



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

Vice Chair, Rep. Lon Burnam

Representative

Desk

LSG Floor Report for Postponed Business – Wednesday, April 24, 2013

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
HB 1902 By Rep. Eiland	Relating to the refund of unearned premium for a personal automobile or residential property insurance policy.	Insurance	HB 1902 requires insurance company entities to return the unearned premium to the policyholder by the fifteenth business day. Currently, an insurer must return an unearned premium to policyholders in a timely manner upon cancellation of a policy. There is not a set date in Texas Insurance Code statute.	Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 yvonne@texaslsg.org
HB 1905 By Rep. Eiland	Relating to certain promotional practices not considered to be prohibited discrimination, rebates, or inducements in insurance	Insurance	HB 1905 allows Insurance Companies to give small trinkets, gifts, and other company items valued at less than \$25, such as pens, notepads, calendars, and magnets. Currently, Life and Health Insurance agents are forbidden from giving modest company trinkets or promotional items to their customers because of inducement and rebate prohibitions.	Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 yvonne@texaslsg.org

LSG Floor Report For Major State Calendar – Wednesday, April 24, 2013

HB 1675 By Rep. Bonnen, Dennis	Relating to governmental entities subject to the sunset review process	Government Efficiency & Reform	HB 1675 sets new expiration dates for some agencies and also initiates periodic reviews for agencies that are up for expiration under the Sunset Act. Specifically, this sunset bill stipulates that the University Interscholastic League (UIL) be reviewed under the sunset act and will be reviewed by 2015. This review process will require the UIL to pay the Sunset Advisory Commission for the implementation of the evaluation. The Clear Lake City Water Authority and the Sulphur River Basin Authority's 2015 review will require a payment of cost to the Sunset Commission and the review must evaluate the agencies' management, governance and the structure and compliance to legislative requirements. The bill requires that the Early Childhood Health and Nutrition Interagency Council be reviewed periodically with the Department of Agriculture. Texas Council on Purchasing from People with Disabilities, the Division of Workers' Compensation of Texas of Department of Insurance and the Office of Injured Employee Counsel expires in 2021. The Texas Invasive Species Coordinating Committee also expires in 2021 and the committee will no longer be reviewed during the same time as the State Soil and Water Conservation Board. Texas Department of Transportation is given an expiration date for 2017. Texas State Board of Public Accountancy will expire in 2019.	Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org
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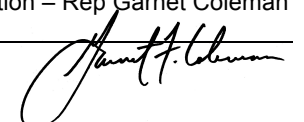
Amendment	By Rep. Geren	#830915	This amendment sunsets Texas Board of Chiropractic Examiners in 2015 and requires them to continue to be reviewed. The board will also be required to pay the Sunset Advisory Commission for the implementation of a review.	<u>Favorable</u>
Amendment	By Rep. White	#830917	This amendment removes the expiration date of 2021 for the Texas Council on Purchasing from People with Disabilities and allows the Council to continue to be reviewed under the Sunset Act and up for expiration in 2015, maintaining current statute.	<u>Will of the House</u>
HB 3361 By Rep. Dutton	Relating to the continuation and functions of the Texas Department of Housing and Community Affairs; authorizing and otherwise affecting the application of certain fees.	Urban Affairs	<p>HB 3361, a sunset bill, addresses areas of improvement for the Texas Department of Housing and Community Affairs (TDHCA). The bill changes how TDHCA handles violation reports and penalty appeals, updates how projected tax credit are quantified under the house tax credit program and sunsets the agency in 2025.</p> <p>In order to improve TDHCA, HB 3361 enacts sunset recommendations including:</p> <ul style="list-style-type: none"> • Requires all hearings and notices of a violation to be conducted by the State Office of Administrative Hearings (SOAH) and no longer by the board of TDHCA. • Allows TDHCA to prohibit any violators or those that fail to comply with TDHCA regulations from participation in the departments programs. Violators are given the opportunity to appeal debarment. • Adds that municipalities and county governing bodies are included when evaluating community participation through a voted and adopted resolution for projected housing tax credit developments. • Adds that a neighborhood organization’s input and participation through written statements be quantified when evaluating and considering projected house tax credit developments. • Removes the requirement of State Representative’s or Senator’s letters of support for housing developers applying for housing tax credits. • Gives the TDHCA the ability to establish a separate application for dispensing Federal Emergency Funds to award recipients. These funds must be dispersed in the same manner as housing tax credits. • Authorizes the Manufactures Housing Division with rulemaking and cease and desist powers and requires the division to create and execute policies that provide a more efficient process. • Establishes fees given by the board of TDCHA to licenses holders for reprinting of licenses. • Stipulates that retailers cannot operate in more than one development location with only one license. • Requires all those that apply or renew licenses to undergo and pay for a criminal background checks with fingerprints to the Department of Public Safety. <p>The TDHCA is focused on providing affordable housing for individuals and families in the state of Texas. The department uses federal/state funds and operates under federal and state guidelines. TDHCA gives selected developers housing tax credit to build units with the intention of providing low to moderately priced housing for those in need.</p>	<p><u>Favorable</u></p> <p>Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
Amendment	By Rep. Anchia	#830916	This amendment allows the TDHCA to develop policies for those prohibited from participating in programs administered by the department. The amendment also requires that any appeal of debarment filed with the department be available on the TDHCA website. Lastly the amendment adds conditions to current statute that provides violating developers a set of time periods to comply with the law or condition.	<u>Favorable</u>
Amendment	By Rep. Anchia	#830923	The amendment adds an additional requirement for those applying for a low-income tax credit. An applicant must provide a copy of a resolution signed by the presiding officer of the City Council or county governing body. The resolution discloses that a public hearing took place, public comments and concerns were heard and no objections to the development were made. Hearing notice would be made 30 days before the date of the public hearing.	<u>Favorable</u>

Amendment	By Rep. Anchia	#830938	The amendment reinstates quantifiable community participation through evaluations based on written statements from any neighborhood organization that may be impacted by the proposed development, under current law. HB 3361, as written, eliminates written statements of support from the community and provides that a municipality or county governing body provide a voted and adopted resolution used towards house tax credit applications.	<u>Favorable</u>
Amendment	By Rep. Anchia	#830939	The intent of this amendment is to amend current code to add that an at-risk development, a development that benefits from below-market interest rate loans and other subsidies that provide incentives, assistance or lower payments, can apply for housing tax credits. This tax credit will contribute to public housing units being reserved under the housing plan of the development.	<u>Favorable</u>
Amendment	By Rep. Harper-Brown	#830940	Amendment eliminates the evaluation requirements for the Low-income Housing Tax Credit Program outlined in HB 3361 and maintains current statute. The amendment then reverses the repeal of the section about community support for a housing tax credit application and maintains the current scoring system. Specifically, this amendment restores the priority scoring given to a letter of support from a state representative or senator.	<u>Will of the House</u>
Amendment	By Rep. Orr	#830932	The amendment reverses the repeal outlined in HB 3361 and maintains current statute which allows the Legislative Budget Board to receive reports of personnel, in-kind contributions and the transfer of funds made from the TDHCA to corporations, for audit purposes.	<u>Favorable</u>
Amendment	By Rep. Riddle et al.	#830903	Amendment eliminates the evaluation requirements for the Low-income Housing Tax Credit Program outlined in HB 3361 and maintains current statute. The amendment then reverses the repeal of the section about community support for a housing tax credit application and maintains the current scoring system. Specifically, this amendment restores the priority scoring given to a letter of support from a state representative or senator.	<u>Will of the House</u>
Amendment	By Rep. Vo	#830918	The amendment adds that the board of trustees of a school district in the boundaries of where a proposed development may occur will also be considered when evaluating community response and participation as criteria for those applying for a low-income tax credit.	<u>Favorable</u>

LSG Floor Report For General State Calendar – Wednesday, April 24, 2013

HB 1503 By Rep. Kuempel	Relating to the appointment of building contractors to certain trade advisory boards of the Texas Department of Licensing and Regulation	Licensing & Administrative Procedures	<p>HB 1503 appoints one building contractor to the Electrical Safety and Licensing advisory board, and one building contractor primarily engaged in home construction to the Air Conditioning and Refrigeration Contractors Advisory Board. It increases the size of advisory boards to accommodate these appointments.</p> <p>Electrical and air conditioning systems are essential to the construction and affordability of homes. Home builder representation on these boards will serve to ensure accurate regulatory implications on home and industrial building.</p>	<p><u>Favorable</u></p> <p>Evaluated by: Yvonne Okonkwo 512-763-0031 yvonne@texaslsg.org</p>
HB 1716 By Rep. Pickett	Relating to the purposes and designation of a transportation reinvestment zone.	Transportation	<p>HB1716 expands county transportation reinvestment zone (TRZ) authority by allowing the sponsorship of a transportation project under provisions relating to regional mobility authorities rather than pass-through toll roads. Previously, projects were linked to projects within the zone tied to pass-through financing, a method of finance that allows local communities to fund upfront costs for constructing a state highway project then receive reimbursements over time by paying a fee for each vehicle that drives on the new highway. By opening up the projects available to be funded by TRZs, greater flexibility is given to county governments to fund projects.</p> <p>HB1716 allows the creation of multiple simultaneous TRZ's in an area. The bill restricts counties' ability to create TRZ's to avoid property taxes imposed by the county on real property located in the vicinity and binds municipalities or counties to contractual commitments until their financial obligations are satisfied. The bill removes a provision that stops another entity from being bound by bonds or other obligations created to secure funding for a transportation project if they have been discharged from the project. If any part of the tax increment or assessment has been assigned or pledged to secure bonds or other obligations then they cannot be</p>	<p><u>Favorable</u></p> <p>Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>

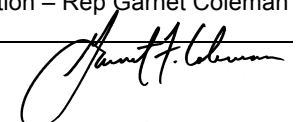
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			<p>removed or excluded from the zone. HB1716 authorizes the governing body of a city or county to designate a TRZ for a transportation project located outside it's county or city boundaries if the project will benefit the property and residents in the zone and the creation of the zone serves a public purpose for the county or city and if a project is already in the works for the area and there is an agreement for joint support of the designated zones by both or all parties involved.</p> <p>HB1716 repeals the provision authorizing a county to issue bonds to pay all or part of the cost of a transportation project or to pledge and assign all or a specified amount of money of the taxes to secure bonds. A road utility district is no longer able to impose taxes on properties in any ad valorem tax year. A road utility district's assumption of financial obligation for a county's debt is no longer considered an operating expense of the district.</p>	
<p>HB 2252 By Rep. Ashby</p>	<p>Relating to eligibility of charitable organizations to participate in a state employee charitable campaign.</p>	<p>State Affairs</p>	<p>HB 2252 alters the annual budget threshold from \$100,000 to \$250,000 for charitable organizations in Texas that wish to participate in the State Employee Charitable Campaign (SECC). As a result, 32 additional charitable organizations in Texas will be eligible to participate.</p> <p>Background: To be eligible to participate in the SECC, an organization's annual budget must be less than \$100,000, and it must provide an IRS form and an accountant's review of internal operations. Additionally, if the organization's budget is greater than \$100,000, they must be audited annually. This bill addresses the concern held by many small organizations with annual budgets just over \$100,000 that are currently experiencing auditing costs ranging from \$3,000-\$4,000 annually, which can result in significant financial hardship.</p>	<p>Favorable Evaluated by: Amanda Williams 512-763-0031 amanda.williams@texaslsg.org</p>
<p>HB 950 By Thompson, Senfronia</p>	<p>Relating to unlawful employment practices regarding discrimination in payment of compensation</p>	<p>Economic & Small Business Development</p>	<p>In 2009, President Obama signed the Lilly Ledbetter Fair Pay Act into federal law. HB 950 is a Texas version of that federal law.</p> <p>HB 950 provides victims of wage discrimination the tools to file pay discrimination complaints in state court rather than federal court within 180 days after the alleged unlawful employment practice occurred. This bill specifies that the time period for filing a discrimination claim is reset every time a person receives discriminatory compensation, including each time wages, benefits, or other compensation is paid. This allows workers to take action against wage discrimination upon discovery of the discrimination.</p> <p>Additionally, this bill establishes a provision that a complainant may file for up two-years of back pay preceding the date of filing the complaint.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 yvonne@texaslsg.org</p>
<p>HB 1090 By Rep. Martinez, "Mando"</p>	<p>Relating to the creation of Texas Task Force 1 Type 3 Rio Grande Valley</p>	<p>Homeland Security & Public Safety</p>	<p>HB 1090 creates the Texas Task Force 1 Type 3 Rio Grande Valley to be established by the Texas A&M University System's board of regents as a program of the Texas A&M Engineering Extension Service. The task force will provide training and response to assist in search, rescue, and recovery efforts following natural or man-made disasters. The Rio Grande Valley is an area particularly vulnerable to hurricanes.</p> <p>The members of Texas Task Force 1 Type 3 Rio Grande Valley are responsible for any costs and expenses related to the operation, training, and equipment of the task force and may be reimbursed for the member's expenses incurred while activated and deployed.</p>	<p>Favorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p>HB 1917 By Rep. Rodriguez, Eddie</p>	<p>Relating to alcoholic beverage advertising on the outside of certain vehicles.</p>	<p>Licensing & Administrative Procedures</p>	<p>HB 1917 allows alcoholic beverage advertisements to be displayed on the outside of public transportation vehicles, electric car rentals, taxis, and other modes of transportation that benefit from advertising income. Income received from advertisements may allow transportation providers to reduce rates or improve transit services.</p> <p>In other states, it is common for alcoholic beverage companies to advertise responsible drinking campaigns on transit vehicles. Densely populated areas such as Houston, Dallas, Fort Worth, San Antonio, and Austin are anticipated to benefit from the passage of this bill. Existing statute prohibits the alcoholic beverage industry from utilizing this type of advertisement method.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>

<p>HB 2087 By Rep. Sheffield</p>	<p>Relating to the Texas State Board of Pharmacy</p>	<p>Public Health</p>	<p>HB 2087 adds one pharmacy technician to serve as a member on the Texas State Board of Pharmacy to promote representation for this growing profession and their contribution to patient care.</p>	<p>Favorable Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p>HB 2911 By Rep. Kuempel</p>	<p>Relating to the regulation of real estate inspectors; changing fees.</p>	<p>Licensing & Administrative Procedures</p>	<p>HB 2911 expands requirements for licensed real estate inspectors who are regulated by the Texas Real Estate Commission (TREC) to be more consistent with other TREC licensee specifications. Real estate inspector license applicants must complete a criminal history background check with fingerprinting. This bill increases pre-licensing classroom hours as well as additional continuing education for licensing and renewals. Licensed real estate inspectors must also maintain a Risk Retention Liability insurance policy with specified minimum limits. Since inspectors will be required to maintain an errors and omissions liability policy, the real estate inspection recovery fund becomes redundant and is no longer necessary. The recovery fund will therefore be phased out.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 yvonne@texaslsg.org</p>
<p>HB 2103 By Rep. Villarreal</p>	<p>Relating to education research centers and the sharing of educational data between state agencies; redesignating certain fees as charges</p>	<p>Higher Education</p>	<p>HB 2103 requires the Texas Higher Education Coordinating Board (THECB), Texas Workforce Commission (TWC), and Texas Education Agency (TEA) to execute an agreement as “cooperating agencies” for data sharing in order to facilitate education and workforce studies at education research centers. HB 2103 clarifies who can be granted access to the data. This clarification will allow the board to review requests for data use in a timelier manner. By improving the access to this data by researchers, the state can better track specific data sets and identify strengths and weaknesses in the education system and provide for a more prepared workforce. Although this data sharing agreement is currently is statute, it is permissive and does not provide the necessary clarity to fully utilize the data available.</p>	<p>Favorable Evaluated by: Torey Ian Powell 512-763-0031 Torey@texaslsg.org</p>
<p>HB 3407 By Rep. Riddle et al.</p>	<p>Relating to assessment of juveniles who are victims of sex trafficking</p>	<p>Corrections</p>	<p>This bill evaluates the Texas Juvenile Justice Department’s (TJJD) procedures regarding screening and intervention for identifying adolescents involved with domestic trafficking. This bill helps TJJD develop best practices to provide future procedural recommendations. Best practices may include the examination of juveniles through: referral history, runaway status, previous adjudication, sexual abuse history, needs assessment, counseling, and a risk assessment for human trafficking. Background: Texas is considered a hub for international and domestic human trafficking, due to its proximity to the Mexico border and numerous international airports and interstate highways. There is a common misconception that human trafficking only occurs to foreigners, but thousands of U.S. citizens are being trafficked every day, including children. Adolescents in the Juvenile Justice System are especially vulnerable. This bill seeks to address this problem by examining best practices regarding early identification of human trafficking victims within TJJD.</p>	<p>Favorable Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>
<p>HB 1554 By Rep. Rodriguez, Justin</p>	<p>Relating to the authority of a municipality to file a lien for the costs of abatement of a floodplain ordinance violation; providing a civil penalty.</p>	<p>Urban Affairs</p>	<p>HB 1554 authorizes a city to repair, remove, or restructure an area designated as a floodplain violation and pursue civil action against a non-compliant violator to reimburse incurred costs. In order for the abatement of floodplain violations to occur, the city must give the property owner timely notice to comply with ordinance. After notice, if the property owner fails to comply, the city may then assess the costs incurred against the property and create a privileged lien on the property. Floodplain management seeks to prevent or reduce flood hazards and minimize risk to surrounding buildings, homes, habitat and wildlife near a floodplain. These ordinances ensure that property developments do not lead to the building, filling or agitation of designated floodplains.</p>	<p>Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>

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<p>HB 870 by Rep. Bell, et al.</p>	<p>Relating to Prairie View A&M University's eligibility to participate in the research development fund.</p>	<p>Higher Education</p>	<p>HB 870 removes Prairie View A&M University from the list of universities prohibited from utilizing the research development fund (RDF). By removing them from this list, Prairie View A&M will become eligible to participate in the RDF.</p> <p>Currently, the University of Texas at Austin, Texas A&M University, and Prairie View A&M University are the only public universities not eligible to participate in this fund and are forced to compete with each other for funds from the Available University Fund. The size of Prairie View A&M has prevented it from competing on the same level as UT-Austin and Texas A&M which causes significant inequity in funding. This bill helps address this inequity.</p>	<p><u>Favorable</u> Evaluated by: Torey Ian Powell 512-763-0031 Torey@texaslsg.org</p>
<p>HB 2684 By Rep. Button et al.</p>	<p>Relating to an exemption from the franchise tax for certain political subdivision corporation</p>	<p>Ways & Means</p>	<p>HB 2684 grants a franchise tax exemption to certain groups of political subdivisions. Currently these entities do not pay franchise taxes but must still file franchise tax reports. This bill closes the loophole so the subdivisions no longer need to file unnecessary reports.</p>	<p><u>Favorable</u> Evaluated By: Kristen Macaluso (512) 203-5080 kristen@texaslsg.org</p>
<p>HB 2623 By Rep. Oliveira</p>	<p>Relating to the authority of certain counties and the General Land Office to temporarily close a beach or beach access point.</p>	<p>Land & Resource Management</p>	<p>HB 2623 allows counties that contain a space launch site and border the Gulf of Mexico to temporarily close beaches for space flight activities approved by the Federal Aviation Administration. This bill requires that the primary and backup launch dates be submitted to the commissioner's court allowing them to temporarily close a beach in reasonable proximity to the launch site or access points to the beach. Approval is required of the General Land Office to close the beach on national holidays.</p> <p>This bill applies specifically to a proposed vertical launch site in the Boca Chica area near Brownsville, Texas. It would help maintain public health, safety and welfare on state-owned beaches when a launch takes place.</p>	<p><u>Favorable</u> Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>

