



Chair, Rep. Garnet Coleman

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Representative

Desk

LSG Floor Report for Postponed Business – Wednesday, May 8, 2013

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
HB 194 By Rep. Farias	Relating to considering ownership interests of certain disabled veterans in determining whether a business is a historically underutilized business for purposes of state contracting.	Defense and Veterans Affairs	HB 194 expands the category of Historically Underutilized Businesses (HUB) to include businesses owned, operated, and controlled by one or more veterans with a service connected disability for purposes of state contracting. The bill adds veterans with a service-connected disability to the definition of an "economically disadvantaged person" for the purpose of identifying a HUB. There are concerns that expanding this definition will dilute the program's effectiveness and result in an end to the program as a whole. Certain disabled veterans are eligible to participate in Federal programs designed for the same purposes as the HUB program. Alternatively, many believe that disabled Veterans fit the definition of "economically disadvantaged person" and should be included in the HUB program.	<u>Will of the House</u> Evaluated by: Torey Ian Powell 512-763-0031 torey@texaslsg.org
HB 613 By Rep. Orr	Relating to the regulation of foundation repair contractors; providing penalties; authorizing fees.	Licensing & Administrative Procedures	<p>HB 613 creates a licensing program for companies and individuals who perform foundational repairs on residential properties. This bill does not apply to persons working on new construction. Improper foundation work has been exacerbated by soil disruption from Texas' drought, and the only recourse a homeowner has for faulty or negligent repairs is to sue the contractor and endure legal expenses. The bill seeks to address this problem by creating a Foundation Repair Advisory Board which would give recommendations on proper foundation repair standards to the Texas Department of Licensing and Regulation (TDLR).</p> <p>The bill requires that only master license holders can own foundation repair companies and contract to or employ a master license holder who would perform foundational work. Journeyman license holders will be authorized to perform foundation repair contracting work under the supervision of a master license holder. The journeyman license holder can supervise the estimator license holder, whom would provide estimates to the homeowner. The bill authorizes license holder to take examinations, and TDLR would be responsible for issuance, term, expiration, and renewal of licenses. The criminal history background information is requested upon application for a master, journeyman, and estimator license. The bill excludes nonsupervisory manual labor workers from having a license if they are working directly under a supervisor that holds a license to perform foundation repair work.</p>	<u>Favorable</u> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org
HB 416 By Rep. Hilderbran	Relating to the computation of the franchise tax by a taxable entity engage in Internet hosting.	Ways & Means	HB 416 exempts internet hosting service providers from paying taxes on services provided to out-of-state customers. The bill seeks to update the franchise tax system, recover Texas from industry disadvantage, and encourage investment and revenue. However, the industry in Texas has seen sizable and high-profile investment projects since the re-apportionment of the franchise tax in 2007. In addition, the LBB estimates a \$5 million loss from the Property Tax Relief Fund each biennium. The same amount would need to be found in General Revenue in order to fund the Foundation School Program.	<u>Unfavorable</u> Evaluated by: Kristen Macaluso 512-763-0031 kristen@texaslsg.org

OK for Distribution – Rep. Garnet Coleman

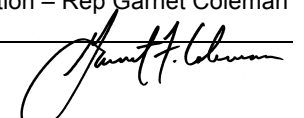
LSG Floor Report For Constitutional Amendments Calendar – Wednesday, May 8, 2013

<p>HJR 138 By Rep. Rodriguez, Eddie</p>	<p>Proposing a constitutional amendment authorizing the governing body of a political subdivision to adopt a local option residence homestead exemption from ad valorem taxation of a portion, expressed as a dollar amount, of the market value of an individual's residence homestead.</p>	<p>Ways & Means</p>	<p>HJR 138, which is enabled by HB 3348, allows a taxing unit to implement a flat-rate property tax exemption. The bill also sets a \$5,000 floor for any exemption set by a taxing unit. Current law only allows an exemption expressed as a percentage. A numeric exemption is more amenable to budget processes and projecting revenue. If passed, HJR 138 must be submitted to Texas voters through an election.</p>	<p><u>Favorable</u> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
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LSG Floor Report For General State Calendar

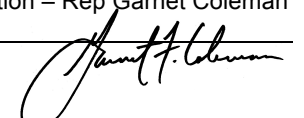
<p>HB 1223 by Rep. Hilderbran</p>	<p>Relating to the temporary exemption of certain tangible personal property related to data centers from the sales and use tax.</p>	<p>Ways & Means</p>	<p>HB 1223 creates a sales and use tax exemption on the personal property of data centers in order to encourage technological investments. This exemption is available to new data centers creating at least 20 jobs and investing at least \$150 million over five years. The bill outlines an application and certification process and authorizes the comptroller to run it. The exemption lasts 10 to 15 years depending on the level of investment.</p> <p>Attracting new investment is an important endeavor of the state. However, shorter exemption periods and more evaluative steps would work better to ensure the best return on the state's investment. The LBB fiscal not estimates a negative General Revenue impact of \$18.2 million over the next biennium.</p>	<p><u>Will of the House</u> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p>HB 2767 by Rep. King, Phil</p>	<p>Relating to the treatment and recycling for beneficial use of certain waste arising out of or incidental to the drilling for or production of oil or gas.</p>	<p>Energy Resources</p>	<p>HB 2767 stipulates that when oil and gas waste is physically transferred between parties for treatment, ownership transfers with it. Previous owners will not be held liable for civil action due to any consequences of subsequent use. This bill also requires the Railroad Commission to adopt rules necessary to govern the treatment and use of this waste. With the rise in oil and gas production and the difficulty of accessing and transporting of these materials, this bill seeks to improve the efficiency and sustainability of the process.</p>	<p><u>Favorable</u> Evaluated by: Kristen Macaluso 512-763-0031 Torey@texaslsg.org</p>
<p>HB 2770 By Rep. Branch</p>	<p>Relating to the investment of a certain portion of the economic stabilization fund balance.</p>	<p>Appropriations</p>	<p>This bill adds provisions stipulating that the comptroller must invest a portion of the Economic Stabilization Fund (ESF), better known as the "Rainy Day" Fund, to ensure that the state is making the best practical investment of taxpayer money. The investment must be greater than 20 percent of the maximum authorized balance of the fund. The maximum authorized balance of the fund is equal to 10 percent of the general revenue obtained in the previous biennium according to Article III of the Texas Constitution.</p> <p>Currently, money in the "Rainy Day" Fund is held in highly liquid, low-yield assets, so the state can easily access cash in case of an emergency. Unfortunately, the fund loses its purchasing power, even against inflation, resulting in returns that are lower than the rate of inflation. The Treasury Pool, managed by the Texas Treasury Safekeeping Trust Company, has yielded the following returns:</p>	<p><u>Favorable</u> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>

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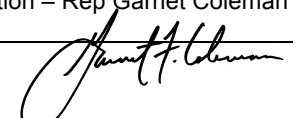
			<ul style="list-style-type: none"> ➤ 1-year: 0.5% ➤ 3-year: .77% ➤ 5-year: 1.49% <p>Since the “Rainy Day” Fund is projected to hold roughly \$11.8 billion at the end of the 2014-2015 biennium, short-term assets are abundant enough to meet any of the state’s expected emergency needs. While emergency access is a necessity for the fund, there should be a balance in place that will protect the fund’s purchasing power while maximizing the use of the taxpayers’ money.</p> <p>HB 2770 would invest these funds into an intermediate term investment strategy, similar to that of the University of Texas Investment Management Company’s (UTIMCO) Intermediate Term Fund (ITF). This fund oversees the investments in the Permanent University Fund (PUF), the Permanent Health Fund (PHF), the Long Term Fund (LFT), and the Intermediate Term Fund (ITF). The fund invests in intermediate-term assets, which result in higher yields, and can be liquefied rather quickly. Returns for the ITF have been:</p> <ul style="list-style-type: none"> ➤ 1-year: 5.8% ➤ 3-year: 7.4% ➤ 5-year: 3.5% (low because of 2008) <p>The “Rainy Day” Fund is projected to hold \$11.8 billion by the end of the 2014-2015 biennium, with a cap of \$14.4 billion. Per HB 2770, the provisions currently in place for the “Rainy Day” Fund do not apply to this investment and investments must be reflective of the way taxpayers would invest their own personal money. Following passage of the bill as written, the investment of the “Rainy Day” Fund money would be:</p> <ul style="list-style-type: none"> • \$2.88 billion: Invested as has been historically, as very liquid, low yield assets, to ensure the stability of the fund in case of emergency situations. • \$8.92 billion: Invested in an ITF, with a 1-year yield of 5.8 percent. An additional \$892 million for the biennium could be obtained with a more conservative return of 5 percent. This would yield an additional \$446 million for each fiscal year of the biennium. 	
<p>HB 1620 by Bonnen, Greg</p>	<p>Relating to the eligibility for judge-ordered community supervision or for release on parole of certain defendants convicted of burglary with the intent to commit a sex offense.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1620 prohibits a judge from ordering community supervision for a first degree felony burglary with the intent to commit certain sexual offenses. This addition also makes offenders ineligible for parole until they have completed either 30 years or half their sentence, whichever is less, but in no event in less than 2 years.</p> <p>Community supervision often contains rehabilitative counseling and services which help prevent individuals from reoffending. The state should focus on rehabilitation of these offenders rather than harsh sentences.</p>	<p><u>Will of the House</u> Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>
<p>HB 2396 by Rep. G. Bonnen</p>	<p>Relating to the penalty for certain family violence committed in the presence of a child.</p>	<p>Criminal Jurisprudence</p>	<p>HB 2396 enhances the penalty for intentionally, knowingly, or recklessly causing bodily injury to another person in the presence of a child. This would increase the penalty from a Class A misdemeanor to a Class A misdemeanor with a minimum term of 30 days confinement when committed by an actor who is dating or is a family member of the victim, and in the physical presence or within hearing distance of a person under the age of 15. The actor must know or have reason to know they are in the presence of a person under 15. When a judge grants community supervision for this offense, the defendant must be incarcerated for 5 continuous days. In cases of witnessing domestic violence, children are often left with emotional difficulties and trauma.</p>	<p><u>Favorable</u> Evaluated by: Tanya Gripton 512-763-0031 Tanya@texaslsg.org</p>

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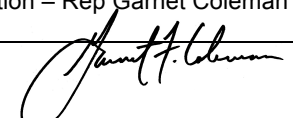
<p>HB 628 By Rep. Dale, et al.</p>	<p>Relating to the right of a member of the board of trustees of a school district to obtain information, documents, and records.</p>	<p>Public Education</p>	<p>HB 628 gives board of trustee members the right to access information, documents and records maintained by the district that must be provided without the submission of a public records request. Trustees have fiduciary responsibilities and may need access to certain documents to help with decision-making and improve transparency. Privacy measures are maintained by the district's ability to deny a request for information that is confidential and exempt from disclosure under current statute.</p>	<p>Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p>HB 2240 By Rep. Turner, Sylvester</p>	<p>Relating to a study on homeless youth.</p>	<p>Human Services</p>	<p>HB 2240 requires the Texas Department of Housing and Community Affairs (TDHCA) in conjunction with the Department of Family and Protective Services (DFPS), the Texas Education Agency (TEA), and the Texas Homeless Education Office, to conduct a study on the number of homeless youth in Texas. The study must examine the needs of homeless youth and whether current programs are meeting those needs, as well as available sources of funding to provide services to homeless youth. The study and statutory recommendations must be submitted to the legislature by December 1, 2014. Homeless youth are often under reported and experience difficulty in the school system which can lead to difficulty obtaining and maintaining employment.</p>	<p>Favorable Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org</p>
<p>HB 1508 By Rep. Anchia</p>	<p>Relating to assessment collection in certain public improvement districts.</p>	<p>Urban Affairs</p>	<p>HB 1508 establishes that a qualifying municipality, tasked with a public improvement project under the Public Improvement District (PID) Assessment Act, may adopt procedures for collection and resolution of assessments in the same manner that hotel occupancy taxes are collected and resolved. The PID Assessment Act allows cities to collect special assessments on properties with the intent to improve the city's infrastructure. HB 1508 provides more economic growth for public improvement districts by the issuance of a hotel occupancy tax assessment.</p>	<p>Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p>HB 2075 by Rep. Anchia</p>	<p>Relating to the operation of certain condominium unit owners' associations.</p>	<p>Ways & Means</p>	<p>HB 2075 updates laws regarding operation of condominium unit owners' associations. It assigns costs and refunds in the case of repair, releases condo owners and association officers and directors from liabilities resulting from act or omission, and allows the board to borrow money and also to assign collateral as allowed in the condo declaration. The bill clarifies the steps by which a former condo owner may redeem their unit after it is sold in foreclosure, including what monies are due and to whom and directs a county clerk to receive and file and index management certificates in the county records.</p>	<p>Favorable Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p>HB 710 By Rep. Callegari</p>	<p>Relating to the use by a peace officer of the officer's rank or status to advertise or promote certain private businesses.</p>	<p>Homeland Security & Public Safety</p>	<p>HB 710 prohibits an officer from using their rank or status for the promotion of a private business that they have ownership of or are employed by, an officer in violation is subject to disciplinary action by the Commission of Law Enforcement Officer Standards and Education (TCLEOSE). This bill identifies an exception is made if the promoted business is directly related to the profession of law enforcement; including private security, firearms instruction, or another related business as determined by TCLEOSE.</p>	<p>Favorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p>HB 3276 By Rep. Simmons</p>	<p>Relating to the coverage by certain health benefit plans for the screening and treatment of autism spectrum disorder.</p>	<p>Insurance</p>	<p>This bill requires insurers to provide coverage for autism spectrum disorder screenings at age 18 months and 24 months, in accordance with recommendations from the Center for Disease Control and Prevention (CDC) and the U.S. Department of Health and Human Services. Currently, private insurance companies only have to cover enrollees once they are diagnosed with the disorder, though this coverage only lasts until the child is nine years old. The Department of Assistive and Rehabilitative Services (DARS) provides coverage for diagnosed children beginning at age three. Coverage for this disorder is important to the child's development, but the remaining oversight is related to the ability to diagnose the disorder at an early stage.</p> <p>Autism spectrum disorder is a developmental disorder that requires individualized behavioral treatment, medical treatment, and life-long services. Currently, routine screenings conducted do not include autism spectrum disorder since it is not covered by insurance. Early detection will give the child the time and resources to be more prepared to enter the school system. Investing early can save roughly \$2 later in life, for every \$1 invested in early stages of childhood.</p>	<p>Favorable Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>

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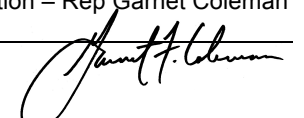
			<p>According to the CDC, one in 88 children nationwide are diagnosed with the disorder. In Texas there are 32,987 individuals between ages 3-21 who have been diagnosed, and make up 7.44 percent of the special education student population in Texas. Individuals living with the disorder spend an average of \$4,000-\$6,000 more per year on medical expenses than those without. These costs are in addition to the \$40,000-\$60,000 spent per year on necessary behavioral intervention services. Early detection can decrease the life-long cost burden of individuals living with the disorder, forego the need for institutionalization, and ultimately equip the individual with the tools to be independent.</p>	
<p>HB 2753 By Rep. Branch</p>	<p>Relating to excellence funding for health-related institutions of higher education.</p>	<p>Higher Education</p>	<p>HB 2753 establishes the Excellence Fund for Health Related Institutions. This funding mechanism seeks to encourage excellence at these institutions similar to funding mechanisms provided by the Competitive Knowledge Fund. The bill includes the metrics by which the institutions will be measured and subsequently receive funding, including sponsored research, faculty quality, Doctoral degrees, philanthropy, commercialization, and patents. In order to participate in this fund, institutions will contribute a one-time buy-in of \$2.5 million. The bill requires that each institution receive at least their initial buy-in by the end of the biennium in which they initially bought into the fund.</p>	<p>Favorable Evaluated by: Torey Ian Powell 512-763-0031 torey@texaslsg.org</p>
<p>HB 3454 by Rep. Eiland</p>	<p>Relating to an exemption from the franchise tax for certain insurance entities.</p>	<p>Ways & Means</p>	<p>HB 3454 exempts certain insurance organizations that are not licensed in the state but may sell supplemental insurance from paying franchise tax in years where they pay any other business tax. Currently, these nonadmitted insurance organizations are exempt only in years where they are required to pay a gross receipts tax.</p> <p>While there is no estimated fiscal impact, any franchise tax exemption has the potential to affect funds intended for schools at a time when there is no solution on the table to address the chronic underfunding of schools.</p>	<p>Favorable with Concerns Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p>HB 3574 By Rep. Orr</p>	<p>Relating to the authority of the School Land Board to designate certain revenue for deposit in the real estate special fund account of the permanent school fund.</p>	<p>Appropriations</p>	<p>HB 3574 reverses authority granted to the School Land Board (SLB) to direct mineral or royalty revenue from the Permanent School Fund (PSF) to the Government Land Office (GLO). Legislation passed in 2001 gave the SLB the authority to give the GLO revenue from the PSF's Real Estate Special Fund Account (RESFA) for the investment of additional state assets and to grow the fund. The majority of revenue collected is mineral related.</p> <p>Now that the GLO has roughly \$3.2 billion of discretionary rural state holdings and a diversified set of assets, the GLO no longer has a need for this revenue to grow the fund. In addition, the GLO is limited in what it can invest in, limiting the usability of these funds. The Texas Education Agency (TEA) is able to invest in any type of asset and currently has over \$600 million of its own money invested in real estate.</p> <p>This bill aims to create a better payout from the Permanent School Fund (PSF) so children get more money from public schools and so taxpayers pay less in long run. In comparison to the state's other major investment funds, the PSF has the lowest payout rate. The PSF's adopted rate for the upcoming biennium is only 3.3 percent. The PSF is only able to perform as well as the other major investment funds when the cash revenue of the PSF land goes to the TEA or Available School Fund (ASF). The payout rates for other major investment funds are as follows:</p> <ul style="list-style-type: none"> ➤ Permanent University Fund: 4.75% ➤ Permanent Health Fund: 4.5% ➤ Tobacco Settlement Fund: 4.5% ➤ Permanent Public Health Fund: 4.5% <p>The PSF would gain an estimated \$414.3 million of revenue for FY2014-2015 following passage of this legislation. A constitutional amendment passed last session allows the SLB to send this revenue directly to the ASF or the SBOE. These funds would be left in the PSF Fund and their use would be under the discretion of the State Board of Education (SBOE). The</p>	<p>Favorable Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>

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			<p>SBOE may then transfer funds to the ASF, which may have a positive fiscal impact for some school districts. Revenue would come from the following sources:</p> <ul style="list-style-type: none"> ➤ Oil and Gas Lease Bonuses ➤ Oil and Gas Lease Rentals ➤ Oil Royalties from Lands owned by Educational Institutions ➤ Gas Royalties from Lands Owned by Education Institutions ➤ Hard Mineral Prospects and Leases ➤ Wind/Other Lease Income from School Land ➤ Royalties on Other Hard Minerals <p>In light of the current public education funding needs, and the self-sustaining status of the GLO, it is appropriate to return to the historically accepted use of these revenues.</p>	
HB 2138 By Rep. Dutton	Relating to the boundaries of the Near Northside Management District.	Urban Affairs	HB 2138 expands the boundaries of the Near Northside Management District. The district’s territory extends to the south boundary of <i>Buffalo Bayou</i> ; no longer to Interstate 10. The expansion of the Near Northside Management District to Buffalo Bayou will allow for improved infrastructure, economic development, business investment and enhanced image for the community.	Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org
HB 2100 By Rep. Thompson, Senfronia	Relating to the salary for certain employees of the Department of Public Safety of the State of Texas.	Appropriations	<p>HB 2100 increases salaries for Trooper Trainee, Probationary Trooper, and Trooper I classified officers in order to attract and retain employees at entry level positions. The bill allows the Department of Public Safety (DPS) to pay these officers at a maximum of 15 percent more than the maximum rate given in the General Appropriations Act (GAA), for each fiscal year. This rate increase addresses employees’ first four years as officers.</p> <p>The Texas Position Classification Plan (1961) establishes employee salaries within the DPS, based on a position classification system. Current pay rates for troopers are not competitive with the state’s other law enforcement departments and DPS is facing difficulty recruiting and training officers at the rate by which it is losing them. This has been a particular problem faced by the commercial vehicle enforcement area due to their specialized skills and extensive knowledge of federal motor carrier regulations. These skills are in high demand by the oil and gas industry, which has the ability to provide more competitive pay. This problem has been further exacerbated by the increased production at the Eagle Ford Shale.</p> <p>Currently, the department loses 10-15 employees per month, has roughly 400 vacant positions, and has lost about 11 percent of its commissioned officer workforce. These officers often have to work extended hours without pay and the DPS estimates that salaries are about 61 percent lower than most highly paid police officers in the state.</p>	Favorable Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org
HB 3042 by Rep. Oliveira	Relating to the allocation of state hotel occupancy tax revenue to certain municipalities for cleaning and maintenance of and erosion control for public beaches.	Ways & Means	HB 3042 increases funding to barrier island municipalities for the cleaning, maintenance, and control of erosion for their public beaches. The bill allocates two percent of revenue from the state hotel occupancy tax collected from hotels in that municipality. Currently they receive one percent. The additional funding will help barrier island municipalities keep their beaches in tourist friendly condition and further attract economy boosting visitors.	Favorable Evaluated by: Torey Powell 512-763-0031 Torey@texaslsg.org

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<p>HB 705 By Rep. Howard</p>	<p>Relating to the definition of emergency services personnel for purposes of the enhanced penalty prescribed for an assault committed against a person providing services in that capacity.</p>	<p>Criminal Jurisprudence</p>	<p>HB 705 adds emergency room personnel to the definition of emergency services personnel. This addition will increase the penalty from a Class A misdemeanor to a third degree felony for an assault against emergency services personnel.</p> <p><i>Although the state should provide protections to its emergency room personnel, the state should also make necessary protections for those with mental illness or intellectual disability.</i> The bill does not require de-escalation training, which will allow these professionals to resolve many of these situations. Amendments that adds these protections and de-escalation training would make this bill more palatable.</p>	<p><u>Will of the House</u> Evaluated by: Tanya Gripton 512-763-0031 Tanya@texaslsg.org</p>
<p>HB 296 By Rep. Rodriguez, Eddie, et al.</p>	<p>Relating to breakfast for certain public school students.</p>	<p>Public Education</p>	<p>HB 296 requires the board of trustees of a school district participating in the National School Lunch Program to provide a free <i>breakfast</i> program for district campuses or open-enrollment charters in which 80 percent of the students already qualify for free and reduced meals. A school district may opt-out of the program within one year via waiver.</p> <p>Texas has the 11th highest rate of child food insecurity in the United States. The adoption of a free breakfast program would combat child hunger in the state and ensure that over 1 million children will have access to breakfast. The bill poses no negative impact to the state and the program is federally funded.</p>	<p><u>Favorable</u> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p>HB 1581 by Rep. Riddle</p>	<p>Relating to an entity's designation of an agent for service of process, notice, or demand in an assumed business or professional name certificate.</p>	<p>Business & Industry</p>	<p>HB 1581 requires a business operating under an assumed name to include the name and address of a person who is an agent of the business on an assumed name certificate. The bill also requires that if the agent of the business changes, an update be made in each county where the business operates. This simple administrative fix has the potential to save time and cost of service.</p> <p>Under current law there is no such requirement, making it difficult to serve a business operating under an assumed name for purpose of process, notice, or demand.</p>	<p><u>Favorable</u> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p>HB 2004 By Rep. González, Mary</p>	<p>Relating to the determination of certain exemptions from the administration of state assessment instruments to public school students and to the consideration of the performance of certain students on state assessment instruments.</p>	<p>Public Education</p>	<p>HB 2004 provides certain exceptions to limited English language proficiency (LEP) students. Under the bill, a student who has not attended a U.S. school for at least a consecutive 60 days is not considered an enrolled student and is exempt or deferred from testing for up to a year. Further, a school's performance rating may not be lowered by unsatisfactory scores of LEP students, and the results will be assessed for compliance monitoring and accountability.</p> <p>The bill intends to give LEP students time to acclimate and prepare for unfamiliar academic material and testing measures. HB 2004 provides schools with the time needed to help students reach the same level as other students and not be negatively impacted from LEP testing scores.</p>	<p><u>Favorable</u> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p>HB 2595 by Rep. Parker</p>	<p>Relating to the value of personal property that is exempt from seizure to pay a crime victim under an order of restitution.</p>	<p>Criminal Jurisprudence</p>	<p>HB 2595 reduces the amount of personal property that is exempt from seizure to pay a crime victim under an order of restitution.</p> <p>Currently, a certain amount of personal property is exempt from collection or seizure in order to assure that an individual or family under a restitution order do not lose all of their assets. A family property valued at a maximum of \$60,000 or a single adult's property valued at not more than \$30,000 are currently exempt. This bill would amend the conditions of exemption of property for defendants convicted of an offense to \$20,000 and \$10,000 respectively.</p> <p>Differentiating restitution specifically for defendants convicted of an offense places an additional financial constraint on these individuals and could create a negative ripple effect on families of defendants who rely on them for support.</p>	<p><u>Will of the House</u> Evaluated by: Muna Javid 512-763-0031 muna@texaslsg.org</p>

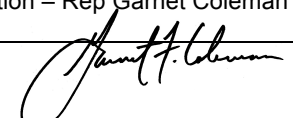
<p>HB 2570 By Rep. Miles</p>	<p>Relating to the provision of the reason for rejecting a voter registration application.</p>	<p>Elections</p>	<p>HB 2570 requires a voting registrar to identify which section(s) of a voter registration application resulted in the rejection of the application. The registrar shall specify whether a section is incomplete, improperly filled out, or contained information identifying the applicant as ineligible to vote.</p> <p>Because some counties currently offer vague explanations for why an applicant is rejected, a more thorough explanation will provide more insight for when an individual reapplies. This bill seeks to empower individuals to exercise their right to vote.</p>	<p>Favorable Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>
<p>HB 3240 by Rep. Phillips</p>	<p>Relating to the penalty for delivery of certain miscellaneous substances under the Texas Controlled Substances Act.</p>	<p>Criminal Jurisprudence</p>	<p>HB 3240 enhances from a Class A misdemeanor to a state jail felony if a person knowingly manufactures, delivers, or possesses with intent to deliver a controlled substance listed in a schedule by an action of the commissioner to: a person younger than 18 who is enrolled in a public or private primary or secondary school or to a person who the actor knows or believes intends to deliver a controlled substance to those persons.</p> <p>This bill applies to controlled substances such as designer drugs, which are created by preparing analogs or derivatives of existing drugs by modifying their chemical structure to varying degrees. Enhancing the penalty to a state jail felony for delivering a controlled substance that is not listed in any penalty groups will overburden the state with costs associated with prosecution and incarceration of low-level drug crimes. Felony convictions will leave individuals with limited access to housing and employment in the future.</p>	<p>Will of the House with Concerns Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>
<p>HB 2952 By Rep. Rodriguez, Justin</p>	<p>Relating to the period of time allowed for issuance of decisions by the commissioner of education in certain appeals against school districts.</p>	<p>Public Education</p>	<p>HB 2952 requires that if a decision or action by a school district is appealed, the Texas Education Agency (TEA) Commissioner must review the appeal and issue a decision no later than the 240th day from the date the plea was filed. If an extension is necessary, all parties involved may submit in writing an agreement that requires the TEA commissioner make a decision no more than 60 days from the 240th date.</p> <p>The bill adds a set deadline for the commissioner to issue decisions on appeals, which in the past have taken months and even years to be resolved.</p>	<p>Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p>HB 2158 by Rep. Goldman</p>	<p>Relating to the period of ineligibility from participation in the Medicaid program by providers found liable for certain unlawful acts under the program.</p>	<p>Public Health</p>	<p>Under current law, a Medicaid provider becomes ineligible to participate in the Medicaid program on the date that a determination that they committed an unlawful act becomes final.</p> <p>HB 2158 clarifies that the provider is ineligible to participate in Medicaid on the date on which a trial court enters a judgment finding them liable for committing an unlawful act. Under this change, Medicaid providers will no longer be eligible to receive reimbursement from Medicaid while going through trial until they have exhausted all of the appeals process.</p>	<p>Will of House Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p>HB 793 by Rep. Lozano</p>	<p>Relating to the prosecution and punishment of the smuggling of persons.</p>	<p>State Affairs</p>	<p>HB 793 grants more authority to District Attorneys to effectively prosecute and deter persons such as "Coyotes," who collect fees for organizing dangerous operations to get people across the Mexican border, from committing the unlawful transport of undocumented persons. This bill seeks to create stricter punishments on Coyotes and addresses the more severe forms of smuggling.</p> <p>HB 793 expands current law regarding the unlawful transport of an undocumented person. Currently the punishment for smuggling undocumented persons under certain circumstances is punishable by a state jail felony. HB 793 expands the offense of smuggling persons to include a person who intentionally assists, guides, or directs three or more individuals to enter or remain on agricultural land without the consent of the owner.</p> <p>The punishment for smuggling undocumented persons is currently a third degree felony if the smuggling is committed for financial gain or there is substantial likelihood that the undocumented person would suffer bodily injury during the transport, such as smuggling persons in a vehicle with more than the maximum capacity of passengers and getting into an accident. HB 793 adds the conscious possession of a firearm as an offense punishable by a third degree felony.</p>	<p>Favorable Evaluated by: Amanda Williams 512-763-0031 Amanda.Williams@texaslsg.org</p>

<p>HB 30 By Rep. Branch</p>	<p>Relating to measures to facilitate the transfer of students within the public higher education system and the timely graduation of students from public institutions of higher education.</p>	<p>Higher Education</p>	<p>HB 30 addresses the large number of students who enroll in public junior colleges with the intention of transferring to a four year public institution, but never make it to the four year institution. The bill helps ensure a seamless transition by requiring four year institutions to establish articulation agreements with public junior colleges from which they regularly receive transfers. It requires these institutions to make information available online for at least 12 courses that are frequently transferred for credit. This information includes course prerequisites, content and learning objectives. This bill helps ensure that students are not being required to complete unnecessary hours that prolong their stay at these institutions by prohibiting institutions from requiring a student to complete more hours than required by the accrediting board of the an institution. This provision does not apply to degrees requiring professional licensure.</p>	<p>Favorable Evaluated by: Torey Ian Powell 512-763-0031 torey@texaslsg.org</p>
<p>HB 3648 By Rep. Harper-Brown</p>	<p>Relating to compliance with certain terms in the performance of state purchasing contracts.</p>	<p>Government Efficiency & Reform</p>	<p>HB 3648 requires all purchasing contracts for project developments be assessed for compliance of written terms of solicitation. Purchasing contracts for goods or services are considered when evaluating proposals, including the cost for supplies, labor, time, and scope of the project. Before contracts are awarded, the board of a state agency will conduct a meeting considering material changes—a change to a written term of solicitation that extends or postpones the completion date for more than six months. Material changes may also be a contract increase of 10 percent or more. The bill aims to increase transparency and improve contract procurement practices.</p>	<p>Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p>HB 1849 By Rep. Carter</p>	<p>Relating to the disposition of proceeds and property from criminal asset forfeiture.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1849 establishes that an expenditure of proceeds or property received from the forfeiture of contraband is to be used for law enforcement purposes if the expenditure is made for activity of an agency that relates to the criminal and civil enforcement of Texas laws. These expenditures include employee salaries, equipment, supplies, training and investigative travel, conferences, crime prevention and treatment programs, and facility and witness related costs. State attorneys may also use proceeds from forfeiture funds for all of those purposes in addition to prosecution costs, legal fees, and state bar and legal association dues.</p> <p>This bill maintains transparency and accountability by defining which purposes and expenses are authorized uses of forfeited proceeds and property.</p>	<p>Favorable Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>
<p>HB 1878 By Rep. McClendon</p>	<p>Relating to the allocation of certain revenue to the Texas rail relocation and improvement fund.</p>	<p>Transportation</p>	<p>HB 1878 gives \$5 from each certificate of title fee in nonattainment counties to the Texas Mobility Fund and takes a matching amount from non-dedicated state highway funds revenue. HB 1878 also repeals the expiration date for this legislation. This bill allows money deposited to the Texas rail relocation and improvement fund to be used to fund infrastructure projects to reduce pollution and relieve congestion through rail relocation or improvement.</p> <p>This bill seeks to improve the air quality in nonattainment counties. Using rail can be beneficial to the environment and reduces heavy vehicle traffic on Texas highways.</p>	<p>Favorable Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>
<p>HB 724 By Rep. Guillen</p>	<p>Relating to the creation of a commission to study unclaimed land grant mineral proceeds.</p>	<p>Land & Resource Management</p>	<p>HB 724 creates the Unclaimed Mineral Proceed Commission to study and provide recommendations to the Legislature regarding the distribution of mineral proceeds derived from an original land grant, owned by a descendant of an original grantee, unclaimed and presumed abandoned, and delivered to the comptroller. An original land grant is the initial conveyance of real property by a certificate, patent, or title from the Crown of Spain, Mexico, the Republic of Texas, or this state.</p> <p>This 17 member board consists of persons with various backgrounds of expertise in property law, appointed by the Governor and members of the Legislature. The board will provide a final report including administrative recommendations on how to determine the owners of the proceeds, and providing notification in order to distribute the proceeds.</p> <p>Currently, oil and gas companies send royalty payments to the comptroller when they are unable to find the rightful owners. This bill would facilitate the proper distribution of unclaimed land grant proceeds to the rightful heirs.</p>	<p>Favorable Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>

<p>HB 1966 By Rep. Deshotel</p>	<p>Relating to a project that may be undertaken by certain development corporations in connection with infrastructure improvements necessary for municipal area development and revitalization.</p>	<p>Urban Affairs</p>	<p>HB 1966 authorizes an Economic Development Corporation (EDC) to use funds for the infrastructure and improvement of facilities, telecommunications, utility services, or street and rail systems. The bill, designated for a specific geographic area with a high unemployment rate, would specifically allow the City of Port Arthur and the Port Arthur EDC to revitalize the city's environment and improve economic development.</p>	<p>Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p>HB 2090 By Rep. Canales</p>	<p>Relating to a written statement made by an accused as a result of custodial interrogation.</p>	<p>Criminal Jurisprudence</p>	<p>HB 2090 requires that a written statement of an accused person that is signed by or bearing their mark, is to be made in a language that they can read and understand in order for it to be admissible as evidence against them in a criminal proceeding.</p> <p>This bill addresses the issue of non-English speakers signing a statement in English without understanding the content of their statement. This could result in the accused being compelled to be a witness against themselves. HB 2090 offers procedural safeguards and is particularly relevant in Texas where there is a significant Latino population.</p>	<p>Favorable Evaluated by: Muna Javid 512-763-0031 muna@texaslsg.org</p>
<p>HB 2201 By Rep. Farney</p>	<p>Relating to increasing the courses offered in the career and technology education curriculum</p>	<p>Economic & Small Business Development</p>	<p>HB 2201 would increase the number of career and technology education courses available to high school students by requiring the State Board of Education to approve a minimum of six advanced career and technical education (CTE) courses to satisfy a fourth credit in mathematics required for graduation. No later than 1 year after the program has been implemented, HB 2201 authorizes the Commissioner of Education to review the course expansion progress and report his findings to the Governor and Legislature responsible for education.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p>HB 3569 By Rep. Kleinschmidt</p>	<p>Relating to activities conducted in connection with a state or federal disease control or eradication program for animals.</p>	<p>Agriculture and Livestock</p>	<p>HB 3569 requires a person, including a veterinarian, to be authorized by the Texas Animal Health Commission (TAHC) in order to engage in any activity that is a part of a state or federal disease control or eradication program for animals. TAHC must adopt rules relating to the suspension and revocation of a person's authority and has final authority over a suspension or revocation after an allowed hearing. HB 3569 allows TAHC to provide an electronic issuance of a certificate of veterinary inspection to a person transporting specified animals.</p> <p>HB 3569 ensures that qualified professionals are working to control animal disease in the state.</p>	<p>Favorable Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org</p>
<p>HB 1773 By Rep. Thompson, Ed</p>	<p>Relating to named driver insurance policies and certain related exclusions</p>	<p>Insurance</p>	<p>Auto insurance policy holders often lend their car to a household member believing they are covered; however, they may not be. Consequently, responsible injured third parties may be left with limited recourse for damages because the driver is not insured. HB 1773 provides more clarity by giving sole authority to Insurance companies to specifically exclude drivers by name on an Insurance policy. This allows the policyholder to make an informed decision before allowing a household member drive the vehicle. Finally, the bill allows carriers to offer their own forms as long as they exclude specific drivers, and not a broad class of drivers. This bill aids in ensuring that all parties know who is specifically covered and excluded from coverage, which improves public safety.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p>HB 2872 By Rep. Villarreal</p>	<p>Relating to the number of student absences that constitute a failure to attend school</p>	<p>Public Education</p>	<p>HB 2872 reduces the amount of days a student is considered truant from 10 days to 5. A student missing 5 or more days of school within a regular semester is considered excessively absent under the Failure to Attend School statute. If 5 or more excessive absences occur the school district must file a complaint to the court no later than January 15 or June 15 for the fall and spring semester, respectively.</p> <p>Over 112,000 truancy cases were processed in Texas in 2012 alone. Students, if convicted, face a juvenile Class C misdemeanor, fines, and the risk of their parent or guardian being arrested. HB 2872 opens the door to a rise of truant cases and would contribute to the premature and unnecessary criminalization of students, placing more of them into the juvenile justice system, which has been statistically proven to lead to the prison system.</p>	<p>Will of the House Evaluated by: Tanya Gripton 512-763-0031 Tanya@texaslsg.org</p>

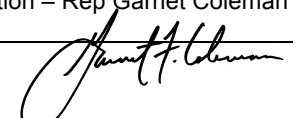
<p>HB 1021 By Rep. Moody</p>	<p>Relating to venue for the offense of failure to attend school.</p>	<p>Criminal Procedure Reform, Select</p>	<p>HB 1021 limits the courts where truancy related cases could be heard. The bill mandates that in counties where a court is designated to hear truancy cases, all cases must be heard at that court. HB 1021 updates the code to be uniform with the rest of criminal law to ensure efficiency and cost effectiveness.</p> <p>Current statute allows truancy related cases to be heard in any justice or municipal court in the county where the school is located or where the parent resides, for counties with a population at or above 1.75 million. This has led to “forum shopping,” in which parties seek specific courts to have their case heard under the impression that the court will be more likely to rule in their favor. This practice is prohibited in all other areas of law.</p>	<p>Favorable Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>
<p>HB 1022 By Rep. Moody</p>	<p>Relating to venue for the offense of a parent contributing to a child's failure to attend school.</p>	<p>Criminal Procedure Reform, Select</p>	<p>To follow suit with HB 1021, this bill limits the courts where parent contribution related truancy cases could be heard. The provisions of the bill are exactly the same as HB 1021, by mandating that parent contribution related truancy cases are heard in the designated court within which the county where the school is located or where the parent resides, if one exists. This bill updates the code to be uniform with the rest of criminal law to ensure efficiency and cost effectiveness.</p>	<p>Favorable Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>
<p>HB 2824 By Rep. Ratliff, et al.</p>	<p>Relating to the Texas High Performance Schools Consortium</p>	<p>Public Education</p>	<p>HB 2824 addresses the recommendations made by school districts to The Texas High Performance Schools Consortium—a collaborative group that informs the Governor, Legislature, TEA Commissioner and the <i>State Board of Education</i> (SBOE) on educational methods for transforming public schools through innovative development, new learning standards, and assessment and accountability systems.</p> <p>The bill applies to a school district or open-enrollment charter school or the campuses of these schools, selected and involved in the consortium. All participants are required to submit two reports, once on December 2014 and the other December 2016. Both reports will update the Governor, Legislature, Commissioner and SBOE on the progress and performance of the participant campuses, including the effectiveness, readiness standards, and how those standards are closing the achievement gap.</p> <p>The school board of a participant district must hold a public hearing about the school’s goals, work, and participation in the consortium. The consortium will be evaluated for accountability and improvement measures on the achievement gap and readiness standards. Specifically, the bill outlines that depending on a student’s grade-level and their status of secondary-level courses, an assessment may be administered to students under specific guidelines to evaluate achievement as well.</p> <p>The participating districts are charged a fee for the use of state-approved assessment items or for the evaluation of participant campuses. The fees authorized by the Commissioner will be collected and used to manage the consortium. The provisions of HB 2824 are for the overall benefit of students and schools. It ensures that the highest education standards are met and would also create a positive fiscal impact of \$1.5 billion for the next biennium.</p>	<p>Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p>HB 2792 by Rep. Elkins</p>	<p>Relating to the circumstances under which an appraisal review board hearing shall be closed to the public.</p>	<p>Ways & Means</p>	<p>HB 2792 allows an appraisal review board to conduct a hearing that is closed to the public if the appraiser intends to disclose proprietary or confidential information at the hearing. A closed-hearing must be by joint motion of the property owner and the chief appraiser. Under current law, all hearings are open to the public.</p>	<p>Will of the House Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p>HB 2148 by Rep. Hilderbran</p>	<p>Relating to the motor fuel tax on compressed natural gas and liquefied</p>	<p>Ways & Means</p>	<p>HB 2148 creates a new system for taxing the compressed natural gas and liquefied natural gas used in vehicles. The bill sets up licensing of dealers who sell and deliver the fuel, licensing for truck operators who pay for the fuel, and it directs the comptroller to establish policies around certification, licensing, claims and refunds. Currently this tax is collected through a decal system similar to the</p>	<p>Favorable Evaluated by: Kristen Macaluso</p>

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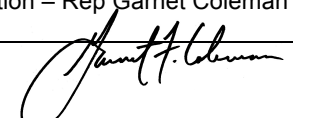
	natural gas; providing penalties; imposing a tax.		<p>vehicle registration process.</p> <p>Although HB 2148 keeps the tax rate at the same 15 cents per gallon, it imposes twice the tax if tax-free fuel is used for taxable purposes. Certain exemptions are provided for school districts, public transportation, volunteer fire departments, counties, nonprofit electric or telephone co-ops, and vehicles used off-highway. One-fourth of taxes collected will be deposited in the available school fund. Three-fourths of the taxes collected will be deposited in the state highway fund.</p> <p>The bill also creates a Class B misdemeanor for delivering compressed natural gas or liquefied gas to an unlicensed dealer or making a tax-free delivery of these gases into a vehicle.</p>	<p>512-763-0031 Kristen@texaslsg.org</p>
HB 742 By Rep. Strama	Relating to a grant program for certain school districts to provide summer instruction primarily for students who are educationally disadvantaged and summer teaching opportunities for high-performing, new, and student teachers.	Public Education	<p>HB 742 establishes a competitive summer grant program for 10 school districts with a 50 percent educationally disadvantaged student population. The program, for pre-kindergarten to 8th grade, seeks to close the achievement gap and improve the academic success of disadvantaged students. The bill ensures that participating students will continue education during the summer and retain knowledge and skills learned during the school year.</p> <p>The bill creates a recruitment mechanism for districts with a high need for master teachers. HB 742 provides a high standard of teacher-quality by compensating, rewarding and retaining high-performance teachers and improving professional development through apprenticeships or mentorships of new teachers and student teachers.</p> <p>The bill requires that the program be measured and analyzed for effectiveness, best practices and cost-efficiency. Since the program is designated to only 10 school districts, the results of the program evaluation will determine if a summer grant program is impactful enough to initiate statewide.</p> <p>Background: A John Hopkins study examined the level of learning among low-income and middle/high income students. It was concluded that low and middle/high income students learned the same during the school year but over the summer low-income students regressed and middle/high income students progressed. It is theorized that because middle and high-income students are being taught at home or enrolled in alternative summer programs, they retain more information over the summer than their low-income peers who may not have the same opportunities to participate in services during summer break. HB 742 addresses the issue of summer learning regression and creates innovative measures to promote equity among students, regardless of socioeconomic status, and provide students with high-quality teachers.</p>	<p>Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
HB 2719 By Rep. Guillen	Relating to the collection of information concerning the number of inmates and prisoners who have been in the conservatorship of a state agency responsible for providing child protective services	Corrections	<p>This bill requires the Texas Department of Criminal Justice (TDCJ) and county jails to screen inmates for prior foster care involvement to collect data. Often children in foster care suffer severe trauma, which leads to a compromise in development and a higher risk for poor life outcomes. The collected data could aid in creating evidence based practice for future children who will be involved in the foster care system. Additionally, inmates can be quickly identified and provided with rehabilitative services.</p>	<p>Favorable Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>
HB 2061 By Rep. Murphy, et al.	Relating to a tax credit for investment in certain communities; imposing a monetary penalty; authorizing a fee	Economic & Small Business Development	<p>In 2000, Congress created the “New Market Program” to increase economic development in economically-distressed areas by offering tax credit incentives to investing companies.</p> <p>HB 2061 establishes a state version of this federal program. Because other states have income taxes, they are able to offer more enticing tax credits for income taxes to attract investors. This bill would instead authorize tax credits for insurance premiums over a five year period.</p>	<p>Will of the House with Concerns Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>

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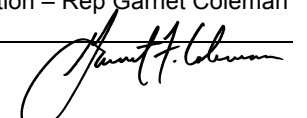
			<p>Under the bill’s provisions, Qualified Community Development Entities (CDEs) must deposit a \$500,000 refundable deposit with the Comptroller of Public Accounts (CPA) and turn their application in to the Texas Department of Economic Development & Tourism. The fiscal note anticipates only nine companies will participate in the program.</p> <p>The CDEs would earn up to \$292.5 million in state insurance tax premium credits from 2016 to 2020. In order to secure the \$292.5 million in state insurance tax credits, the CDEs would have to invest \$750 million for which they get tax credits of 39 cents on the dollar, which equals to \$292.5 million. There is a claw-back provision that could be implemented if the CDEs fail to transfer or maintain investments within one-year to the qualified active low-income community businesses or low-income census tract projects.</p> <p>The policy goals behind this legislation are meant to spur investment in low income areas of the state and make credit available to businesses in those areas. While the goal is favorable, the mechanism by which the legislation attempts to achieve that goal is questionable. Other states have offered similar programs that are more competitive, efficient and accountable to taxpayers. The state of Maryland auctions off tax credits and invests in venture capital firms, giving the state a share of the profits and also a clearer, more affordable and accountable method of governance. If Texas auctioned off the tax credits with a market price of 16 cents, the state could get the same investment for less than half the cost in tax credits.</p> <p>The bill could make several improvements that would benefit Texas taxpayers, ensure market competitiveness, and sustainable economic growth in economically distressed areas in Texas. The provisions and state tax credit structure of the bill limits the pool of investors to bank investors and insurance companies that want insurance tax credits. Given the bill provisions and credit structure, Texas stands to be an indirect participant in the various projects’ profits versus a direct participant if the New Market Program was structured in a venture capital compensation structure and a competitive bidding process.</p> <p>The bill would be improved if CDE’s offered a revolving loan fund to economically distressed communities in order to ensure financial business stability. With only 9 participants, HB 2061 essentially spends \$292.5 million with no true market competition for taxpayer money on the basis of the possibility of job creation.</p>	
<p>HB 2371 By Rep. Leach</p>	<p>Relating to creating the offense of voyeurism; providing a penalty.</p>	<p>Criminal Jurisprudence</p>	<p>HB 2371 creates a Class B misdemeanor offense of voyeurism for a person who, with the intent to arouse or gratify sexual desires, observes another person without consent through a window or opening in a dwelling on private property. It is also an offense if the actor observes from a distance on authorized property using binoculars, telescope or a similar device. Other offenses include observing a person in their from an opening in their hotel room and other places designed for privacy such as a restroom, shower stall, or changing room in a public place.</p> <p>Currently the act of voyeurism is addressed as “disorderly conduct” which is a Class C misdemeanor, punishable by a fine of up to \$500. Enhancement of this offense is punishable with either probation, a fine not to exceed \$2,000, and/or up to 6 months in jail.</p>	<p><u>Will of the House</u> Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>
<p>HB 3750 by Rep. Farrar</p>	<p>Relating to the destruction of the records of businesses, state and local governments, and nonprofit entities stored</p>	<p>Business & Industry</p>	<p>HB 3750 requires that a business, non-profit, or state agency destroys records stored on a copy machine when they terminate its use. The bill seeks to protect private information on potentially thousands of stored records by requiring the information be encrypted or destroyed. The cost for the fix ranges from \$40-250 a service.</p> <p>It is unclear how many entities know these records exist. Awareness is an important part of prevention. In addition, the bill has set a high penalty for violations. We expect an amendment on the floor to address the high penalty and with it, our recommendation is favorable.</p>	<p><u>Favorable</u> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>

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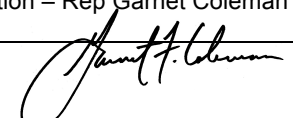
	on copy machines; providing a civil penalty.			
HB 1790 By Rep. Longoria	Relating to certain procedures for defendants who successfully complete a period of state jail felony community supervision.	Criminal Jurisprudence	<p>HB 1790 requires a judge who places a defendant on community supervision for a state jail felony to review their record upon completion of two-thirds of the supervision and consider modifying the record conviction to a Class A misdemeanor. The offense cannot involve improper sexual activity by an employee of a correctional facility with a person in custody, a DWI with a child passenger, an offense against involving direct physical harm, force or family violence, or failure to comply with sex offender registration. A defendant must fulfill all conditions of the community supervision including fines and fees. A defendant whose record is modified is not considered to have been convicted of a felony with respect to the modified offense other than providing proof of the conviction if convicted for an offense in the future.</p> <p>Offering an individual the opportunity to receive a conviction based on a lower offense level will encourage them to participate in this program and reintegrate into society. This measure saves taxpayer dollars, enhances public safety through lower recidivism, increases self-responsibility, and strengthens communities.</p>	Favorable Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org
HB 1289 by Rep. Hilderbran	Relating to the exclusion of certain transportation services costs in determining total revenue for purposes of the franchise tax.	Ways & Means	<p>HB 1289 allows an entity that transports goods and services by waterway to exempt the costs of providing transportation services. A business may claim the exemption only when they do not deduct cost of goods sold when calculating their franchise tax.</p> <p>While helping Texas businesses be competitive is a laudable goal, we must first do the same for our schools. Texas schools are, at present, underfunded and the LBB estimates this exemption will mean a loss of \$4.6 million from the Property Tax Relief Fund. The same amount would need to be pulled from General Revenue for the Foundation School Program.</p>	Unfavorable Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org
HB 1509 By Rep. Anchia	Relating to the enforcement of water conservation and animal care and control ordinances of a municipality by civil action or quasi-judicial enforcement; providing civil penalties.	Urban Affairs	<p>HB 1509 updates provisions for civil actions and quasi-judicial enforced ordinances for animal control and water conservation violations. The bill establishes that animal care and control violations as well as water conservation and restriction violations will be handled civilly by a quasi-judicial body—an arbitrator or tribunal board. HB 1509 deals with such violations through civil action. The bill intends to improve violator compliance and provide for better resources to address this issue and allow alternative consequential procedures in a quasi-judicial system.</p> <p>Currently, animal control and water conservation violations are Class D misdemeanors, handled in the same manner as felonies and high degree cases.</p>	Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org
HB 75 By Rep. Fletcher	Relating to the regulation of certain private security companies and occupations	Homeland Security & Public Safety	<p>HB 75 ensures that camera system companies and its personnel are subject to the same regulations as the rest of the security industry. This bill eliminates a section of alarm system definition related to a television camera or still camera system and creates the definition of a camera systems company, to create a clear distinction between the two.</p> <p>HB 75 adds a camera systems company to list of companies that a person may not act as, unless they hold a license as a security services contractor. This bill adds language for clarity on what constitutes an alarm systems company, a camera systems company, a camera systems installer, alarm systems installer, and alarm systems monitor.</p> <p>HB 75 includes a camera systems installer to list of individuals who are employed that must obtain the appropriate endorsement in accordance with the requirements and related administrative rules. This bill adds that a license holder acting as an alarm systems company does not have to provide the notice required if the contact information, including the address and the telephone numbers for the alarm systems company, has not changed.</p>	Favorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org

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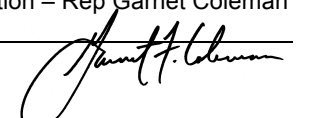
			HB 75 appropriately expands to certain occupation and security systems sales and installation exemptions to include close circuit television or still camera systems and those person and entities that use, sell, or installs them.	
HB 2133 By Rep. Larson	Relating to the public policy for the use of innovative and alternative water treatment technologies for water development purposes.	Natural Resources	HB 2133 encourages conservation and development of the state’s natural resources by promoting the facilitation of efficient and effective uses of innovative alternative water treatment technologies whenever possible. This bill seeks to address the natural resource needs of this state and promotes the direct reuse of reclaimed water for nonpotable purposes whenever possible to enhance and preserve the state’s freshwater supply.	Favorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org
HB 1318 By Rep. Turner, Sylvester	Relating to the duration of a youth's detention following a detention hearing and the appointment of counsel for that hearing for certain youths	Corrections	HB 1318 requires Texas Juvenile Justice Department (TJJD) to appoint an attorney to certain detained youth prior to their first hearing within a reasonable amount of time. Currently, these detained youth have the right to an attorney, but counsel is often appointed late, which leaves the youth with inadequate representation during their first detention hearing. Studies confirm that the incarceration of children impedes the rehabilitation process. Additionally, Texas is spending a large amount of taxpayer dollars to keep low level juvenile offenders in a detention center rather than providing them with appropriate treatment. This bill would ensure that adolescents are provided with a prepared attorney so that they will receive an effective advocate.	Favorable Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org
HB 1398 By Rep. Murphy	Relating to required disclosures on political advertising.	Transportation	<p>HB 1398 establishes new guidelines for political advertising disclaimers. The bill requires an audio statement made by a candidate stating that the candidate has approved of the ad. For television ads, the bill requires a full screen view of the candidate making the audio statement or a clearly identifiable photo image and a written statement at the end of the communication for at least four seconds with certain dimension requirements stating the candidate’s approval of the communication.</p> <p>For advertising not authorized by a candidate or their campaign through radio or television, the bill requires an audio statement from the person who paid for the ad or from an individual named in the statement, or by a representative of the party financially responsible for the ad. For television advertisements, there must be a visual written statement at the end of the communication containing the name of the person who paid for the advertising.</p> <p>The bill also requires disclaimers for political advertising on social media websites. There are other provisions in this bill dealing with advertising standards. This law seeks to provide evidence that an advertisement is political so that voters are better informed for elections.</p>	Will of the House Evaluated by: Kelle’ Martin 512-763-0031 Kelle@texaslsg.org
HB 1077 By Rep. Kleinschmidt	Relating to the transportation and storage of firearms and ammunition in private vehicles on the campuses of institutions of higher education.	Homeland Security & Public Safety	<p>HB 1077 prohibits a public, private, or independent institution of higher education from adopting or enforcing any provisions restricting the storage or transportation of a firearm or ammunition in a locked, privately owned or leased motor vehicle by a person who lawfully possesses the firearm or ammunition. This includes on a street or driveway located on the campus of the institution or in a parking lot, parking garage, or other parking area located on the campus of the institution.</p> <p>This legislation was adopted as an amendment onto HB 972, the guns on campus bill.</p>	Will of the House Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org

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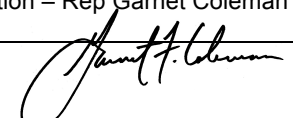
<p>HB 694 By Rep. Philips</p>	<p>Relating to access by certain military personnel to juvenile and criminal history information</p>	<p>Corrections</p>	<p>HB 694 allows individuals to release certain sealed juvenile records to military officials when applying to the United States Armed Forces. The applicant must give explicit written permission. This bill seeks to remove barriers from rehabilitated non-violent offenders so they are able to serve their country and gain employment.</p> <p>Currently, when reformed citizens attempt to enlist, the military recruiters must access all of their criminal history. Juvenile records are often sealed; because the recruiter is unable to access the information, the applicant is often turned away.</p>	<p>Favorable Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>
<p>HB 3743 By Rep. Wu</p>	<p>Relating to the authority of a prosecutor in a juvenile case to appeal certain judicial decisions</p>	<p>Corrections</p>	<p>HB 3743 allows Texas to appeal certain juvenile cases if the disposition is illegal. This bill allows the state to appeal a case in the same way an adult case can be appealed. Illegal dispositions are rare, and there is concern that this bill leaves the law open for interpretation. Regardless of intent, a prosecutor could potentially file and be granted an appeal if the prosecutor perceives that a judge ruled outside of their scope. While the intent of this bill is laudable, this concern should be addressed.</p> <p>Currently, a grand jury must approve the state’s request to appeal the disposition and declare the adolescent to be violent or engaging in repetitive felony behavior. Statute makes it extremely difficult to appeal an inaccurate or illegal ruling. For example, a juvenile defendant was released for a cold case murder, but later significant evidence was found and he was arrested as an adult. However, prosecutors were unable to appeal due to current statute.</p>	<p>Favorable with Concerns Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>
<p>HB 912 by Rep. Gooden</p>	<p>Relating to images captured by unmanned vehicles and unmanned aircraft; providing penalties.</p>	<p>Criminal Jurisprudence</p>	<p>HB 912 makes it a Class C misdemeanor to use or authorize the use of an unmanned vehicle or aircraft to capture an image of an individual or real property with the intent to monitor or conduct surveillance. There are exceptions to this which include consent of the person being captured in the image, surveillance under a valid search warrant, public safety and emergencies, at the scene of a hazardous spill or fire, and rescue of a person in danger. Exceptions are also made for real estate brokers marketing property (without persons in the image), real property within 25 miles of the US border, and image capture from no more than 8 feet above ground in a public place without amplifying it beyond normal perception. Scholarly research through an institution of higher education, test sites for the FAA, and the US military are also exempt.</p> <p>It is a defense to prosecution if the image is destroyed upon knowledge of violation, and without displaying or distributing to a third party. If distribution occurs, it is a Class B misdemeanor. <i>Each single image</i> is a separate offense. The bill authorizes disclosure of the image to prove that it was in violation.</p> <p>If a person is in violation, a civil penalty will total no more than \$3,000 for each image or \$300 for each second of a moving image, regardless of the number of violations. A plaintiff may not recover more than \$1,000 for each image or more than \$100 for each moving image, and no more than a total of \$50,000. An action must be brought with 2 years of the violation.</p> <p>This bill addresses issues of privacy of private property, however there are many concerns raised by the press and journalists whose scenarios may not fall in the list of exceptions outlined in the bill. An interim study on this issue may be more appropriate before moving forward.</p>	<p>Will of the House Evaluated by: Muna Javid 512-763-0031 muna@texaslsg.org</p>
<p>HB 97 by Rep. Perry, et al.</p>	<p>Relating to the exemption from ad valorem taxation of part of the appraise value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran</p>	<p>Ways & Means</p>	<p>HB 97 allows partially disabled veterans to take advantage of a property tax exemption on homes given to them by a charitable organization. The bill provides for a property tax exemption rate that is the same as the veteran’s disability rating. Under current law, only a full exemption is available to veterans who are 100 percent disabled.</p> <p>This bill outlines when an exemption is transferable to a surviving spouse or to a new home. It also establishes how and when an assessor should calculate the exemption, providing for a refund on taxes paid if necessary. If passed, HJR 24 must be submitted to Texas voters through an election.</p>	<p>Favorable Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>

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	or the surviving spouse of a partially disabled veteran if the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization.		Note: Although provisions exist for the surviving spouse of a disabled veteran, the bill does not address exempting provisions for the surviving spouse of a veteran who died in action.	
HB 1712 by Rep. Lozano	Relating to an exemption from ad valorem and sales and use taxes for property used in connection with an offshore spill response containment system.	Ways & Means	HB 1712 exempts personal property use as part of an offshore spill response containment system or its maintenance, as well as service on this property, from any property taxes. The entity claiming the exemption must be formed to work exclusively on and with these containment systems. The property must be capable of responding in more than 5,000 feet of water and must have been used in Texas after January 1, 2013.	<u>Will of the House</u> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org
HB 503 by Rep. Hernandez Luna	Relating to the ability of a property owners' association to contract with an association board member of certain other persons or entities associated with the board member.	Business & Industry	HB 503 limits who a property owners' association (POA) may contract with. A POA may contract with an entity where conflict of interest exists <i>only</i> if the subdivision is not under development at the time, two other entities without a conflict of interest bid on the contract, the board member of concern cannot access the other bids or participate in board discussion around the contract, and the conflict of interest is known and the board votes to proceed.	<u>Favorable</u> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org
HB 217 by Rep. Alvarado, et al.	Relating to the types of beverages that may be sold to students on public school campus	Public Health	HB 217 prohibits high sugar drinks to be sold on school campus as an effort to encourage healthier options and reduce childhood obesity. This bill specifies types of drinks that schools can sell such as water without added sweetener, milk with fat content of one percent or less, 100% fruit and vegetable juice. This bill does not restrict drinks that students can bring from home.	<u>Favorable</u> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org
HB 3498 By Rep. Turner, Scott	Relating to a requirement that a student's postsecondary transcript include the average or median grade awarded in each class.	Higher Education	HB 3498 requires higher education institutions to include the average grade received in a class next to a student's received grade on their post-secondary transcript. The provisions in the bill do not apply to courses that are pass/fail, courses with 10 or fewer students, or independent study courses. The bill attempts to provide insights into grade inflation, but takes no action to combat this perceived issue. Additionally, multiple high achieving students in one course may cause a rise in the average thus giving the appearance of grade inflation. Student's grades should stand on their own.	<u>Will of the House</u> Evaluated by: Torey Ian Powell 512-763-0031 torey@texaslsg.org

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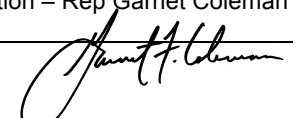


<p>HB 34 By Rep. Menendez</p>	<p>Relating to the consumption of alcoholic beverages on certain premises; providing a penalty and authorizing a fee</p>	<p>Licensing & Administrative Procedures</p>	<p>HB 34 authorizes Texas Alcoholic Beverages Commission (TABC) to license and regulate certain businesses that don't currently sell alcoholic beverages, but rather allow the consumption of alcoholic beverages at their premises. These establishments sometime advertise "Bring Your Own Beer" to patrons. HB 34 would allow law enforcement to have authority to inspect these establishments for public safety violations including but not limited to gambling, prostitution, public consumption after hours, and the illegal sale of alcoholic beverages through a Public Consumption Permit. Under the bill, non-permit holders that allow patrons to drink on their establishments will be charged with a Class A misdemeanor. Bilingual notices must be posted prohibiting a concealed gun license holder from carrying a handgun on the premises.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p>HB 1831 By Rep. Davis, John, et al.</p>	<p>Relating to an adult high school diploma and industry certification charter school pilot program for adults 19 to 50 years of age.</p>	<p>Public Education</p>	<p>HB 1831 seeks to meet industry needs for a sufficiently trained workforce in Texas by establishing an adult high school diploma and industry certification within the state by establishing an adult high school diploma and industry certification charter school pilot program for participants 19 to 50 years old.</p> <p>The State Board of Education may grant a nonprofit entity the ability to operate a charter under the pilot program for no more than 150 adults. The program will help participants complete a high school program that can lead to a diploma and gain a career and technology education, leading to an industry certificate. In order to evaluate the participants the Texas Education Agency (TEA) will adopt and administer a standardized secondary exit-level assessment instrument. The TEA Commissioner will then determine what score would be considered satisfactory for the receipt of a high school diploma.</p> <p>A nonprofit entity granted with a charter must agree to commit \$1 million to the program. Further, funding for the pilot program is funded by the state; for participants between the ages of 19 to 26, funds from the Foundation School Program will be used. The bill adds that an additional sum of money from the Texas Economic Development and Tourism Office will be used to provide skills training in the program— the Department of Commerce will no longer allocate monies.</p> <p>A report will be submitted to the Governor and Legislative body no later than December 1st 2016 and every subsequent even-numbered year. The report addresses the evaluation of the program and recommendations for the enhancement, continuation or abolition of the program.</p> <p>It is noted that Texas currently has adult education programs and services provided by public local education agencies and public nonprofit agencies. HB 1831 adds a pilot program that intends to enhance adult education opportunities in Texas.</p>	<p>Favorable Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p>HB 3013 By Rep. Larson</p>	<p>Relating to the underground storage of water for later retrieval and beneficial use; authorizing the imposition of fees</p>	<p>Natural Resources</p>	<p>HB 3013 requires TCEQ to expedite issuance of temporary or term permits for ASR projects and to adopt rules allowing the use of an existing permit for appropriated water that authorizes a consumptive use for a project to demonstrate the feasibility of an ASR. The permit must demonstrate the feasibility of the ASR project for its duration to provide TCEQ, currently the TWDB, the opportunity to evaluate the storage of appropriated water in the target aquifer. This bill adds that a permit holder must complete the feasibility project before an application for a permit to store appropriated water in an ASR project can be filed.</p> <p>HB 3013 expands the application filed with TCEQ to include for a permit or permit amendment to authorize the storage of appropriated water in an aquifer storage and recovery projects must include. This does not apply to an application if it is for an amendment to an existing permit if the diversion point and rate are not change and if it authorizes a consumptive use.</p> <p>HB 3013 requires the TWDB during as the state and regional water planning process, to conduct studies, investigations, and surveys of the aquifers in the state as it considers necessary to determine the feasibility of recommending the occurrence, quantity, quality, and</p>	<p>Favorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>

			<p>availability of other aquifers in which water may be stored and subsequently retrieved for beneficial use.</p> <p>HB 3013, under the permits of authorizing reuse water system contributions and discharges, includes approved reclaimed water for storage in an ASR project that TCEQ can authorize a facility to contribute treated domestic wastewater as. This bill also adds injecting the reclaimed water for storage in an ASR project to what TCEQ can authorize a wastewater treatment facility who and under those same permits.</p> <p>HB 3013 adds the target aquifer into which the treated effluent may be injected as a contribution to an aquifer storage and recovery project to the conditions of a permit.</p>	
<p>HB 2578 By Rep. Larson</p>	<p>Relating to the development of brackish water</p>	<p>Natural Resources</p>	<p>HB 2578 establishes procedures for the development of brackish groundwater desalination and updates statute accordingly.</p> <p>HB 2578 expands the criteria of a regional water plan that each regional water planning group is required to submit to the TWDB to include the consideration of opportunities for and the benefits of developing identifies or designated large-scale desalination facilities for brackish groundwater or seawater that serve local or regional brackish groundwater production zones.</p> <p>HB 2578 adds the Identification and designation of brackish groundwater production zones in areas with moderate to high availability and productivity of brackish groundwater that can be use to reduce the use of fresh groundwater to TWDB’s biennial implementation progress report. This bill also establishes the criteria these identified and designated groundwater production zones must meet to qualify. HB 2578 requires the TWDB, groundwater conservation districts, and stakeholders to consider the Brackish Groundwater Manual for Texas Regional Water Planning Groups when selecting the production zones.</p> <p>HB 2758 establishes rules for permits in brackish groundwater production zones. This bill also includes identifying goals for the development of brackish groundwater desalination strategies in designated brackish groundwater production zones to the management goals of a district’s management plans.</p> <p>HB 2758 exempts brackish groundwater production in designated brackish groundwater production zones from the desired future condition for the relevant aquifers within the management area.</p>	<p>Favorable Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p>HB 3660 By Rep. Pitts</p>	<p>Relating to requiring the Texas Commission on Fire Protection to conduct a study and prepare a report on administrative attachment.</p>	<p>Appropriations</p>	<p>This bill requires the Texas Commission on Fire Protection (TCFP) to conduct a study on the state agencies to determine the best agency to attach to. The TCFP develops and enforces professional standards for individuals and the fire service. Currently, the agency operates as a stand-alone agency. This study aims to find the agency that best meets the following needs:</p> <ul style="list-style-type: none"> • Reducing costs • Improving the provision of services • Decreasing fee rates and reducing the collection of fees <p>Several different agencies have been proposed to the Commission, but a study is needed to provide a more in-depth look at the agencies ability to meet these goals. The agencies suggested were: The Texas Department of Insurance (TDI), the Texas Engineering Extension Service (TEEX), and the Texas Department of Licensing and Regulation (TDLR).</p> <p>An amendment to this bill will propose that the Commission conduct the study on the need for establishing an attachment. This will allow the Commission the opportunity to prove that it meets the required goals and does not need to attach itself to an agency.</p>	<p>Favorable Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>

<p>HB 743 By Rep. Miller, Rick</p>	<p>Relating to the regulation of certain child-care facilities; increasing a fee.</p>	<p>Human Services</p>	<p>HB 743 removes an exemption for before-school or after-school programs that are operated by an entity other than an accredited education facility to obtain a license by the Department of Family and Protective Services (DFPS). This bill leaves nonpublic education entities as the only exemption to DFPS licenses. The annual license fee is increased from \$1 to \$2. Removing this exemption allows for these programs to be licensed by DFPS thus increasing the regulations of before-school or after-school program and the safety of Texas children.</p>	<p>Favorable Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org</p>
<p>HB 3005 By Rep. Burkett, et al.</p>	<p>Relating to the authority of the Texas Workforce Commission to use certain unemployment compensation funds for reemployment activities</p>	<p>Economic & Small Business Development</p>	<p>Through a waiver or an agreement with US Secretary of Labor, HB 3005 would allow the Texas Workforce Commission (TWC) to erroneously take money requisitioned from Texas' Federal Unemployment Trust Fund account to conduct unspecified experimental demonstration reemployment projects. The 3 TWC commissioners voted 2-1 to recommend this bill. The Commissioner Representing Labor voted against it for the following reasons:</p> <ul style="list-style-type: none"> • Unemployment Insurance currently works well. The unemployment trust fund has always been dedicated solely to the payment of benefits. It is a dangerous precedent to open that fund to other uses. • Job training is extremely important, but TWC has numerous other funding streams dedicated to job training (Workforce Investment Act, Skills Development Fund, Self-Sufficiency Fund, Trade Act funding, Apprenticeship, etc.). • The unemployment trust fund is already underfunded; in 2010 TWC issued over \$2 billion in bonds to get the fund out of the red. We currently have \$1.2 billion in outstanding bonds. A time of high unemployment and low funding is not the time to allow additional draws on the fund. • There are no restrictions on the amount of the fund that could be used. There are no real restrictions on the type of programs that could be funded. • Funds handed out to some but not all employers is picking losers and winners by creating lower labor costs for the chosen few and unfair competition for the rest. Even worse, employers not chosen to receive subsidies would see their taxes used to pick up the tab for their competitors' labor costs. <p>Best to leave unemployment benefits for their intended purpose. If we must proceed, the focus should be on the long-term unemployed. .</p> <ul style="list-style-type: none"> • 38% of unemployed at six months or more, which is an unprecedented level. • Discrimination: the unemployed need not apply. • The economy will not be functioning at optimum level until we reconnect these Texans with jobs. 	<p>Unfavorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p>HB 1352 By Rep. Callegari, et al.</p>	<p>Relating to an exemption for certain persons who sell signs from the requirement to be licensed as an electrician</p>	<p>Licensing & Administrative Procedures</p>	<p>Current law requires a person to hold an electrical sign license to in order to install an electrical sign. Companies that offer installation or construction of electrical signs must have an electrical sign license or employ an electrician full time, or part-time, but not contract them. HB 1352 would exempt companies that sell signs involving electrical work in connection with the construction or installation of the sign if the person does not perform that electrical wok or electrical sign work. This bill essentially allows companies that sell or offer to sell signs to sub-contract without employing a full-time or part-time master electrical contractor for sign instillation and sign construction work. Deregulation of licensing work hinders consumer public safety. This bill could potentially harm persons and companies with the hazards that arise from the use of electricity during the building of the signs. Electrical sign work should be regulated equally.</p>	<p>Unfavorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>

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<p>HB 3593 By Rep. Burnam</p>	<p>Relating to the determination that a voter is deceased.</p>	<p>Elections</p>	<p>Under current law, when the Secretary of State has evidence that a registered voter may be deceased, the agency is required to send a notice to the county of residence, and then the county is required to send a form to the voter in question that may be returned if the person is in fact not deceased.</p> <p>HB 3593 increases the time limit that a person who was mistakenly labeled may respond from 30 days to 60 days . The bill defines a strong match of information between a deceased person and someone that is thought to be dead but is still voting being a match of last name, full social security number and exact date of birth. HB3593 defines a weak match as being many variations of the proceeding information. The bill prohibits the Secretary of State from determining that a voter is deceased based on a weak match of information but allows them to inform the county in which the person resides that a weak match exists.</p> <p>The bill states that a weak match cannot be the sole basis for cancelling a voter’s registration, but a strong match may. HB3593 gives the secretary of state authority to obtain information from other state agencies’ databases. This bill seeks to keep people from erroneously being purged from the voting rolls.</p>	<p>Favorable Evaluated by: Kelle’ Martin 512-763-0031 Kelle@texaslsg.org</p>
<p>HB 581 By Rep. Howard, et al.</p>	<p>Relating to a limited waiver of sovereign immunity for state and local governmental entities in certain employment lawsuits filed by nurses</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>HB 581 seeks to give public hospitalized nurses equal protection remedies as privately employed nurses when internally reporting patient protection advocacy concerns. HB 581 would give publicly employed nurses an explicit waiver of sovereign immunity in the Occupation Code when they are illegally retaliated against for fulfilling their licensed obligations.</p> <p>Under the Nursing Practice Act, public hospital nurses have the same duties as private nurses to report unsafe care and unsafe practitioners. As cited in the Nursing Practice Act, this bill would give publicly-employed nurses the ability to recover limited damages when the court agrees that they were illegally retaliated against, just as privately employed nurses have. This bill would ensure protection for nurses when they report a patient protection concerns, a standard procedural medical practice.</p> <p>Currently, the Texas Whistleblower Act only covers privately employed nurses when they report violations to the proper external authority. Nurses that are employed by state and local governmental hospitals that don’t report patient care concerns and other violations are subject to being fired without remedy, retaliated against internally, or face disciplinary action by the Texas Board of Nursing.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p>HB 586 By Rep. Workman, et al.</p>	<p>Relating to the waiver of sovereign immunity for certain design and construction claims arising under written contracts with state agencies</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>HB 586 waives breach of contract sovereign immunity for the state for engineering, architectural, or construction services or for the materials related to those professional services. This bill would change how contract claims are adjudicated in the state.</p> <p>Currently, an aggrieved party that wants to sue the state for redress when they believe the state has breached the contract must present their case to a State Office of Administration (SOA). SOA judges look at the cases and assess the amount of the judgment award. The agency must pay the plaintiff if the judgment award is over \$250,000. If the judgment award is over \$250,000, a plaintiff must obtain permission from the Legislature to sue the state. The Legislature must then appropriate the award settlement to the plaintiff. This bill would help ensure that all parties honor their contracts and legal agreements.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p>HB 2765 By Rep. Branch</p>	<p>Relating to the creation of the Texas competitive knowledge fund to support excellence at qualifying institutions of higher education.</p>	<p>Higher Education</p>	<p>HB 2765 codifies the Texas competitive knowledge fund into statute. Currently, the fund exists only in the General Appropriations Act. Codifying the fund will allow for more consistency when determining eligibility for participation and how funds are dispersed. The Texas Competitive Knowledge Fund provides funding to eligible research institutions and emerging research universities based upon their research expenditures.</p>	<p>Favorable Evaluated by: Torey Ian Powell 512-763-0031 torey@texaslsg.org</p>

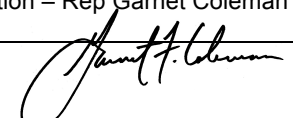
<p>HB 2690 By Rep. Elkins</p>	<p>Relating to the sale of a vehicle by an unlicensed seller; creating an offense</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>HB 2690 provides uniformity in regulating the sale of vehicles and limits “curbstoning,” i.e. the purchase and resale of vehicles by unlicensed persons at a volume equivalent to dealers. This bill authorizes peace officers to tow vehicles that are being sold by an unlicensed dealer that do not have a “Dealer General Distinguishing Number” in a lot. The officer must provide notice to the suspected unlicensed dealer by attaching a continuous notice to the vehicle that is for sale. The officer must mail a written notice to the last registered owner or lienholder within 48 hours of towing the vehicle. The bill would allow person to collect the vehicle if they provide evidence of ownership in the person’s name or written authorization from the vehicle owner to offer the vehicle sale.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p>HB 2500 by Rep. Bohac</p>	<p>Relating to the appraisal for ad valorem tax purposes of solar energy property.</p>	<p>Ways & Means</p>	<p>HB 2500 clarifies methodology for appraisal of solar energy devices and property. The bill directs appraisers to use the cost method, as outlined, to value solar energy devices and property made or installed after 2013.</p>	<p>Will of the House Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p>HB 2145 by Rep. Hilderbran</p>	<p>Relating to apportionment of certain receipts of a broadcaster under the franchise tax.</p>	<p>Ways & Means</p>	<p>HB 2145 exempts from the franchise tax the monies broadcasters pay out-of-state for licensed material. Generally franchise tax is apportioned based on where the services are performed, and in this case, would be the material broadcast in the state. In addition the LBB estimates \$2.8 million loss to the Property Tax Relief Fund in the next biennium.</p>	<p>Will of the House with Concerns Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p>HB 12 By Rep. Flynn</p>	<p>Relating to gifts made to a state agency for a state employee salary supplement.</p>	<p>Transparency in State Agency Operations, select</p>	<p>HB 12 prohibits a state agency from accepting a gift, grant, donation, or other money for the purpose of a salary supplement for an employee of that agency unless the person, foundation, or entity providing the money submits the methodology used to determine the amount accepted. The state agency that accepts the money must post on their website the amount accepted and the methodology used to determine the amount. Currently, state agencies are required to disclose revenue from state appropriations and federal funds. HB 12 ensures financial transparency relating to state agency and employee compensation.</p>	<p>Favorable Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org</p>
<p>HB 3669 By Rep. Naishtat</p>	<p>Relating to the recusal or disqualification of a statutory probate judge or other judge authorized to hear probate, guardianship, or mental health matters, and the subsequent assignment of another judge</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>HB 3669 repeals statutory provisions relating to the procedure for filing and hearing a motion to recuse or disqualify a statutory probate court judge. This bill provides provisions that are aligned with Texas Supreme Court Recusal Rules. This has caused numerous problems. This bill conforms to recusal laws for statutory probate courts to those in civil trial courts. This bill confirms recusal provisions for a statutory probate judges and provisions that makes the bill more efficient. The bill establishes that Texas Rules of Civil Procedure to govern the disqualification of judges. The bill authorizes that the Statutory Probate Court judge must hear the rules, to duty to hear or rule on a referred motion of recusal or disqualification, subject to certain conditions, to assign a judge to hear and rule on a referred motion of recusal or disqualification.</p> <p>The bill authorizes that if the judge must order the filing party of the recusal to pay the other party’s legal fees if the judge finds that recusal was made in bad faith and groundless. The bill authorizes that when the judge recuse himself or herself, the clerk must randomly assign the judge to another statutory probate court in another county. A transfer of a case to another court or judge re-assignment will occur if a motion for recusal or disqualifications granted. HB3669 also requires that clerks that are not able to reassign a case must notify the presiding judge so that he can take on the case.</p>	<p>Favorable Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>

			This presiding judge of the case will be assigned to a statutory probate judge or retire judge to hear the case within 15 days of the recusal order was issued. HB 3669 authorizes the Chief Justice of the Supreme Court to assign a regional presiding judge or a former retired judge of a statutory court to hear a case. This presiding judge will hear the case in which the statutory probate judge has been recuses. The bill authorizes the retired judge to hear the case in a statutory probate court. Finally the bill adds the following reasons that would require a visiting judge to be assigned by a presiding judge: recusal of a county judge, absence, incapacitation, or disqualification of a county judge.	
HB 3316 by Rep. Keffer	Relating to an account or bond for construction retainage under certain contracts.	Business & Industry	HB 3316 requires that the portion of monies due to a contractor and held by an owner be deposited in a trust account. Holding the money is meant to keep a contractor around through project completion. However, when an owner defaults on a project, it is difficult for contractors to recover this amount. Oftentimes banks or other entities claim these fees as monies owed to them, or it is discovered that the owner never set aside money in the first place. Requiring monies be deposited in a trust restores accountability on both sides and ensures stability for the contractor and their business.	Favorable Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org
HB 3065 By Rep. Menéndez	Relating to the payment of state funds by the secretary of state directly to an entity conducting a primary election under contract.	Elections	HB3065 allows all counties to have the secretary of state provide payment of primary expenses directly to a county election officer on request of the election officer who conducts the primary election. Currently, this provision only applies to counties with a population of 100,000 or more and HB3065 removes this bracket. This bill seeks to ensure that funds intended for administration of elections are properly used.	Favorable Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org
HB 16 By Rep. Flynn	Relating to a requirement that a state agency post the results of certain audits on the state agency's Internet website.	Transparency in State Agency Operations, select	HB 16 requires a state agency to make audits, including internal audits and risk assessment reports, available to the public by posting the information on the agency's website. Currently, state agencies are required to make financial statements available to the public. HB 16 aids in the financial transparency of Texas state agencies.	Favorable Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org
HB 1468 by Rep. Sheets	Relating to confidential communications between an insurance carrier and a covered employer under the Texas Workers' Compensation Act.	Business & Industry	HB 1468 establishes that communication between an insurance carrier and an employer is confidential except in certain circumstances. Communication that regards mental impressions, conclusions, opinions, claims-handling, litigation strategies, or proprietary information is confidential. This bill could have unintended consequences when an employee could be withheld from information affecting their claim or prevented from disclosing information with an advocate in pursuit of benefits.	Will of the House with Concerns Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org

<p>HB 3227 By Rep. Coleman</p>	<p>Relating to coverage of certain eating disorders as serious mental illnesses under certain group health benefit plans.</p>	<p>Insurance</p>	<p>HB 3227 adds anorexia nervosa, bulimia nervosa, and other eating disorders not otherwise specified (ED-NOS) as a “serious mental illness.” This expands health insurance coverage so individuals are able to seek the proper medical treatment.</p> <p>Under current statute, the Sunset Advisory Commission (SAC) is required conduct a study, and issue the findings, analyzing the use and impact of additional health coverage of individuals with “serious mental illnesses. This will cost the SAC an anticipated \$28,090 for one-time costs for the hire of qualified expert staff to facilitate the study. The study must be conducted by September 1, 2016. The Texas Department of Insurance (TDI) estimates a one-time gain of \$34,700 in General Revenue-Dedicated funds for FY 2014 due to increased form filings. Overall costs for implementation will be covered with existing resources.</p> <p>Eating disorders affect individuals of all ages and backgrounds. Since 1950, the development of new eating disorder cases has been increasing. Now, eating disorders are more common than Alzheimer’s, and have the highest death rate of all mental illnesses. National statistics are as follows:</p> <ul style="list-style-type: none"> • Over 200,000 individuals age 14-24 have an eating disorder, and almost 24 million individuals of all ages and genders have an eating disorder. • Only 1 in 10 individuals get treatment for their disorder. Nearly 50 percent of individuals with an eating disorder also meet the benchmarks for depression. • On average, it costs between \$5-6 billion per year to treat eating disorder patients. Eating disorder treatments have higher success rates than treatment for obesity or breast cancer. • Individuals with anorexia nervosa are 18 times more likely to die, than those without. • Anorexia nervosa has the highest premature mortality rate of any psychiatric disorder. Among adolescents, anorexia is the third most common chronic illness. • In the last decade, the number of children under age 12, admitted to a hospital due to an eating disorder, has increased roughly 119 percent- 81 percent of 10 year olds are afraid of being fat • Girls and women are at higher risk for an eating disorder: 42 percent of 1st-3rd grade girls want to be thinner; over 50 percent of teenage girls use unhealthy weight control behavior; and the mortality rate of females age 15-24 with anorexia is 12 times higher than the death rate for all female deaths within that age range. <p>Passage of this bill will give individuals the funds to seek the appropriate treatment of their eating disorder. Leaving eating disorders untreated can lead to: malnutrition, muscle atrophy, ulcers, low blood pressure, diabetes, anemia, kidney, liver, and pancreas failure, osteoporosis, arthritis, infertility, seizures, heart attack and death.</p>	<p>Favorable Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>
<p>HB 3475 by Rep. Paddie</p>	<p>Relating to information relating to hotel occupancy tax receipts.</p>	<p>Ways & Means</p>	<p>HB 3475 disallows the comptroller from publishing gross or taxable receipts of a hotel. The bill maintains that the information is still public and will be made available by the comptroller upon request. Information available by request only may delay appraisal processes the info can be used for. It also protects what some consider proprietary information.</p>	<p>Will of the House Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>

<p>HB 2163 By Rep. Eiland</p>	<p>Relating to an annual assessment on insurers for the examination of insurers; imposing an assessment</p>	<p>Insurance</p>	<p>HB 2163 encourages more Insurance companies to bring their business to Texas and to make the state more attractive as a domestic regulatory environment by implementing one of Texas Department of Insurance’s (TDI) recommendations. This bill authorizes TDI to levy an annual examination assessment to non-domestic (national companies that operate in Texas) Insurance companies. Currently, only domestic head-quartered companies incur the brunt of the overhead assessment of the examination expenses. This bill would spread the cost of the examination to all Insurance companies doing Business in Texas and subsequently seeks to increase market appeal to large companies by lowering their cost of regulation. This bill is needed because we are charging our own companies more that we charge out-of state companies.</p>	<p><u>Favorable</u> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p>HB 2996 by Rep. King, Tracy</p>	<p>Relating to regulation by the Texas Commission on Environmental Quality of the land application of Class B sludge.</p>	<p>Environmental Regulation</p>	<p>HB 2996 requires a registration certificate rather than a permit issued by the Texas Commission on Environmental Quality for the application of “Class B sludge” on land and limits certain application requirements.</p> <p>Class B sludge is defined as domestic sewage sludge, which is found at the bottom of sewer pipes and is commonly used as crop fertilizer on farms. HB 2996 expands the definition of “Class B sludge” to include waste that meets a certain pathogen reduction requirement and a certain vector attraction reduction requirement under the Texas Administrative Code.</p> <p>HB 2996 completely eliminates public hearings for these applications, removing important voices of residents who live as close as a quarter mile from the proposed land application site. This bill also removes the requirement to notify affected persons who live or own land near the site of the application. Because Class B sludge contains volatile human waste, toxins, and bacteria, the sludge can pose serious health threats to people who live in surrounding areas.</p> <p>HB 2996 currently exempts a political subdivision from certain insurance requirements relating to a commercial liability policy and an environmental impairment policy. This bill would extend this exemption to all small businesses, defined as any independently owned businesses with fewer than 100 employees or less than \$6 million in annual gross receipts.</p>	<p><u>Unfavorable</u> Evaluated by: Amanda Williams 512-763-0031 amanda.williams@texaslsg.org</p>
<p>HB 1340 by Rep. Rose</p>	<p>Relating to consent to the immunization of certain children.</p>	<p>Public Health</p>	<p>HB 1340 improves immunization rates by allowing children 14 years of age or older to consent to their own vaccinations. This requires a general medical consent from a parent, guardian or the court in addition to the consent of the child for a health care provider to administer immunizations. This bill seeks to help youths in juvenile justice system or homeless shelters that often experiences difficulty obtaining additional consent for immunizations.</p> <p>Currently, both general medical consent and an additional consent are required for immunizations.</p>	<p><u>Favorable</u> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p>HB 382 By Rep. Burnam, et al.</p>	<p>Relating to certain limitations on settlement agreements with a governmental unit</p>	<p>Judiciary & Civil Jurisprudence</p>	<p>HB 382 would bar governments from placing gag orders on opposing parties as a condition of a settlement using more than \$30,000 in taxpayer funds. The bill has no retroactivity, and applies only to settlements over causes of action that occur after September 1, 2013. This bill would help ensure open access and transparency in Texas government by preventing governments from covering up incidents by using taxpayer dollars without disclosing to the public why the funds were spent. Moreover, by allowing governments to negotiate gag orders on themselves, it does not reduce incentives to settle by parties suing the state or local governments.</p>	<p><u>Favorable</u> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p>HB 1843 By Rep. Branch</p>	<p>Relating to limitations on the automatic admission of undergraduate students to general academic teaching institutions.</p>	<p>Higher Education</p>	<p>This bill extends the ability of the University of Texas at Austin to place limitations on their Top 10 percent admission that was provided during the 81st Legislative session.</p> <p>During the 81st Legislative session UT-Austin was authorized to limit their automatic admissions to 75 percent of their entering freshman class. This good faith compromise was set to expire after the 2015-2016 academic year and this bill attempts to extend these limitations to the 2017-2018 school year.</p> <p>The original bill was designed to be temporary. The top ten percent rule ensures the racial and geographic diversity of an institution’s study body and students admitted under this rule often have better grades and graduation rates than students under regular</p>	<p><u>Will of the House with Concerns</u> Evaluated by: Torey Ian Powell 512-763-0031 torey@texaslsg.org</p>

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			<p>admittance. The state should focus on increasing the number of top tier institutions and slots at these institutions.</p> <p>A major concern of HB 1843 lies in the repeal of section "K" concerning the ramifications of the Fisher v. University of Texas. Under this section, if the supreme court rules race can no longer be considered as a factor in undergraduate admissions process the University of Texas must remove any caps on the automatic admissions process. The repeal of this section would harm the diversity at the University of Texas. Members are advised to follow the Texas Legislative Black Caucus and the Mexican American Legislative Caucus on amendments to improve the bill.</p>	
<p>HB 2972 by Rep. King, Ken</p>	<p>Relating to exempting premiums for certain insurance covering stored or in-transit baled cotton from surplus lines insurance premium taxes.</p>	<p>Ways & Means</p>	<p>HB 2972 exempts from taxes the insurance premiums paid for coverage of baled cotton as it ships overseas. Cotton is a significant agricultural export of the state and any tax exemption would result in a revenue decrease.</p>	<p><u>Will of the House with Concerns</u> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p>HB 1382 By Rep. Simpson</p>	<p>Relating to the regulation of food prepared, stored, distributed, or sold at farms and farmers' markets; limiting the applicability of a fee.</p>	<p>Agriculture & Livestock</p>	<p>HB 1382 removes barriers for farms and farmers' markets to provide food samples and cooking demonstrations. The definitions of "produce", "food", and "farmers' market" are clarified and provisions relating to the regulation of produce samples are expanded to include the regulation of all food samples.</p> <p>Provisions requiring samples to be kept in a covered container and hand washing water to be disposed of in a facility that is connected to a public sewer system are removed. These provisions are more applicable to large grocery stores and are burdensome on farmers' markets that are located in an open space for a short period of time.</p> <p>HB 1382 regulates cooking demonstrations and ensures that demonstrations are supervised by an operator with valid certification and comply with regulations for food samples and temperature requirements.</p> <p>HB1382 prohibits the executive commissioner of the Health and Human Services Commission from requiring a farmers market by rule to pay a permit fee for conducting cooking demonstrations or providing food samples. Removing burdensome regulations on farms and farmers' markets encourages the sale of local foods and is beneficial to the local economy.</p>	<p><u>Favorable</u> Evaluated by: Katherine Little 512-763-0031 katherine@texaslsg.org</p>
<p>HB 1853 By Rep. Ratliff</p>	<p>Relating to a behavior improvement plan or a behavior intervention plan adopted for certain students with an individualized education program.</p>	<p>Public Education</p>	<p>HB 1853 requires that a school district's Admission, Review and Dismissal (ARD) committee may determine if a behavior intervention or improvement plan is needed for Individualized Education Program (IEP) participants. If the ARD committee decides that a behavior improvement or intervention plan is appropriate, then it will be incorporated into the IEP strategy and must be provided to each educator responsible for the teaching of the student.</p> <p>Currently, children found to have a disability are placed in an IEP, required under the federal Individuals with Disabilities Education Act. An IEP focuses on the specific needs of the student and ensures that educational goals are met. The addition of a behavior improvement and intervention plan would help students and teachers create an environment that is non- disruptive, calm and conducive to helping students reach their learning objectives.</p>	<p><u>Favorable</u> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>

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