



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

Vice Chair, Rep. Lon Burnam

Representative

Desk

**LSG Floor Report for Postponed Business – Tuesday, April 23, 2013**

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 502</b> By Rep. Hernandez Luna	Relating to the practice of dentistry.	Public Health	HB 502 prohibits unlicensed individuals from practicing dentistry by administering teeth whitening treatments. It does not include over-the-counter teeth whitening products.  Currently, unlicensed vendors in places like mall kiosks can administer powerful chemical treatments to individuals without a proper dental exam, which puts their oral health at risk.	<b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org

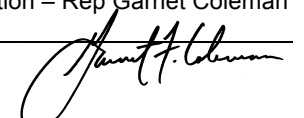
**LSG Floor Report For Major State Calendar – Tuesday, April 23, 2013**

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 2197</b> By Rep. Anchia	Relating to the continuation and functions of the Texas Lottery Commission; providing penalties; imposing and changing fees.	Licensing & Administrative Procedures	HB 2197, the Sunset bill for the Texas Lottery Commission, continues the agency for another 12 years. Two additional commissioners are added to increase the board size to five. Procurement procedures are updated to bring them in line with existing state procedures. Clarifications and standard Sunset language regarding disciplinary actions, complaints, training, and conflict of interest provisions are added to statute.  The bill updates bingo regulation to include the use of criminal history records, establishes a standard renewal process for bingo licenses, sets standards for inspecting and auditing bingo licenses, and clarifies standards to renew a bingo license. Commissioners are given authority to remove fixed license fees for bingo equipment manufacturers and distributors and set appropriate fees to cover administrative costs.	<b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 yvonne@texaslsg.org
Amendment By Rep. Herrero	# 830895		This amendment diverts unclaimed lottery prize money to the Department of State Health Services Multi-Categorical Teaching Hospital account to be used for indigent health care services. In addition, it directs any remaining funds after prioritized uses to the Foundation School Fund.	<b>Favorable</b>
Amendment By Rep. Walle	# 830896		This amendment will help ensure lottery winners above \$10,000 are financially literate with their new prize money winnings. Winners are authorized to take at least one financial literacy class that is approved for the public and accessible to each lottery claim center location. This class must be free of charge to the public and available through a link on the Lottery Commissioner's website.	<b>Favorable</b>

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Amendment By Rep. Walle	# 830897		This amendment ensures that Spanish-speaking lottery winners understand and comprehend the Lottery Commissioners' rules when the player purchases a ticket and/or becomes a winner. This amendment requires all of the information included on a ticket to be written in Spanish and English.	<b>Favorable</b>
Amendment By Rep. Thompson, Senfronia	# 830910		This amendment mandates that a single bingo occasion prize winnings cannot equal an aggregate value of more than \$2,500 for all bingo games other than pull-tab bingo, or bingo games that award individual prizes of \$50 or less.	<b>Favorable</b>
<b><u>LSG Floor Report For General State Calendar – Tuesday, April 23, 2013</u></b>				
<b>HB 578</b> By Rep. Guillen	Relating to the regulation of industrialized housing and buildings.	Licensing & Administrative Procedures	HB 578 grants the Texas Department of Licensing and Regulation (TDLR) a 2 year window to inspect new manufactured homes. The bill enables TDLR to assess penalties on builders, manufacturers, or third party inspectors of manufactured homes as long as the inspection occurred within two years of an initial inspection.  Statute requires TDLR to inspect industrialized homes within the first year.	<b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 yvonne@texaslsg.org
<b>HB 832</b> By Rep. Giddings et al.	Relating to the abatement of mosquitos in stagnant water located on certain uninhabited residential property.	Urban Affairs	HB 832 provides a city, county, or local health authority with the right to enter the premises of an abandoned or uninhabited property to treat stagnant water where mosquitoes breed.  Authorized persons treating the water must post a notice on the property providing detail on the treatment used, a warning about human and animal risks of the chemical treatment, and basic contact and procedural information. In 2012, the state experienced 1,789 cases and 89 deaths from the West Nile virus, a disease transmitted by mosquitoes. HB 832 seeks to prevent potential infection by abating mosquito infestations.	<b>Favorable</b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org
<b>HB 1029</b> By Rep. Bonnen, Greg et al.	Relating to a home loan program operated by the Texas State Affordable Housing Corporation.	Urban Affairs	HB 1029 enacts the Homes for Texas Heroes Home Loan Program, which provides qualifying individuals with low-interest home mortgage loans. It merges existing programs under the Texas State Affordable Housing Corporation (TSAHC) specifically for fire fighters, corrections officers, county jailers, public security officers, peace officers, and Emergency Medical Service (EMS) personnel. The bill expands eligibility to include professional health educators working in higher education institutions.  The TSAHC adheres to current statute and provides funding to the program by accepting certain grants and gifts from donors, money available in the housing trust fund, as well as federal block grants or other state and federal grant programs that set aside funds for the purpose of the program.	<b>Favorable</b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org
<b>HB 1160</b> by Rep. Geren	Relating to the transfer of a certificate of convenience and necessity in certain municipalities.	State Affairs	HB 1160 is bracketed to Blue Mound, Texas where residents struggle to pay water service rates that are significantly higher than neighboring towns. It allows the municipality to obtain their own water rights in order for citizens to receive more affordable water and sewage rates and to ensure continuous and adequate service in smaller, often overlooked rural communities. Families, schools, and businesses have experienced rate hikes as high as 62% since 2005.	<b>Favorable</b> Evaluated by: Amanda Williams 512-763-0031 amanda.williams@texaslsg.org

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<p><b>HB 166</b> by Rep. McClendon et al.</p>	<p>Relating to the creation of a commission to investigate convictions after exoneration and to prevent wrongful convictions.</p>	<p>Criminal Jurisprudence</p>	<p>HB 166 creates the Timothy Cole Exoneration Review Commission. The commission consists of a 9-member body which will conduct a thorough investigation of all cases in which an innocent person was convicted or exonerated, including convictions vacated based on a plea to time served. The commission will work to identify the causes of wrongful convictions and search for errors in laws, proof, and procedures in a defendant’s case.</p> <p>This commission would conduct a public hearing once a year to review matters considered by the commission and compile a detailed annual report of its findings and recommendations.</p> <p>Nine states have established innocence commissions in an effort to prevent wrongful convictions. The conviction of the innocent ruins lives, destroys public trust in our justice system, harms public safety, and denies victims justice.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 muna@txlsg.org</p>
<p><b>HB 432</b> by Rep. Riddle et al.</p>	<p>Relating to charitable contributions by state employees to assist domestic victims of human trafficking.</p>	<p>State Affairs</p>	<p>HB 432 allows the Health and Human Services Commission (HHSC) to be considered an eligible charitable organization for the purpose of administering the program that awards grants to public and nonprofit organizations to provide assistance to victims of domestic trafficking.</p> <p>This bill entitles the HHSC to participate in the state employee charitable campaign. Therefore, it authorizes a deduction for contributions to the HHSC and incentivizes state employees who donate for this purpose.</p>	<p><b>Favorable</b> Evaluated by: Amanda Williams 512-763-0031 amanda.williams@texaslsg.org</p>
<p><b>HB 1972</b> By Rep. Kleinschmidt</p>	<p>Relating to the provision of 9-1-1 services; providing criminal penalties.</p>	<p>Homeland Security &amp; Public Safety</p>	<p>HB 1972 updates language relating to 9-1-1 services to keep up with current technology. This bill redefines 9-1-1 as a communications service that connects users to a public safety answering point through a 9-1-1 system.</p> <p>HB 1972 expands the number of entities that are protected from liability, such as software developers or manufacturers of 9-1-1 systems. It also clarifies the governmental entities that can request confidentiality information from a service provider of a communications service, such as a regional planning commission or emergency communication district. Both types of entities must be provided protection to at least the same extent described by federal law.</p> <p>HB 1972 also expands the conduct which would result in an offense relating to interference with emergency request for assistance to include the use of an electronic communications device.</p>	<p><b>Favorable</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p><b>HB 740</b> by Rep. Crownover et al.</p>	<p>Relating to newborn screening for critical congenital heart disease and other disorders.</p>	<p>Public Health</p>	<p>HB 740 grants Department of State Health Services (DSHS) the authority to mandate hospitals and birthing facilities to perform newborn screenings for Critical Congenital Heart Disease (CCHD). Critical Congenital Heart Disease is a birth defect that may result in infant death but can be prevented by early detection screenings. The best results for CCHD tests are yielded when the test is performed <i>where the newborn is delivered</i>. Allowing DSHS to mandate CCHD screenings in hospitals and birthing centers will promote early intervention and save lives.</p> <p>Currently, DSHS has the authority to mandate newborn screenings performed in state labs but cannot place testing requirements on screenings performed in hospitals or birthing facilities.</p>	<p><b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>

<p><b>HB 833</b> By Rep. Giddings</p>	<p>Relating to certain procedures regarding an application for a writ of habeas corpus filed in a noncapital felony case.</p>	<p>Criminal Jurisprudence</p>	<p>HB 833 requires a court reporter who transcribes a hearing regarding an application for a writ of habeas corpus in a noncapital felony case to transmit the transcript to the clerk of the convicting court on completion of the transcript. Writs of habeas corpus are used to review the legality of the party’s arrest, imprisonment, or detention.</p> <p>Current law requires the reporter to prepare a transcript within 15 days of the hearing’s conclusion, but there is no statutory requirement to deliver it to the clerk of the convicting court so that they may transmit it to the Court of Criminal Appeals. This bill would streamline the process and prevent delays in the clerk’s receipt of the transcript.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>
<p><b>HB 511</b> By Rep. Murphy</p>	<p>Relating to the registration of token trailers.</p>	<p>Transportation</p>	<p>HB 511 requires the Department of Motor Vehicles (DMV) to issue license plates that do not expire for commercial fleet token trailers. As long as the trailer registration is renewed, the license plate may remain on the trailer until the trailer is removed from service or sold. By limiting requirements for registering trailers in Texas, the state becomes more competitive with other states which allows for more revenue. This bill attempts to encourage more Texas plates than out-of-state plates on trailers within Texas.</p> <p>The registration receipt required under statute would not be required for a vehicle that displays a license plate issued under this new law. Trailers registered do not expire or require an annual registration insignia.</p>	<p><b>Favorable</b> Evaluated by: Kelle’ Martin 512-763-0031 Kelle@texaslsg.org</p>
<p><b>HB 611</b> By Rep. Guillen</p>	<p>Relating to the regulation of subdivisions in counties, including certain border and economically distressed counties.</p>	<p>Land &amp; Resource Management</p>	<p>Background: The Texas Legislature has invested \$1 billion to inhibit the expansion of <i>colonias</i> along the Texas-Mexico border. Model Subdivision Rules were created to establish humane standards and quality infrastructure for the development of new subdivisions. These rules are enforced by counties and have successfully prevented the expansion of <i>colonias</i>.</p> <p>HB 611 strips counties of the tools needed to inhibit growth of <i>colonias</i>.</p> <p>HB 611 removes the ability for a county to impose a higher standard for streets or roads in a subdivision than the county imposes on itself for the construction of new streets or roads. It increases minimum subdivision lot sizes.</p> <p>This bill includes procedures and requirements regarding plats and earnest money contracts. If a plat has not been approved, a contract for sale may not be entered until it receives final approval by the county. Minimum standards for water and sewage services must be met in order for the land to be possessed or occupied. The earnest money contract must be in the amount of \$250 with a potential purchaser, and if the plat for the land is not fully approved, a 90 day extension is granted.</p> <p>This bill expands the conditions that make it a Class A misdemeanor for false statements or representation by sellers for subdivided land and removes the specification that the land offered for sale or lease be subdivided.</p> <p>Subdividers of land subject to platting requirements will be subject to civil enforcement action if in violation and are given 90 days to cure it.</p> <p>HB 611 amends the Texas Water Code by requiring a municipality to adopt their model rules if the area for which funding is proposed is located in the municipality and have demonstrated that the rules have been adopted and enforced in the extraterritorial jurisdiction.</p>	<p><b>Unfavorable</b> Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>

<p><b>HB 1284</b> By Rep. Johnson et al.</p>	<p>Relating to the offense of making or causing a false alarm or report involving a public or private institution of higher education</p>	<p>Criminal Jurisprudence</p>	<p>HB 1284 enhances the punishment for initiating, communicating, or circulating <i>a false report of an emergency</i> from a Class A misdemeanor to a state jail felony when a public or private institution of higher education is involved. Colleges and universities must notify all incoming students of the penalty for this crime. Institutions unable to comply with the notification requirement are given an extension of compliance until Aug. 1, 2014.</p> <p>Multiple Texas universities have recently received disruptive bomb threats that require evacuation and loss of valuable class time. Enhancing the penalty for this offense seeks to deter offenders and alleviate this public safety risk.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>
<p><b>HB 2051</b> By Rep. Villalba, et al.</p>	<p>Relating to the authority of public institutions of higher education to make certain investments to support technology commercialization</p>	<p>Economic Subcommittee on Manufacturing</p>	<p>HB 2051 expands options for universities to invest in commercialized intellectual property by allowing them to accept convertible promissory debt. Instead of cash-only equity investments, the use of convertible promissory debt can be converted to stocks or other types of return investments. Since much of intellectual property comes from universities, this bill promotes innovations by allowing more options for these institutions to participate in early investments with startup companies.</p> <p>Currently, universities are only allowed to accept cash investments directly for equity.</p>	<p><b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p><b>HB 2720</b> By Rep. Ritter</p>	<p>Relating to the applicability of the law governing emergency authorizations by the Texas Commission on Environmental Quality for the use of state water to certain emergency orders concerning water rights issued by the executive director of the commission.</p>	<p>Natural Resources</p>	<p>HB 2720 provides clarification in statute relating to TCEQ authority to govern water rights during a time of drought, water shortages, or other emergency.</p> <p>This bill allows TCEQ to suspend an emergency authorization until payment is made between the water right holder and the person to be granted the emergency authorization. HB 2720 also clarifies that a junior water right holder is not entitled to compensation when TCEQ issues a curtailment order during times of drought.</p> <p>HB 2720 expands the executive director’s authority when ordering a temporary adjustment of water diversions during a period of drought or other emergency water shortage to address an imminent hazard to the health, safety, or welfare of the public.</p>	<p><b>Favorable</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>