted on Election Day, and 64 percent of all Republican votes were cast early, including nearly one-quarter by mail, which raises questions about why they would seek early voting and vote by mail restrictions.</li> </ul> <p>Voters from both parties appreciated the efforts by Texas counties to adopt COVID-19 safety measures by utilizing drive-through voting at temporary voting locations, curbside voting, and a significant increase in mail ballots all over the state, facilitating the record turnout even though the Attorney General and Governor worked to close drive-through voting locations, limit mail ballot drop boxes to one per county, and reduce access to voting after early voting was underway. However, when we practiced democracy, even during a pandemic, Texans turned out to vote.</p> <p style="text-align: center;"><b>If Texans Want Secure and Convenient Voting, Why Use HB6 to Suppress the Vote?</b></p> <p>Currently, hundreds of voter suppression bills are being filed and passed by hyper partisan state legislative majorities throughout the country in response to false claims about voter fraud. Texas has</p>	
--	--	---	--



		<p>a long history of voter suppression and one of the lowest voter turnout rates in the nation. HB 6 will only further this shameful legacy by making it harder to vote for millions of Texans while doing nothing to ensure election integrity and security. The provisions of HB 6 would suppress the vote of communities of color, people with disabilities, low income communities, and the elderly. HB 6 included a severability clause that stipulates that any section of HB 6 can be invalidated without affecting the implementation of the remaining sections.</p> <p><b>Voting Access Restrictions - Distribution of Polling Places and Early Voting Hours</b> Throughout press coverage, public hearings and other analyses regarding HB6 and its Senate counterpart, SB7, numerous provisions have been in and out of different versions of these vote suppression bills. One particularly important set of voting access restrictions does not appear in the HB6 that will be considered by the House on Thursday, a provision that would effectively tilt the location of polling places away from communities of color and another that would limit early voting hours to exclude keeping polls open late to provide access to the ballot for shift workers. We may not see these provisions in HB6 now, but we must remain diligent in case they reappear in another bill or as an amendment to another bill.</p> <p><b>Enhanced Criminal Penalties for Minor Offenses that Do Not Involve Fraud</b> HB 6 contains <b>18 new or enhanced charges, 15 of which are a criminal felony.</b> Criminalizing the democratic process has a chilling effect on the ability to recruit election judges and clerks due to a risk of large fines, resulting in polling locations being that reduce ballot access.</p> <p><b>Poll Watcher and Voter Intimidation Provisions</b></p> <ul style="list-style-type: none"> <li>• HB 6 dramatically increases poll watchers' opportunities to disrupt an election and intimidate voters. Texas has a history of voter intimidation and HB6 will embolden and protect poll watchers seeking to harass voters, specifically people of color or recently naturalized citizens.</li> <li>• HB6 states that poll watchers may not be removed or required to leave a polling place by a presiding judge for any reason except offenses related to the conduct of the election.</li> <li>• HB6 grants watchers the authority to sit or stand close enough to see and hear the activity or procedures in the polling place, including the electronic sealing and transfer of a data storage medium like a hard drive or thumb drive, early voting ballot by mail delivery, and how election officials are making decisions on the delivery of ballots without disrupting the process of ballot delivery.</li> <li>• The only option for removing disruptive poll watchers presented to presiding judges is to call law enforcement who are also not trained on election matters.</li> </ul>	
--	--	---	--



		<p>These provisions take away discretion granted presiding judges and officials who have received thorough training on election activities and procedures. An election official may not knowingly take any action to obstruct or distance the view of a watcher, punishable by Class B misdemeanor. Additionally, HB 6 limits county election staff from being lawfully present at a polling location, in the meeting place of an early voting ballot board during operations, or the central counting station while votes are being counted. These provisions offer no training to ensure that poll watchers are knowledgeable about election procedures and practices.</p> <p><b>Voting Assistance Restrictions</b>          HB 6 would have harmful effects on the rights of voters with disabilities.</p> <ul style="list-style-type: none"> <li>• An assistant to a voter who help the voter cast a ballot must be married or related by blood within 2 generations. Currently, voter assistants may live with or be related to the voter. This is a barrier that prevents trusted full-time caregivers, unmarried partners, or roommates from assisting a voter.</li> <li>• The voting assistant must fill out a form for assistance stating their name and address, how and why they are assisting the voter, and their relationship to the voter. The voter assistant must then take an oath under penalty of perjury that their assistance is limited to ballot subjects and that they have not suggested, pressured, or intimidated the voter into selecting them as an assistant, including if the assistant is the voter's employer, or labor union. This would be a breach of privacy for the voter who is not currently required to disclose a disability, increase the amount of time a voter is at a polling place, and create a massive barrier to using a trusted assistant.</li> <li>• An early vote by mail assistant's name must be submitted on the official ballot carrier along with the manner of assistance, the relationship to the voter, and financial <b>compensation for assistance by a candidate, campaign, or political committee. This creates extra paperwork and forces the voter to wade through a trail of red tape to cast a ballot.</b></li> <li>• HB 6 creates a <u>3rd degree felony</u> for violating voter assistant restrictions and a <u>state jail felony</u> for assistants who receive or solicit compensation.</li> <li>• This section will systemically make voting more difficult for voters who need assistance and criminalize honest mistakes due to confusing and detailed form and restrictions.</li> </ul> <p><b>Criminalizing Local Election Officials' Voter Education and Outreach Efforts via Fraud Allegations Punishable as Felonies</b>          This section of HB 6 could cite simple mistakes as (bogus) fraud allegations to effectively criminalize any voter outreach or education regarding voting absentee by mail provided by campaigns and</p>	
--	--	--	--



			<p>county clerks and election officials. The provisions are a blatant attempt to prevent Texans from having information needed to legally cast a vote. This section:</p> <ul style="list-style-type: none"> <li>• Creates a state jail felony for an election judge who knowingly provides a voter with a form on which the judge has entered false information.</li> <li>• Creates a 2nd degree felony if a person knowingly votes or attempts to vote in a federal election on the same election day in two states.</li> <li>• Creates new state jail felony charges of fraud for a person who makes an effort to knowingly or intentionally not count "valid" votes or alter a report to exclude "valid" votes, or knowingly or intentionally counting "invalid" votes, or including "invalid" votes on election reports. There have been no confirmed cases of election officials engaging in this type of fraud. Further, "valid" and "invalid" votes are not currently defined in the election code.</li> <li>• Creates a state jail felony for providing intentionally misleading information to an election official or on ballot by mail forms</li> <li>• Defines vote harvesting services as a direct interaction with one or more voters in connection with an official ballot, ballot by mail, or application for ballot by mail. This section creates an offense if a person, directly or by third party, knowingly provides or offers vote harvesting services in exchange for compensation and benefits or vice versa. Additionally, it creates an offense to collect or possess a ballot by mail or envelope from a voter connected to vote harvesting.</li> <li>• Vote harvesting compensation or benefits by a campaign or candidate is implied if a person who performed the vote harvesting was paid for other unrelated services.</li> <li>• Vote harvesting offenses are a 3rd degree felony, including political favors or compensation offers for these services.</li> </ul> <p><b>These provisions are aimed at efforts by local voting officials to make voting easier in 2020.</b></p> <ul style="list-style-type: none"> <li>• Creates a state jail felony offense if a public officer or early voting clerk if the official knowingly solicits or distributes a vote by mail application or early vote by mail application from a person who did not request an application, or approves public funds for third-party distribution of application, or pre-fills any portion and distributes a vote by mail application. A public official may only provide application information from a website or if they are assisting an applicant.</li> <li>• Making a false statement in relation to the oath of assistance is a state jail felony.</li> </ul>	
--	--	--	--	--



			<ul style="list-style-type: none"> <li>• A public official may be charged with a state jail felony if they enact any change to an election standard, practice, or procedure unless it is expressly written in the Texas election code.</li> </ul> <p><b>HB 6 creates priorities and accelerated timeframes for cases of alleged voter fraud in a court of appeals or district court, to be done on a hurried timeline that will not provide adequate time for due diligence.</b></p> <ul style="list-style-type: none"> <li>• An election-related court proceeding is given priority in a court of appeals to be assigned to a three-judge panel. A state jail felony offense is added if a person, including a public official, communicates with a court clerk with the intention or attempt to influence the composition of the three judge panel.</li> <li>• The Texas Supreme court, a Court of Appeals, or District Court will prioritize proceedings for allegations of election fraud pending or filed within 60 days of an election. A court may begin the hearing in person or electronically. Any party may request the hearing to begin 24 hours after the last brief for the proceeding is due to be filed with the court.</li> </ul> <p style="text-align: center;"><b>Conclusion</b></p> <p>HB 6 is a shameful effort to disproportionately suppress turnout by voters of color, those with disabilities, and those who are over 65. This bill does not address voter fraud but is instead designed to facilitate the illusion of fraud to increase the filing of charges due to of alleged voter fraud by criminalizing mistakes, offering partisan poll watchers the opportunity for abuse of voters and election workers, and systematically preventing trusted election officials and civic engagement organizations from offering vote by mail education and assistance.</p> <p>HB 6 will cost Texas hundreds of millions of dollars in lawsuits and lost business as large corporations, local business leaders and professional sports leagues speak out in opposition to voter suppression. HB 6 will have very real consequences in voters' lives. HB6 is part of a national effort to suppress the vote based on divisive, discredited, and unsubstantiated conspiracy theories that deny the outcome of the most secure 2020 election in a way that undermines the very essence of democracy – the right to vote.</p>	
<p><b>HB 1900</b></p> <p>By: Goldman   Metcalf   Bonnen  </p>	<p>Relating to municipalities that adopt budgets that defund municipal police departments.</p>	<p>State Affairs</p> <p>Vote: 9 Ayes, 3 Nays, 0 PNV, 1 Absent</p>	<p>HB 1900 enacts a series of penalties against municipalities with a population over 250,000 that are determined by the governor’s office criminal justice division to have defunded their local law enforcement agencies, meaning they decreased the agency’s budget from the previous year at a larger percentage than any overall city budget decrease, with adjustments for inflation. These penalties include:</p> <ul style="list-style-type: none"> <li>• the requirement to hold an election allowing annexed areas to vote for disannexation and release from the defunding municipalities - and any municipality’s - law enforcement</li> </ul>	<p><b>Unfavorable</b></p> <p>Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>



<p>Raymond   Button</p>			<p>jurisdiction. The city would be prohibited from using public funds towards an informational campaign for this election.</p> <ul style="list-style-type: none"> <li>• preventing the city from annexing any area until ten years after it is no longer considered “defunding.”</li> <li>• decreasing the city’s, no-new-revenue maintenance and operations tax rate and capping its overall property tax rate.</li> <li>• forfeiture to the state general revenue fund for exclusive use by the Department of Public Safety a portion of the city’s share of collected sales and use taxes equal to the amount the state spent on law enforcement services in the municipality.</li> <li>• a prohibition on issuing new or higher rates or fees by municipally-owned utilities.</li> </ul> <p>A city may request prior approval from the governor’s criminal justice division to decrease its law enforcement budget for specific reasons related to disasters or capital expenditures.</p> <p>This bill is an example of state overreach in local governments’ budgetary decisions and could set the stage for more state overreach if local governments choose to spend money or decrease money on services state leadership disagrees with. The governor’s office does not have the same insight into local issues as local leaders do and should not have the power to dictate this one-size-fits-all approach to how local tax dollars are spent. It is not reasonable or accurate to assume that higher police budgets equate to improvements in public safety. This bill fails to consider the improvements to public safety that could be gained from reallocating specific responsibilities like mental health crisis response and forensic lab testing to experts in those fields, or and investing in alternative methods of crime reduction such as community development and support services. Its provisions could harm the very residents it is purporting to protect by allowing for the removal of any law enforcement presence from annexed areas, preventing a city from maintaining high-quality, reliable utility service, and more broadly decreasing funds available for local public safety needs.</p>	
-----------------------------	--	--	--	--

**LSG Floor Report For GENERAL STATE CALENDAR- Thursday, May 6, 2021**

<p><b>HB 3270</b>  By: Dutton   King, Ken   Huberty   Murphy   Oliverson</p>	<p>Relating to public school organization, accountability, and fiscal management.</p>	<p>Public Education  Votes: 7 Ayes, 6 Nays, 0 PNV, 0 Absent</p>	<p>The 84th Legislature established a turnaround model for low-performing public schools, providing school districts the opportunity to address issues leading to the low performance. The legislature created a five-year timeline for school turnaround with annual increases in intervention for school districts with continually low-performing campuses. In year three of a school receiving an “F” rating, a school district must implement a commissioner-approved turnaround plan and enable the commission to appoint a board of managers or close the school if the district fails to submit a campus turnaround plan that will result in a “C” rating or better within two years. In year five of the school</p>	<p><b>Unfavorable</b> Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p>
--	---	---	--	--



		<p>receiving an “F” rating, the commissioner would install a board of managers to correct the campus problem or close the campus.</p> <p>In 2020, the Texas Third Court of Appeals upheld a temporary injunction stopping the Texas Education Agency from replacing the elected school board of its largest school district, with an appointed board of managers, sending the case back into the lower courts. The Commissioner’s action was prompted by one campus receiving narrowly failing to meet academic standards, even though the district as a whole satisfied academic requirements. The appellate court ruled that the commissioners’ proposed actions were not authorized by the Education Code. HB 3270 seeks to address the specific provisions relevant to the court’s ruling and clarify the relevant statute.</p> <p>HB 3270 grants the commissioner the power to delegate executive functions to the Texas Education Agency (TEA) staff, department leaders, and any other employees to perform TEA duties without regard to any other law. The bill sets up a firm and permanent basis that any final determination or order relating to public education cannot be appealed by any interlocutory, intermediate order.</p> <p>The bill explicitly expands the commissioner’s authority to mandate a special investigation of a school district for a myriad of reasons, from academic programs offered to improper use of public funds. The authority to mandate a special investigation is expanded based on previously determined grounds and removes certain statistical patterns or anomalies relating to standardized testing and student outcomes from the specified grounds. HB 3270 changes state law to clearly expand the <u>appointed</u> Commissioner of Education’s authority to take over any Texas school district. This authority lacks transparency, and the commissioner’s action would be final and unappealable.</p> <p>In regard to performance evaluation for accountability purposes, HB 3270 empowers the commissioner to assign a district or campus an overall performance rating of “Not Rated” if the commissioner determines a rating of A, B, C, D, or F would be inappropriate. The performance rating of “Not Rated” is not included in calculating consecutive school years or considered a break in consecutive school years for the purposes of accountability. The bill requires the number of consecutive school years of unacceptable performance rating to be publicly available no later than August 15th of each year. The district or school may not challenge a decision the determination rating.</p> <p>In regard to interventions and sanctions, HB 3270 authorizes a conservator or management team appointed for certain interventions and sanctions to exercise the power and duties specified or defined by the commissioner. It requires a conservator to be appointed to the role until each campus</p>	
--	--	---	--



			<p>in the district receives an acceptable performance rating for the school year or the commissioner determines, at a minimum two years.</p> <p>The A through F test-based rating system has been fundamentally flawed since its inception. Legislatures have attempted to reform the system each legislative session, causing increased instability to the system. The proposed changes in this bill to the A-F accountability rating system would in many cases treat a “D” rated the school as an “F” rated school for the purposes of intervention, sanctions, and more. The A through F system is ineffective at discriminating between an environmental factor and system failures, and it applies strict sanctions rather than giving the schools resources it desperately needs to improve the campus and district.</p> <p>In an attempt to circumvent the court’s ruling, HB 3270 would give the Commissioner of Education, an unelected official, power to take over an entire school district based on one school’s low performance and appoint conservatorship, including the ability to fabricate a “solution” by expanding charter schools instead of concentrating resources and investing in the hardest to educate schools with evidence-based practices that have been proven to work, including wrap-around services and community schools.</p> <p>Although there are legitimate concerns about a campus receiving an F for five consecutive years, the delegation of powers to the Commissioner in HB 3270 does not utilize the accountability system in a constructive way to help educators meet their students’ needs.</p>	
<p><b>HB 359</b></p> <p>By: Geren   Hunter   Burrows   Clardy   Johnson, Julie</p>	<p>Relating to recovery under uninsured and underinsured motorist insurance coverage.</p>	<p>Insurance</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Concerns have been raised about automobile insurance carriers’ calculated tactics to delay property or casualty evaluations, undervalue claims, or delay or deny payment on valid claims without being held accountable. These deceptive trade practices often require policyholders, or those insured, to sue their insurer’s uninsured or underinsured motorist (UUM) coverage to obtain payment recovery.</p> <p>HB 359 adds three sections to existing statutory requirements around policy provisions and forms for UUM coverage:</p> <ul style="list-style-type: none"> <li>• To satisfy unfair settlement practices statutory notice requirements, an insured is authorized to provide written notification of reasonable claim-related facts.</li> <li>• In certain actions, establishing a legal judgment of the other motorist’s liability or the extent of an insured’s damages are no longer prerequisites to recovery.</li> <li>• The bill limits the cause of action available to an insured to recover damages if its outside of their insurance contract</li> </ul>	<p><b>Favorable</b></p> <p>Evaluated by: Chelsea DaltonPederson 512-661-9708 Chelsea@TexasLSG.org</p>



			HB 359 will discourage deceptive practices and could reduce the cumbersome process for Texans and the number of lawsuits filed against their own automobile insurance company	
<b>HB 3175</b> By: Morrison   Ashby   Pacheco   Wilson   Coleman	Relating to financial support and incentives for comprehensive regional universities.	Higher Education  Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>Financial support is a significant factor of keeping students in higher education. Many students leave or postpone their education because they are unable to afford tuition and other associated costs. Bolstering available financial support would help keep students in school and bring more educated professionals to the workforce.</p> <p>HB 3175 allocates funding to universities for enhanced financial support of students in need. The funding will be allocated to universities designated as a doctoral, comprehensive, or master’s university by the Texas Higher Education Coordinating Board (THECB). Each eligible university will receive:</p> <ul style="list-style-type: none"> <li>• a base sum of \$500,000 or greater provided by appropriation.</li> <li>• the product of \$1,000 or more provided by appropriation and the average number of at-risk students awarded a degree three fiscal years preceding the biennium.</li> </ul> <p>An eligible university is also able to use an alternative allocation method for this funding. The THECB, in consultation with university representatives, must conduct a study of the funding method’s effectiveness to allocate funds fairly and equitably, as well as promote student success.</p> <p>Such continued support of students will increase the number of skilled, educated workers. A strong employment pool will increase the quality of work and have a positive impact on the state of Texas.</p>	<b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org
<b>HB 416</b> Walle   Reynolds	Relating to plot plan requirements for an application for a standard permit for a concrete batch plant issued by the Texas Commission on Environmental Quality.	Environmental Regulation  Votes: 7 Ayes, 0 Nays, 0 PNV, 2 Absent	<p>Concrete batch plants can significantly impact quality of life in surrounding neighborhoods, creating dust, noise or even causing respiratory issues such as asthma. The Texas Commission on Environmental Quality (TCEQ) requires air quality standard permits for these businesses to protect the public in terms of clean air. However, lack of pertinent information in applications has resulted in certain distance requirements not being met, which puts concrete batch plants in close proximity to neighborhoods in a manner that can cause environmental harm.</p> <p>HB 416 requires an air quality standard permit application for concrete plants performing wet and dry batching or central mixing as defined by the TCEQ. The same permit application is also required for concrete batch plants to include a mapping plot plan that clearly shows scale, equipment locations, property lines, and setback information if that is a condition of the permit.</p> <p>These changes will show exactly where concrete batch stockpiles are located in relation to surrounding neighborhoods impacted by their presence. Increasing air quality standard permit</p>	<b>Favorable</b> Evaluated by: Cassidy Kenyon (713)817-3842 Cassidy@TexasLSG.org



			application requirements ensures concrete batch plants accurately submit what is required of them to provide better accountability measures.	
<b>HB 2728</b> By: Martinez-Fischer	Relating to the designation of January 27 as International Holocaust Remembrance Day.	Culture, Recreation, & Tourism  Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	Recent legislation has established Holocaust Remembrance Week in public schools. However, International Holocaust Remembrance Day is not on the list of recognized days by the state. HB 2728 would establish January 27th as International Holocaust Remembrance Day to commemorate the anniversary of the liberation of Auschwitz-Birkenau honoring the millions of victims of the Holocaust.	<b>Favorable</b> Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org
<b>HB 3416</b> By: Darby	Relating to indemnity agreements between contractors and subcontractors for services pertaining to certain wells or mines.	Energy Resources  Vote: 9 Ayes, 0 Nays, 0 PNV, 2 Absent	To perform some oil and gas or mining operations, parties may enter into a triparty relationship agreement, meaning that an operator hires a contractor, who then hires a subcontractor, often through recruiting companies, to provide certain services. There have been concerns that subcontractors are not well informed of their indemnification obligation to the contractor or the third party operator, essentially what they are responsible to pay or do in the case of damage or loss on the job. This can lead to misunderstandings, unclear allocations of liability, and potentially financial obligations that a subcontractor is not prepared to pay for.  HB 3416 seeks to address this issue by requiring a contractor to provide clear written notice to a subcontractor of the subcontractor's indemnification obligation to the contractor and the third party regarding the work they were hired to do. The notice must be provided separately from the main contract and written in language that will ensure the subcontractor can understand their responsibility. Additionally, the contractor must notify the third party of whether the subcontractor possesses liability insurance coverage or qualified self-insurance to cover their indemnity obligations as well as the dollar limits of that coverage. This requirement may be satisfied by providing a certificate of insurance.  These provisions will clarify the responsibilities of all parties and protect subcontractors from unexpected or unfair indemnification obligations.	<b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
<b>HB 757</b> By: Dutton	Relating to the consequences of receiving a grant of deferred adjudication community	Corrections  Vote: 6 Ayes, 0 Nays, 0 PNV,	Deferred adjudication (DA), results in a judge withholding disputes or findings and the defendant pleading "no contest" or temporarily "guilty." In exchange for a defendant's completion of time-imposed conditions set by the court to withhold sentencing, the defendant could avoid a formal conviction by having their case dismissed.	<b>Favorable</b> Evaluated by: Chelsea DaltonPederson 512-661-9708 Chelsea@TexasLSG.org



	supervision and successfully completing the period of supervision.	3 Absent	<p>Although the case may be dismissed in Texas - avoiding damage to their justice history records - by participating in community supervision through DA, certain professional or occupational licenses and certificates may be revoked or denied.</p> <p>Despite any other law, HB 757 adds that - regardless of the adjudication outcome - any defendant’s occupational licensing authority may not consider participation in DA as grounds from issuing, renewing, denying, or revoking a license or certificate as long as the defendant’s occupation does not directly involve contact with children and that they were not placed in DA for an offense:</p> <ul style="list-style-type: none"> <li>• requiring sex offender registration.</li> <li>• any capital and certain violent, theft, sexual, and human trafficking-related offenses - with adults or children.</li> <li>• that resulted in a violation that was related to activity or conduct of the occupation.</li> </ul> <p>Although HB 757 only applies to DA cases after passage, the policy presented alludes that the State is prioritizing Texans' well-being and financial position, regardless of whether they made certain justice-related mistakes.</p>	
<p><b>HB 2149</b> By: Clardy</p>	<p>Relating to temporary branch polling places.</p>	<p>Elections Votes: 6 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Currently, temporary branch early polling places are required to remain open for the same amount of time as main early polling places. Rural communities found this requirement to be burdensome in response to the cost of keeping these temporary locations open for two weeks. This led to fewer temporary branch early polling places being opened, which impacted the ability of certain populations to vote, like the elderly and people with disabilities. HB 2149 provides more flexibility for rural counties to balance temporary branch early polling locations and the cost.</p> <p>HB 2149 authorizes a county or counties, in which the early voting clerk is situated, with less than 100,000 people to have temporary branch early polling places one or more days and during any hours of the election’s early voting period. The bill allows for these places to be open on Saturday and Sunday, and the bill does not require for these locations’ schedules to be uniform with each other. The early voting clerk will post a notice stating the weekend dates and hours of operation for temporary branch early polling places. HB 2149 will also restrict the requirement that temporary branch early polling places operate normal days and hours to a county or counties with 100,000 people or more.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (713)817-3842 Devan@TexasLSG.org</p>



<p><b>HB 3774</b> By: Leach</p>	<p>Relating to the operation and administration of and practice and procedure related to proceedings in the judicial branch of state government.</p>	<p>Judiciary &amp; Civil Jurisprudence  Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The judicial system in Texas is periodically modified in order to maintain its efficacy and uniformity. Updates are typically proposed on a basis that they were necessary to address the workload and provide resources to the administration of the judiciary. To address the workload, more courts are needed, and certain procedures need to be updated in order to maintain the judicial branch of government.</p> <p>HB 3774 creates the following district courts:</p> <ul style="list-style-type: none"> <li>• the 478<sup>th</sup> Judicial District, composed of Bell County</li> <li>• the 480<sup>th</sup> Judicial District, composed of Williamson County</li> <li>• the 481<sup>st</sup> Judicial District, composed of Denton County</li> <li>• the 482<sup>nd</sup> Judicial District, composed of Harris County</li> <li>• the 484<sup>th</sup> Judicial District, composed of Cameron County</li> <li>• the 474<sup>th</sup> Judicial District, composed of McLennan County</li> <li>• Tarrant County Criminal District Court No. 5</li> </ul> <p>HB 3774 creates the following probate court:</p> <ul style="list-style-type: none"> <li>• Probate Court No. 2 of Denton County</li> </ul> <p>HB 3774 creates the following statutory county courts:</p> <ul style="list-style-type: none"> <li>• the County Court at Law No. 3 of McLennan County</li> <li>• the County Court at Law No. 6 of Montgomery County</li> <li>• the County Court at Law No. 2 of San Patricio County</li> <li>• the County Court at Law No. 6 of Tarrant County</li> <li>• the County Court at Law No. 5 of Williamson County</li> </ul> <p>HB 3774 creates the following magistrate court:</p> <ul style="list-style-type: none"> <li>• Brazoria County Criminal Law Magistrate Court</li> </ul> <p>HB 3774 makes procedural changes to different courts and provides certain local requests that were made by counties to help provide them with support. The changes to judicial administration, jurisdiction, and the addition of new courts will help address the large caseloads, backlogs, population growth, and workload measures.</p>	<p><b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>
<p><b>HB 2485</b> By: Herrero   Moody</p>	<p>Relating to the exemption of certain firefighters</p>	<p>Judiciary &amp; Civil Jurisprudence</p>	<p>Current state law includes a number of exemptions from jury service, but none of the exemption’s extend to firefighters or police officers. Even though these first responders are rarely chosen to serve as jurors, they still have to go through the jury selection process. This takes time away from their jobs of protecting and serving the community.</p>	<p><b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558</p>



	and police officers from jury service.	Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent	To address these concerns, HB 2485 adds firefighters and police officers to the list of individuals who are eligible for exemption to jury service. Firefighters and police officers would still be able to serve if they choose to do so. HB 2485 ensures that these public servants are able to continue their work of protecting our communities.	Victoria@TexasLSG.org
<b>HB 2525</b>  By: Huberty   Murphy   Dutton   Harless   Walle	Relating to the creation of the Lake Houston Dredging and Maintenance District; providing the authority to issue bonds; providing authority to impose assessments and fees.	Natural Resources  Vote: 9 Ayes, 0 Nays, 0 PNV, 2 Absent	HB 2525 would establish the Lake Houston Dredging and Maintenance District within the boundaries of Harris County to address the long-term maintenance needs of this body of water. This district would have the authority to independently or in partnership with political subdivisions or corporate entities perform dredging and maintenance activities, which refers to the removal of accumulated sediment and debris in the lake or its tributaries that negatively impact water quality and stormwater conveyance capacity. Activities would be paid for through certain generated revenue, grants or other funds sought by the district, and the proceeds of revenue bonds authorized by its board of directors and voters in the district. The district will not have the authority to levy ad valorem taxes, collect other fees, or exact eminent domain authority.  The Texas Commission on Environmental Quality has supervisory authority over such a district's bond management and overall finances, promoting both fiscal responsibility and environmental protection. HB 2525 will provide a sustainable method of dredging Lake Houston that smaller communities surrounding the lake could not perform on their own that will protect this major water source's quality and mitigate flood risk.	<b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
<b>HB 2331</b>  By: Cortez	Relating to procedures governing declared disasters for the Texas Department of Criminal Justice.	Corrections  Vote: 6 Ayes, 1 Nays, 0 PNV, 2 Absent	After several Texas Department of Criminal Justice (TDCJ) facilities were impacted by Hurricane Harvey in 2017, four summers without adequate airflow or a/c passed through crumbling facility infrastructure, and now, two declared disasters in 1 calendar year have compounded existing issues within TDCJ.  HB 2331 requires TDCJ to develop operating procedures in an emergency response plan (ERP) for Governor declared disasters. The bill establishes an advisory board to provide TDCJ with ERP recommendations and update them annually. One critical aspect of the advisory board is that Texans with lived experience and their family members will be members. Also, starting March 1st, 2022, ending within the following 5 months, the advisory board shall develop and submit the recommendation, updating annually.  Following the board's submission of recommendations (180-days), TDCJ shall develop the ERP, with specific operating procedures and provisions to be implemented by correctional facilities: <ul style="list-style-type: none"> <li>• Evacuation procedures and guidelines for inmates and employees.</li> </ul>	<b>Favorable</b> Evaluated by: Chelsea DaltonPederson (512)661-9708 Chelsea@TexasLSG.org



			<ul style="list-style-type: none"> <li>• prevention or minimization of extended lockdowns or segregation.</li> <li>• prohibit suspensions of in-person visitation and offering temporary video-visitation options.</li> <li>• continuance of class or program participation.</li> <li>• ensure ample access to commissary, medical care, medication, personal hygiene, personal protective equipment all at appropriate intervals.</li> </ul> <p>HB 2331 will allow those with lived experience to have a voice at the table to assist in the adequate preparation, maintenance, and response in any upcoming state emergency. With this action, Texas could join them in protecting program participation and care throughout emergencies and ensure the process requirements set by the Board of Pardons and Paroles are not derailed, and that safety is truly achieved.</p>	
<p><b>HB 3963</b></p> <p>By: King, Ken   Capriglione</p>	<p>Relating to the placement of electric vehicle charging equipment on state property.</p>	<p>State Affairs</p> <p>Vote: 11 Ayes, 1 Nay, 0 PNV, 1 Absent</p>	<p>Hybrid and electric vehicles (EV) are becoming increasingly popular in Texas and throughout the world, with some major vehicle manufacturers pledging to transition entirely to electric vehicles by 2035. There are currently thousands of EV owners across the state, and the number is expected to dramatically increase in the coming decades. There are concerns that EV charging infrastructure is not yet widely available enough to meet current and future needs.</p> <p>HB 3963 authorizes state agencies, including those that oversee state parks and rest areas, to enter into an agreement allowing the construction and maintenance of electric vehicle charging equipment on state-owned property. Such an agreement must require the charging equipment provider to use a metering device to determine the cost of electricity transferred through the charging equipment, just as pumps at gas stations display the price of fuel being pumped. These provisions will, at no cost to the state, take a step towards ensuring that current and future EV drivers can comfortably travel to all corners of Texas. It may also have the ancillary benefit of drawing more visitors to the state’s natural areas, which are often remote and inaccessible without nearby charging infrastructure.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p><b>HB 775</b></p> <p>By: Walle</p>	<p>Relating to the adoption of noise regulations by certain counties; creating a criminal offense; authorizing fees.</p>	<p>County Affairs</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>HB 775 requires the commissioners court of Harris County to prohibit the production of sound from a loudspeaker or sound amplifier that exceeds 85 decibels at a distance of 50 feet from the property line from which the loudspeaker or sound amplifier is being operated from. Currently, the unincorporated area of Harris County lacks a comprehensive noise ordinance to help regulate its unincorporated area, which poses a threat to public health, welfare, and safety.</p> <p>There are several exemptions, including the operations or facilities of the following: chemical manufacturing facilities, electric utilities, gas utilities, telecommunications utilities, cable service providers, video service providers, or solid waste management entities permitted under the Solid Waste Disposal Act. Additional exemptions are granted for activities relating to oil, gas, or geothermal resource production and development.</p>	<p><b>Favorable</b></p> <p>Spencer Carruth 512-463-0760 Spencer.Carruth_HC@House.Texas.gov</p>



<p><b>HB 1237</b> By: White   Thierry</p>	<p>Relating to adverse disproportionalities within the child protective services system.</p>	<p>Human Services Vote: 7 Ayes, 1 Nay, 0 PNV, 1 Absent</p>	<p>Black and indigenous children are overrepresented in the Texas and National Child Protective Services (CPS) Systems. A 2018 Department of Family and Protective Services (DFPS) disproportionality analysis on the seven largest counties in Texas found that Black children were nearly twice as likely as white children to be removed from their homes and were the most disproportionately found in DFPS involvement.</p> <p>HB 1237 requires the commissioner of DFPS to analyze the adverse disproportionate involvement of children in a demographic group in CPS and include the specific stage of an investigation the child is in. Once disproportionality is identified, the commissioner must inform the governor, lieutenant governor, speaker of the house, and the chairs of the standing legislative committees that have the department's primary jurisdiction.</p> <p>HB 1237 requires the commissioner to establish a team that must research an evidence-based approach and identifies resources that can be used to address the disproportionality. The commissioner will set a time to complete the elimination or reduction of the disproportionality and measure whether it was achieved. As soon as practicable, a report containing certain elements of the plan will be sent to the specified individuals after the time set. The report will also contain information regarding if the plan was successful or failed and provide the new strategic plan and measure DFPS will use.</p> <p>The causes of disproportionality are often complex, relating to family risk, institutional and personal bias, and systemic issues. It is essential that Texas addresses the disproportionate rate that Black families find themselves at the scrutiny and mercy of DFPS and ensure that families are not being pulled into the system when they do not need interventions. Unnecessary interventions disrupt the family unit and subject them to traumatic events that carry negative consequences for both children and guardians.</p>	<p><b>Favorable</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>
<p><b>HB 913</b> By: Dutton</p>	<p>Relating to an award of costs and attorney's fees and the imposition of sanctions in certain suits for the dissolution of a marriage or affecting the</p>	<p>Juvenile Justice &amp; Family Issues Vote: 6 Ayes, 1 Nay, 0 PNV, 2 Absent</p>	<p>In divorce or custody disputes, attempts to move the case from state court to a federal court have been done for nefarious reasons are a concern.</p> <p>HB 913 addresses this issue by imposing reasonable costs and attorney fees, monetary sanctions, and other authorized sanctions onto the party seeking the removal. Specifically, HB 913 permits the court with jurisdiction over the divorce or the suit affecting the parent-child relationship to file a motion, either on its own or by a party, to seek these remedies from the party attempting the transfer if the court discovered that the federal court:</p> <ul style="list-style-type: none"> <li>• returned the case back to the state court.</li> </ul>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



	parent-child relationship.		<ul style="list-style-type: none"> <li>determined that the removal was frivolous or filed for the purpose of avoiding an unfavorable decision by the state court, gaining advantage over the other party, or causing damage to the other party.</li> <li>determined attorney’s fees and court costs against the party and their attorney seeking the removal.</li> </ul> <p>Deterring the practice of empty tactics to elongate divorce or custody proceedings will ensure proper due process for impacted parties and ensure expedient, uninterrupted resolution of cases.</p>	
<b>HB 1069</b> By: Harris	Relating to the carrying of a handgun by certain first responders.	Homeland Security & Public Safety  Vote: 7 Ayes, 2 Nays, 0 PNV 0 Absent	<p>Rural areas have a smaller volume of public safety employees, and first responders often deploy alone or serve in multiple capacities. Certain first responders, such as paramedics and firefighters, are not armed due to the nature of their role. This can result in dangerous situations when law enforcement officers cover large rural areas and cannot report to a scene quickly enough to help unarmed first responders face a threat to their safety.</p> <p>Certain public safety emergency responders with a License to Carry (LTC) could carry a handgun on the line of duty pursuant to eligibility and administrative requirements established by HB 1069. “First responder” is defined to include fire protection and emergency medical services officials but does not include emergency services volunteers or peace officers performing law enforcement duties.</p> <p>The bill establishes an initial training course and continuing education for these first responders, which a qualified handgun instruction must implement, and minimum training standards will be set by the public safety director of the Department of Public Safety (DPS). First responders are eligible for this program if they are employed by a municipality with a population of 30,000 or less or employed by a county with 250,000 people or less who have not adopted the Fire and Police Employee Relations Act. The initial course must include 40-hours of instruction, and continuing education courses will be 10-training hours, which first responders will pay for out of pocket. DPS will issue training certificates of completion, which will expire within a year of issuance to align with yearly continuing education requirements.</p> <p>DPS is additionally required to approve appropriate devices for first responders to securely store handguns in emergency response vehicles. First responders must secure their handgun in DPS-approved storage before they may enter facilities with federal prohibitions. Municipalities, counties, or private entities employing first responders are authorized to adopt a policy authorizing qualified first responders to carry a concealed or holstered handgun while on duty and store a handgun in a DPS-approved device within a vehicle owned by the supervising entity. First responders will be</p>	<b>Will of the House</b> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org



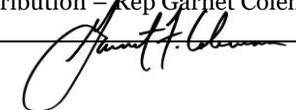
		<p>responsible for procuring this device or providing reimbursement for the use of a device purchased by an employer.</p> <p>Qualified first responders are not permitted to carry on the line of duty unless an appropriate policy has been adopted. Municipalities or counties would be prohibited from adopting policies prohibiting first responders with an LTC, unexpired certificate of training completion, and liability insurance from carrying a concealed or holstered handgun on duty or storing a handgun in a DPS-approved device within a vehicle owned by the county or municipality. They are not prohibited from creating related policies based on a first responder’s conduct or limiting the carrying of a handgun to not interfere with the scope of duty.</p> <p>First responders would be required to maintain liability insurance coverage worth at least \$1 million if a handgun is carried during work not essential to the first responder’s duties. Emergency response personnel may only discharge a handgun in self-defense situations, and the bill explicitly states that discharging a weapon is outside the scope of duties for first responders. Municipalities and counties may not be held liable in a civil action arising from a first responder discharging a handgun, and furthermore, provisions of this bill may not be construed in any way to waive governmental liability or immunity from suit.</p> <p>HB 1069 establishes several defenses to prosecution if first responders carrying handguns in full compliance with the bill’s provisions are charged with the following offenses:</p> <ul style="list-style-type: none"> <li>• Trespass by a handgun license holder concealed or open carrying</li> <li>• Unlawful carrying of a weapon</li> <li>• Possessing or going with a weapon in a place where weapons are prohibited</li> <li>• Certain unlawful carrying of a handgun by a license holder charges related to the specific holstering of a weapon</li> </ul> <p>Members of the public will be able to submit complaints to supervising counties or municipalities using existing procedures. One or more complaints related to a specific first responder are considered grounds for prohibiting or limiting that individual’s carrying of a handgun while on duty.</p> <p>Restricting the application of this bill to rural areas and providing the above accountability measures are good measures to ensure that first responders with handguns are adequately trained and provided to areas genuinely needing additional protections. However, The presence of first responders at a scene implies an existing public safety emergency, which implies a certain degree of stress that a weapon's visible presence could exacerbate.</p>	
--	--	---	--



<p><b>HB 3482</b> By: Rose   Rodriguez</p>	<p>Relating to the definition of "indigent defense compensation expenditures" for purposes of the adjustment of a county's no-new-revenue maintenance and operations rate to reflect increases in those expenditures.</p>	<p>Ways &amp; Means Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>State indigent defense programs are designed to uphold due process by ensuring all citizens are appropriately represented in court, regardless of socioeconomic status. Counties are currently required to provide indigent defense plans utilizing either appointed outside counsel or public defenders. Providing public defenders is a cheaper option for taxpayers than providing outside counsel, yet over 200 counties in Texas currently do not have the means to create a public defender's office. Counties are disincentivized to create public defender programs as they are currently allowed by state law to adjust property tax rates reflecting increases in indigent defense expenditures for outside counsel.</p> <p>HB 3482 creates a comparable tax incentive for counties by including the public defender's office fund amount in the calculation of the county's indigent defense compensation expenditures for a tax year to adjust the county's no-new-revenue maintenance and operations rate to reflect expenditure increases.</p> <p>Encouraging counties to include public defenders in their indigent defense programs is vital to ensuring due process is not obstructed for people who cannot afford lawyers. These changes will establish equal footing for indigent defense programs to utilize both public defenders and outside counsel to receive property tax deductions.</p>	<p><b>Favorable</b> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>
<p><b>HB 458</b> By: Shaheen</p>	<p>Relating to the collection and enforcement of withholding of income for the payment of child support</p>	<p>Juvenile Justice &amp; Family Issues Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Employment as a driver for on-demand ride-share and online delivery entities have increased in popularity due to the flexibility of the job and its value as a reliable source of income. Currently, these entities do not report drivers or independent contractors to the state directory of new hires. In response, this has allowed individuals to advertently bypass income withholdings for child support.</p> <p>HB 458 will require these companies to report their independent contractors and drivers to the state new hire directory and adjust definitions to encompass on-demand ride-share and online delivery entities. Additionally, HB 458 includes compensation from these services as eligible to be withheld for child support. This will ensure proper payment into child support and ensure individuals are not responsible for inadvertently missed child support payments.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p><b>HB 4066</b> By: Lucio III   Larson</p>	<p>Relating to the adoption by the Railroad Commission of Texas of a permit by rule for the beneficial reuse of domestic</p>	<p>Natural Resources Vote: 8 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Oil and gas drill sites require large volumes of water to use in the drilling process and on-site domestic purposes. To reduce the expensive and environmentally harmful process of transporting fresh water to a site and hauling wastewater offsite, the Railroad Commission (RRC) developed a guidance program for the onsite treatment and beneficial reuse of wastewater. This water can be reused in drilling processes or to suppress the dispersion of dust from vehicle traffic, among other purposes. Companies that perform these recycling services currently operate under a standard oil and gas operating permit, which muddles the responsibilities of both the recycler and the operator and creates inefficiencies in the process.</p>	<p><b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>



	<p>wastewater and mobile drinking water treatment system wastewater produced at certain oil and gas drilling sites.</p>		<p>HB 4066 directs the Railroad Commission (RRC) to adopt a permit by rule for the beneficial recycling of treated domestic wastewater generated at oil and gas drill sites and wastewater generated from a mobile drinking water treatment system at an oil and gas drill site. RRC must require that the discharge of treated wastewater follows applicable water quality standards and ensure the reporting of certain information related to wastewater treatment and reuse. Permit holders must supply financial security assurances of at most \$200,000 per year for each active permit to ensure adequate compliance and clean-up.</p> <p>Further studies are needed to ensure that even treated wastewater does not have negative impacts on groundwater and human health, which the RRC should consider in its rulemaking. However, to encourage beneficial wastewater reuse as it is currently permissible, this bill will streamline the permitting process for oil and gas wastewater recyclers while reducing vehicle traffic and direct waste discharge, conserving freshwater, and maintaining environmental protections.</p>	
<p><b>HB 4294</b> By: Metcalf</p>	<p>Relating to the organization and efficient operation of the legislative branch of state government through joint entities.</p>	<p>House Administration  6 Ayes 0 Nays 0 PNV 5 Absent</p>	<p>HB 4294 is the biennial legislative housekeeping bill. It revises the organizational structures and procedures surrounding joint entities in the legislature, this includes joint committees and legislative services agencies.</p> <p>HB 4294 clarifies that when per diem and travel expenses are necessary for joint entities that the House of Representatives pays for House members, the Senate pays for Senate members and other appointing authorities pay for the members that they appoint.</p> <p>Currently, the Legislative Budget Board has the authority to meet virtually. This bill expands the option to meet through use of telephone conference call, video conference call or other means of telecommunications to the Legislative audit committee, legislative library board, Texas Legislative Council (TLC), and Sunset Advisory Commission when a disaster is declared by someone with authority in state law or federal law.</p> <p>Texas Ethics Commission is excluded from the definition of legislative agency meaning that services and supplies cannot be shared with the Texas Ethics Commission. No services and supplies have been shared under current law, but the ethics commission needs to be excluded to ensure no conflict of interest is possible. However, the executive director of the TLC can authorize money be transferred to another legislative agency to cover the other agency's expenses if determined to be necessary to further the purpose of TLC.</p>	<p><b>Favorable</b> Evaluated by: Brittany Sharp (210) 748-0646 Brittany@TexasLSG.org</p>



			The bill expands the composition of the Commission on Uniform State Laws, whose main duty is to promote the uniform judicial interpretation of all uniform law and specifies to serve on the commission you must be a licensed attorney.	
<b>HB 1753</b> By: Oliverson	Relating to certain required reports under the Texas workers' compensation system.	Business & Industry  Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent	Currently, the workers' compensation research and evaluation group annually releases report cards on the quality of healthcare networks under the state's workers' compensation system. However, there is little to no variation in evaluation report cards from one year to the next, making annual reporting unnecessary and expensive, costing more than \$200,000 to complete this report.  HB 1753 changes the frequency the workers' compensation research and evaluation group releases their report cards from annually to biannually. HB 1753 will remove redundant reporting, needless spending, and free up time and money for other projects.	<b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org
<b>HB 2281</b> By: Hefner	Relating to the prosecution of the offense of possessing a weapon in certain prohibited places associated with schools or postsecondary educational institutions.	Homeland Security & Public Safety  Vote: 7 Ayes, 2 Nays, 0 PNV 0 Absent	Texas law prohibits carrying a weapon on the same premises as a school-sponsored event. Some have concerns that this law negatively impacts legal gun owners who could legally carry a weapon on the same premises as a school event unknowingly.  HB 2281 revises current statute regarding unlawfully carrying a weapon, so the charge only applies to school events on the premises of a school campus, rather than any premises hosting a school-sanctioned event.  It is unclear why anyone would want to revise the law regarding carrying weapons around school children or college events during an age of mass shootings. If a legally authorized gun owner is charged with handgun-related offenses for mistakenly carrying weapons in the vicinity of a school event, the current legal system is capable of exonerating this person during the course of investigation.	<b>Unfavorable</b> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org
<b>HB 2556</b> By: Neave   Morales, Christina   Guillen   Minjarez	Relating to designating September 30 as Vanessa Guillén Day.	Defense & Veteran Affairs  Vote: 8 Ayes, 0 Absent, 0 PNV, 1 Absent	The tragic and violent death of Houston native Specialist Vanessa Guillén ignited national outrage and put a spotlight on Fort Hood, the nation's third-largest Army base, and their history of violent deaths, suicides, and reports of sexual harassment occurring on the base. Following Ms. Guillén's death, an investigation called for by her family, activists, and politicians revealed the army base's culture of ambivalence towards sexual harassment and sexual assault.  HB 2556 would designate September 30th as Vanessa Guillén Day, in memory of her life and tragic death, and to increase awareness of the military's response to missing persons, sexual assault, and sexual harassment cases for service members. The bill would also require relevant activities and programs take place as part of the regular observance of Vanessa Guillén Day.	<b>Favorable</b> Evaluated by: Audrey Erwin (928) 210-4303 Audrey@TexasLSG.org



<p><b>HB 2911</b> By: White</p>	<p>Relating to next generation 9-1-1 service; increasing a fee</p>	<p>Homeland Security &amp; Public Safety  Vote: 6 Ayes, 3 Nays, 0 PNV 0 Absent</p>	<p>The current 911 operating system is severely antiquated and incapable of meeting the needs or demands of modern civilization. Updating the system to next-generation cloud-based software is desperately needed to ensure accurate and adequate public safety infrastructure in a digital age.</p> <p>HB 2911 proposes to increase the cap for the 911 fee imposed on all phone lines to \$0.75. By 2025, this increase in funding will upgrade the 911 operating system to cloud-based software, equipped with technologically advanced capabilities.</p> <p>Upgrading telecommunications for first responders to 21st-century software and equipment is vital to promoting the health and safety of all Texans. Affording these upgrades through a slight increase in 911 fees is a fiscally responsible way to go about it.</p>	<p><b>Favorable</b> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>
<p><b>HB 3073</b> By: Shaheen</p>	<p>Relating to a requirement that state agencies make agency guidance documents accessible to the public.</p>	<p>State Affairs  Vote: 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Guidance documents are general statements or interpretations of an agency’s powers and duties that guide operations or policies on matters where regulatory rule-making authority is not granted and the accompanying procedures, including open hearings and the opportunity for public comment, are not required. Guidance documents are often confused with these rules, which hold the force of law and are already publicly available. HB 3073 requires that guidance documents issued by an executive branch state agency be prominently posted on its publicly accessible website and bars the agency from charging a fee for access. The bill stipulates that confidential information is not to be included in publicly posted documents.</p> <p>HB 3073 would provide the public with greater transparency into agencies’ policies and interpretations of statute and will clarify confusion between agency guidance and agency rules.</p>	<p><b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p><b>HB 3107</b> By: Clardy   Klick   Cain</p>	<p>Relating to election practices and procedures.</p>	<p>Elections  Votes: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>HB 3107 adds several technical changes to clarify and modernize the Election Code to address concerns identified by the Secretary of State and elections officials. Its key provisions include modernizing methods for certain election-related communication to reflect more convenient and efficient practices, as well as clarifying or increasing the time-frames in which officials and voters can conduct certain actions. The bill also cleans up the code to remove unnecessary, duplicative, or outdated references and better reflect current practices.</p> <p>This bill also updates provisions for:</p> <ul style="list-style-type: none"> <li>voter registration applications, including methods and requirements for submission and addressing incorrectly sent applications.</li> <li>voter registration certification, including the removal of an outdated recording method, addressing a voter who is registered in more than one county, methods of registration correction, and challenges to registration.</li> </ul>	<p><b>Favorable</b> Evaluated by: Hannah Hall (713)817-3842 Hannah@TexasLSG.org</p>



			<ul style="list-style-type: none"> <li>• suspense lists, including applicability of public information laws and appropriate times that a voter may be removed from the suspense list or when their registration may be cancelled.</li> <li>• requirements for election officials, including updated training for election judges and qualifications for election clerks.</li> <li>• election services contracts, including procedures and county elections administrator’s duties.</li> <li>• required discussions between county elections officers and county party chairs.</li> <li>• clarifying the implementation of countywide polling places.</li> <li>• early voting and absentee voting, including expanded eligibility, the process to address duplicate ballots and early voting locations.</li> <li>• federal postcard application procedures to allow for absentee voting.</li> <li>• the distribution of voter rolls and correction lists to election officials.</li> <li>• the establishment of registration omissions lists to account for accepted and provisional voters not listed on the voter rolls at a polling place.</li> <li>• provisional voting, including the timeframe for determining a voter’s eligibility and for making records public.</li> <li>• technical issues regarding runoffs, recall, and tied, emergency, and expedited elections; and</li> <li>• recount and petition procedures.</li> </ul> <p>The Texas Election Code is sorely in need of updates. This bill makes technical and practical changes to codify instruction from the Secretary of State, ensure that elections are as uniform and efficient as possible, provide expanded protections to voters in the military or with disabilities, and increases opportunities for voters to stay informed.</p>	
<p><b>HB 3626</b> By: Romero, Jr.   Frank   Coleman</p>	<p>Relating to the licensing of marriage and family therapists, marriage and family therapist associates, professional counselors, and professional counselor associates, including certain</p>	<p>Human Services</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>For certain mental health professionals moving to Texas from out-of-state, licensure reciprocity is a cumbersome process that can span months to complete. Suggestions have been made that streamlining this process could ease the transition to Texas.</p> <p>HB 3626 clarifies the respective roles of the Texas Behavioral Health Executive Council (BHEC) and the Texas State Board of Examiners of Marriage and Family Therapy. The board will determine by rule the minimum number of hours providing direct clinical services to couples or families that is required for a license.</p> <p>HB 3626 exempts these therapists from certain eligibility requirements if the therapist is licensed in good standing independently in another state and has practiced there prior to applying. This would streamline the otherwise lengthy process of obtaining a license to practice for out-of-state practitioners The BHEC may also make a similar exemption for professional counselor applicants who have been licensed and practicing out-of-state for at least 2 years. The applicant’s academic</p>	<p><b>Favorable</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>



	out-of-state applicants.		<p>coursework still must include at least 300 hours of supervised practicum and the applicant is still required to pass the jurisprudence examination.</p> <p>HB 3626 removes the authority BHEC has to determine if an applicant’s out-of-state supervisor experience meets the equivalent requirements to those in Texas for professional counselors and allows the licensing board to establish if an applicant is eligible for an associate license, similar to a temporary license. BHEC has the authority to then issue said license.</p> <p>Many counties in Texas have mental health professional shortages that prevent Texans from receiving the professional help they need. Streamlining licensure reciprocity signals to out-of-state therapists and counselors that Texas is a state that wants them.</p>	
<b>HB 3459</b> By: Bonnen	Relating to preauthorization requirements for certain medical and health care services and utilization review for certain health benefit plans.	<p>Insurance</p> <p>Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>While reviewing a patient’s episode of care, the utilization review (UR) process minimizes the healthcare entity’s expenses - through tactics like requiring preauthorization (PA) of medical necessity - and confirms that the insurance company will provide appropriate patient benefits. Physicians and providers continue to raise concerns that PA and UR practices are preventing certain patients from receiving the care they need.</p> <p>HB 3459 requires HMOs to provide annual notice statements regarding exemptions for certain physicians and providers from having to complete more than 5 PA’s if they had at least 80% of their service or provider PA requests approved by the insurer the preceding calendar year. The bill also adds that HMOs may not deny or reduce the payment to a physician or provider for an exempt service.</p> <p>HB 3459 will reduce burdens faced by physicians or providers and allow timely care to be given without time-consuming interferences.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Chelsea DaltonPederson 512-661-9708 Chelsea@TexasLSG.org</p>
<b>HB 3627</b> By: Paddie   Raymond	Relating to the authority of a governmental body impacted by a catastrophe to temporarily suspend the requirements of the public information law.	<p>State Affairs</p> <p>Vote: 13 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Currently, government entities are authorized to temporarily suspend their compliance with public information requirements in the event of a catastrophe that interferes with their ability to comply, such as a weather event, power failure, or epidemic. There have been concerns throughout the COVID-19 pandemic that some entities have suspended responding to public information requests despite staff being available to work, if remotely, and have done so for unnecessarily extended periods.</p> <p>HB 3627 clarifies the current catastrophe protocols to ensure that all available measures are taken to provide the public with prompt access to requested information. It revises the definition of a catastrophe to exclude periods during which a physical building is closed but staff are working remotely and can electronically access requested information, while maintaining the right to suspend</p>	<p><b>Favorable</b></p> <p>Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>



			<p>compliance during a genuine catastrophe that directly prevents an entity from complying. It also includes the provision that, during periods when staff is working remotely, good faith efforts must be taken to promptly respond to public information requests to the extent that staff can access information.</p> <p>HB 3627 further explicates rules for the suspension period that an entity may issue during a catastrophe. Currently, a suspension period may last seven consecutive days, with the option of extending it for another seven days if circumstances require, so long as the Office of the Attorney General and the public are notified. The bill clarifies that a suspension period and any extension may only be issued once per catastrophe, for a total permissible suspension of fourteen consecutive days per catastrophe. The entity must immediately resume addressing public information requests after the suspension period.</p> <p>These provisions will maintain the flexibility that government entities require during catastrophic periods while ensuring that transparency measures are not unduly curtailed.</p>	
<p><b>HB 764</b> By: Krause   Landgraf   Burns   Slawson</p>	<p>Relating to the academic assessment of public school students.</p>	<p>Public Education</p> <p>Votes: 9 Ayes, 3 Nays, 0 PNV, 1 Absent</p>	<p>Amid the pandemic, implementing this year’s State of Texas Assessments of Academic Readiness (STAAR) exam raised questions about whether the financial investment is worth the cost to students’ and teachers’ mental and emotional health and whether it genuinely identifies needs that must be addressed to improve student outcomes. HB 764 seeks to reform the STAAR, and end-of-course (EOC) assessment system administered yearly by Texas public schools.</p> <p>HB 764 would remove requirements for the administration of statewide standardized tests in writing in grades four and seven, in social studies in grade eight, and any additional subject and grades required by federal law. The bill removes requirements that the Texas Education Agency (TEA) adopt end-of-course tests for secondary-level courses in Algebra I, biology, English I, English II, and U.S. history and the State Board of Education (SBOE) schedule and administer the tests. The bill requires TEA to substitute the EOC test with a district-selected secondary-level test such as the SAT, the ACT, or any other nationally recognized, norm-referenced test designated by the commissioner. HB 764 amends the code to align with these provisions.</p> <p>While the pandemic has impacted Texans in many ways, it was also an opportunity to assess what issues continue to exist and what we can do better. No brighter light was shown than among our public education system. Standardized tests only determine which students are good at taking tests, offer no meaningful measure of progress, and have not improved student performance.</p>	<p><b><u>Favorable with concerns</u></b> Evaluated by: Phuong Nguyen 832-302-9940 Phuong@TexasLSG.org</p>



			<p>However, there are concerns that HB764 is just a first step, at best. Even as this bill eliminates some specific STAAR and EOC exams as assessment for school rating and funding, the legislature needs to be mindful about what mechanism of assessment would take its place and who would be charged with the decision to adopt those replacement exams. The real problem with STAAR and EOC exams is their high stakes nature, when we should be using standardized exams as a diagnostic tool to help teachers identify needs of students early in the school year. HB764 does not address that important issue.</p>	
<p><b>HB 4437</b> By: Walle</p>	<p>Relating to the authority of certain counties to consider a prospective contractor's principal place of business when awarding certain contracts.</p>	<p>County Affairs  Vote: 6 Ayes, 1 Nays, 0 PNV, 2 Absent</p>	<p>HB 4437 would allow Harris County to use local contractors when they place their bids within 3% of the lowest bid, or when the commissioners court determines that the bid or proposal offers the best combination of price, ability, and economic development opportunities for the county.</p> <p>The aim is to economically develop the county to increase employment opportunities and tax revenues for local government.</p> <p>By amending Local Government Code, this bill would authorize such actions when awarding a contract for services or for the construction, repair, or renovation of a structure, road, highway, or other improvements.</p>	<p><b>Favorable</b> Evaluated by: Jenny Catchings (925) 628-0628 Jenny.Catchings_HC@house.texas.gov</p>
<p><b>HB 1501</b> By: Dean   Deshotel   Bowers   Metcalf</p>	<p>Relating to certain regulations adopted by a governmental entity restricting the use of a natural gas or propane appliance or other system or component.</p>	<p>State Affairs  Vote: 12 Ayes, 1 Nay, 0 PNV, 0 Absent</p>	<p>Natural gas and propane are commonly used for heating, cooking, and powering other home appliances. Some cities across the country have considered or implemented restrictions on natural gas and propane appliances and utilities in an effort to reduce fossil fuel emissions that exacerbate climate change. To prevent this from occurring in Texas, HB 1501 would prohibit all government entities from directly or indirectly banning or restricting the use of an appliance or other system fueled by natural gas or propane in residential or commercial buildings. Any existing policies to this effect are rendered null and void.</p> <p>While protecting the choice of customers and builders is important, interfering with an entity's energy usage decisions may limit their ability to actively promote green energy and efficiency options. These measures have benefits for public health, the environment, and electric grid reliability.</p>	<p><b>Favorable with Concerns</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p><b>HB 3418</b> By: Fierro</p>	<p>Relating to the state purchasing preference for recycled, remanufactured, or environmentally sensitive products.</p>	<p>State Affairs  Vote: 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The comptroller is directed to encourage the use of environmentally friendly or recycled products in its procurement procedures so long as the products are not significantly more expensive. Some companies have been found to practice "greenwashing," which involves misleadingly or falsely claiming to offer sustainable products in order to capitalize on consumer preferences.</p> <p>HB 3418 directs the comptroller to require certification of the accuracy of a product's environmental claims leading to its preferential treatment. The comptroller must approve of one or more qualified</p>	<p><b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>



			<p>entities to provide this verification, several of which are currently operating and may provide these services. The bill also directs state agencies to give notice in all solicitation documents of the preference given to these products, and how that preference is applied. These measures will better inform vendors, certify the veracity of environmental claims, and ensure that state resources are used as intended to the fullest extent possible.</p>	
<p><b>HB 3351</b> By: Pacheco   Middleton   Campos   Cortez   Raney</p>	<p>Relating to establishing the Texas Commission on Community College Finance.</p>	<p>Higher Education Vote: 8 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>The funding formula used for Texas junior colleges has not been updated in almost 50 years. Prior to the pandemic, enrollment growth in community colleges and that will likely resume with a recovery. Texas needs to properly fund these institutions that allow many Texan’s access to an affordable education or training programs.</p> <p>HB 3351 creates the Texas Commission On Community College Finance to review the state funding formula and funding levels for Texas junior colleges. The commission will provide recommendations to the 88th legislature for determining a formula and funding levels that would be sufficient to finance junior college education, training offerings, and improve student outcomes. HB 3351 will allow the commission to accept resource support and grants, gifts, or donations to carry out its purpose.</p> <p>Continued investment into junior colleges will produce long term benefits for Texas. An educated and trained workforce attracts businesses and industry to come to Texas.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p><b>HB 3662</b> By: Buckley   Shine   Kacal</p>	<p>Relating to the award of health plan provider contracts under the Medicaid managed care program.</p>	<p>Human Services Vote: 7 Ayes, 1 Nay, 1 PNV, 0 Absent</p>	<p>Texas Medicaid rural service areas (MRSA) are regions where Medicaid managed care delivers Medicaid health benefits and additional services through contractual arrangements between the Health and Human Services Commission (HHSC) and managed care organizations (MCOs). Currently, there is a gap for MCOs offering community-based health plans in certain MRSAs that lack a hospital district to partner with. It is important to have a community-based health plan as a safety net for these vulnerable populations.</p> <p>If HHSC does not have an existing contract with an MCO in a health care service region, HB 3662 would require HHSC to contract with a properly licensed MCO that a provider-sponsored health organization wholly owns. The health organization must own and operate two designated Level I trauma facilities, located in different trauma service areas, and a licensed hospital located in the service region. This provision is solely contingent on HHSC not having an existing contract with either an MCO wholly owned and operated by a hospital district in the region or an MCO created by a qualifying nonprofit corporation.</p> <p>There is a wide health care gap in rural Texas. Many districts do not have the tax-base to support a community based health plan, and rural hospital districts cannot own one. This bill is narrowly</p>	<p><b>Favorable, with concerns</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>



			tailored to allow for a community based health plan that meets HHSC standards to provide care for this MRSA. There are concerns that this bill will lead to less competition in HHSC contracting procurement for MRSA's, however though legitimate those concerns are they are outweighed by the benefits of having a locally focused community based health plan dedicated to the region that can meet HHSC standards.	
<b>HB 1423</b> By: Campos	Relating to the regulation and inspection procedures of certain long-term care facilities.	Human Services  Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	The Health and Human Services Commission (HHSC) has reported difficulty surveying, inspecting, and investigating long-term care facilities due to trouble maintaining adequate staffing numbers. As the number of aging Texas moving into long-term care continues to grow, it is essential that adequate inspections and monitoring are taking place.  HB 1423 transfers responsibility from the Department of Aging and Disability Services to HHSC to conduct unannounced or follow-up inspections of convalescent, inpatient rehabilitation facilities, and nursing facilities. HHSC must conduct at least one unannounced inspection of each institution annually. HHSC or its representative may conduct a follow-up inspection to evaluate the initial finding and ensure institutional shortcomings are being addressed consistently across the state. Any deficiencies the institution has addressed during a specified time may not be held against them. No later than January 31st of each year, HB 1423 requires HHSC to evaluate its capacity to effectively evaluate these facilities and perform licensing duties.  Aging Texans deserve safe, quality care residing in a long-term care facility licensed by the state. Texas must ensure our facilities are running top-notch operations that do not allow any deficiencies to fly under the radar.	<b>Favorable</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org
<b>HB 3669</b> By: Dean	Relating to the disposition by a public junior college library of certain library materials.	State Affairs  Vote: 13 Ayes, 0 Nays, 0 PNV, 0 Absent	State law accounts for specific methods of selling or disposing of surplus property - that which has value but exceeds the state's need - and salvage property - that which is so damaged, used, or consumed as to be essentially valueless. There is less clarity and allowance for donating property, which has been a particular issue for public junior college libraries that may currently find it easier to throw away unneeded library books than to donate them to interested community members.  HB 3669 explicitly authorizes public junior college libraries to donate library materials if there are duplicates in the library's collection or the materials are no longer appropriate for inclusion in the collection due to age, condition, or obsolete content. The donated materials must also have little to no monetary value. This will allow community members to benefit from unneeded library property and may potentially reduce expenditures on property disposal.	<b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
<b>HB 1676</b>	Relating to child water safety requirements for	Business & Industry	Childcare organizations licensed by the Health and Human Services Commission (HHSC) do not have clear expectations for safety procedures when taking children to bodies of water in state statute.	<b>Favorable</b> Evaluated by: Devan Daniel



<p>By: Goodwin   Guerra   Toth</p>	<p>certain organizations; authorizing disciplinary action, including an administrative penalty.</p>	<p>Vote: 9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>HB 1676 will provide clarity to organizations such as camps, schools, and other licensed childcare facilities regarding child safety at bodies of water.</p> <p>HB 1676, or Cati’s Act, will require childcare service organizations to follow certain requirements when allowing a child under their care to access a body of water. For the purpose of this bill, “a body of water” does not refer to bodies of water with a maximum depth of 18 in. or less. The organizations would be required to:</p> <ul style="list-style-type: none"> <li>• acquire written verification from a parent or guardian that a child is able to swim or at risk of injury or death when swimming or near water.</li> <li>• provide the owner or operator of a body of water a list of each that is able to swim or at risk of injury or death when swimming or near water.</li> </ul> <p>When the children are within a fenced in area with a body of water or within 100 ft. of a body of water without a fence, the organization must:</p> <ul style="list-style-type: none"> <li>• provide a Type II or Type III U.S. Coast Guard approved personal floatation device to children that cannot swim or are at risk of injury or death when swimming or near water.</li> <li>• ensure the child is wearing the appropriate type of floatation device and that it is properly fastened onto the child.</li> </ul> <p>Organizations that violate the provisions or adopted rules of Cati’s Act are subject to administrative action from the applicable state regulatory authority. The bill will not apply to a youth camp licensed under the Texas Youth Camp Safety and Health Act.</p> <p>Cati’s Act will ensure safety procedures are established and executed among HHSC licensed childcare facilities.</p>	<p>(419) 566-5465 Devan@TexasLSG.org</p>
<p><b>HB 3927</b>  By: Hefner</p>	<p>Relating to the issuance and use of certain temporary motor vehicle tags and the classification of temporary motor vehicle tags as governmental records for purposes of certain criminal offenses.</p>	<p>Transportation  Votes: 12 Ayes, 1 Nays, 0 PNV, 0 Absent</p>	<p>The issuance of false temporary motor vehicle tags by bad actors has been a significant issue in Texas. Individuals seek out false temporary tags to circumvent paying sales tax, not having vehicle insurance, or as a means to avoid costly problems associated with vehicle inspection failures. It is projected that since 2017, millions of dollars’ worth of counterfeit tags have been sold. Fraudulent dealers obtain a general distinguishing number (GDN) which grants them access to the Texas Department of Motor Vehicles (TxDMV) WebDealer to produce these false tags. One method of addressing this issue is to restore TxDMV’s ability to prohibit access to this online portal to prevent further abuse by bad actors.</p> <p>HB 3927 removes a restriction placed on the TxDMV, which denied it from prohibiting any dealer with a GDN, licensed dealer, or licensed converter access to the dealer’s and converter’s temporary tag database. Under this bill, TxDMV could also prohibit any dealer with a GDN or a licensed dealer access to the buyer’s temporary tag database.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



			<p>HB 3927 prohibits a person from displaying a temporary tag that violates the bill’s provisions or current statute. Additionally, the bill will remove a provision that was established for the production of cardboard tags. HB 3927 adds a temporary motor vehicle tag into the definition of “governmental records” to qualify for governmental record falsification provisions.</p> <p>HB 3927 assists in the prevention of bad actors creating, distributing, and selling false tags which will return lost state revenue.</p>	
<p><b>HB 2633</b></p> <p>By: Johnson, Ann   Thompson, Senfronia   Bonnen   Howard   Leach</p>	<p>Relating to resources provided to human trafficking victims and the establishment of the trafficked persons grant program.</p>	<p>Human Services</p> <p>Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Texas is committed to combating human trafficking and providing support to survivors. However, we are still falling short as human trafficking shelters lack proper security. This lack leaves survivors who may have been groomed as recruiters in facilities with other children and young adults who have potential to fall back in sophisticated trafficking operations.</p> <p>HB 2633 establishes a trafficked persons grant program through multiple, voluntary, and donation-based funding stream to provide grants to applicants for dedicated housing and treatment facilities provided to survivors of human trafficking. The bill requires the Health and Human Services Commission (HHSC) to publish on its website the eligibility criteria developed using research-based best practices. The grant recipient is also required to provide immediate trauma support from the initial rescue or recovery of a survivor and wraparound services. The wraparound services provided will be assisted by the Child Sex Trafficking Prevention Unit and the governor’s program for victims of child sex trafficking. The recipient will also provide a safe and constitutionally secure facility or shelter that considers the clear and present danger of organized crime to the children and youth in the facility.</p> <p>HB 2633 requires applicant facilities to provide HHSC plans that must include specific details regarding the facility and applicable services provided. HHSC will prioritize applicants operating a facility or shelter that satisfy Human Resource Code requirements, provides exclusive, dedicated housing or shelter space for survivors, and has not adopted policy that allows them to refuse to provide services to a person brought in by an individual involved in a recovery operation.</p> <p>HB 2633 allows a juvenile board to establish a trafficked persons program that would assist, treat, and rehabilitate children who may be victims of human trafficking or have been referred by the Child Sex Trafficking Prevention Unit, or the governor’s program for victims of child sex trafficking. A facility qualified to provide one or more services specified may apply for a grant only for the purpose of providing secure shelter and research-based treatment services to victims of human trafficking.</p>	<p><b>Favorable</b></p> <p>Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>



			<p>HB 2633 establishes the program account as a dedicated account in the general revenue consisting of donations made through driver’s license applications, vehicle registrations, when renewing an occupational license, or paying taxes and fees on Texas.gov. The scope of the secretary of state’s rulemaking authority is expanded over the human trafficking prevention business partnership to require the secretary to inform participating corporations and other private entities of the opportunity to support the program account.</p>	
<p><b>HB 4612</b> By: Vasut</p>	<p>Relating to the creation of the Brazoria County Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.</p>	<p>County Affairs  Vote: 6 Ayes, 1 Nays, 0 PNV, 2 Absent</p>	<p>HB 4612 amends Special District Local Laws Code to create the Brazoria County Management District No. 2 to provide improvements, projects, and services for public use and benefit, including recreational facilities, road projects, and rail facilities. This bill also:</p> <ul style="list-style-type: none"> <li>• provides for the conveyance and approval of a road project, the addition to or exclusion of land from the district, disbursements and transfers of money, an alternative to a required audit, and the dissolution of the district by its board of directors.</li> <li>• sets out the district's powers and duties which include—subject to certain requirements and municipal and voter consent—the authority to issue obligations, and impose operation and maintenance, sales, and hotel occupancy taxes.</li> </ul> <p>The bill prohibits the district from exercising the power of eminent domain.</p>	<p><b>Favorable</b> Evaluated by: Jenny Catchings (925) 628-0628 Jenny.Catchings_HC@house.texas.gov</p>
<p><b>HB 546</b> By: Pacheco</p>	<p>Relating to the application of certain occupation-related postsecondary educational financial aid and student loan repayment programs.</p>	<p>Higher Education  Vote: 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Student loan repayment programs serve a vital role in increasing the desirability of certain higher education programs. HB 546 will extend some of the available education loan repayment assistance programs to certain universities here in Texas.</p> <p>HB 546 extends eligibility for certain educational loan repayment assistance programs. The extension will specifically target students at a nonprofit, tax-exempt, regionally accredited college, or university. This only applies to colleges or universities that have a memorandum of understanding - an agreement - with the state under an executive order. The extension will apply to the following programs:</p> <ul style="list-style-type: none"> <li>• repayment assistance for certain mental health professionals.</li> <li>• the professional nursing shortage reduction program.</li> <li>• the Texas hospital-based education partnership grant program.</li> <li>• the nursing faculty loan repayment assistance program.</li> </ul> <p>The extension will not apply to the professional nursing shortage reduction program until June 1, 2023.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



			<p>The extension will provide essential aid to nursing and other health professional students. Alleviating accrued debt allows for new professionals to enter the workforce without worrying about student loans.</p>	
<p><b>HB 211</b> By: Thierry   Burrows   Noble</p>	<p>Relating to sales and use taxes on e-cigarette vapor products to benefit the child health plan program, imposing taxes.</p>	<p>Ways &amp; Means Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Currently, e-cigarette vapor products are not taxed in the same manner as traditional nicotine products that have been on the market for decades. “Vape” products have been known to cause significant health risks and are heavily consumed by young patrons at a higher rate than traditional nicotine products. Many liquid vape products are produced in sweet flavors that are more consumable, placing youth at a higher risk of becoming addicted to nicotine. Aside from the need to perpetuate fair taxation by closing this loophole, creating a financial disincentive is an important public health initiative for preventing youth vaping.</p> <p>HB 211 seeks to impose consistent taxation by setting a state excise tax of 7 cents per milliliter and \$1.22 per ounce or fraction of an ounce for e-cigarette and nicotine-based products. Tax rates are applied by units of measure listed by manufacturer due to the varying physical forms of vapor products, many of which are liquid. This rate falls in the mid-range of similar taxes collected by 29 other states for the same products and is considered high enough to create a disincentive for consumers while still maintaining fair taxation standards.</p> <p>The bill introduces a statutory definition for “alternative nicotine product” as a nonflammable product containing nicotine that is intended for human consumption in a non-leaf form, whether chewed, absorbed, dissolved, inhaled, snorted, sniffed, or otherwise ingested. “Vapor product” is defined as consumable nicotine liquid or other material used for an e-cigarette. Proceeds from remitted taxes will be directed to the General Revenue fund.</p> <p>The bill additionally provides a tax rate reduction for products designated by the Federal Food and Drug Administration (FDA) as “modified risk tobacco products”, encouraging companies to apply for this designation while encouraging manufacturers to bring less harmful products to the market. The reduced amount would be half the tax rate for the following:</p> <ul style="list-style-type: none"> <li>• the cigarette tax</li> <li>• the cigar tax</li> <li>• taxes imposed on tobacco products other than cigars</li> <li>• the vapor product sales and use tax</li> <li>• the alternative nicotine product sales and use tax.</li> </ul>	<p><b>Favorable</b> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>



			<p>Sellers, retailers, and purchasers must collect or pay the vapor product or alternative nicotine product tax and are additionally required to file a state sales and use tax report. The bill specifies information that must be included for comptroller reports and record-keeping requirements.</p> <p>This bill implements a tax on tobacco vape products providing better regulating mechanisms and creating disincentives for customers, especially youth, from purchasing harmful nicotine products.</p>	
--	--	--	--	--

