



# TEXAS LEGISLATIVE STUDY GROUP

*An Official Caucus of the Texas House of Representatives*

## STEERING COMMITTEE

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

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

## Representative Desk

LSG Floor Report For POSTPONED BUSINESS UNITL 10AM- Friday, May 7, 2021				
Author	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 4422</b>  By: King, Tracy O.	Relating to the authority to request attorney general advice on questions relating to actions in which the state is interested.	Judiciary & Civil Jurisprudence  Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent	Currently, Texas government code limits access to seek the Attorney General’s opinion to only district and county attorneys for cases in which the state has an interest.  HB 4422 seeks to add additional entities that can request Attorney General Advice in the prosecuting and defense of an action in which the state is interested in a district of the county attorney and an employee of a county who serves as the lead of the county’s civil legal department. HB 4422 would allow all counties whose governing bodies have created a civil legal department to have equal access to necessary legal guidance from the Attorney General.	<b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org
<b>HB 2441</b>  By: White  Johnson, Jarvis	Relating to the imposition and collection of fines, fees, and court costs in criminal cases.	Judiciary & Civil Jurisprudence  Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	Many low-income Texans can easily get trapped in a cycle of debt through traffic tickets and other fine-only offenses that can ultimately lead to incarceration, causing them to lose their job and housing. Over the past few legislative sessions, there have been efforts made to reduce the burden of such debt for low-income Texans. The current statute fails to explicitly define a specific amount for the fines, fees, and other costs accrued via these specific offenses. Additionally, current stature does not explicitly direct how judges or courts should determine and address the ability to pay the accrued debt.  HB 2441 requires the court to determine whether the defendant has the ability to pay for all or part of fines and court costs and instruct them on how to proceed if they cannot pay. The bill also adds to the definition of “cost” by including a reimbursement fee. HB 2441 states that fines and other items of cost can be found uncollectible by the court.	<b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org

OK for Distribution - Rep Garnet Coleman

<p><b>HB 3367</b></p> <p>By: Turner, Chris   Bonnen   Thompson, Senfronia   Shine   Hefner</p>	<p>Relating to the powers and duties of property owners' associations.</p>	<p>Business &amp; Industry</p> <p>6 Ayes, 1 Nay, 0 PNV, 2 Absent</p>	<p>Over 6 million Texans live in a residence that a property association oversees, and there is a need to update statutes regarding an association's conduct, transparency, and treatment of owners. There is a need to ensure a fair balance of associations to conduct necessary business to protect owners from harmful practices.</p> <p>HB 3367 will change the following aspects of an association's disclosure of a subdivision's restrictions, by laws, rules of the association, and specified resale certificates:</p> <ul style="list-style-type: none"> <li>• changes the fee cap to \$250 for the assembly, copy, and delivery of the resale certificate as well as the subdivision's information.</li> <li>• changes the fee cap to \$30 for the preparation and delivery of an updated resale certificate.</li> <li>• changes the cap for an association's failure to provide subdivision information from \$500 to the dollar amount of actual damages.</li> </ul> <p>Additionally, all fees mentioned in the bill are either amended to be reasonable or necessary to ensure fair charges to owners.</p> <p>HB 3367 requires that the most current dedicatory instrument and meeting notices be available on the association's homepage of their website. Meeting notices also need to be available and distributed in a timely fashion. HB 3367 removes an association from accessing a lease agreement but instead has access to necessary contact information. The bill also amends provisions regarding hearings with an association's entire board to ensure fair representation for the owner and complete transparency from the board.</p> <p>Association management certificates include any declaration amendments, the telephone number and email address of the association's manager or representative, and the association's website that has their current dedicatory instrument available. Amended declarations shall be recorded by the association in each county in which a residential subdivision is located. Associations are required to electronically file their certificate or amended certificates with the Texas Real Estate Commission (TREC) within seven days and TREC to post them on their website for public access. Liability immunity for a delay in or not filing a management certificate is given to an association and its officers, directors, employees, or agents for failing to file unless the failure or delay was intentional or from gross negligence.</p> <p>HB 3367 creates an architectural review authority that would serve as a governing body to review and approve improvements within a subdivision. HB 3367 authorizes an association to request certain information be submitted by leasing or rental applicants. The bill clarifies that an</p>	<p><b>Favorable</b></p> <p>Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
--	--	--	---	---



			<p>association is not prohibited from adopting or enforcing leasing or rental restriction provisions in a dedicatory instrument.</p> <p>HB 3367 requires that an owner receive written notice of payment delinquency before an association reports the failure to a credit reporting service. The owner is responsible for the negligence payment along with other fees accrued by the association. The owner is given a 45-day window to rectify the delinquency prior to further action.</p> <p>HB 3367 prohibits an association or an association’s collection agent from reporting delinquent fees, fines, or assessments to a credit reporting service if they are in the process of being disputed by the owner. An association may report delinquent payment history assessments, fees, and fines of owners in its jurisdiction if the association complies with specific procedures prior. These procedures include:</p> <ul style="list-style-type: none"> <li>• an owner is provided a detailed report of all outstanding dues 30 days before the report is sent.</li> <li>• an owner is given the opportunity to enter into a payment plan.</li> </ul>	
<p><b>HB 3306</b> By: Middleton   Rose</p>	<p>Relating to the disclosure of certain information regarding the occurrence of communicable diseases in residential facilities.</p>	<p>Human Services Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>During the COVID-19 pandemic concerns were raised about transparency within residential facilities, such as nursing homes, assisted living, and long term care facilities regarding COVID 19 outbreaks.</p> <p>To address this issue HB 3306 intends to establish that protected health information does not include:</p> <ul style="list-style-type: none"> <li>• the name or location of a facility in which residents have been diagnosed with a communicable disease</li> <li>• the number of residents who have been diagnosed with a communicable disease</li> </ul> <p>Residents and family members have a right to know if an outbreak has taken place within their facility. It is a safety and health concern that prevents them from making informed decisions regarding health and housing. Full transparency is needed when making such life changing decisions.</p>	<p><b>Favorable</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>
<p><b>HB 3276</b> By: Parker   Cain   Schofield   Lozano</p>	<p>Relating to the security of voted ballots.</p>	<p>Elections Votes: 7 Ayes, 1 Nays, 0 PNV,</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><b>Will of the House</b> Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p>



		1 Absent	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.	
<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>LSG Floor Report For GENERAL STATE HOUSE BILLS CALENDAR- Friday, May 7, 2021</b>				
<b>HB 4465</b> By: Dutton	Relating to grants and federal disaster relief funds available to school districts, open-enrollment charter schools, and regional education service centers to provide services to students after a	Public Education  Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent	To address the impact of the pandemic on student learning loss and school districts' educational operations, HB 4465 seeks to assist schools by creating a grant program.  HB 4465 would require the Commissioner of Education to establish a grant program from funds available for purposes of the bill's provisions. Also, the bill requires that funds must be reserved for administrative purposes under the federal Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA), 2021, to assist school districts, open-enrollment charter schools, and regional education service centers in overcoming the educational impact occurring due to a state of disaster as declared by the governor. The bill authorizes the grant program to include components as follows: <ul style="list-style-type: none"> <li>• extending instruction time.</li> </ul>	<b>Favorable</b> Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org



	<p>disaster in the state of Texas.</p>		<ul style="list-style-type: none"> <li>• broadband grants.</li> <li>• innovation in curriculum and instruction.</li> <li>• improvements in quality of air and water at school facilities</li> <li>• accelerated learning</li> </ul> <p>The bill authorizes the Commissioner to determine the terms of a grant awarded, including the approved use of grant funds and limits on grant amount. It further authorizes the Commissioner to recover funds not used following the grant terms. In addition, the bill would allow the Commissioner to withhold any state funds otherwise due to the school district, charter school, or service center not in compliance with the provision of the grant.</p> <p>HB 4465 requires the state to provide disaster relief funds, as defined by the bill, to districts and charter schools in accordance with the terms of the federal grant program under which the funds are received. The bill requires an adopted local plan to address local needs in accordance with the components of the provisions of the bill. TEA is required to make each local plan publicly available on its website. HB 4465 prohibits disaster relief funds from being used to increase local salary schedules unless it is used to compensate staff providing, supporting, or supervising extended instructional time. The commissioner or TEA can audit or recover funds in accordance with federal law.</p> <p>HB 4465 would give school districts access to federal aid to address the impact of the COVID-19 pandemic through a grant fund program capping it to the commissioner’s discretionary monies under the federal statute. It also creates the grant fund program much in the way of the District of Innovation program which gives districts some latitude.</p>	
<p><b>HB 3833</b>  By: King, Phil   Burrows   Shine   Rogers   Harris</p>	<p>Relating to the additional ad valorem tax and interest imposed as a result of a change in the use of certain land.</p>	<p>Ways &amp; Means  Vote: 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Property used for certain purposes such as open-space, timber farming, recreation, and public access airports is generally appraised significantly lower than market value for property taxation. Following a change in the land’s use, property owners are required to pay rollback taxes based on the difference between the appraised special use value and what would have been imposed if the land was appraised at market value, plus interest.</p> <p>Last session, the legislature took steps to reduce rollback taxes owed following a change in land use for open-space or timber. HB 3833 would apply this same reduction to restricted-use timber land and land dedicated for recreational, park, or scenic use or for use as a public access airport. Once a change in use is established, this bill will reduce rollback taxes for 3 years preceding a change in use, rather than the prior 5 years established in current statute. It also reduces the required interest payment from 7% to 5%.</p>	<p><b>Favorable</b> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>



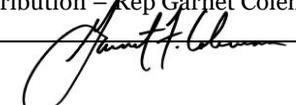
			Property tax revenue significantly contributes to local funding and is the only tax base used to support Texas schools through the school funding formula. Special property use deductions already create a local tax deficit, which rollback taxes are intended to offset. This measure would further decrease the local tax base communities depend on.	
<b>HB 2237</b> By: Burrows   Deshotel	Relating to mechanic's, contractor's, or materialman's liens.	Business and Industry  Vote: 6 Ayes, 0 Nays, 0 PNV, 3 Absent	<p>The current statute regarding mechanic’s, contractor’s, or materialman’s liens is outdated, overly complex, or ambiguous about procedures regarding these liens. There have been many attempts to clean up the statute to clarify and modernize the statute to be appropriate for today. In collaboration with many stakeholders, HB 2337 will clean up the current statute to make it more direct, simple, and straightforward.</p> <p>HB 2337 simplifies deadlines and notice obligations and remove older statutes and requirements for mechanic’s liens. Repeals the authorization of a claimant to make a written demand for payment to an owner authorized to withhold funds. Also, the bill amends filing requirements for affidavits relating to liens and affidavits relating to specific projects.</p> <p>HB 2237 clarifies that a person has a lien - the right to keep possession of property that belongs to another person until the resolution of debt - with an owner or an owner’s agent, trustee, receiver, contractor, or subcontractor if the person has:</p> <ul style="list-style-type: none"> <li>• provided the labor or materials for construction or for a repair of an improvement.</li> <li>• specially fabricated material.</li> <li>• has prepared a design, drawing, plan, plat, survey, or specification and is a licensed architect, engineer, or surveyor.</li> <li>• provided labor, plant material, or other supplies for the installation of landscaping for an improvement.</li> <li>• performed or provided labor and material for the demolition of an improvement on a property.</li> </ul> <p>HB 2237 establishes:</p> <ul style="list-style-type: none"> <li>• a lien secures payment for the labor done for or materials provided for the design, survey, or demolition.</li> <li>• for the purposes of a perfected mechanic’s lien, a person that provides labor or materials under a direct contractual relationship with a purported original contractor is considered the original contractor.</li> </ul>	<b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org



			<p>HB 2237 revises provisions relating to subcontractor claimant procedures while perfecting applicable liens. Specifically, the notice requirements for deadlines and what the notice should contain. The bill revises existing statutes regarding the release or foreclosure of applicable liens. Specifically, it amends extension requirements; a deadline to remove an unenforceable lien; permits a claimant for discovery of information of a lien’s enforcement, and a claimant’s rights to pursue a suit to foreclose a lien.</p> <p>HB 2237 provides the groundwork to streamline and increase efficiency. It is the product of stakeholder collaboration to achieve the common goal of simplifying an overly complex process.</p>	
<p><b>HB 4426</b> By: King, Tracy O.</p>	<p>Relating to the authority of certain counties to cancel platted subdivisions that have remained undeveloped.</p>	<p>Land &amp; Resource Management</p> <p>Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Colonias are unincorporated settlements in the Texas border region where some residents lack drinking water, sewage treatment, and other services essential to meeting basic human needs. To stop the proliferation of colonias, some county commissioner courts have canceled subdivision plats filed before September 1, 1989, if improvements were not initiated and a hearing identified the land as being used for a colonia. However, this county authority does not extend to a municipality’s extraterritorial jurisdiction (ETJ).</p> <p>HB 4426 addresses this issue by allowing certain counties to cancel certain subdivision plats located within an ETJ of a municipality if there is no written agreement in place that authorizes the municipality to regulate subdivision plats and approve related permits in the ETJ.</p> <p>There is currently undeveloped land in Webb County that is likely to be developed as a colonia, that the county does not have authority over. This pull puts provisions in place that would prevent this land from becoming a colonia.</p>	<p><b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>
<p><b>HB 1556</b> By: Murphy   Burrows   Moody   Meyer   Shine</p>	<p>Relating to the Texas Economic Development Act; requiring the imposition of an authorized fee and changing the amounts of certain fees.</p>	<p>Ways &amp; Means</p> <p>Vote: 9 Ayes, 1 Nays, 0 PNV, 1 Absent</p>	<p>Though Texas is often considered a low-tax state due to the absence of income taxation, our complex property tax system creates a high-tax environment for businesses looking to establish manufacturing-heavy facilities. Chapter 313 agreements were created by the Economic Development Act with the goal of bringing business to Texas through offering property tax abatements, and funds for these purposes are instead provided directly to a local school district in which a corporation seeks to establish facilities. HB 1556 extends the expiration of Chapter 313 provisions under the Texas Economic Development Act for another ten years until December 31, 2032 and implements a series of reforms intended to protect corporate interests and increase state oversight.</p> <p>Economic development agreements are important to keeping Texas competitive in attracting businesses that will contribute to our state economy and create jobs for Texans. However, there is little equity in which districts are sought out by businesses to receive additional funding, which can</p>	<p><b>Favorable, with Concerns</b> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>



			<p>sometimes amount to a large differential in per-student allotments. Many lucrative agreements can only be offered to districts with certain geographic characteristics, highlighting that little can be done to ensure all school districts receive the same opportunities for additional funding because inequity is inherent in the process.</p> <p>The bill removes the ability for school districts to set an application fee based on the subjective cost of an economic impact evaluation and imposes a uniform application fee of \$60,000, from which the school district will be required to remit \$10,000 to the Comptroller. If the district decides to turn down a contract, the Comptroller will refund the \$10,000 fee to the applicant.</p> <p>Many school districts currently impose supplemental or revenue protection payments to offset potential expenses caused to the district as a result of an agreement. HB 1556 removes these requirements and additional provisions that the business must agree to provide protections for schools if financial strain is caused by an increase in students, such as a need for portable buildings. Instead, property owners must provide school districts with a supplemental payment each year for a limited period of time. The annual payment amount will not exceed 38% of calculated revenue the school district would have received in the form of M&amp;O property taxes from the business if abatements were not granted.</p> <p>The bill changes the method of determining a cap on penalties for failing to comply with applicable job-creation requirements, which would be calculated based on the difference between tax benefits received in the preceding year and the amount of any stabilization payments made in the same year. Former penalty cap calculations were made using supplemental payment amounts, which are eliminated by this bill.</p> <p>HB 1556 seeks to streamline the application and reporting process under the Comptroller. The Comptroller must create a single annual reporting form for property tax abatement recipients, who will simultaneously submit the form to both the Comptroller and their contracting school districts. Job-creation requirement compliance is not to be included in this form. The bill also changes the information required in the Comptroller’s biennial report related to 313 agreements. The requirement to provide information regarding the total effect of agreements on personal income and total effect on state and local governments is removed, which could be problematic, but the bill also requires additional more detailed information assessing the difference between tax-specific revenue creation.</p> <p>Chapter 313 agreements are ultimately a tool for local governments to incentives business that would likely otherwise choose to locate elsewhere to locate in their community. Lost revenue</p>	
--	--	--	---	--



			through tax incentives in Chapter 313 agreements should not be compared to what taxes the business would have paid without the incentives but compared to the tax generated on the land if the business never chose to come to the community.	
<b>HB 4242</b> By: Meyer	Relating to the extension of the expiration of certain parts of the Texas Economic Development Act	Ways & Means  Votes: 10 Ayes, 1 Nays, 0 PNV, 0 Absent	<p>Texas Tax Code Chapter 313 is a state tax incentive program for certain large businesses to limit the appraised value of their property for the purposes of local Texas public school district property taxes. An appraised value limitation is an agreement between a taxpayer and a Texas school district in which the taxpayer proposes to build or install property—and create jobs meeting certain job and wage requirements—in exchange for a ten-year limitation on the taxpayer's property value for school district maintenance and operations tax (M&amp;O) purposes. For ten years, school M&amp;O property taxes are not levied on the value in excess of the limitation amount, varying by school districts from \$10 million to \$100 million. The structure of the program primarily benefits large projects that can create jobs for Texas.</p> <p>HB 4242 seeks to postpone the expiration of these provisions and continue to authorize Chapter 313 agreements. HB 4242 postpones Chapter 313 agreement from December 31, 2022 until December 31, 2024.</p> <p>Chapter 313 agreements are ultimately a tool for local governments to incentivize business that would likely otherwise choose to locate elsewhere to locate in their community. Lost revenue through tax incentives in Chapter 313 agreements should not be compared to what taxes the business would have paid without the incentives but compared to the tax generated on the land if the business never chose to come to the community.</p>	<b>Favorable with Concerns</b> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org
<b>HB 1207</b> By: Guillen	Relating to additional optional training and course work for public school principals.	Public Education  Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>HB 1207 would require the State Board of Educator Certification (SBEC) to establish training requirements and course work to acquire a school turnaround specialist endorsement as an addendum to a principal certificate. The SBEC must ensure that the recipient of the endorsement demonstrates the knowledge and skills necessary to significantly improve teacher and student performance at a campus assigned an overall performance rating of F. The bill authorizes SBEC to select not more than three programs that may offer school turnaround specialist endorsement training capable of satisfying the bill's requirement, including that the SBEC must periodically evaluate the programs.</p> <p>Under the state's flawed accountability system, a school receiving an F or unsatisfactory rating would require the school or school district to submit a campus turnaround plan to be implemented in two years or be subjected to sanctions by the Texas Education Agency (TEA), which could result in school closure. This bill addresses a potential need that presently is not there. However, statewide schools have improved their ratings, with only 1% of districts scoring an F rating in</p>	<b>Favorable</b> Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org



			2019. Resources should address the needs of the campus inside the classroom to enhance the overall outcome of students.	
<b>HB 1632</b> By: Morrison	Relating to the creation of the Texas music incubator rebate program to provide for rebates of a portion of certain taxes collected from certain music venues and promoters of certain music festivals.	Culture, Recreation, & Tourism  Votes: 7 Ayes, 0 Nays, 0 PNV, 2 Absent	<p>Texas’s vibrant history, culture, and diversity have driven tourism, entrepreneurship, and economic growth that is related to the state’s hospitality and services industries. The impact of COVID-19 has been felt much harder than in many other industrial areas in the State and Nation. Before the pandemic, 75% of businesses in these industries closed within two years. Now, many are reporting to have lost 90% of their revenue throughout the pandemic, highlighting the need to help revitalize these central components that encapsulate the identity of Texas and are big revenue drivers for the state.</p> <p>HB 1632 would establish a dedicated general revenue account, the Texas Music Incubator account, funded by \$100,000 in revenue from mixed beverage gross receipts taxes and sales tax receipts. This would be used as a rebate program for eligible music venues and music festival promoters to apply to receive a full or partial rebate on mixed beverage gross receipts taxes and sales taxes related to the sale of beer and wine taxes remitted annually. The bill would require the Music, Film, Television, and Multimedia Office to administer the program, create and adopt any necessary rules, create the application, and establish an online portal for the program. HB 1632 would cap rebates to the lesser of either the qualifying amount of mixed beverage gross receipts taxes and sales taxes attributable to the sale of beer and wine from the previous year or \$100,000.</p> <p>HB 1632 sets eligibility requirements for the rebate program that would require a music venue or music festival promoter to have been established for at least the two years preceding the date on the application. The bill outlines additional eligibility requirements for venues and promoters to include live performance venues with an alcoholic beverage license within certain conditions. The eligibility requirements provide help to smaller counties that may not otherwise recover from COVID-19’s impact. HB 1632 outlines an exemption for venues or promoters who do not meet these requirements, but the venue or festival is located wholly or partially in a county that received a disaster declaration in the previous two years.</p> <p>According to the Texas Music Office, the direct injection of funding to support music-related businesses has the potential to create over 210,000 permanent jobs, \$8.8 billion in earnings, \$27.3 billion in annual economic activity, and \$440 million in tax revenue.</p>	<b>Favorable</b> Evaluated by: Audrey Erwin (928) 210-4303 Audrey@TexasLSG.org
<b>HB 3731</b> By: Dutton	Relating to public school accountability ratings, including	Public Education  Votes:	HB 22 from the 85th Legislative Session established a “needs improvement/D” rating, which delayed sanctions for a public school district or campus. However, it created uncertainty in implementing performance rating and accountability interventions, resulting in interventions based on domain performance instead of overall performance. Additionally, the law does not	<b>Unfavorable</b> Evaluated by: Phuong Nguyen (832)302-9940



	<p>interventions and sanctions administered to a school district, open-enrollment charter school, or district or school campus assigned an unacceptable performance rating.</p>	<p>8 Ayes, 4 Nays, 0 PNV, 1 Absent</p>	<p>address the intervention related to the “needs improvement/D” rating, resulting in inconsistent intervention that may cause one campus to receive harsher interventions than another. HB 3731 sets out to establish a process focused on overall performance for a district or campus rating of “needs improvement/D” rating. In addition, it clarifies other statutory references related to that rating.</p> <p>HB 3731 repeals some provisions regarding accountability interventions for a public school district or campus that receives an overall or domain performance rating of D. The repeal states that if a school district or campus is assigned an overall performance rating of D for a school year after the targeted improvement plan is ordered, the Commissioner must then implement interventions and sanctions that apply to a campus rated as unacceptable. Rather than treat a “D” rating consistently with the definition of “needs improvement,” HB 3731 creates a new “needs improvement” rating to only apply to a district or campus that was rated a “C” in the overall rating category and is not rated a “D.”</p> <p>HB 3731 requires a “D” rated district, charter school, or campus to develop and implement a local improvement plan. The bill requires the plan to be presented to the district board or charter school board. The bill also authorizes the Commissioner to adopt rules to establish requirements for plan components and training. The bill provides for a pause in applicable accountability interventions or sanctions for a district, charter school, or campus if those interventions or sanctions are based on the district's, charter schools, or campus is first or second overall performance rating of D since previously receiving a rating of C or higher.</p> <p>In many cases, the proposed changes to the public school accountability system treat a “D” rating as an “F” rating for the intervention, sanctions, and more. The bill’s language acts as a disincentive and makes it more challenging to move forward from an unacceptable rating. Though “A-F” is ineffective at making determinations between environmental factors and system failures, it applies strict sanctions rather than resources to improve campuses and districts. HB 3731 continues to alter the accountability system in a way that does not improve student outcomes. It does not help educators meet students’ needs</p>	<p>Phuong@TexasLSG.org</p>
<p><b>HB 3261</b>  By: Huberty</p>	<p>Relating to the electronic administration of certain required assessment instruments,</p>	<p>Public Education  Votes: 12 Ayes, 0 Nays,</p>	<p>During the 86th Legislative Session, Texas Education Agency (TEA) was given the authority to develop and administer a statewide assessment program in line with the State of Texas Assessments of Academic Readiness (STAAR) test to be administered electronically. The legislation included an expiration date of August 21, 2021. However, due to COVID-19, additional time is needed to complete this transition plan. Therefore, HB 3261 removes the expiration date</p>	<p><b>Favorable</b> Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org</p>



	measures to support Internet connectivity for purposes of those assessment instruments, and the adoption and administration of certain optional interim assessment instruments.	0 PNV, 1 Absent	<p>and adds a grant program to aid districts in adopting the transition to digital administration of the assessment exam.</p> <p>HB 3261 revises provisions related to TEA implementation of a transition plan to electronically test by limiting the statewide standardized tests designed to assess essential knowledge and skills in reading, writing, mathematics, social studies, science, and any other subject required by law. In addition, HB 3261 removes the expiration date of August 21, 2021.</p> <p>HB 3261 authorizes the Commissioner of Education to establish a matching grant program to ensure that all public school districts and open-enrollment charter schools have the necessary infrastructure to administer the test. The Commissioner may set eligibility criteria to receive a matching grant and contract with technology developers as required. This provision expires on September 1, 2025. HB 3261 allows the use of instructional materials and technology allotment for the bill.</p> <p>While HB 3261 facilitates the transition of using digital tools to administer state assessment and creates a grant matching program that the Commissioner may distribute to the school districts for technology and internet connectivity needs, it does not define how the grant-matching program would be funded. With the influx of billions of federal dollars, legislators should consider offering all school districts the opportunity to participate in statewide broadband plan</p>	
<b>HB 1231</b> By: Moody   Oliverson   Jetton   Hull   Meza	Relating to the designation of Eid al-Fitr and Eid al-Adha as optional holidays.	State Affairs  Vote: 9 Ayes, 2 Nays, 0 PNV, 2 Absent	<p>State employees are entitled to take a paid day off to celebrate each day of certain optional holidays so long as the employee agrees to give up an equivalent number of state holidays during the same fiscal year. Optional holidays currently include the Jewish and Christian holidays of Rosh Hashanah, Yom Kippur, and Good Friday.</p> <p>HB 1231 would include the Islamic holidays of Eid al-Fitr and Eid al-Adha. The word “Eid” means feast or festivities, which represents the spirit of these two holidays that respectively celebrate the end of Ramadan - the holiest month of the Islamic calendar - and the Hajj - the annual, sacred pilgrimage to Mecca. Permitting the state’s Muslim employees to celebrate with their families and religious communities on these important holidays would put the Islamic faith on par with Judaism and Christianity and exemplify one of Texas’s core values: the right to practice religion freely.</p>	<b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org
<b>HB 1396</b> By: White	Relating to law enforcement agencies and policies and	Homeland Security & Public Safety	There is a need to increase citizen trust in peace officers. HB 1396 seeks to increase trust in peace officers in our communities by expanding law enforcement regulation. To help build trust, TCOLE must be properly equipped to hold law enforcement agencies (LEAs) accountable and set expectations that create trustworthy peace officers.	<b>Favorable</b> Evaluated by: Cassidy Kenyon (760)429 8388



	<p>procedures affecting peace officers.</p>	<p>Vote:                      5 Ayes,                      4 Nays,                      0 PNV                      0 Absent</p>	<p style="text-align: center;"><b><u>Employment Practices</u></b></p> <p>The re-hiring of dangerous peace officers is a serious public safety threat in Texas. Current policy requires LEAs to fill out a termination report known as a notice of separation form (F-5), and the bill removes the requirement for this report to explain whether resignation, termination, or retirement occurred and state if the officer was honorably, generally, or dishonorably discharged. HB 1396 requires the report be updated to indicate whether the officer was eligible for honorable discharge or suspected of misconduct regardless of if termination occurs. Misconduct is specifically described as criminal behavior, regardless of whether the officer was charged with an offense, and a separation designated as an honorable discharge signifies an officer was in good standing with no suspicion of misconduct. LEA leadership will be required to submit a report every time an agency separation occurs for any reason, and forms must be updated by December 1st, 2021 for separations occurring on or after that date.</p> <p>HB 1396 authorizes TCOLE to require all LEAs submit a report detailing each substantiated instance of police officer misconduct and indicating whether the officer received disciplinary action, was fired, or retired. TCOLE must make this information available to all state LEAs, and following an incident, investigating federal agencies must also be provided access. Outside of this use, information reported to TCOLE is confidential from disclosure under the public information act. TCOLE will also be required to update misconduct incidences with information required by the bill as soon as possible after each regularly scheduled meeting, and the initial report must be published by June 1st, 2022. LEAs and officials will be exempt from civil liability for damages resulting from making an officer’s employment records available to hiring agencies, which is an important measure to ensure agencies can hold officers accountable and comply with these requirements without fear of a potential lawsuit.</p> <p style="text-align: center;"><b><u>Developing Model Policy</u></b></p> <p>The bill sets out provisions on mandatory policy changes by amending the Code of Criminal Procedure. LEAs will be required to meet with judiciaries, prosecutors, local government bodies, and residents living within each agency’s jurisdiction to workshop written policies that must be approved by a district judge or county court judge. LEAs must adopt policies by the 180th day after model policy information is made publicly available, and rulemaking must promote efficiency, effectiveness, and community safety within the following topics:</p> <ul style="list-style-type: none"> <li>• citations for fine-only misdemeanors and conforming applicable procedures to confirm an individual’s identity and issue a citation or notice to appear.</li> <li>• no-knock entry</li> <li>• duty to intervene in excessive use of force.</li> </ul>	<p>Cassidy@TexasLSG.org</p>
--	---	---	--	-----------------------------



			<p>HB 1396 requires TCOLE to consult with the Bill Blackwood Law Enforcement Management Institute of Texas and other key stakeholders to develop a model policy and associated training materials for the following topics:</p> <ul style="list-style-type: none"> <li>• citations for fine-only misdemeanors.</li> <li>• duty to intervene in excessive use of force.</li> <li>• no-knock entry.</li> <li>• banning chokeholds or neck restraints outside reasonable belief of necessity.</li> <li>• preventing serious bodily injury or death in police interactions; and</li> <li>• the duty to render aid unless there is reasonable belief doing so will cause serious bodily injury or death to the officer.</li> </ul> <p>TCOLE must consult with the Health and Human Services Commission and LEAs to develop a model policy implementing peace officer and mental health professional coordinated responses - with associated training materials. TCOLE must survey existing programs and work to create specialized training programs for mental health responders and peace officers to become trained in coordinated responses involving people coping with mental illness and disabilities, homelessness, or other mental health-related incidences.</p> <p style="text-align: center;"><b><u>Enhancing TCOLE’s Regulatory Authority</u></b></p> <p>HB 1396 establishes TCOLE’s authority to reprimand an officer, place an officer on probation, or revoke or suspend a peace officer license if an officer engages in conduct equating to a felony, Class A, or Class B misdemeanor. A statute is repealed outlining conditions for revoking and reinstating a dishonorably discharged peace officer’s license.</p> <p>To be eligible for law enforcement grants from the governor’s office, agencies must be in full compliance with the bill’s provisions, which include maintaining current credentialing designated by the advisory committee, regularly reporting misconduct, and certifying full compliance with model policy requirements regarding use of force and chokehold prohibitions.</p> <p>TCOLE is under the sunset review process this session, and HB 1396 relates to sunset recommendations in important ways. TCOLE’s primary sunset recommendation creates a blue-ribbon panel that is responsible for evaluating the effectiveness of law enforcement policies to identify areas that require reform. The aforementioned panel’s membership will include law enforcement leaders, experts, appointed officials, and Chairman of the House Committee on Homeland Security and Public Safety. If the TCOLE Sunset Act is enacted as currently drafted, the changes made by HB 1396 will codify certain priorities for the commission moving forward.</p>	
--	--	--	--	--



			A significant root cause of the damaged relationship between peace officers and the public is a lack of accountability. This bill helps move the ball forward in increasing peace officer accountability.	
<b>HB 4387</b> By: González, Mary   VanDeaver   Raney	Relating to the establishment of the Texas Transfer Grant pilot program.	Higher Education  Vote: 9 Ayes, 1 Nay, 0 PNV, 1 Absent	<p>TEXAS Grant provides aid to first-time undergraduate students with financial needs throughout their undergraduate program and requires higher education institutions (HEIs) to ensure that all recipients of TEXAS Grant funding receive non-loan financial aid to cover their full tuition and fees. Even though the program has been successful, students transferring from one Texas HEI to another may not be able to receive a grant. The continued funding does not recognize a student transferring as a continuing student due to them attending a new HEI. Additionally, if an eligible student dropped out before attaining their degree, and wishes to return, but more than 5 years has passed since their initial TEXAS grant was awarded, they would no longer qualify.</p> <p>HB 4387 would establish the Texas Transfer Grant Pilot Program to be administered by the Higher Education Coordinating Board (HECB) to address this problem. This pilot grant program would allow HECB to provide grants to eligible transfer students enrolled in bachelor's degree programs at eligible institutions and allow for hardship exemptions to adapt to student needs. HB 4387 gives authority to the HECB to determine the maximum grant amount and to adopt rules to increase or decrease grant amounts based on hours students are enrolled. HB 4387 would require eligible institutions to cover any portion of tuition and fees not covered by the grant and prohibits them from denying enrollment based on eligibility.</p> <p>HB 4387 would not change the TEXAS grant program but rather builds on its success by filling in areas where eligible students may fall through the cracks and provide a path to complete a degree program with the help of needed financial aid.</p>	<b>Favorable</b> Evaluated by: Audrey Erwin (928)210-4303 Audrey@TexasLSG.org
<b>HB 1683</b> By: Landgraf   Guillen   Ellzey	Relating to the enforcement of certain federal laws regulating oil and gas operations within the State of Texas.	Energy Resources  Vote: 6 Ayes, 1 Nay, 0 PNV, 4 Absent	<p>HB 1683 prohibits state agencies and their employees from contracting with or assisting federal officials to enforce oil and gas regulations and restrictions not currently in Texas statute. It also directs the attorney general to defend any agency sued by the federal government for complying with this prohibition. Not only might this apply to stricter environmental standards, but also new performance and safety guidelines that could directly benefit employees in this industry and surrounding communities.</p> <p>Legislation that would prohibit state agencies from cooperating with federal enforcement authorities puts the state's receipt of federal dollars at risk, which are direly needed to recover from the pandemic and to support the Railroad Commission and the Texas Commission on Environmental Quality in their efforts to oversee the oil and gas industry within this state.</p>	<b>Unfavorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org



<p><b>HB 2656</b> By: Moody</p>	<p>Relating to licensing examinations for certain court interpreters.</p>	<p>Judiciary &amp; Civil Jurisprudence  Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The licensing examination for court reporters is only offered twice a year in Austin and must occur in-person, imposing barriers for those residing outside the city who want to enter the profession.</p> <p>HB 2656 addresses this issue by requiring examinations be offered at least once per year for counties with populations above 800,000. The bill also includes additional times and locations, as designated by the director of the Office of Court Administration, for in-person attendance while new online opportunities must occur at least twice a year at a time specified by the director.</p> <p>HB 2656 will remove barriers to entering the court reporting profession by ensuring equal access and opportunity to take the licensing examination.</p>	<p><b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>
<p><b>HB 1810</b> By: Capriglione</p>	<p>Relating to maintenance and production of electronic public information under the public information law.</p>	<p>State Affairs  Vote: 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>With records being stored digitally increasingly often, government entities have had to navigate responding to public information requests for digital data or documents without standardized guidance. Requestors have expressed frustration with entities being unable or unwilling to supply data in requested or easily searchable formats or to provide data dictionaries, which may be needed to interpret the received data in its digital format.</p> <p>HB 1810 addresses these concerns by clarifying procedures for accessing electronic public information, which is defined to include information produced or maintained in a searchable or sortable electronic database and data dictionaries needed to understand the provided information. The bill requires that a government entity provide requested information in as close to the requested format as possible, in line with the entity's software capabilities. This may include the data in its original searchable or sortable format, a standardized export format, paper printouts, or another format acceptable to the requestor. An entity may not withhold information on the grounds that it would require inputting certain commands or filters if those actions can be easily executed. This bill's provisions to facilitate easy access also apply to public information being held by a third party, and they allow a government entity to charge a reasonable fee to produce requests as provided by public information law.</p> <p>This bill clarifies the expectations for compliance with electronic public information laws and will provide the public with easier access to and understanding of digital information.</p>	<p><b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p><b>HB 4146</b> By: King, Tracy O.   Cole</p>	<p>Relating to a restriction on permits authorizing direct discharges of waste or pollutants into water in</p>	<p>Environmental Regulation  Votes: 7 Ayes, 0 Nays,</p>	<p>Texas has 81 stream segments in 8 river basins threatened by pollution coming from treated wastewater disposal directly into waterways. While wastewater treatment facilities can clean water to acceptable levels for release on land, this water contains a high phosphorus level. Phosphorus is the main ingredient in many fertilizers but changes the nutrient composition of water and fosters toxic algae blooms. These conditions create irreversible damage that threatens wildlife and ecosystems on which Texans rely on for recreation and economic opportunities.</p>	<p><b>Favorable</b> Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p>



	certain stream segments, stream assessment units, and drainage areas.	0 PNV, 2 Absent	<p>HB 4146 restricts wastewater discharge permits from being issued on pristine river segments, or those with low phosphorus levels. HB 4146 classifies a “pristine stream” as having total phosphorus levels at or below .06 m/l in 90 percent of water quality samples taken over the last 10 years. This bill limits treated wastewater disposal on watershed areas which drain into these streams. Currently held permits for disposal would need to fully convert to a land application permit or the treated water must be discharged into a different watershed.</p> <p>HB 4146 will protect an estimated 2,000 miles of 44 “pristine water” streams throughout Texas. This bill helps areas of Texas that rely on tourism and recreation driven by our naturally great outdoors. HB 4146 ensures good stewardship of the great state of Texas.</p>	
<b>HB 2926</b> By: Parker   Krause   Minjarez   Talarico	Relating to the reinstatement of the parent-child relationship with respect to a person whose parental rights have been involuntarily terminated.	Juvenile Justice & Family Issues  Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>Texas’ foster care system is overcrowded, and because of this, it is common for children to age out of the system without the necessary life skills to live independently. Additionally, parents who had their rights terminated the restoration of those rights after working to be fitter parents. HB 2926 creates a path for these rights to be restored and for families to be reunited.</p> <p>HB 2926 authorizes certain entities to petition - a request for a court order - the reinstatement of a former parent’s parental rights that were involuntarily terminated. The entities able to do this are the Department of Family Protective Services (DFPS), the single source continuum contract (SSCC) for the child, the attorney ad litem for the child, or the former parent. HB 2926 establishes the conditions to file the petition and the required contents of the petition. The bill requires the former parent to notify DFPS of the intent to file the petition at least 45 days before.</p> <p>Once a petition is filed, a hearing occurs to determine the reinstatement of parental rights. If the child is 11 years or older, the court must account for the child’s age, maturity, and preference when rendering a decision. For younger children, preference may be considered as a factor in their decision. The court has the authority to grant, deny, or defer the petition. Should the court defer the petition, then the former parent is given a 6-month possessory conservatorship of the child. Following the six months, another hearing will occur to either grant or deny the petition.</p> <p>HB 2926 creates a path for children to return to parents who have made significant progress to be better parents. The restoration of families works towards reducing children in the foster care system.</p>	<b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org
<b>HB 1942</b>	Relating to the adult high school	Public Education	Texas has more than 4.4 million people over age 25 without a high school diploma, and more than 13 percent of the state population lives in poverty. The majority in this demographic group lacks education and job training, and do not earn a living wage. Educational gaps tend to perpetuate	<b>Favorable</b> Evaluated by: Phuong Nguyen



<p>By: VanDeaver   Bernal</p>	<p>charter school program.</p>	<p>Votes: 13 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>poverty, just as creating a pathway out of poverty for an adult often changes the life trajectory for their children and families. The adult high school charter school pilot program was enacted in 2013 by the Texas Legislature as a strategy for meeting industry needs for a sufficiently trained workforce. The program targets adults who did not graduate high school, assisting them in earning a high school diploma or industry certification. HB 1942 would expand the adult high school charter program to provide for additional charter holders and build a regulatory framework.</p> <p>HB 1942 would rename the adult high school diploma and industry certification charter school program as the adult high school charter school program. The bill expands the program’s scope from a sole charter granted to a single nonprofit entity charter holder to a regulatory framework for similar charters that may be given to other nonprofit entities, subject to certain expansion restrictions. The bill revises provisions relating to the program, including charter eligibility, student outcomes and services, accountability frameworks, and state funding.</p> <p>HB 1942 increases access to education by adults and will allow adults to improve their lives through education and workforce training.</p>	<p>(832)302-9940 Phuong@TexasLSG.org</p>
<p><b>HB 2952</b> By: Neave</p>	<p>Relating to suits affecting the parent-child relationship and the calculation and enforcement of child support.</p>	<p>Juvenile Justice &amp; Family Issues</p> <p>Vote: 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>There is a discrepancy in child support calculations between federal and state statutes, which could put Texas at risk of non-compliance. HB 2952 puts in the necessary child support calculations provisions to align state statute and federal requirements to address this.</p> <p>HB 2952 addresses the imputation of income by requiring the court to rely on evidence of the party’s resources - assets, residence, employment, earnings history, etc. - to determine child support. When there is no evidence of a party’s resources, the bill delineates factors that the court must consider when determining child support. A court cannot consider incarceration as intentional unemployment or underemployment under this bill. However, if someone is incarcerated for longer than 180-days, that would qualify as justification to modify child support. HB 2952 changes the child support guidelines making the maximum number of net resources applicable to state statute be what is established by the attorney general's office in the Texas Register.</p> <p>HB 2952 adapts the federal structure to determine child support for low-income obligors - people that pay child support. If an obligor’s monthly net resources are under \$1,000, the court will use the chart laid out in the bill to determine the percentage to be used to calculate child support. An additional chart in the bill determines the percentage for situations involving multiple children by different parents.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>



			<p>When filing a money judgment, a court order to award money to the plaintiff, the court must confirm the total owed child support. The courts are required to file separate money judgments for mental and dental support and cannot reduce or modify the amounts owed while they are making their decision. Instead, counterclaims and offsets are the methods of reducing or modifying the amounts owed.</p> <p>HB 2952 provides the necessary updates to Texas' child support system to maintain alignment with federal requirements.</p>	
<p><b>HB 1664</b> By: White   Guillen</p>	<p>Relating to the reinstatement of eligibility for medical assistance of certain children placed in juvenile facilities.</p>	<p>Human Services Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Federal Medicaid regulation usually prohibits incarcerated individuals from qualifying for benefits. However, there is an exception for inmates who undergo inpatient stays at a qualifying medical institution. In Texas, the state Medicaid plan allows for pregnant women and children under the care of the Texas Department of Criminal Justice to use Medicaid funds to pay for inpatient hospitalization stays. This exception has not yet been extended to juveniles placed in a juvenile facility.</p> <p>HB 1664 requires that if a youth who is in a juvenile facility is hospitalized or becomes eligible for inpatient care in another type of medical facility the Health and Human Services Commission must reinstate the Medicaid eligibility of that youth that they previously held prior to being placed in a juvenile facility. The executive commissioner shall adopt rules necessary to govern the procedure and implement the act.</p> <p>Allowing children to have their previous benefits reinstated for the purpose of inpatient treatment will improve the health and safety of these children and save taxpayers' dollars.</p>	<p><b>Favorable</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>
<p><b>HB 692</b> By: Shine   Bell, K.   Darby   Bell, C.</p>	<p>Relating to retainage requirements for certain public works construction projects.</p>	<p>State Affairs Vote: 13 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Government entities are authorized to withhold retainage from a contractor to ensure the timely completion of a public works project. Retainage refers to the practice of withholding periodic payments, essentially as collateral, until a project is complete. This practice is widely yet inconsistently used across the state, necessitating uniform guidelines to ensure that public works contractors are paid fairly and promptly.</p> <p>HB 692 lays out specific retainage policies that government entities must adhere to for public works contracts. In the contract, a government entity must clearly state when retainage funds shall be released, including portions at the project's substantial completion and total completion. The bill further stipulates that retainage must be paid fully and promptly upon project completion, including any interest earned on retainage funds deposited in an interest-bearing account - the use of which shall be optional or required depending on the type and value of the contract. Additionally, most contracts valued over \$1 million shall be prohibited from withholding over 5%</p>	<p><b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>



			<p>of the contract’s total value as retainage to ensure that a contractor has adequate cash flow to carry out the large project. The bill also limits the amounts that may be retained from subcontractors and suppliers to equally protect them from unfair withholdings.</p> <p>The government entity may withhold retainage payments if there is a bona fide dispute regarding a contractor’s compliance with the contract. While HB 692 specifies that its provisions do not prevent an aggrieved party from pursuing available remedies, concerns remain regarding this bill’s potential conflicts with existing statutory protections for laborers who are in dispute with a contractor. Specifically, governmental bodies are currently required to withhold final payment while a laborer’s complaint is being considered, which may conflict with the requirement to release all withheld funds following a project’s completion.</p> <p>HB 692 will protect contractors, subcontractors, and suppliers from unreasonable or inconsistent retainage withholdings, allowing all parties to be paid in a timely manner. Its provisions could also mitigate lengthy or costly disputes between the government entity and the prime contractor, saving taxpayer dollars and promoting the efficient completion of public works projects.</p>	
<p><b>HB 854</b> By: Burns</p>	<p>Relating to the punishment for the offense of unlawfully carrying a handgun by a license holder.</p>	<p>Criminal Jurisprudence</p> <p>Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>In 2015, the Legislature reduced trespassing penalties associated with a licensed holder's unlawful carrying of a handgun. Trespassing offenses only apply to situations where the licensed handgun owner has received notice that their entry is forbidden and fails to depart.</p> <p>HB 854 decreased the penalty for the unlawful carrying of a handgun by a handgun license holder from a Class A misdemeanor to a Class C misdemeanor (punishable by a maximum \$200 fine) if on the premises of a state- licensed hospital or nursing facility without appropriate written permission, in an amusement park, or in the room or rooms where a governmental entity is holding an open meeting. If the person is told to leave and does not leave the penalty is enhanced to a Class A misdemeanor.</p> <p>There are significant concerns that HB 854 requires a verbal notice to depart to the licensed handgun owner that their presence with a handgun is unlawful and considered trespassing. Penalties for unlawful carry should not be reduced, if someone accidentally carries on a prohibited premise they can be absolved of their charges through the judicial process.</p>	<p><b>Unfavorable</b> Evaluated by: Chelsea Dalton Pederson (512)661-9708 Chelsea@TexasLSG.org</p>
<p><b>HB 2242</b> By: Patterson</p>	<p>Relating to illness or injury leave of absence for county and municipal</p>	<p>County affairs</p> <p>Vote: 7 Ayes 0 Nays</p>	<p>HB 2242 requires a municipality or county to provide a police officer or firefighter a medical leave of absence for an injury or illness that was sustained while on the line of duty. This leave of absence would be with full pay for a period commensurate with the nature of the injury or illness sustained and, if necessary, continued for at least one year.</p>	<p><b>Favorable</b> Spencer Carruth (512)463-0760 Spencer.Carruth_HC@Ho use.Texas.gov</p>



	firefighters and police officers	0 PNV 2 Absent	A firefighter or police officer who is temporarily disabled by a non-work related injury or illness is authorized to use accumulated sick leave, vacation time, and other accrued benefits before being placed on temporary leave or have another firefighter or police officer volunteer to do the person's work while they are temporarily disabled by the injury or illness.	
<b>HB 4012</b> By: Bonnen	Relating to disclosures by certain health benefit plans to enrollees regarding certain preauthorized medical care and health care services.	Insurance  Vote: 7 Ayes, 2 Nays, 0 PNV, 0 Absent	<p>Although prior authorizations (PAs) are used to prevent unnecessary medical services, concerns have been raised that PAs are not used in a manner that is beneficial to a policyholder and often results in surprise medical bills from health maintenance organizations (HMOs) and preferred provider benefit plans (PPBPs).</p> <p>HB 4210 adds that HMOs and PPBPs must disclose certain PA services to policy and group contract holders at the time that the HMO or PPBP issues a determination pre-authorizing services that are provided at a licensed medical facility. The disclosure must state if PA services are considered elective or if a PA is a condition of payment required by the HMO or PPBP for services. The bill specifies that the PA statement must include:</p> <ul style="list-style-type: none"> <li>the name of the HMO or PPBP network and network status of the licensed medical facility and any facility-based health care provider that the HMO or PPBP reasonably expects will provide the PA service.</li> <li>an itemized estimate of payments that the HMO or PPBP will make to the licensed facility and provider for the PA service and any out-of-pocket financial responsibilities on the policyholder.</li> <li>notice that the actual charges may vary from the estimate provided by an HMO or PPBP based upon the policyholder's actual medical condition and other factors; including - that the notice may not reflect all the physicians and providers involved in the bill of policyholder's care and despite the HMO's or PPBP's best effort</li> <li>notice that the policyholder may be personally liable for the amount charged for services depending on their plan coverage and a general statement that some providers may be out-of-network.</li> </ul> <p>By requiring an HMO or PPBP plan that is delivered, issued for delivery, or renewed on or after January of 2022 to provide the disclosures mentioned in HB 4210, Texans will be able to make accurate financial decisions and receive the care they need per their insurance coverage</p>	<b>Favorable</b> Evaluated by: Chelsea Dalton Pederson (512)661-9708 Chelsea@TexasLSG.org
<b>HB 3081</b> By: Krause   Bailes   Martinez	Relating to the issuance of digital tags for the taking of certain animals.	Culture, Recreation & Tourism  Votes:	Hunting tags are additional permits allowing licensed hunters to pursue certain animals at one animal per tag. This allows the Texas Parks and Wildlife Department (TPWD) to assess the animal population to determine how many tags can be sold in the following season. At this time, TPWD requires the hunter to immediately attach a physical tag to the hunted animals while in the field.	<b>Favorable</b> Evaluated by: Audrey Erwin (928)210-4303 Audrey@TexasLSG.org



		<p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Tags being destroyed in the field can cause issues for tracking, and several states have passed laws to allow their wildlife departments to implement electronic tagging.</p> <p>HB 3081 would allow TPWD to develop and implement a program issuing digital tags for animals, including birds, to holders of hunting licenses. The program would allow TPWD to issue digital tags, allow hunters using digital tags to create a digital record with TPWD-required information while in the field, allow for the requirement of this digital record to be created as soon as possible, and for hunters to retain the record of their kill at all times.</p>	
<p><b>HB 4018</b>  By: Capriglione   Guillen</p>	<p>Relating to legislative oversight and funding of improvement and modernization projects for state agency information resources.</p>	<p>Appropriations  Vote: 23 Ayes, 0 Nay, 0 PNV, 4 Absent</p>	<p>The 84th Legislature passed HB 1890 in response to the Department of Information Resources (DIR) Legacy Systems Study, which outlined the state’s technology landscape and how to best approach updating it. Antiquated software and equipment have kept the state behind the private sector, prevented state agencies from interacting and sharing information, caused systems to become easily overwhelmed, and raised the risk of cybersecurity issues. The COVID-19 pandemic further exemplified the need to update these systems with government systems all over the US breaking with the influx of unemployment applications alone. Many of the proposed legacy system products are not a top priority in a budget year with many constraints on spending. HB 4018 seeks to address the modernization of projects that state agencies have requested.</p> <p>HB 4018 would create a Technology Improvement and Modernization Fund (fund) within the State Treasury outside of the general revenue fund. The fund would be used to improve and modernize State agency information resources, including legacy systems and cybersecurity projects.</p> <p>HB 4018 would establish a Joint Oversight Committee on Investment in Information Technology Improvement and Modernization Projects with 3 members from each chamber of the legislature who retain all powers and funding of a joint committee until its abolishment on September 1, 2026.</p> <p>HB 4018 outlines the joint committee’s responsibilities, including: investment and funding strategies for projects; review of existing and planned projects; determine the amount needed to fund projects; and develop strategies for long-term investment solutions for projects to improve or modernize information resources technologies in state agencies.</p> <p>HB 4018 would address the updates needed to assist in more efficiently running state agencies and would begin to address cybersecurity concerns.</p>	<p><b>Favorable</b> Evaluated by: Audrey Erwin (928)210-4303 Audrey@TexasLSG.org</p>
<p><b>HB 4210</b></p>	<p>Relating to the authority of entities</p>	<p>Insurance</p>	<p>Currently, industries regulated by TDI often have lengthy forms associated with their work that must be sent to consumers for consent (opt-in) before they can conduct business electronically.</p>	<p><b>Favorable</b> Evaluated by:</p>



<p>By: Paul</p>	<p>regulated by the Texas Department of Insurance to conduct business electronically.</p>	<p>Vote: 7 Ayes, 1 Nays, 0 PNV, 1 Absent</p>	<p>Since March of 2020, the COVID-19 pandemic exacerbated complications for entities whose internal operations relied heavily on physical paper and resulted in substantial delays in mail delivery of essential documents from the insurance industry.</p> <p>HB 4210 allows business regulated by TDI to automatically conduct business electronically unless a consumer has explicitly requested the insurer provide a non-electronic method for the transaction. The bill updates and revises the minimum standards for conducting electronic business with consumers to reflect that electronic transaction is now the default for these TDI regulated entities. Regardless of if consent is given for electronic transactions, an insurer must provide a clear statement informing the consumer of the ability to request a paper copy with information on how to do so and a statement about how to access electronic transactions.</p> <p>HB 4210 will improve efficiency for industries regulated by TDI by reducing physical paper transactions, which could result in potential savings and reduce the time involved in clerical duties for entities conducting business with a consumer.</p>	<p>Chelsea Dalton Pederson (512)661-9708 Chelsea@TexasLSG.org</p>
<p><b>HB 3115</b> By: Shine</p>	<p>Relating to the release of a judgment lien on homestead property.</p>	<p>Business &amp; Industry  Vote: 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>HB 3115 changes the timeline when a judgement debtor is to send a notifying letter to a judgment creditor. The letter will notify the judgement creditor about a filed affidavit seeking the release of the judgment lien based on the fact that the property is the judgement debtor's homestead. A separate document verifying the mailing of the letter may be filed with the county's real property records.</p> <p>Once the affidavit is filed, the bill conditions the authority of certain people to rely conclusively on the judgment debtor's affidavit and certificate of mailing for a 90-day period of reliance. Following 30 days of the judgement debtor's filing, a judgement creditor is permitted to make a counter claim and file an affidavit asserting the previous affidavit does not release the judgement lien. The creditor is permitted to include justification why the debtor's claims are untrue.</p>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p><b>HB 3485</b> By: Goodwin</p>	<p>Relating to information reported through the Public Education Information Management System and to parents regarding disciplinary</p>	<p>Public Education  Votes: 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Students of color in the United States are subject to disciplinary action at rates much higher than their White counterparts. These corrective actions put students at higher risk for adverse life outcomes, including involvement in the criminal justice system. The need for policy targeting racial disparities in education starts with data collection and evaluation. Concerns have been raised around current data collection and reporting practices relating to school discipline, particularly concerning the lack of data disaggregation by race and gender and the difficulty individuals face in comprehending available data. HB 3485 seeks to address these concerns by requiring each school district to provide disaggregated information regarding disciplinary measures in its Public Education Information Management System (PEIMS) report.</p>	<p><b>Favorable</b> Evaluated by: Phuong Nguyen (832)302-9940 Phuong@TexasLSG.org</p>



	measures used by a school district.		<p>HB 3485 requires each public school district to include in the district's PEIMS report the total number, disaggregated by the student's race, ethnicity, gender, and status as receiving special education services, of events related to discipline such as but not limited to corporal punishment, reports to local law enforcement, and suspension.</p> <p>HB 3485 requires the Texas Education Agency (TEA) to aggregate data collected by the state, region, district, and the campus in an understandable yearly report that is emailed to parents and posted on the TEA website with a link provided to the parents. As a result, HB 3485 makes important discipline data more accessible to parents and families, shedding light on discipline data that affects students' safety and well-being and makes it easier for parents and families to engage in school practices.</p>	
<p><b>HB 2912</b> By: Vasut   Jetton   White</p>	<p>Relating to a violation of the Texas Residential Property Owners Protection Act or a dedicatory instrument by a board member of a property owners' association.</p>	<p>Judiciary &amp; Civil Jurisprudence</p> <p>Vote: 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The Texas Residential Property Owners Protection Act was designed to protect members of property owners' associations by permitting an owner to initiate legal action in a Justice of the Peace Court (JP Court) to access association records if they are wrongfully withheld. However, the Act did not provide any remedy for owners against board members who violate any other protection provisions.</p> <p>HB 2912 allows an owner to bring action for violations of the Act by filing a petition against a property owners' association or a board member with a JP Court. If the JP determines that a board member did violate provisions in the Act, the JP may grant one or more of the following:</p> <ul style="list-style-type: none"> <li>• immediate removal of the board member from the board</li> <li>• a judgment awarding damages to the property owner</li> <li>• a judgment authorizing the owner to deduct the amounts awarded from any future regular or special assessments payable to the association.</li> </ul> <p>The bill allows the prevailing party to be awarded court costs and reasonable attorney fees incurred with the action. Additionally, an owner must send written notice on or before the 10th business day to the association of the owner's intent to bring action.</p> <p>HB 2912 gives the ability for homeowners to hold board members of the property owners' association accountable if they violate The Texas Residential Property Owners Protection Act.</p>	<p><b>Favorable</b> Evaluated by: Victoria McDonough (251)422-0558 Victoria@TexasLSG.org</p>
<p><b>HB 2998</b> By: Smith</p>	<p>Relating to the requirement that certain business entities obtain a license from the</p>	<p>Licensing &amp; Administrative Procedure</p> <p>Vote:</p>	<p>Small businesses receive financial benefits from legally incorporating as a limited liability company (LLC) or an "S" corporation, which is a small business corporation with less than 100 shareholders and only one type of stock. Many brokers in the real estate industry outsource certain services to provide better customer service, like contracting with companies specializing in helping consumers with any problems related to titling. These real estate-adjacent entities do not perform</p>	<p><b>Favorable</b> Evaluated by: Cassidy Kenyon (760)429 8388 Cassidy@TexasLSG.org</p>



	Texas Real Estate Commission.	7 Ayes, 0 Nays, 0 PNV, 4 Absent	<p>brokerage functions, but if they wish to gain status as an LLC or S corporation, they often face barriers in the form of duplicative licensing required by real estate regulation.</p> <p>HB 2998 allows LLCs and S corporations to be exempted from certain real estate licensure if they are affiliated with real estate brokerage only and meet the following requirements:</p> <ul style="list-style-type: none"> <li>• incorporated entities are still registered with the Texas Real Estate Commission (TREC)</li> <li>• 51% of the business is owned by a real estate license holder generating revenue for the business</li> <li>• the incorporated entity receives compensation from brokerage performed by the licensed broker or agent</li> <li>• no other broker duties are performed</li> </ul> <p>The bill increases overall efficiency and maintains an important regulatory tool by still registering incorporated businesses with TREC. These changes will allow small businesses to reap the benefits of incorporating without going through an additional burdensome process.</p>	
<b>HB 3920</b> By: Dean	Relating to an application to vote early by mail on the grounds of disability or confinement for childbirth.	Elections  Votes: 5 Ayes, 4 Nays, 0 PNV, 0 Absent	<p>HB 3920 codifies that a person does not qualify for early voting-by-mail if they lack transportation, have a sickness that does not prevent them from leaving their residence to vote, or if they have to work that does not allow them to vote on election day.</p> <p>Although the bill does allow for pregnant women to vote-by-mail, to be eligible for an early voting ballot, an applicant must affirmatively indicate that they agree with the statement: "I have a sickness or physical condition that prevents me from appearing at the polling place on election day without a likelihood of needing personal assistance or injuring my health."</p> <p>This bill is a response to unverified claims about widespread mail-in ballot fraud that does not exist. Texas voters deserve an election system that provides every citizen the right to vote in our democracy instead of one that adds specific provisions that further restrict the right to vote.,.</p>	<b>Unfavorable</b> Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org
<b>HB 3838</b> By: Dominguez	Relating to the display of emergency and other notices by a governmental entity on the entity's Internet website.	State Affairs  Vote: 11 Ayes, 0 Nays, 0 PNV, 2 Absent	<p>HB 3838 directs governmental entities to post in a prominent location on the home page of their website any emergency notification or official notices issued by the entity, including information regarding their ability to provide normal services to the public.</p> <p>The lack of uniform public notice standards has caused significant confusion for Texans over the course of the pandemic and February's winter storm. This bill's provisions would ensure that the public has easy access to important primary information regarding emergencies and service provision.</p>	<b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org



<p><b>HB 316</b> By: Buckley   Harris   Smith   Rogers   González, Mary</p>	<p>Relating to the advertising and labeling of certain food products.</p>	<p>Public Health Vote: 8 Ayes, 1 Nay, 0 PNV, 2 Absent</p>	<p>HB 316 changes the Health and Safety Code to apply Texas Meat and Poultry Inspection Act provisions. The definitions of “meat”, “pork”, and “poultry” are amended explicitly to exclude analogue products and cell-cultured products. HB 316 provides definitions of “analogue” and “cell-cultured” products which will include meat-replacement, plant-based, and lab grown products. The changes made delineate what is to be considered meat and poultry and create a clear distinction of what is to be labeled as “plant-based”, “analogue”, “meatless”, or “made from plants”.</p> <p>The Department of State Health Services (DSHS) will determine if an alleged food product’s labeling or advertising is misleading, and must consider the following characteristics when making the determination:</p> <ul style="list-style-type: none"> <li>• representation made or suggestion by a statement, word, design, image, device, sound, or any combination; and</li> <li>• the extent the labeling or advertising suggests the food is authentic meat or poultry, a meat, or poultry product, or derived from livestock in any form.</li> </ul>	<p><b>Favorable</b> Evaluated by: Devan Daniel (419) 566-5465 Devan@TexasLSG.org</p>
<p><b>HB 1987</b> By: Vasut</p>	<p>Relating to eligibility requirements to hold a political party office.</p>	<p>Elections Votes: 5 Ayes, 4 Nays, 0 PNV, 0 Absent</p>	<p>HB 1987 amends the Election Code so that a person running for a political party officer position may not be an elected official at the local, state, or federal level. This bill changes the existing statute by substituting “party or precinct chair” for “an officer of a political party,” maintaining the requirement of being a registered voter. HB 1987 will force third-party candidates to choose between holding elected office and organizing their community.</p> <p>This bill does not make any real widespread difference to Texas elections except to dismantle third party participation.</p>	<p><b>Unfavorable</b> Evaluated by: Joy Fairchild (713)817-3842 Joy@TexasLSG.org</p>
<p><b>HB 1476</b> By: Bell, K.   Leach   Cyrier   Romero, Jr.   Raymond</p>	<p>Relating to a vendor’s remedies for nonpayment of a contract with this state or a political subdivision of this state.</p>	<p>State Affairs Vote: 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Current rules managing how a governmental entity may handle an invoice dispute can unfairly harm the vendor. Notification of an invoicing error is not required to be specific, allowing the government entity to withhold all payment owed to the vendor until the resolution of what may be a minor mistake or disagreement.</p> <p>HB 1476 clarifies that a governmental entity shall notify a vendor in the event of an error or disputed amount in an invoice and must include in that notice specific details on the amount of the dispute. The bill also prohibits an entity from withholding any more than 110% of the disputed amount. These provisions will promote transparency and fairness in government-vendor relations.</p>	<p><b>Favorable</b> Evaluated by: Hannah Hall (832) 425-1224 Hannah@TexasLSG.org</p>
<p><b>HB 1793</b> By: Johnson,</p>	<p>Relating to prohibiting oral releases for</p>	<p>Insurance Vote: 9 Ayes,</p>	<p>Concerns have been raised over the predatory tactics of some personal and commercial automobile insurers that convince injured motorists into settling or releasing their legal claims on the assumption that someone else’s insurer could be trusted to settle the harm their policyholder induced.</p>	<p><b>Favorable</b> Evaluated by: Chelsea Dalton Pederson (512)661-9708</p>



<p>Julie  Sanford</p>	<p>automobile insurance claims.</p>	<p>o Nays, o PNV, o Absent</p>	<p>Currently, the statute allows oral release of automobile insurance claims, which often causes insufficient compensation for the injured motorists. Although this method of resolving property damage or injury claims is not a best practice within the auto insurance industry, when this tactic is used, the auto insurer manipulates the existing uncertainty of an estimated claim loss to favor the insurer rather than the injured person or medical provider involved in the claim.</p> <p>HB 1793 adds stipulations that when any insurer writes personal or commercial auto insurance or policy plan in Texas, if the insurer is found to be liable for their policyholder, oral release of property damage or injury claims is prohibited. The bill also requires written exchange of any release made in exchange for financial compensation or other considerations occurring in auto-related property damage or injury claims.</p> <p>For those who enter auto-insurance contracts into, on, or after January of 2022, the prohibition of oral contracts will provide the necessary protections for Texans who end up having property damage or that suffer injury due to an auto collision.</p>	<p>Chelsea@TexasLSG.org</p>
<p><b>HB 4403</b>  By: Turner, John</p>	<p>Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.</p>	<p>Higher Education  Vote: 9 Ayes, o Nays, o PNV, 2 Absent</p>	<p>Dual credit courses are designed to help high school students meet high school course requirements while earning college course credits prior to graduation, which helps reduce the cost and time required to earn a degree or certificate at a higher education institution. While there are roughly 200,000 Texas high school students enrolled in dual credit courses each year, this does not necessarily translate to increased post-secondary degrees, accelerated graduation, or reduced student debt. Research has identified that this is due to students lacking guidance and support when planning to enroll in dual credit courses to align with their higher education plans.</p> <p>HB 4403 would address this by requiring public school districts and public higher education institutions to designate at least one employee to provide academic advising to students who enroll in dual credit courses before the student beginning programs. Better preparation, planning, and an understanding of the dual credit program can help increase the number of successful students that take advantage of the dual credit program benefits.</p>	<p><b>Favorable</b> Evaluated by: Audrey Erwin (928)210-4303 Audrey@TexasLSG.org</p>
<p><b>HB 2822</b>  By: Hull   Oliverson   Guillen</p>	<p>Relating to the availability of antipsychotic prescription drugs under the vendor drug program and</p>	<p>Human Services  Vote: 8 Ayes, o Nays, o PNV,</p>	<p>Prior authorization (PA) requirements in Medicaid currently create barriers to essential medications for individuals with severe and persistent mental illness. Access barriers can create consequential outcomes for these individuals, such as hospitalization and incarceration.</p> <p>HB 2822 prohibits the executive commissioner of the Health and Human Services Commission (HHSC) from requiring PA for a non-preferred antipsychotic drug included on the vendor drug formulary prescribed to an adult patient if certain requirements are met. The prohibition does not</p>	<p><b>Favorable</b> Evaluated by: Maddox Hilgers (512) 739-4885 Maddox@TexasLSG.org</p>



	Medicaid managed care.	1 Absent	<p>affect the authority of a pharmacist to dispense the generic equivalent or interchangeable biological product of a prescription drug, any review requirements for the use of a drug, or clinical prior authorization edits to preferred and non-preferred antipsychotic drug prescriptions.</p> <p>HB 2822 requires that the executive Commissioner:</p> <ul style="list-style-type: none"> <li>• require automation of clinical PA for each drug in the antipsychotic drug class</li> <li>• when a denial is given for a non-preferred or clinical PA, a pharmacist is immediately provided a point-of-sale return message that:             <ul style="list-style-type: none"> <li>○ specifies the contact and other information for the pharmacist to submit a PA for the prescription.</li> <li>○ instructs the pharmacist to dispense a 72-hour supply of the prescription if appropriate.</li> </ul> </li> </ul> <p>Generic medications do not always result in the desired outcome and often can result in serious side effects that render the drug unusable for that individual. Creating a streamlined and automated prior authorization process in Medicaid for non-preferred antipsychotics would improve health outcomes and quality of life for adults living with persistent mental illness.</p>	
--	------------------------	----------	--	--

