



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

Vice Chair, Rep. Lon Burnam

Representative

Desk

LSG Floor Report for Postponed Business – Saturday, May 04, 2013

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
HB 2072 By Rep. Rodriguez, Eddie, et al.	Relating to services for persons who are deaf or hard of hearing and licensing requirements for interpreters for persons who are deaf or hard of hearing; providing an administrative penalty; requiring a fee and changing the rate of a fee.	Human Services	<p>HB 2072 transfers the authority to establish and regulate a licensure program for interpreters for the deaf, blind, deaf blind, or hard of hearing from HHSC to the Department of Assistive and Rehabilitative Services (DARS). Provisions relating to the current <i>certification</i> of interpreters are removed and replaced by provisions on the regulation of a <i>licensure</i> program including the renewal, denial, suspension, or revocation of interpreter licenses and instances when prerequisites for licenses may be waived.</p> <p>HB 2072 requires a person interpreting for the deaf or hard of hearing to be licensed unless they are interpreting in a religious, family-oriented or social setting, an emergency situation, as part of a course of study, or not a resident of this state but licensed in another jurisdiction. Violation of these provisions may result in an administrative penalty not to exceed \$5,000 for each violation. The Texas Association for the Deaf and Texas Society of Interpreters for the Deaf are in support of this bill.</p>	<u>Favorable</u> Evaluated by: Katherine Little 512-763-0031 katherine@texaslsg.org

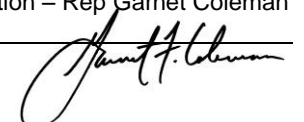
LSG Floor Report For Major State Calendar – Saturday, May 04, 2013

HB 2289 By Rep. Price	Relating to the continuation and functions of the Texas Board of Criminal Justice, the Texas Department of Criminal Justice, and the Windham School District and to the functions of the Board of Pardons and Paroles and the Correctional Managed Health Care Committee.	Corrections	Please view the attached document.	<u>Favorable with Concerns</u> Evaluated by: Natalie Powell 512-763-0031 Natalie@texaslsg.org
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OK for Distribution – Rep. Garnet Coleman

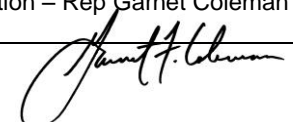
LSG Floor Report For General State Calendar – Saturday, May 04, 2013

<p>HB 1869 by Rep. Price</p>	<p>Relating to contractual subrogation and other recovery rights of certain insurers and benefit plan issuers.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>Currently, when there is an accident that causes personal injuries and medical costs, health and disability plans may be reimbursed out of a settlement for benefits they paid on behalf of the injured person. These terms are built into the insurance policies, and the policyholder has no bargaining power to change or eliminate them.</p> <p>HB 1869 establishes a statutory right for the health benefit plan, insurance companies, and disability plans to have a subrogation clause in their contracts in order for these plans to recover a portion of the benefits they paid when the policyholder got injured. However, the bill contains safeguards so that the company never collects more than the injured insured client. Under the bill provisions, the injured person splits the settlement money evenly with the health insurance company.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p>Amendment To HB 1869</p>	<p>By Rep. Price</p>	<p>#831249</p>	<p>This perfecting amendment strikes the language that allows an insurance company to subrogate the injured party. Under the amendment, the insurance company has to split the settlement money with the injured plaintiff. The amendment makes clear that Worker’s Compensation, Medicare, Medicaid, CHIPS, or a self-funded ERISA plans are not affected by this bill. Moreover, the amendment limits the payer’s total recovery to an amount that is not less than 15% of and not more than one-half of the covered individual’s total recovery. Finally, the amendment allows a payor of benefits to pursue recovery against uninsured/underinsured motorist coverage or medical payments coverage only if the covered individual’s immediate family did not pay the premium for the coverage.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p>HB 47 By Rep. Flynn</p>	<p>Relating to a handgun proficiency course that is taken to obtain or renew a concealed handgun license.</p>	<p>Homeland Security & Public Safety</p>	<p>HB 47 reduces the minimum number of classroom instruction hours for those seeking to obtain or renew a Concealed Handgun License (CHL) from 10 hours to 6 hours. The bill also specifies language on what must be taught in the course. HB 47 allows DPS to offer classroom instruction online as part of the handgun proficiency course.</p> <p>While the Legislature continues propose expanded allowances for CHL holders by proclaiming high standards to attain a license, it is counterintuitive to decrease the requirements necessary to qualify for these privileges.</p>	<p>Unfavorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p>HB 48 By Rep. Flynn</p>	<p>Relating to the procedure under which a person may renew a license to carry a concealed handgun.</p>	<p>Homeland Security & Public Safety</p>	<p>HB 48 completely eliminates the requirement that a CHL holder must complete a continuing education course in handgun proficiency for a <i>renewal</i>. This bill also removes the requirement for an applicant to submit evidence of handgun proficiency and one or more photographs of the applicant to renew a license. Continuing education ensures that renewal applicants are informed of the most current information and practices on gun safety, which may include laws relating to weapons and to the use of deadly force, safety, nonviolent dispute resolution, and proper storage practices with an emphasis on eliminating the possibility of accidental injury to a child.</p> <p>HB 48 requires the DPS director to adopt an informational form that describes state law regarding the use of deadly force and the places where it is unlawful for the licensee to carry a concealed handgun. An applicant for a renewed license must sign and return the informational form to the department by mail or acknowledge the form electronically on the internet. This bill requires that the informational form be part of the renewal application. Currently, the form is sent by DPS to CHL holders who have already satisfied the eligibility criteria for a renewal.</p>	<p>Unfavorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>



<p>HB 485 By Rep. Davis, Sarah</p>	<p>Relating to the amount of the fee paid by certain peace officers and veterans of the United States armed forces for a license to carry a concealed handgun; authorizing a fee.</p>	<p>Homeland Security & Public Safety</p>	<p>Currently, an honorably discharged veteran who is applying for a CHL receives a 50% fee reduction for an original, duplicate, modified, or renewed license.</p> <p>HB 485 establishes a fee of \$25 for the applicants who are seeking an <i>original</i> or <i>renewed</i> license and maintains the 50% reduced fee for a duplicate or modified licensed.</p>	<p>Favorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p>HB 508 by Rep. Guillen</p>	<p>Relating to certain offenses relating to carrying concealed handguns on property owned or leased by a governmental entity; providing a civil penalty.</p>	<p>Criminal Jurisprudence</p>	<p>HB 508 prohibits a state agency or political subdivision from providing written or oral notice prohibiting a concealed handgun license (CHL) holder from carrying a handgun on the premises if the license holder is <i>not statutorily prohibited</i> from carrying a handgun on that premises. If that entity is in violation, they are liable for a civil penalty of \$1,000-\$1,500 for the first violation, and \$10,000 - \$10,500 for the second and subsequent violations. Each day of a continuing violation constitutes as a <i>separate</i> violation.</p> <p>On the request of a Texas citizen or person licensed to carry a concealed handgun, the Attorney General is required to sue the entity to collect a civil penalty and deposit fees into the Victims Crime Fund. Before suing the entity, the AG must give written notice describing the violation, the amount of the penalty, and a 15 day grace period to remove the sign to avoid penalty. This bill waives sovereign immunity according to the provisions of the bill. It prevents false notice and incorrect enforcement of CHL laws.</p>	<p>Favorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p>HB 698 By Rep. Springer</p>	<p>Relating to certain procedures for submitting legible and classifiable fingerprints with an application for a license to carry a concealed handgun.</p>	<p>Homeland Security & Public Safety</p>	<p>HB 698 requires DPS to establish procedures for license applicants who are required to submit legible and classifiable fingerprints and who do not reside within a 25 mile radius of a capable facility. This includes CHL applicants, DPS officers, an active or honorably retired peace officer, or an active or retired judicial officer.</p>	<p>Favorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p>HB 801 By Rep. Munoz, Jr.</p>	<p>Relating to the discharge of a firearm across the property line of a school.</p>	<p>Homeland Security & Public Safety</p>	<p>HB 801 requires TxDOT, at the request of a school district, to place signs in appropriate places along state or federal highways, and to act jointly with local authorities to place signs along municipal roadways, to alert hunters of the proximity of a school. School districts that request a sign must pay for the costs of production and placement of the sign.</p> <p>HB 801 broadens the curriculum of the statewide hunter education program or any curricular materials related to hunting, including a hunter’s personal responsibility as it applies to the discharge of a firearm, information on awareness of school property and other surroundings, and the danger of discharging a firearm across the property line of a school.</p>	<p>Favorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p>HB 78 by Rep. Simpson, et al.</p>	<p>Relating to the exemption from the sales and use tax for certain coins and precious metals.</p>	<p>Ways & Means</p>	<p>HB 78 exempts all individuals who buy gold, silver, numismatic coins, and platinum from paying taxes.</p> <p>Currently, the tax exemption only exists for individuals who buy these commodities in amounts above \$1000 or more. This bill allows Texans in all income levels to benefit from this exemption.</p>	<p>Favorable Evaluated by: Tanya Gripton 512-763-0031 Tanya@texaslsg.org</p>

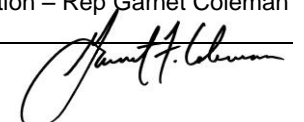
<p>HB 972 By Rep. Fletcher, et al.</p>	<p>Relating to the carrying of concealed handguns on the premises of</p>		<p>HB 972 makes it lawful for a CHL holder to carry a handgun on the premises of an institution of higher education. This bill allows an institution to adopt written rules or regulations prohibiting CHL holders from carrying handguns, after consulting with students, staff, and faculty. If the institution adopts those rules or regulations, HB 972 requires the notice of §30.06 to be posted which prohibits concealed handguns even for licensed carriers. While the policy at public institutions will be an opt out, HB 972 allows a private or independent institution of higher education to opt in, by adopting written rules or regulations allowing CHL holders to carry handguns on the premises, after consulting with students, staff, and faculty.</p> <p>If institutions allow CHL holders to carry on the premises, HB 972 requires the institution to adopt written rules or regulations concerning the storage of handguns and the carrying of concealed handguns at collegiate sporting events on property owned by the institution.</p> <p>HB 972 specifies that even on the premises of an institution that allows the carry of a concealed weapon, if a §30.06 notice is posted, the institution can restrict a person from carrying at a preschool/elementary/secondary school or hospital maintained, operated, or located at that institution.</p> <p>HB 972 includes institutions of higher education, private or independent institutions of higher education, and an officer or employee thereof, in protections, including that a court may not hold them liable for damages from certain cause, a cause of action may not be brought for damages caused by the actions of an applicant or license holder, and that previous immunities granted do not apply to an act or failure to act if the act or failure to act was capricious or arbitrary.</p> <p>HB 972 exempts the offense of carrying on the premise of a higher education institution, a school sponsored activity, or on a transportation vehicle of the higher institution when the person has a CHL. This bill lists the situations where this does not preclude or permit CHL holders to carry.</p> <p>HB 972 makes it an offense to violate the carry rules on the premises of an institution where it is prohibited. This only applies where a sponsored collegiate sporting event is taking place, if notice of §30.06 is posted.</p> <p>When universities are questioned, they largely express an interest in opting to prohibit the carry of concealed handguns, because statistically university campuses are safer than other public spaces. It is not the state’s place to impose a one size fits all policy on our higher education institutions.</p>	<p>Unfavorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p>HB 1009 By Rep. Villalba</p>	<p>Relating to the creation of a new category of law enforcement officer who shall be designated a school marshal, the training and appointment of certain employees of a school district or open-enrollment charter school as school marshals, and the rights, restrictions, limitations,</p>	<p>Homeland Security & Public Safety</p>	<p>HB 1009, referred to as the Protection of Texas Children Act, creates rules to permit a school district to allow a district employee to serve as a school marshal and carry a gun.</p> <p>HB 1009 defines “school marshal” and prescribes responsibilities and restrictions for the confidential position. This bill allows for the possibility of school marshals who will serve the purpose of preventing prevent or abating an offense that threatens serious bodily injury or death of students, faculty or visitors on school premises. HB 1009 allows a school marshal to be licensed and appointed by the board of trustees of a school district or the governing body of an open-enrollment charter school to serve as a school marshal.</p> <p>HB 1009 allows an appointed school marshal to carry or possess a handgun on school premises, but only in the manner provided by written regulations adopted by the board of trustees or the governing body at a specified school. This bill requires that any written regulations adopted must provide that a school marshal may carry a concealed handgun with exception that if the primary duty of the marshal involves regular, direct contact with students. In that case the marshal may possess a handgun on the physical premises of a school in a locked and secured safe within the marshal’s immediate reach. The written regulations require that the handgun may only be loaded only with frangible, or soft, ammunition designed to disintegrate on impact. HB 1009 specifies that a school marshal may</p>	<p>Unfavorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>




	and responsibilities of school marshals; authorizing the imposition fee		<p>access a handgun only under circumstances that would justify the use of deadly force in defense of person or defense of third person.</p> <p>HB 1009 requires Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) to establish and maintain a training program open to any employee who holds a license to carry a concealed handgun. This bill also requires that the training program is to include 80 hours of instruction designed to emphasize specified strategies. HB 1009 allows TCLEOSE to license a person only if the results of a psychological examination indicate that the trainee is psychologically fit to carry out duties of a school marshal in an emergency shooting or situation involving an active shooter.</p> <p>HB 1009 requires TCLEOSE to license a person who is eligible for appointment as a school marshal who satisfactory completes training and is psychologically fit. This bill outlines the expiration timeline of a school marshal’s license, how a person may renew or recertify their license, and the ways an employee’s status as a school marshal can become inactive. HB 1009 requires the commission to revoke a person’s school marshal license if they are notified by DPS that the person’s CHL has been suspended or revoked.</p> <p>HB 1009 requires TCLEOSE to collect identifying information from each participant in the training program. The commission is required to submit the information to certain entities and persons listed in this bill, otherwise the information is confidential. HB 1009 requires TCLEOSE to immediately report the expiration or revocation of a school marshal license to aforementioned entities and persons. This bill requires DPS to notify TCLEOSE if the department takes any action against the CHL of a person identified by the commission as a certified school marshal, including suspension or revocation.</p> <p>Protecting school children should be the responsibility of trained law enforcement officers who are more equipped to handle the responsibilities and duties of a school marshal than a CHL holder. The core mission of Texas’ teachers should be teaching and helping students rather than trying to serve as armed guards against assault.</p>	
HB 1304 By Rep. Sheets	Relating to the intentional display of a handgun	Homeland Security & Public Safety	<p>Under HB 1304, a CHL holder commits an offense when the licensee <i>displays</i> a handgun. Previously, an offense was committed when the holder <i>fails to conceal</i> the handgun. This helps to exclude accidental instances of briefly revealing a handgun. This bill also lowers the standard of defense to prosecute to be justified in the use of force, instead of deadly force, when a CHL holder displays their handgun.</p>	Favorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org
HB 1314 by Rep. Creighton	Relating to the unlawful seizure of a firearm by a governmental officer or employee; providing penalties.	Federalism & Fiscal Responsibility, Select	<p>HB 1314 prohibits government employees, such as police officers, from enforcing certain federal laws relating to the seizure of a firearm. The employee can receive a Class A Misdemeanor for enforcing federal firearm laws that are not already outlined in Texas law. However, an exception is made for the enforcement of laws that are allowed under the U.S. Constitution.</p> <p><i>This bill causes confusion and criminalizes honest working Texans.</i> It puts law enforcement in unreasonable situations and sets them up for failure, since they are forced to choose between conflicting state and federal laws.</p> <p>This bill is unnecessary. The U.S. constitution already addresses this issue through the Supremacy Clause, which states that when there is conflict between federal and state law, federal law that is consistent with the U.S. Constitution supersedes state law. Due to this bill’s unconstitutionality, Texas would spend unknown amounts of taxpayer money attempting to defend this flawed legislation in court.</p>	Unfavorable Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org

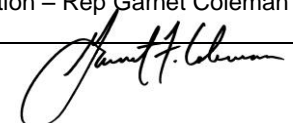
<p>HB 1421 By Rep. Perry</p>	<p>Relating to the disposition of certain seized weapons.</p>	<p>Homeland Security & Public Safety</p>	<p>HB 1421 allows public sale of seized weapons by law enforcement agencies. This bill only allows a licensed firearms dealer to purchase a weapon at a public sale. HB 1421 requires that the proceeds from the sale of seized weapon will be transferred, after the deduction of court costs and auction costs, to the law enforcement agency holding the weapon. Currently law enforcement agencies are only allowed to destroy or forfeit the seized weapons to the state if the weapon is not returned to owner.</p> <p>HB 1421 does not specify any regulations on the types of weapons and what conditions they need to be in, to be sold. Although most seized weapons are destroyed, this bill would allow for the law enforcement agencies to pass the sole responsibility of the seized weapons that are not destroyed to licensed firearms dealer.</p>	<p>Unfavorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p>HB 777 By Rep. White</p>	<p>Relating to oversize or overweight vehicles transporting timber or timber products; authorizing fees and civil penalties.</p>	<p>Transportation</p>	<p>HB 777 authorizes a person to operate a vehicle or combination of vehicles that is being used to transport timber and other forms of wood under certain conditions including obtaining a vehicle permit relating to excess axle or gross weight and a newly designed permit relating to timber. Operating a vehicle under the specific conditions of the bill creates a defense against prosecution for vehicle operators. HB 777 removes provisions limiting this exemption for only vehicles transporting poles, piling or unrefined timber and requires a fee to obtain a permit. The bill dedicates revenue generated by this permit equally between the State Highway Fund and counties in which permitted vehicles operate. HB 777 does not authorize timber truck operators to use interstate highways in Texas if the vehicle does not meet federal weight or size restrictions. The bill also requires a person convicted of an offense for excessive vehicle size and weight to be assessed civil penalty of \$1,000 for failure to comply and an additional \$5,000 for failure to obtain a permit required by the bill.</p> <p>Current law limits the permissible weight of a truck's tandem axel which causes truck drivers to illegally haul more weight due to unequal weight distribution over both axels. This bill allows the timber transport industry to move their products more efficiently but could create damage to Texas roads at a time when the state is not adequately funding transportation infrastructure.</p>	<p>Favorable Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>
<p>HB 1349 By Rep. Larson</p>	<p>Relating to information that may be requested by the Department of Public Safety from a person applying for or renewing a concealed handgun license.</p>	<p>Homeland Security & Public Safety</p>	<p>HB 1349 prohibits DPS from requesting or requiring a CHL applicant or holder to provide their social security number as part of an application or renewal.</p> <p>Currently DPS uses a social security number as one, but not the primary, identifier for an applicant. These social security numbers are stored in a secure DPS database, which is confidential and inaccessible by the public. This bill could make it more difficult to identify CHL holders when necessary.</p>	<p>Unfavorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p>HB 1245 By Rep. Turner, Sylvester</p>	<p>Relating to the allocation of money in the judicial and court personnel training fund.</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>HB 1245 seeks to ensure that criminal defense attorney personnel who represent indigent defendants are allowed to have the same access to training as certain Justices of the Peace, Prosecuting Attorneys and their Court Personnel. Presently, only the defense attorney is allowed to get legal education courses, programs, and technical assistance form the Judicial and Court Personnel Training Fund.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p>HB 1076 by Rep. Toth</p>	<p>Relating to certain firearms, firearm accessories and firearm ammunition within the State of Texas; providing an exemption from federal regulation and</p>	<p>Federalism & Fiscal Responsibility, Select</p>	<p>HB 1076 amends the penal code to include a firearm protection act. This bill makes it illegal for a governmental entity or employee, such as a police officer or public university, to enforce certain federal laws relating to a firearm. They can lose state funding and/or be charged with a Class A Misdemeanor for enforcing any firearm laws that have not been outlined in Texas law prior to January 2013. This includes firearm regulation regarding background checks, accessories, size limitation, and registration requirements. Additionally, the bill specifies that a report can be made against those suspected of enforcing firearm policies, and if the suspicion is true they will be charged and responsible for the related costs of the investigation. (continued)</p>	<p>Unfavorable Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>

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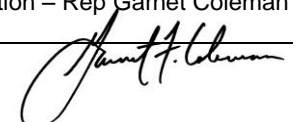
	providing penalties		This bill causes confusion and criminalizes hard working Texans who choose to follow federal law. <i>Specifically, it puts law enforcement in unreasonable situations and sets them up for failure, since they are forced to choose between conflicting state and federal laws.</i> Additionally, this bill is unnecessary. The U.S. constitution already addresses this issue through the Supremacy Clause, which states that when there is conflict between federal and state law federal law supersedes state law, when federal law is consistent with the U.S. Constitution. Due to this bill’s unconstitutionality, Texas would spend unknown amounts of taxpayer money attempting to defend this flawed legislation in court.	
HB 1913 By Rep. Bohac	Relating to the waiver of penalties and interest on certain delinquent ad valorem taxes.	Ways and Means	HB 1913 authorizes a governing board of a taxing unit to waive penalties and interest on delinquent property taxes if these penalties were imposed before an owner took ownership of a property. Under current law, if a person buys a house and the delinquency is unknown, the new owner becomes responsible for both the past due taxes and the penalties and interest delinquency incurs. The bill also outlines specifics for the process of notifying a new property owner regarding delinquencies on their newly purchased property. When a property transfers from one owner to another, penalties and interest might not yet be assessed if a delinquency is recent. Without disclosure by the seller during the transfer, it is impossible for a buyer or their agents to know about penalties and interest. There is often a great deal of confusion in regards to paperwork that also results in delinquencies and penalties. This bill allows, but does not require, these penalties to be waived until the larger issue can be addressed during the interim.	Favorable Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org
HB 970 by Rep. Rodriguez, Eddie, et al.	Relating to regulation of cottage food products and cottage food production operations	Public Health	HB 970 establishes additional requirements for cottage food production operations and expands the types of foods that may be sold. Cottage food products are baked and dried goods made in an individual’s home. This bill specifies requirements for packaging and labeling of cottage food products, as well as authorizing certain locations for these goods to be sold. This bill requires cottage food producers to complete a basic food safety education or training program for food handlers. HB 970 provides an opportunity for these individuals to create a source of income and promotes local economy.	Favorable Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org
HB 3077 By Rep. Miller, Rick	Relating to display of the Honor and Remember flag.	Defense and Veterans Affairs	HB 3077 establishes the rules and guidelines for display of the “Honor and Remember” flag. The flag was created in 2005 as a way to specifically honor the members of the military who have died while on active duty. The flag shall be flown at all state buildings during all military holidays and on each day a member of the military that is a resident of Texas is killed while on active duty. The military holidays include Veterans Day, Memorial Day, Independence Day, and 4 other military holidays. Although there are states that have opted not to adopt this flag, more than 10 have. Concerns have been raised regarding the implementation language in the bill. The bill requires that the flag be displayed at ALL state office buildings, the state cemetery and at each veterans cemetery managed by the Veterans' Land Board, but does not make allowances for state offices without a method to display. In addition the bill requirement that the flag be displayed on each day a Texas resident is killed while on active duty may be difficult to implement due to death notification issues.	 Favorable Evaluated by: Torey Ian Powell 512-763-0031 torey@texaslsg.org
HB 2665 By Rep. Taylor	Relating to the use of a concealed handgun license as valid proof of personal identification.	Homeland Security & Public Safety	HB 2665 establishes that a CHL is valid proof of personal identification. This bill clarifies that a person may not deny a CHL holder access to goods, services, or facilities, with the exception of the rental of a motor vehicle or in regard to the operation of a motor vehicle.	Favorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org

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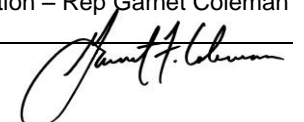
<p>HB 990 by Rep. Thompson, Senfronia</p>	<p>Relating to the establishment of a sentencing policy, accountability, and review council to develop means to assess the effect of sentencing practices and policies on state correctional resources and improve the efficiency of the state criminal justice system</p>	<p>Criminal Jurisprudence</p>	<p>HB 990 creates the Texas Sentencing Policy, Accountability, and Review Council. This council consists of a 20 member appointed board including four House members, four Senate members, and twelve members from various areas of the criminal justice system.</p> <p>This bill requires the council to conduct an in-depth analysis of sentencing practices used throughout the criminal justice system, identify disparities between the severity of offenses and their penalties, enhance consistency, and reduce disparity in sentencing. They also compare community supervision, parole and sentencing terms to other states, determine how to balance state and county responsibilities with resources and devise an approach that would allow the state to balance sentencing policies with correctional resources. The commission will issue a report with findings and recommendations on streamlining and updating sentencing practices.</p> <p>Texas sentencing laws have not been evaluated since 1993. According to a recent report by the LBB, nearly half of all states, as well as the District of Columbia and the federal government, have sentencing commissions. A sentencing policy commission seeks to ensure relevancy and uniformity of criminal sentences.</p>	<p>Favorable Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>
<p>HB 1965 By Rep. Harper-Brown</p>	<p>Relating to the state contracting duties of the quality assurance team and Contract Advisory Team.</p>	<p>Government Efficiency & Reform</p>	<p>HB 1965 specifies the duties of the existing Quality Assurance and Contract Advisory Teams. Along with current responsibilities, the Quality Assurance Team and Contract Advisory Team will develop and recommend policies and procedures to advance state agency contract management practices, improve value-based decision making and monitor state agencies to determine whether the programs meet the needs of the population the agency serves.</p>	<p>Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p>HB 2447 By Rep. Martinez</p>	<p>Relating to the sale and advertisement of portable fire extinguishers.</p>	<p>Insurance</p>	<p>The National Fire Protection Association (NFPA) is an international organization dedicated to fire prevention advocacy and providing consumers with key information related to fire safety. The NFPA Standard 10 aims to ensure the proper functioning of fire extinguishers by outlining conditions and standards that should be met.</p> <p>HB 2447 prohibits the term “portable fire extinguisher” or “fire extinguisher” from being used for fire suppression devices that do not meet NFPA Standard 10 requirements, or other equally strict requirements accepted by the Commissioner. Fire extinguishers that are not tested or do not meet these requirements can still be sold, but cannot be labeled as a “portable fire extinguisher.”</p>	<p>Favorable Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>
<p>HB 2446 by Rep. Crownover</p>	<p>Relating to the definitions of advanced clean energy projects and clean energy projects and to franchise tax credits for certain of those projects.</p>	<p>Energy Resources</p>	<p>HB 2446 extends the deadline for issuance of franchise tax credits for clean energy projects another 5 years. The bill limits tax credits to no more than the amount of franchise tax due. However, the remaining portion can be carried forward up to 20 consecutive reports. HB 2446 adds natural gas to the type of fuels that qualify as a clean energy project and assigns admission standards these projects. The LBB estimates revenue loss from the Foundation School Fund totaling \$4 million in 2017, climbing to \$18 million for each biennium following.</p> <p>Current clean energy tax credits will expire after September 2013.</p>	<p>Will of the House Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p>HB 3671 by Rep. Cook</p>	<p>Relating to the right of certain young crime victims to a speedy trial and to be considered with respect to a defendant’s motion for continuance.</p>	<p>Criminal Jurisprudence</p>	<p>HB 3671 entitles a child 14 years of age or younger who is a victim of injury, on the request to the attorney representing the state, the right to a speedy trial consistent with the defendant’s right to a fair trial. This includes the right to have the court consider the impact on the victim when a postponement of a hearing or trial is requested by the defendant. This bill also extends the right to a speedy trial for victims of assault or sexual assault who are younger than 17 or whose case involves family violence.</p> <p>Currently, the court will consider the impact of postponement of a trial for cases involving child victims of family violence. This bill expands the provision to include child assault cases. It addresses the mental and physical trauma for child victims associated with delays in trial.</p>	<p>Favorable Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>

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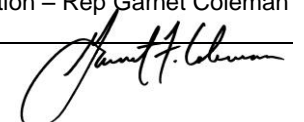
<p>HB 3427 by Rep. Lavender</p>	<p>Relating to the transport of a mental health patient who is not a resident of this state</p>	<p>Public Health</p>	<p>HB 3427 authorizes Department of State Health Services (DSHS) to coordinate arrangements and enter into reciprocal agreements to return out-of-state committed mental patients to a mental health facility in their home state. This bill allows the agreement to include cost sharing between states for transporting patients back to their state of residence. HB 3427 increases efficiency and improves coordinated care for patients to receive the appropriate mental health services.</p> <p>Currently, border Texas counties are burdened with the cost of returning patients to a mental health facility in their home state. This often results in patients being held in medical facilities and Emergency rooms which further delays access to mental health services.</p>	<p>Favorable Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p>HB 3459 by Rep. Eiland</p>	<p>Relating to the determination of the boundaries of, and the enforcement of the law governing access to, public beaches.</p>	<p>Land & Resource Management</p>	<p>HB 3459 authorizes the Commissioner of the General Land Office (GLO) by order to suspend action on conducting a line of vegetation determination for a period of up to 3 years from the date the order is issued if the commissioner determines that the line of vegetation was obliterated as a result of a meteorological event. For the duration of this order, the public beach must extend to a line 200 ft. inland from the line of mean low tide. This order must be posted on the GLO website, published in the Texas Register, and filed in the real property records of the county. The commissioner's discretion is related only to the <i>temporary suspension of a line of vegetation</i>. However, the bill does not create a duty for the commissioner to issue an order related to the line of vegetation or create a private cause of action.</p> <p>If an order is issued by the commissioner, provisions relating to beach use and maintenance is suspended. When the order expires, a determination must be made by the commissioner regarding the line of vegetation in accordance with the bill with consideration of the meteorological event. The commissioner is authorized to consult the UT Austin Bureau of Economic Geology to consider factors in determining the erosion rate. The line of vegetation as determined by the commissioner will constitute the landward boundary of the area subject to public easement until the line of vegetation moves landward due to a meteorological event, erosion, public use, or until a court establishes the line in another place. The bill extends the period from 2 to 3 years for which the commissioner may suspend the submission of a request that the Attorney General file a suit to obtain a court order to remove a house from a public beach by the commissioner's determination.</p> <p>Currently, the public has a <i>rolling easement</i> across the dry (sandy) parts of beaches due to erosion over time. Recently, in the Severance v. Patterson case, it was determined that in the case of an avulsive event when the beach moves dramatically, the easement does not roll. This bill gives a 3 year period to determine that the line of vegetation was obliterated as a result of an avulsive event, and helps establish boundaries relating to the access of public beaches.</p>	<p>Favorable Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>
<p>HB 3463 By Rep. Bohac</p>	<p>Relating to information provided to recipients of certain assistance programs.</p>	<p>Human Services</p>	<p>HB 3463 requires HHSC to provide a statement of the total amount of assistance or benefits received over the preceding 12 months to recipients of Temporary Assistance to Needy Families (TANF), the Supplemental Nutrition Assistance Program (SNAP), and Medicaid when they are recertified as eligible.</p> <p>This bill is an attempt to further stigmatize low-income families and humiliate populations who are already aware of their low economic status. Sending a financial statement is unnecessary.</p>	<p>Unfavorable Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org</p>
<p>HB 1133 By Rep. Otto</p>	<p>Relating to a sales and use tax refund for tangible personal property used to provide cable television service, Internet access service, or telecommunications</p>	<p>Ways & Means</p>	<p>HB 1133 establishes a one-time sales and use tax refund available to internet access, cable or telecommunications service providers for investment in new broadband infrastructure. This bill specifies the criteria for property eligible for a refund including qualifying only when it is not receiving a refund for another reason. This bill places a \$50 million cap on the available refunds which prevents open ended increases of the refund, providing two ways to calculate a tax refund by either the amount of tax paid by the provider on eligible property or at a prorated share of \$50 million. Finally, it does not impact local municipal sales taxes. The investment that results from the refund will also be available for local ad valorem taxation, benefiting local and school taxing districts. (continued)</p>	<p>Favorable with Concerns Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>

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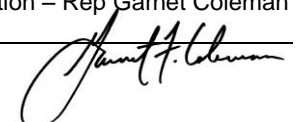
	services and to the exclusion of that property in certain economic development agreements.		While the tax refund will be spent on infrastructure development that will create jobs and broaden local tax bases, it still carries a fiscal note of \$100 million from General Revenue for the biennium. Members must weigh the benefits of the legislation against the cost, as they would any other item in the budget that utilizes General Revenue, such as education, health care, parks, and other vital governmental services.	
HB 1736 by Rep. Anchia	Relating to temporary exemption from ad valorem taxation of a property used to collect, process, and deliver landfill-generated gas.	Ways & Mean	<p>HB 1736 institutes a property tax exemption for property located next to a landfill that is used for pollution-control activities. If the land is used to collect, compress, transport, process, or deliver the methane gas naturally produced by the landfill and destined for a natural gas pipeline or methane fueling station, it is considered to be aiding in the control of pollution.</p> <p>Currently, Texas offers property tax exemptions for pollution control activities, but not specifically for methane conversion processes as it does here. The exemption expires December 31, 2015.</p>	Favorable Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org
HB 3808 By Rep. Farney, et al.	Relating to evaluating the performance, including computing dropout and completion rates, of public schools designated as dropout recovery schools.	Public Education	<p>HB 3808 describes a dropout recovery school as a registered high school, with an enrollment of at least 50 percent of students being 17 years or older; that operates under the alternative education accountability procedures.</p> <p>The TEA commissioner will evaluate accountability and indicate student achievement of dropout recovery schools with an alternative completion ratio— the total number of student graduates, high school equivalency certificate recipients, or students continuing school to the total number of students in the cohort.</p> <p>The development of an alternative ratio for dropout and completion rates allows for substitute achievement standards that ensure dropout recovery schools are assessed and measured based on indicators specific to the dynamics of the school and its students.</p>	Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org
HB 1748 by Rep. Branch	Relating to the punishment for defendants who commit certain aggravated sexual assaults.	Criminal Jurisprudence	<p>HB 1748 sets the punishment for aggravated sexual assault of a child to a first degree felony punishable by life in prison or for any term of not more than 99 or less than 25 years if at the time of the offense the defendant is younger than 18. This penalty applies to cases in which the victim is younger than 14 and the defendant causes serious bodily injury, places the victim in fear of death, uses a deadly weapon, acts in concert with another actor engaging in sexual assault, or administers rohypnol or other “blackout” drugs. When the victim is 6 or younger, this aggravated sexual assault penalty applies regardless of bodily injury or circumstance.</p> <p>If the defendant is 18 years or older, the offense is increased to a first degree felony punishable by life in prison <i>without</i> parole, and adds instances in which the victim is younger than 17 and suffered serious bodily injury.</p> <p>HB 1748 (Chelsea's Law) would further enhance Jessica's law by providing for a one-strike life without parole sentence for adult offenders, and 25 years to life for offenders under 18. Juvenile offenders would benefit more from community supervision and rehabilitation. In cases of juvenile sexual abuse, punishment-only approaches have repeatedly proven not to work, and it is ineffective to deprive youth of meaningful opportunities to change.</p>	Will of the House Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org
HB 1772 By Rep. Turner, Chris, et al.	Relating to the disconnection of electric or gas utility service.	Urban Affairs	<p>HB 1772 seeks to provide safeguards for apartment or condominium tenants whose property owners fail to pay utilities and cause service disconnection at no fault of the tenant.</p> <p>An owner must hand-deliver or mail a written notice of service disconnection to tenants no later than 5 days after the owner receives a warning from the utility company. The notice must be in both English and Spanish, specify when the service will be cut off, and for what reason. The owner must provide tenants with information on what recourse can be taken to rectify the situation.</p>	Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org

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			A municipality must also be notified of the service disconnection by the owner or utility company so that, if necessary, the municipality can be aware of serious situations in which first responders are required, due to a large number of service disconnections in an apartment complex or condominium unit.	
HB 26 By Rep. Martinez-Fischer	Relating to unemployment compensation eligibility and chargebacks regarding certain persons who are victims or whose immediate family members are victims of sexual assault.	Economic & Small Business Development	Current employees who voluntarily leave their job also forfeit their earned unemployment credit, regardless of the circumstances that caused them to abruptly leave the workplace. HB 26 allows employees or a member of the employee’s immediate family to access the unemployment benefits when the employee’s departure is a result of violence related to a sexual assault. The bill stipulates that eligibility for unemployment compensation and chargebacks must be evidenced by one of the following evidentiary items that explain the sexual assault: protective order, a police record documentation, physician statement, medical record, or intake record from family violence center.	Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org
HB 3285 by Rep. Yvonne Davis	Relating to the reporting of health care associated infections.	Public Health	HB 3285 requires health care facilities to submit a report to Department of State Health Services (DSHS) that specifies if an infection resulted in the death of a patient. This bill directs DSHS to make this report available to the public. HB 3285 promotes patient safety and ensures best practices from hospitals to reduce preventable deaths.	Favorable Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org
HB 2268 by Rep. Frullo	Relating to search warrants issued in this state and other states for certain customer data, communications, and other related information held in electronic storage in this state and other states by providers of electronic communications services and remote computing services.	Criminal Jurisprudence	HB 2268 authorizes a district judge to issue a search warrant for electronic customer data in electronic storage, including contents and records held in electronic storage by a service provider of remote computing service regardless of whether that data is held in Texas or another state. A search warrant is required based on probable cause that an offense was committed and that the electronic data constitutes as evidence. This warrant must be sealed and presented in the name of the state of Texas and executed not later than the 11 th day after issuance. The bill requires that the local provider produce all data within 15 days in accordance to the warrant, and authorizes a 30 day extension period if needed. These deadline requirements are under the judge’s discretion and may be adjusted according to risk of danger or physical safety of persons involved. All information regarding the customer data must be verified by the provider with an affidavit to attest to its authenticity. A provider must comply with a warrant issued in another state seeking information held in electronic storage. Several other states have enacted computer data warrant laws that take advantage of out-of-state jurisdiction when dealing with internet data. Providers often hold vital information to prosecute an offense under state law. Although certain internet activity may take place within a state, law enforcement officers must apply for a local search warrant in an internet company's jurisdiction, often found out of state. This limitation hinders law enforcement’s efforts to obtain evidence on internet criminals.	Will of the House Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org
HB 2887 by Rep. Davis, John	Relating to the establishment and expansion of community collaborative by entities to provide services to and coordinate the care of persons who are homeless, persons with	Public Health	HB 2887 requires DSHS to provide grants to local entities for the expansion of community collaboratives. The purpose of the collaborative is to bridge together private and public entities to provide services for the homeless, persons with mental illness and substance abuse. This bill specifies acceptable uses of grant money and requires certain elements be incorporated into the program that can better assist vulnerable individuals. HB 2887 provides oversight by directing these entities to perform outcome measures and authorizes DSHS to reduce or cut funding if goals are not met. The expansion of the community collaborative is a powerful tool to strengthen the community and create change.	Favorable Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org

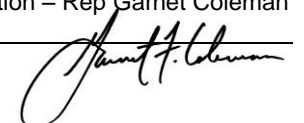
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	mental illness, and persons with substance abuse problems.			
HB 3668 By Rep. Naishtat	Relating to an individual's responsibilities following an accident possibly resulting in injury to or death of a person; imposing criminal penalties.	Transportation	HB 3668 requires an operator of a vehicle involved in an accident that results or may result in injury or death of a person to stop their car immediately at the scene of the accident or return to the scene of the accident if the vehicle is not stopped at the scene then check to see if anyone involved in the accident requires aid, and remain at the accident until information is exchanged. HB 3668 seeks to ensure that the law does not incentivize fleeing the scene of a crime to receive a reduced sentence.	Favorable Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org
HB 928 by Rep. Krause	Relating to the enforcement of certain federal laws regulating firearms, firearm accessories, and firearm ammunition within the State of Texas	Federalism & Fiscal Responsibility, Select	<p>HB 928 makes it illegal for a governmental entity or employee, such as a police officer, to enforce certain federal laws relating to a firearm. They can lose state funding for enforcing any firearm laws that have not been already outlined in Texas law. This includes firearm regulation regarding: background checks, accessories, size limitation and registration requirements. Additionally, the bill specifies that a report can be made against those suspected of enforcing firearm policies, and if the suspicion is true they will be compelled, by the court, to comply with this law and be responsible for the related costs of the investigation.</p> <p>This bill causes confusion and criminalizes hard working Texans who choose to follow federal law. Specifically, it puts law enforcement in unreasonable situations and creates a conflict of interest, since they are forced to choose between state and federal law. Additionally, this bill is unnecessary. The U.S. constitution already addresses this issue through the Supremacy Clause, which states that when there is conflict between federal and state law federal law supercedes state law, when federal law is consistent with the U.S. Constitution. Due to this bill's unconstitutionality, Texas would spend unknown amounts of taxpayer money attempting to defend this flawed law in court.</p>	Unfavorable Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org
HB 3162 By Rep. Davis, John	Relating to Texas Emerging Technology Fund	Economic & Small Business Development	<p>HB 3162 streamlines the administrative duties and managerial powers related to the awarding of Subchapter D grants from the Texas Emerging Technology Fund. The bill accomplishes this by eliminating the Texas Emergency Technology Advisory Committee and creating Texas Emerging Fund Board, which would be responsible for administrative process and the approval grant adding prices to eligible participants. The board will consist of 15 board members and Governor's appointees are decreased from 13 to 5. The bill clarifies that the information collected by the board are confidential unless they consent to release it. The Lieutenant Governor's appointees are increased from 2 to 5. The Speaker's appointees are increased from 2 to 5.</p> <p>Moreover, HB 3162 gives authority to the Lieutenant Governor and Speaker to make appointees after deadline. The bill requires the Lieutenant Governor, Speaker, and Governor to appoint the presiding member, rather than just the Governor. The bill requires the committee to hire a fund manager for the purposes of maintaining incentives for commercialization grants. The bill requires the fund manager to make recommendations for the award money from the fund, with the advice of the regional centers for innovation and commercialization in order to maximize investments. HB 3162 authorizes 4% of the money in the Emerging Technology Fund will be allocated to regional centers of innovation and commercialization. The bill requires the final award decision to be made by the advisor board. The bill authorizes the administrative staff salary would come from the following sources the office of the governor, gifts, grants, and foundations and the Emerging Technology Fund.</p>	Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org

<p>HB 170 By Rep. Alonzo</p>	<p>Relating to the coverage by certain health benefit plans of mammograms performed by certain health care providers</p>	<p>Insurance</p>	<p>According to the National Breast Cancer Foundation, 40% of women find breast cancer after performing self-breast exams. HB 170 would allow patients who have health coverage for low-dose mammography to bypass the primary care physician referral and go directly to the Low-dose Mammographic Specialist who is not in the patient’s existing mammography network. This bill would allow patients to save crucial time for oncology care that is wasted waiting for a physician appointment and subsequent unnecessary referral.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p>HB 1908 by Rep. Eiland</p>	<p>Relating to sports and community venue projects.</p>	<p>Ways & Means</p>	<p>HB 1908 requires specific language to be used in a ballot proposition that authorizes the imposition of a hotel occupancy tax or an increase in the hotel occupancy tax. The language must include what the cumulative hotel tax rate will be if the proposition were to pass. The bill also caps the cumulative hotel tax rate for a city or county at 17 percent the price of a room. HB 1908 also expands the definition of conference center to conference center facilities. These changes bring clarity, add transparency and have no fiscal impact.</p>	<p>Favorable Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p>HB 3805 By Rep. Gonzales</p>	<p>Relating to the discharge of an officer or employee of the Department of Public Safety of the State of Texas.</p>	<p>Homeland Security & Public Safety</p>	<p>HB 3805 allows a discharged <i>commissioned</i> officer of DPS to appeal the discharge and entitles them to a public hearing before the Public Safety Commission. Current statute only allows a discharge officer or employee to appeal.</p>	<p>Favorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p>HB 2532 by Rep. Workman</p>	<p>Relating to the regulation of propane distribution system retailers; authorizing a fee.</p>	<p>Energy Resources</p>	<p>HB 2532 regulates the retail sale and service of propane gas to improve on fairness, safety and accountability. The bill outlines policies and procedures around service and gives the Railroad Commission some oversight of the process. The bill sets a cap on rates but allows a mark-up based on a two-year price average. The bill also outlines what other costs and fees may be charged. HB 2532 outlines when a retailer may refuse service, delay or disconnect service, what they must do in case of interruption and how they must respond to complaints. The bill also requires a retailer maintain records and prepare reports for the Railroad Commission (RRC). HB 2532 directs the commission to open a toll free number to receive customer complaints, authorizes the commission to investigate, to intervene in certain circumstances, impose certain remedies and enforce the provisions of the bill.</p>	<p>Will of the House Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p>HB 2694 By Rep. Villarreal</p>	<p>Relating to the provision of credit by examination for public school students.</p>	<p>Public Education</p>	<p>HB 2694 allows students in 6th grade or higher to receive course credit for passing State Board of Education approved examinations for class subjects. Students receiving course credit, under this bill, are exempt from taking an end-of-course (EOC) assessment. Specifically, the bill requires that school districts select at least four examinations that are approved by the SBOE and must include Advanced Placement (AP) exams, and exams administered through the College-Level Examination Program. A student wishing to obtain course credit by examination may not take a test more than once and is expected to pass within the 80th percentile to qualify for course credit and EOC exemption. HB 2694 has a positive impact on students seeking college admittance and provides more flexibility for parents and students. The bill also creates opportunities for disadvantaged students to progress and flourish in the public education system through tested proficiency, without being limited by classroom time.</p>	<p>Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p>HB 2330 By Rep. Gooden</p>	<p>Relating to regulation of traffic in a conservation and reclamation district by a commissioners court.</p>	<p>Transportation</p>	<p>The first section of HB 2330 is bracketed to Kaufman County. The commissioners court may enter into an interlocal contract with the board of conservation and reclamation district to apply the county’s traffic regulations to a public road in the county that is owned, operated and maintained by the district if the commissioners court finds that it is in the county’s interest to regulate traffic on the public road. The second section of HB2330 which applies to all of Texas authorizes a county commissioners court to apply the county’s traffic regulations to public roads in the county that is owned, operated, and maintained by a conservation and reclamation district and</p>	<p>Will of the House Evaluated by: Kelle’ Martin 512-763-0031 Kelle@texaslsg.org</p>

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			located wholly or partly in the county of the commissioners court. Public roads being considered for this order are considered county roads for traffic regulation purposes. Commissioners court of a county may adopt regulations establishing a system of traffic control devices in restricted traffic zones. HB2330 seeks to address a gap in traffic law enforcement because roads outside the jurisdiction of any municipality or county lack adequate enforcement capabilities.	
HB 3536 by Rep. Otto	Relating to imposing a fee on the sale of cigarettes and cigarette tobacco products manufactured by certain companies; providing penalties; changing the rate of the tax on chewing tobacco.	Ways & Means	HB 3536 imposes a fee on cigarettes and cigarette tobacco products made by tobacco companies not a part of the 1998 Tobacco Settlement Agreement, which do not pay into the tobacco fund. The bill outlines fees per unit for 2013, amounts of increase each subsequent year, penalties for noncompliance and how to include manufacturers that begin sale of these products after the fee is imposed. Revenue from these fees are deposited in General Revenue. Products sold out-of-state or to an Indian tribe are exempt from this fee. HB 3536 requires distributors to include information on the sales and fees of these products among reports they file with the comptroller. Also authorizes the comptroller or attorney general to enforce the bill's provisions including conducting audits. HB 3536 lowers the tax per ounce of chewing tobacco. Background: In 1998 a suit against major tobacco companies was settled. In exchange for release from cause of action, these companies have agreed to pay in perpetuity into a fund the state uses for health costs related to use of tobacco products. Not all tobacco companies were a part of the suit.	<u>Will of the House</u> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org

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