



Chair, Rep. Garnet Coleman

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Representative

Desk

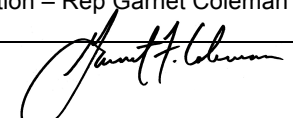
**LSG Floor Report for Postponed Business – Monday, April 29, 2013**

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 1782</b> By Rep. Davis, Sarah	Relating to the requirement that certain health care providers who provide services at a hospital wear photo identification	Public Health	HB 1782 requires health care providers at a hospital to visibly wear photo identification badges that clearly state the provider's name and title. This bill seeks to promote patient safety by making health care providers easily identifiable.	<b><u>Favorable</u></b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org
<b>HB 519</b> By Rep. Zerwas	Relating to voluntary donations to the Glenda Dawson Donate Life-Texas Registry.	Transportation	HB 519 requires the Department of State Health Services (DSHS) to designate a nonprofit organization to maintain and administer the Glenda Dawson Donate Life-Texas Registry, which is an organ and tissue donor registry. The monetary donations will be kept in a trust fund by the state comptroller outside the state treasury. The bill requires money in the fund to be disbursed at least monthly to the nonprofit organization chosen to pay administrative costs, and allows the nonprofit organization to charge fees related to the operation and maintenance of the registry.  Background: The Glenda Dawson Donate Life-Texas Registry works in conjunction with DSHS by allowing Texans to register as organ and tissue donors when renewing a driver's license. The program is funded by a \$1 voluntary contribution that can be made at time of renewal or when registering a motor vehicle.	<b><u>Favorable</u></b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org
<b>HB 1549</b> by Rep. Laubenberg	Relating to the regulation of speech-language pathology and audiology and the fitting and dispensing of hearing instruments.	Public Health	HB 1549 clarifies licensing requirements for speech-language pathologists and audiologists.  This bill establishes licensing standards for out of state military spouses by allowing them to practice in Texas if they meet certain requirements. The bill requires the establishment of rules for the use of telecommunication technology in the form of video conferencing, also known as telepractice, in fitting and dispensing of hearing instruments.  Currently, telepractice can only be used after the patient has been seen in person by these medical professionals for an initial visit. The following telepractice sessions are done with the guidance of the medical professional while a technician assists in person.	<b><u>Will of the House</u></b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org

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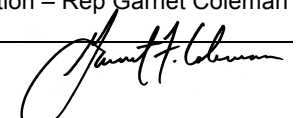
<p><b>HB 1790</b> By Rep. Longoria</p>	<p>Relating to certain procedures for defendants who successfully complete a period of state jail felony community supervision.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1790 allows a judge who places a defendant on community supervision for a state jail felony to review the defendant's record after completion of two-thirds of their supervision and consider modifying their record to a class A misdemeanor instead of a felony. This modification would not apply to defendants whose offense involved improper sexual activity by employees of a correctional facility, a DWI with a child passenger, failure to comply with sex offender registration, family violence, or any crime involving direct physical harm or force.</p> <p>Offering an individual the opportunity to receive a reduced offense level conviction may help offenders reintegrate into society and reduce recidivism.</p>	<p><b>Favorable</b> Evaluated by: Muna Javid 512-763-0031 muna@texaslsg.org</p>
<p><b>HB 2439</b> By Rep. Parker et al.</p>	<p>Relating to the review of certain contracts by the state auditor</p>	<p>Government Efficiency &amp; Reform</p>	<p>HB 2439 stipulates that at least three major state agency contracts that provide services for Texas residents and are valued at a minimum of \$1 million must be reviewed for efficiency and effectiveness by the State Auditor under the annual audit plan.</p>	<p><b>Favorable</b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p><b>HB 832</b> By Rep. Giddings et al.</p>	<p>Relating to the abatement of mosquitos in stagnant water located on certain uninhabited residential property.</p>	<p>Urban Affairs</p>	<p>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.</p> <p>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.</p> <p>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.</p>	<p><b>Favorable</b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p><b><u>LSG Floor Report For Major State Calendar – Monday, April 29, 2013</u></b></p>				
<p><b>HB 11</b> By Rep. Ritter, et al.</p>	<p>Relating to the appropriation of money from the economic stabilization fund to finance certain water-related projects.</p>	<p>Appropriations S/C on Budget Transparency and Reform</p>	<p>HB 11 uses \$2 billion from the Rainy Day Fund to finance State Water Implementation Fund for Texas (SWIFT) and the State Water Implementation Revenue Fund for Texas (SWIRFT), the funding mechanisms for the State Water Plan (SWP) passed in HB 4 by Rep. Ritter. The SWIFT and the SWIRFT operate as the joint funding mechanisms for the State Water Plan (SWP). <b>Funding for the SWP is contingent on the passage of HB 11.</b></p> <p>The SWIFT establishes an infrastructure bank, which functions as a revolving fund for the issuance and repayment of bonds. Because of the nature of the SWIFT, the \$2 billion would serve as a <b>one-time capital investment projected to provide financial assistance of \$27 billion over 50 years.</b></p> <p>The total cost of the SWP is \$53 billion- \$27 billion in state assistance and \$26 billion from local and regional bodies. Per HB 4, the TWBD would enter into a bond enhancement agreement and issue both Revenue and General Obligation (GO) bonds. Local entities will repay the principal and interest of the loan, which allows for lower interest rates. Excess funds are returned back to the SWIFT to maintain the financial stability of the corpus.</p> <p>Proposition 2 (2011) allows the TWDB to continually issue GO bonds, without voter approval, of up to \$6 billion. Bond proceeds will be used to finance prioritized SWP projects and support low-interest loans, longer repayment terms for loans, incremental repurchase terms, and the deferral of loan payments- it does not allow for grants. (continued)</p>	<p><b>Favorable</b> Evaluated by: Laura Welch 512-763-0031 laura@texaslsg.org</p>

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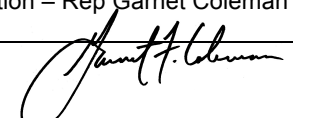
			<p>Texas has about 26 million residents, 75 percent of which suffer from moderate levels of drought. By 2060, the state’s population is expected to increase 82 percent, to roughly 46 million. Meanwhile, the present water supply deliverable during a drought is expected to decrease by 10 percent, further intensifying the demand for water and the need to establish a long-term plan for the state’s water supply.</p> <p>This bill is favorable due to the state’s dire water needs, though use of money from the Rainy Day Fund is concerning since funding for public schools is still deficient. If the Legislature chooses to fund the SWP with Rainy Day Fund money, <b>roughly \$10 billion will still be available for use</b>; serious consideration should be made as to whether this priority outweighs our obligations to fund public education. Currently, Texas ranks 43<sup>rd</sup> in expenditures per student in Average Daily Attendance (ADA) among public schools (K-12).</p> <p><i>Note: Unfavorable CSSB1 Article XI Amendment 236 by Representative Frank: If Rainy Day Funds are used to fund the SWP, across the board spending cuts would be implemented for programs funded by General Revenue. Rather than raise the spending cap, cuts would total the amount appropriated from the Rainy Day Fund.</i></p>	
<p><b>SB202</b> By Sen. Huffman  Companion <b>HB 1674</b> by Rep. Price</p>	<p>Relating to the continuation and functions of the Texas Commission on the Arts.</p>	<p>Culture Recreation &amp; Tourism</p>	<p>SB 202 continues the Texas Commission on the Arts’ (TCA) until 2025 and enacts recommendations made by the Sunset Commission.</p> <p>SB 202 reduces the size of the TCA board from seventeen members to nine members and repeals the provision requiring a member from every field of arts to be represented; instead, the members must represent a diverse spectrum of arts. The board reduction will take place gradually, and all current members’ terms will be fulfilled in their entirety. This bill also clarifies language on TCA authority to award grants to advance the state economically and culturally by investing in Texas’ arts.</p>	<p><b>Favorable</b> Evaluated by: Kelle’ Martin 512-763-0031 Kelle@texaslsg.org</p>
<p><b><u>LSG Floor Report For General State Calendar – Monday, April 29, 2013</u></b></p>				
<p><b>HB 1087</b> By Rep. Giddings</p>	<p>Relating to the authority of a parent or legal guardian to establish a consumer file for a child or adult ward and act on the child’s or adult ward’s behalf with a consumer reporting agency.</p>	<p>Business &amp; Industry</p>	<p>HB 1087 establishes a process by which a parent or guardian of any Texan 16 years or younger can put a security freeze on the youth’s credit record. Little to no activity on these records makes them an attractive target for identity thieves because the records are clean and because regular consumer checks happen less often. Criminal activity becomes evident only later when the consumer goes to apply for a job, an apartment, a bank account or purchase a car, when reversing the damage is much more difficult. The bill is careful not to interfere in desired use of credit.</p>	<p><b>Favorable</b> Evaluated By: Kristen Macaluso (512) 763-0031 kristen@texaslsg.org</p>
<p><b>HB 52</b> By Rep. Flynn</p>	<p>Relating to the sale of a cemetery plot; providing penalties.</p>	<p>Investments &amp; Financial Services</p>	<p>HB 52 allows the regulation of 3rd party cemetery brokers by the Department of Banking and the Finance Commission. This bill requires cemetery brokers to register with the Department of Banking, authorize a limited registration fee, specify exemptions to the registration requirement, and establish a resolution process for complaints. The regulation of plot re-sales is needed in order to ensure consumer protection. Consumers who purchase re-sale plots believe they have the rights to a burial plot, after paying the full amount that was asked for by the 3<sup>rd</sup> party broker, but when they attempt to use the land they are told that they do not have the rights.</p>	<p><b>Favorable</b> Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>
<p><b>HB 257</b> By Rep. Gonzalez, Naomi et al.</p>	<p>Relating to the creation of the Texas Tech University Health Sciences Center at El Paso as a component institution of the Texas Tech University System.</p>	<p>Higher Education</p>	<p>HB 257 establishes the Texas Tech University Health Sciences Center at El Paso (TTHSC) as a separate institution under the control of the Texas Tech University System Board of Regents. It gives TTHSC all the rights and privileges associated with being a stand-alone institution, including Article 7 formula funding. The current status of TTHSC as a center under Texas Tech University system only provides line item funding.</p>	<p><b>Favorable</b> Evaluated by: Torey Ian Powell 512-763-0031 Torey@texaslsg.org</p>

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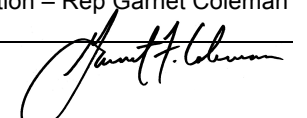
<p><b>HB 346</b> By Rep. Deshotel</p>	<p>Relating to the electronic storage of personal identification information obtained from driver's licenses or personal identification certificates.</p>	<p>Technology</p>	<p>HB 346 allows financial institutions or businesses to scan a driver's license, commercial driver's license, or personal identification certificates to obtain electronically readable information stored on the card. Currently, businesses are prohibited from scanning these cards and must manually enter information once a card is presented. Allowing these cards to be scanned will remove any human error and prevent fraudulent use of these identifications.</p>	<p><b>Favorable</b> Evaluated by: Torey Ian Powell 512-763-0031 Torey@texaslsg.org</p>
<p><b>HB 671</b> By Rep. Ratliff et al.</p>	<p>Relating to the calculation of the rollback tax rate of a school district</p>	<p>Ways &amp; Means</p>	<p>HB 671 gives school districts the flexibility to raise property tax rates without an election as long as it is within limits already approved by voters. Currently school districts must have a Tax Rate Election (TRE) any time they raise the property tax rate. If rates are lowered in a time of surplus, the district must bear the cost of another election to raise rates again, even if it is within limits previously approved.</p>	<p><b>Favorable</b> Evaluated By: Kristen Macaluso (512) 203-5080 kristen@texaslsg.org</p>
<p><b>HB 1489</b> By Rep Flynn</p>	<p>Relating to prepaid funeral benefits contracts; authorizing a fee.</p>	<p>Investments &amp; Financial Services</p>	<p>Currently, the Texas Department of Banking (TDB) regulates companies and individuals who sell prepaid funeral benefits. This large industry has generated over \$3 billion in prepaid funeral contracts.</p> <p>HB 1489 enacts provisions intended to protect consumers from bad actors in the prepaid funeral benefit industry. This bill allows the TDB commissioner to issue subpoenas to investigate fraudulent cases and suspends persons involved in fraudulent activity from selling further prepaid funeral contracts. HB 1489 also calls for sellers, individuals, or companies to notify customers and contract holders that they are closing within a specified period of time.</p>	<p><b>Favorable</b> Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>
<p><b>HB 1791</b> By Rep. Davis, John et al.</p>	<p>Relating to the facilitation and operation of space flight activities in this state</p>	<p>Economic &amp; Small Business Development</p>	<p>In 2011, the Legislature passed a bill clarifying that participants on a space vehicle launched from Texas must assume the risk of injury if they are made aware of the risks and sign a written waiver of liability. HB 1791 would extend this liability protection to to space launch vehicles and any type of space flight activities arising from nuisance noises or space-related work and activity actions. This bill expands the law by including "disability" in part of the definition of "spaceflight participant injury" that would make spaceflight participants assume their risk of injury when they sign the waiver. Additionally, space flight entities are not immune to liability in cases of evidentiary gross negligence or intentional negligence. Finally, injunctive relief to stop space flight activities is precluded under the bill.</p> <p>Moreover, HB 1791 affirms that viable business entities located in reasonable proximity to launching and landing areas must demonstrate that they have to finance 75 percent of the cost to run their business in order to be certified by the Texas Economic Development and Tourism Office to the Comptroller of Public Accounts for the expenditure of money in The Spaceport Trust Fund. Finally, HB 1791 would amend the Penal Code by adding that noise made from spaceflight activities does not constitute "unreasonable noise" for the purpose of disorderly conduct court findings.</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 yvonne@texaslsg.org</p>
<p><b>HB 3188</b> By Rep. Otto</p>	<p>Relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.</p>	<p>Appropriations</p>	<p>At the end of each biennium, certain claims must be approved by the Legislature before payment can be issued. HB 3188, also know as the miscellaneous claims bill, spends \$7,217,587 in General Revenue and \$7,294,253 from the State Highway Fund 6 to settle some of the state's outstanding claims and judgments. Among other smaller claims, the bill appropriates \$3.5 million to the Special Needs Trust of Farhat Chishty, an individual with a mental disability who sustained life-threatening injuries after a beating in a state facility.</p>	<p><b>Favorable</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>

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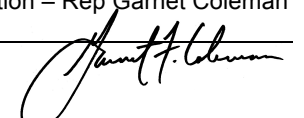
<p><b>HB 2836</b> By Rep. Ratliff et al.</p>	<p>Relating to the requirements for and use of certain state-administered assessment instruments administered to public school students.</p>	<p>Public Education</p>	<p>HB 2836 increases valuable instruction time for Texas schoolchildren by limiting standardized testing requirements and seeking to make the remaining standardized tests more effective.</p> <p>HB 2836 removes all Social Studies and 7<sup>th</sup> grade writing from the Texas Education Agency's (TEA) list of required standardized tests. The bill seeks to ensure the integrity of TEA administered standardized tests by requiring an evaluation independent of TEA to determine the validity and reliability of any test before it may be administered. Additionally, any standardized test administered by TEA <i>must</i> assess the essential knowledge and skills outlined by the State Board of Education (SBOE) in correlation with the grade levels the instruments are administered. The tests must allow 85 percent of students in grades 3 through 5 to complete the tests in 120 minutes or 180 minutes for students in grade 6 through 8. Each test may not last longer than 8 hours and may not be administered on more than one day.</p>	<p><b><u>Favorable</u></b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p><b>HB 1863</b> By Rep. Wu</p>	<p>Relating to the amounts of the administrative, civil, and criminal penalties for violating certain statutes under the jurisdiction of, rules or orders adopted by, or licenses, permits, or certificates issued by the Railroad Commission of Texas.</p>	<p>Energy Resources</p>	<p>HB 1863 raises and caps the monetary administrative, criminal, and civil penalties for pipeline and non-pipeline violations and destruction of pipeline facilities. The new penalties in this bill bring the state in line with federal requirements, keeping the Railroad Commission (RRC) from incurring federal penalties, maintaining state program certifications, and making the RRC eligible to receive additional federal funds before time expires.</p>	<p><b><u>Favorable</u></b> Evaluated By: Kristen Macaluso 512-763-0031 kristen@texaslsg.org</p>
<p><b>HB 996</b> by Rep. Giddings</p>	<p>Relating to permitting electronic delivery of certain documents in a criminal case.</p>	<p>Criminal Jurisprudence</p>	<p>HB 996 allows for secure e-mail as one of the acceptable methods to transmit the following documents: an application for writ of habeas corpus in a death penalty or felony case, a copy of a court order in a habeas corpus application in a community supervision case, a certificate of lab analysis, and a copy of a chain of custody affidavit. This is a permissive, cost-saving measure that may enhance efficiency for certain criminal cases.</p> <p>Currently, criminal case documents must be transferred through certified mail with return receipt, fax, personal service, or hand delivery.</p>	<p><b><u>Favorable</u></b> Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>
<p><b>HB 939</b> By Rep. Davis, John</p>	<p>Relating to repealing the employment and training investment assessment; changing the rate of certain unemployment taxes.</p>	<p>Economic &amp; Small Business Development</p>	<p>HB 939 raises the mandatory unemployment benefits first time employer contribution rate to 2.7% initial contribution rate. Currently, the Employment and Training Investment Assessment is at the greater of the rate established for that year for the employer or 2.6% to fund the Skills Development Fund. HB 939 would repeal the Employment and Training Investment Assessment from the employer collected unemployment Insurance Tax. This revenue is neutral on employers when it's below the 100% floor amount, as this money effectively reduces the following year. When the compensation fund exceeds 100% it is transferred to the Skills Development Program; this has not occurred since 2008 because the funds have not yet met its 100% floor amount.</p> <p>The LBB Fiscal Note on this legislation notes:</p> <p>"The unappropriated balances and revenues in General Revenue Account 5128 are used to certify the General Revenue budget. Transferring funds from General Revenue Account 5128 into the Unemployment Trust Fund Account (0938), which is not used to certify the General Revenue budget, would result in a cost for certification purposes. In 2014-15, the beginning balance of \$91.2 million and estimated revenue collections of \$84.4 million per year would no longer be available for certification. The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill."</p>	<p><b><u>Will of the House</u></b> Evaluated by: Yvonne Okonkwo 512-763-0031 yvonne@texaslsg.org</p>

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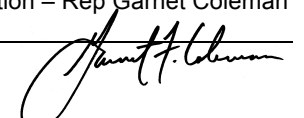
<p><b>HB 1762</b> By Rep. Price</p>	<p>Relating to workers' compensation and other remedies available to an injured temporary employee.</p>	<p>Business &amp; Industry</p>	<p>HB 1762 clarifies that when a temporary employment service holds workers' compensation insurance, a certificate of that insurance is sufficient proof that the coverage extends to the service and to the temporary workers of its client company. Both the temporary service and the client company are subject to the Texas Workers' Compensation Act. Currently the law is unclear on whether a company's workers' compensation insurance extends to temporary workers.</p>	<p><b>Favorable</b> Evaluated By: Kristen Macaluso 512-763-0031 kristen@texaslsg.org</p>
<p><b>HB 3790</b> By Rep. Perry</p>	<p>Relating to creation of the Judicial Branch Certification Commission and the consolidation of judicial profession regulation; imposing penalties; authorizing fees.</p>	<p>Judiciary &amp; Civil Jurisprudence</p>	<p>HB 3790 aims to increase efficiency within the certification of judicial agents and judicial assistants by combining the Court Reporters Certification Board, The Guardianship Certification Board, and the Process Review Server Review Board under one umbrella into a newly created Judicial Branch Certification Commission. The Commission will consolidate these three boards, streamline certification process, and create the following multiple regulatory changes:</p> <ul style="list-style-type: none"> <li>-The nine-member commission will construct their rule-making authority from the Supreme Court and be appointed by the Supreme Court. The judges serving on the commission must have previous experience of a court reporter employed with them.</li> <li>-The Commission will collaborate with the Office of Court Administration (OCA) to implement administrative duties.</li> <li>-The bill requires that the commission provisions be aligned with Texas Department of Licensing and Regulation licensure structure.</li> <li>-The Commission will create advisory boards that consist of professionals that have certified and licensed experience in the court reporter, process server, court interpreter and guardianship realm.</li> <li>-Ensures that complaints are referred to the advisory board and at their discretion could then conduct a hearing and from the hearing dismiss the complaint or notify the Commission with recommendations. The commission will then exercise their authority in necessary sanctions after the complaint review process and develop alternative resolution procedures.</li> <li>-HB 3790 calls on judges and public members serving on the advisory committee to certify, oversee, regulate, and license these professions. The bill calls on the commission to impose sanctions and penalties on the court professionals that commit violations.</li> <li>-HB 3790 would require certain professionals to continue their education, examination, certification, and abide by an established code of ethics for these professionals.</li> <li>-On September 1, 2014, all employees of the Court Reports Certification Board, Guardianship Certification Board, and Process Review board will become employees of OCA.</li> </ul>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 yvonne@texaslsg.org</p>
<p><b>HB 394</b> By Rep. Thompson, Senfronia</p>	<p>Relating to limits on prizes for bingo games</p>	<p>Licensing &amp; Administrative Procedures</p>	<p>HB 394 would allow bingo games that award individual prizes of \$50 or less to exceed the current statutory aggregate prize limit of \$2500 per event. This bill would benefit charitable organizations that offer bingo contests with prize sets of \$50 or less.</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 yvonne@texaslsg.org</p>
<p><b>HB 595</b> By Rep. Kolkhorst</p>	<p>Relating to certain health programs and councils</p>	<p>Government Efficiency &amp; Reform</p>	<p><b>**This bill has been returned to committee to correct a procedural error**</b> HB 595 abolishes the following programs and systems under the Texas Health and Safety Code: Tertiary Medical Care, Breast and Lung, Prostate Cancer Education, Border Health Foundation, Lice of Minors, Agent Orange exposure, and Osteoporosis. This bill requires that all property, contracts, leases, rights, and obligations be transferred to the Department of State Health Services (DSHS). HB 595 also eliminates an expiration date in statute which continues to allow Managed Care Organizations' ability to develop and implement outpatient pharmacy benefit plans, adhere to preferred drug list, employ vendor drug programs, and assist the state in reducing waste under the Medicaid Program. The Tertiary Medical Care program currently has a dedicated account with a balance estimated at \$24.5 million, according to the Legislative Budget Board. All monies remaining in the account will transfer to General Revenue.</p>	<p><b>Favorable</b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>

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<p><b>HB 2811</b> by Rep. Toth et al.</p>	<p>Relating to programs provided by volunteer organizations to inmates in the Texas Department of Criminal Justice</p>	<p>Corrections</p>	<p>HB 2811 seeks to encourage the presence of volunteer reentry and rehabilitation programs for TDCJ inmates by requiring wardens to coordinate with these organizations. The bill requires each warden to submit an annual report summarizing actions taken to encourage volunteer organizations to help ex-offenders reintegrate safely back into society.</p> <p>Organizations may offer the following programming: substance abuse treatment, life skills training, veterans’ services, and literacy and education training. These programs are vital because many inmates returning to the community must learn to be self-sufficient. This bill will help provide these resources to inmates without creating a fiscal impact.</p>	<p><b>Favorable</b>                  Evaluated by:                  Natalie R. Powell                  512-763-0031                  Natalie@texaslsg.org</p>
<p><b>HB 3391</b>                  By Rep. Phillips</p>	<p>Relating to comprehensive development agreements of the Texas Department of Transportation or a regional mobility authority.</p>	<p>Transportation</p>	<p>HB 3391 authorizes TXDOT and other entities to enter into specified comprehensive development agreements (CDA) and grants discretion to these entities when entering into a CDA.</p> <p>HB 3391 expands the definition of "comprehensive development agreement" to include the reconstruction of such a project. This bill allows an entity such as TxDoT to go into a public and/or private comprehensive development agreement dealing with tolled or nontolled projects. HB 3391 allows TxDOT to enter into CDAs for named projects within the bill and revises the expiration date of TxDOT’s authority to enter into agreements for these projects. The environmental clearance process is altered to allow for clearance at an earlier stage, which could create an unintended loophole in phased construction projects.</p> <p>The bill enables a toll project entity to end an agreement with a private entity and buy out their interest in a project, the cost of which is determined using a specific formula within the bill. HB 3391 creates a regional mobility authority for the Hidalgo County Loop Project, The International Bridge Trade Corridor Project and projects associated with commuter rail. This bill adds transparency by requiring toll project entities to include financial details and a full price breakdown in any request of proposals from other entities. Private participants must notify toll project entities at least 12 months before a price interval increase and requires a toll project entity to notify the private participant whether or not they choose to purchase their interest within 6 months before the purchase takes place. Price adjustment is enabled in this bill based on expansion, reconstruction and other variables that come with transportation projects.</p> <p>While CDAs are not the most ideal tactic for road maintenance and construction because of the debt load they add to the state, the Legislature has nonetheless failed to provide adequate financing for transportation projects, requiring creative solutions like this bill.</p>	<p><b>Will of the House with Concerns</b>                  Evaluated by:                  Kelle’ Martin                  512-763-0031                  Kelle@texaslsg.org</p>
<p><b>HB 1548</b>                  By Rep. Callegari</p>	<p>Relating to the effect of certain agreements with a collective bargaining organization on certain state-funded public work contracts.</p>	<p>Government Efficiency and Reform</p>	<p>HB 1548 seeks to regulate contracts awarded by governmental entities, including institutions of higher education. This bill prohibits governmental entities and higher education institutions from allowing a person or contractor (or subcontractor) from entering into or adhering to a Project Labor Agreement (PLA), otherwise known as a pre-hire collective bargaining agreement. This bill is unfavorable because it unfairly discriminates against a person bidding for a contract and it allows for governmental entities to avoid entering into collective bargaining agreements.</p> <p>Project labor agreements are essential in many large-scale construction projects. Many construction employers do not have a permanent workforce, which makes it difficult to accurately bid contracts and complete projects on schedule. A project labor agreement, otherwise known as a pre-hire agreement establishes the wages and terms of employment and once a PLA takes effect, employees no longer have the right to strike. Additionally, PLA’s are authorized under the National Labor Relations Act, and similar laws as proposed in HB 1548 and been overturned in other states.</p>	<p><b>Unfavorable</b>                  Evaluated by:                  Maggie Nelson                  512-763-0031                  Maggie@texaslsg.com</p>
<p><b>HB 885</b>                  By Rep. Murphy</p>	<p>Relating to the guarantee of refinanced open-enrollment charter school bonds by the permanent school fund.</p>	<p>Public Education</p>	<p>HB 885 allows open-enrollment charter schools to apply for refunding and refinanced bonds that are guaranteed by the permanent school fund. Under the bill, a refunding and refinanced bond may not be approved if the total bond exceeds one half of the amounts available for the guarantee of charter district bonds. This could result in cost-savings for charter schools.</p>	<p><b>Favorable</b>                  Evaluated by:                  Nena Chima                  512-763-0031                  nena@texaslsg.org</p>

OK for Distribution – Rep Garnet Coleman



<p><b>HB 1231</b> By Rep. Giddings</p>	<p>Relating to the application of the offenses of disrupting public school classes or transportation to persons younger than 12 years of age.</p>	<p>Public Education</p>	<p>HB 1231 exempts students aged 12 years or younger from being charged with a criminal offense for disruption of a classroom or school bus. Current law exempts students in 6<sup>th</sup> grade and under.</p> <p>HB 1231 creates a better standard since schoolchildren in the same grade may vary in age. The criminalization of youth for offenses that are minor in nature should not be handled within the court system.</p>	<p><b><u>Favorable</u></b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p><b>HB 1310</b> By Rep. Button, et al.</p>	<p>Relating to the exclusion from total revenue of the cost of certain vaccines for purposes of the franchise tax.</p>	<p>Ways &amp; Means</p>	<p>HB 1310 allows a medical practice to exclude the cost paid for vaccines from its total revenue in calculating franchise taxes due. Currently, as vaccines sales are a significant part of these businesses, and due to the way franchise taxes are assessed, physicians provide vaccines to their patients at a loss. For the Property Tax Relief Fund, this bill would mean a loss upwards of \$3.7 million for the next biennium and over 4 million in the biennium after that. These amounts would need to be made up from General Revenue funds. However, it is important to note that administration of vaccines is a preventative measure likely to reduce future care costs. The procurement of vaccines is predictive in nature. The change brought by this bill might encourage these facilities to prepare according to need rather than their bottom line. This may also encourage more providers to offer vaccines.</p>	<p><b><u>Favorable</u></b> Evaluated By: Kristen Macaluso 512-763-0031 kristen@texaslsg.org</p>
<p><b><u>Concurrent Resolutions Calendar—Monday April 29, 2013</u></b></p>				
<p><b>HCR 1</b> by Rep. Branch</p>	<p>Directing the Texas Facilities Commission to rename the State Insurance Building Annex in the Capitol Complex the John G. Tower State Office Building.</p>	<p>State Affairs</p>	<p>HCR 1 directs the Texas Facilities Commission (TFC) to rename the State Insurance Building Annex to “John G. Tower State Office Building” as a lasting tribute to John Goodwin Tower, former United States Senator from Texas. Senator Tower was the first Republican senator from Texas since Reconstruction. He was in office for twenty-four years. He died in 1991, the year after President Bush named him chair of the President’s Foreign Intelligence Advisory Board.</p> <p>HCR 1 requires that an official copy of this resolution be forwarded to the chair and executive director of the TFC.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Amanda Williams 512-763-0031 amanda.williams@texaslsg.org</p>