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Representative

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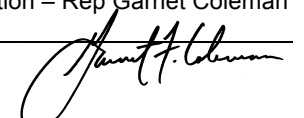
**LSG Floor Report for Postponed Business – Thursday, May 09, 2013**

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<b>HB 3750</b> by Rep. Farrar	Relating to the destruction of the records of businesses, state and local governments, and nonprofit entities stored on copy machines; providing a civil penalty.	Business & Industry	<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>	<b><u>Favorable</u></b> Evaluated by: Kristen Macaluso 512-763-0031 kristen@texaslsg.org
<b>HB 2004</b> By Rep. González, Mary	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.	Public Education	<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>	<b><u>Favorable</u></b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org
<b>HB 1308</b> By Rep. Darby	Relating to certain economic development programs administered by the Department of Agriculture.	Agriculture and Livestock	<p>HB 1308 cleans and updates statute, creates the Texas Department of Agriculture (TDA) Economic Development Fund, and seeks to improve administration of the program and federal funds. HB 1308 authorizes TDA to request, accept, and use various sources of donations to further the Economic Development Program.</p> <p>HB 1308 establishes the Texas economic development fund as a fund in the State Treasury and is composed of various money allocated to and as a result of an investment made by TDA under an agreement between TDA and the US Department of Treasury. The fund may only be used by TDA to administer, establish, implement, or maintain an economic development program and is exempt from</p>	<b><u>Favorable</u></b> Evaluated by: Katherine Little 512-763-0031 katherine@texaslsg.org

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			<p>provisions relating to the use of dedicated revenue.</p> <p>HB 1308 states that TDA must provide assistance <i>by rule</i> to a community eligible under the Texas Certified Retirement Community Program and the program’s account is exempt from provisions relating to dedicated revenue. The requirement that TDA consult with the Department of Rural Affairs relating to the Texas Certified Retirement Community Program is repealed.</p> <p>HB 1308 expands the current interest rate reduction program to include the development or expansion of businesses in rural areas. HB 1308 amends the Agricultural Finance Authority’s powers of authority to include all powers given to a corporation under the Business Organization Code.</p>	
<p><b>HB 2753</b> 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><b>Favorable</b> Evaluated by: Torey Ian Powell 512-763-0031 torey@texaslsg.org</p>
<p><b>HB 459</b> By Rep. Guillen</p>	<p>Relating to the regulation of navigators for health benefit exchanges</p>	<p>Insurance</p>	<p>Under the Patient Protection and Affordable Care Act (PPACA), health insurance exchanges will become operational in 2014. These exchanges will serve as a competitive marketplace where consumers can purchase comprehensive, quality health insurance. Depending on their income levels, certain consumers will be eligible for sliding scale subsidies to assist in the purchase of health insurance in the exchange. Since the Texas Legislature failed to enact legislation last session to establish its own state run exchange, Texas consumers will be able to participate in a federally run exchange program.</p> <p>In order to assist consumers, the PPACA also included a provision for the establishment of navigators. These navigators are tasked with conducting public education activities to raise awareness of the marketplace, distribute fair and impartial information concerning enrollment in qualified health plans, and the availability of subsidies, facilitate enrollment in qualified health plans, and provide information in a manner that is culturally and linguistically appropriate to the needs of the population. The entities that can serve as navigators can include trade, industry, and professional associations, fishing, ranching and farming organizations, community and consumer-focused nonprofit groups, chambers of commerce, unions, other licensed insurance agents and brokers, and other entities that can meet federal guidelines.</p> <p><b>HB 459 seeks to build an effective, conflict-of-interest free, and consumer friendly navigator program within the federal Health Insurance Exchange established in Texas under the Affordable Care Act.</b></p> <p>This bill requires the Texas Department of Insurance (TDI) to adapt rules overseeing the administration and preparation of a health benefit exchange navigator program for consumers until September 1, 2017 in order to ensure that TDI has the needed authority and capacity to regulate navigators under the bill. This bill directs TDI to ensure that federal Exchange navigator training prepares the navigators to assist consumers in :</p> <ul style="list-style-type: none"> <li>• Completing their health coverage affordability program uniform applications</li> <li>• Explaining how Medicaid, HIP, and advance premium tax credits and cost-sharing assistance work</li> <li>• Providing linguistically-appropriate and culturally-competent information and</li> <li>• Avoiding conflicts of interest and protecting patient privacy and data security.</li> </ul> <p>If TDI finds that the federal Exchange will not adequately prepare navigators in Texas, the bill requires the commissioner to work collaboratively with U.S. Department of Health and Human Services (HHS) and if and improve the standards and guidelines provided</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 yvonne@texaslsg.org</p>

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			<p>by the federal regulations. The bill also declares that persons with a suspended or revoked professional license, received a disciplinary action from a financial or insurance regulator, or have been found guilty of a felony are ineligible to be a navigator. (continued)</p> <p>The bill directs TDI to obtain a list of federal Exchange Navigators from U.S. HHS and authorizes TDI to create a state navigator registration process if needed.</p> <p>In order to seek consumer-protection and accountability, HB 459 directs that navigators cannot solicit to potential clients, nor declare, or suggest professional superiority of their navigator position or use the following descriptive words when advertising to the public: advisor, advisory, agent, agency, consultant, or counselor. HB 459 ensures that navigators can't break the law by receiving prohibited compensation from Health Insurance Companies.</p> <p>Navigators must complete training. Navigators who aren't licensed health insurance agents cannot perform certain duties including selling insurance, recommending a specific plan, or providing information on other insurance products outside of the exchange. The bill clarifies that community organizations who are navigators can continue to provide information on benefits and services outside of the exchange that are consistent with their mission.</p>	
<p><b>HB 613</b> By Rep. Orr</p>	<p>Relating to the regulation of foundation repair contractors; providing penalties; authorizing fees.</p>	<p>Licensing &amp; Administrative Procedures</p>	<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>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p><b>HB 2753</b> 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><b>Favorable</b> Evaluated by: Torey Ian Powell 512-763-0031 torey@texaslsg.org</p>
<p><b>HB 416</b> By Rep. Hilderbran</p>	<p>Relating to the computation of the franchise tax by a taxable entity engage in Internet hosting.</p>	<p>Ways &amp; Means</p>	<p>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.</p>	<p><b>Unfavorable</b> Evaluated by: Kristen Macaluso 512-763-0031 kristen@texaslsg.org</p>

**LSG Floor Report For Major State Calendar – Thursday, May 09, 2013**

**HB 3664**  
By Rep.  
Darby

Relating to the amount and use of certain money deposited in the state highway fund and Texas mobility fund; increasing certain motor vehicle registration fees.

Appropriations

HB 3664 increases motor vehicle registration fees to reduce existing voter-authorized transportation debt, and to support transportation and state highway projects. Vehicle registration fees have not been adjusted since 1985. Under current statute, 50 percent of vehicle registration fees are allocated to the Texas Department of Transportation (TxDOT) for deposit into the State Highway Fund (Fund 6). **Increased registration fees are estimated to provide an additional \$609.5 million, over a five-year period, to Fund 6 in FY 2014.** Fee increases are outlined below:

<i>Vehicle/Weight Classification (gross weight)</i>	<i>Current Registration Fee</i>	<i>Registration Fee per HB 3664</i>	<i>Fee Increase</i>
Motorcycle or Moped	\$30	\$60	\$30
Vehicle: 6,000 lbs. or less	\$50.75	\$80.75	\$30
Trailer, travel trailer, or semitrailer: 6,000 lbs. or less	\$45	\$75	\$30
Vehicle: 6,001-10,000 lbs.	\$54	\$108	\$54
Vehicle: 10,001-18,000 lbs.	\$110	\$170	\$60
Vehicle: 18,001-25,999 lbs.	\$205	\$265	\$60
Vehicle: 26,000-40,000 lbs.	\$340	\$400	\$60
Vehicle: 40,001-54,999 lbs.	\$535	\$595	\$60
Vehicle: 55,000-70,000 lbs.	\$740	\$800	\$60
Vehicle: 70,001-80,000 lbs.	\$840	\$900	\$60
<b>Total Fee Increases:</b>			<b>\$504</b>

The Texas Mobility Fund (TMF) is a revolving fund that issues bonds for TxDOT state highway projects. Voter approved debt is currently **about \$11,656 million in outstanding principal debt and an estimated \$722 million in cumulative annual debt.** Cumulative annual debt is the total yearly amount of money required to pay the interest and principal on long-term debt.

**The bill dedicates one-third (roughly \$203 million for FY 2014) of the revenue gained from increased registration fees, to pay all off existing voter-authorized transportation debt.** The remaining two-thirds of this revenue gain, \$406.3 million, is dedicated to acquiring rights-of-way and improvements to nontolled state highway infrastructure. In addition, if subcontracting opportunities are available for projects valued at \$100,000 or more, bids must include a business plan for historically underutilized businesses.

To offset the risks and responsibilities of these projects, TxDOT engages in comprehensive development agreements (CDAs). This allows for private development, simplifies the design and construction process, and encourages competition in the selection process for regional or large-scale projects. Existing statute prohibits TxDOT from committing any revenue from Fund 6 or the TMF for CDAs during a federal fiscal year (October 1-September 30 of the following year).

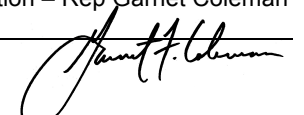
**The bill amends these provisions to allow TxDOT to engage in CDAs during a state fiscal year, contingent on a plan in place to:**

- Establish private sector contracts of at least \$4 billion in projects for the fiscal year,

**Will of the House**

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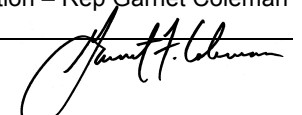


			<ul style="list-style-type: none"> <li>• Spend at least \$400 million for private sector engineering services directly through TxDOT, for the fiscal year,</li> <li>• <u>AND</u> spend at least \$250 million in right-of-way acquisition projects directly through TxDOT.</li> </ul> <p><i>Note: Project maintenance costs are excluded from the abovementioned amounts.</i></p> <p>For fiscal 2014-2018, TxDOT has \$431.1 million of payments under current CDA contracts. <b>Even with the additional revenue from increased registration fees, the agency will not meet the new fund commitment requirements established in the bill.</b> Terminating these contracts would result in a substantial cost to the state, but due to the nature of the contracts and the timing of terminations, these costs cannot yet be determined. Furthermore, postponing much needed roadwork will result in increased congestion and a higher cost burden in the long run.</p> <p>While the potential need for this legislation is clear, funding transportation needs through increased fees is concerning. Currently, Texas has the 18<sup>th</sup> highest vehicle registration fees in the nation. <b>Instituting these fees places a financial burden on all Texans, particularly low-income and elderly populations, who are already struggling to maintain current car insurance requirements for vehicle registration. This may lead to unsafe driving practices for individuals who are unable to cover these costs.</b> The Legislature continues to pass on unfunded mandates to local governments, perpetuating a failure to fund necessary functions of state government. Petitioning for fees to cover costs resulting from the state’s continued failure to meet its obligations is lamentable.</p>	
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**LSG Floor Report For Constitutional Amendments Calendar – Thursday, May 09, 2013**

<p><b>HJR 62</b> By Rep. Turner, Chris, et al.</p>	<p>Proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a member of the armed services of the United States who is killed in action.</p>	<p>Ways &amp; Means</p>	<p>HJR 62, which is enabled by HB 548, includes surviving spouses of service members killed in action as eligible for property tax exemption. Transferability rests on the surviving spouse not remarrying, and the amount of exemption stays the same if transferred to a new home. The bill brings the law in line with its intent: to alleviate challenges of loss for the family of servicemen who sacrificed their lives for our country. HJR 62 requires the approval from voters for the constitutional amendment.</p>	<p><b><u>Favorable</u></b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
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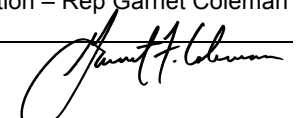
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**LSG Floor Report For General State Calendar—Part I**

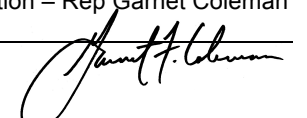
<p><b>HB 912</b> by Rep. Gooden</p>	<p>Relating to images captured by unmanned vehicles and unmanned aircraft; providing penalties.</p>	<p>Criminal Jurisprudence</p>	<p>HB 912 makes it a Class C misdemeanor to use or authorize the use of an unmanned vehicle or aircraft to capture an image of an individual 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. Each single image 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><b><u>Favorable</u></b> Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>
<p><b>HB 97</b> 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 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.</p>	<p>Ways &amp; 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>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.</p>	<p><b><u>Favorable</u></b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 1712</b> by Rep. Lozano</p>	<p>Relating to an exemption from ad valorem and sales and use taxes for property used in connection with an offshore spill</p>	<p>Ways &amp; Means</p>	<p>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.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>

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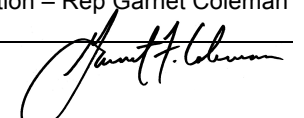
	response containment system.			
<b>HB 503</b> by Rep. Hernandez Luna	Relating to the ability of a property owners' association to contract with an association board member of certain other persons or entities associated with the board member.	Business & Industry	HB 503 limits who a property owners' association (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.	<b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org
<b>HB 217</b> 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.	<b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org
<b>HB 3498</b> 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.	<b>Will of the House</b> Evaluated by: Torey Ian Powell 512-763-0031 torey@texaslsg.org
<b>HB 34</b> By Rep. Menendez	Relating to the consumption of alcoholic beverages on certain premises; providing a penalty and authorizing a fee	Licensing & Administrative Procedures	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.	<b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org
<b>HB 1831</b> By Rep. Davis, John, et al.	Relating to an adult high school diploma and industry certification charter school pilot program for adults 19 to 50 years of age.	Public Education	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.  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 than determine what score would be considered satisfactory for the receipt of a high school diploma.	<b>Favorable</b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org

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			<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 1<sup>st</sup> 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><b>HB 3013</b> 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 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><b>Favorable</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p><b>HB 2578</b> 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</p>	<p><b>Favorable</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>

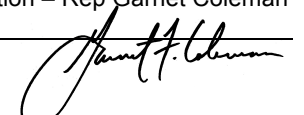
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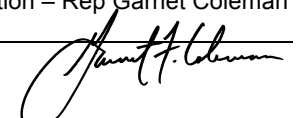
			<p>and productivity of brackish groundwater that can be use to reduce the use of fresh groundwater to TWDB’s biennial implementation progress report. This bill also establishes the criteria these identified and designated groundwater production zones must meet to qualify. HB 2578 requires the TWDB, groundwater 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><b>HB 3660</b> 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"> <li>• Reducing costs</li> <li>• Improving the provision of services</li> <li>• Decreasing fee rates and reducing the collection of fees</li> </ul> <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><b>Favorable</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>
<p><b>HB 743</b> 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><b>Favorable</b> Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org</p>

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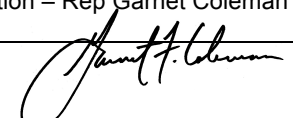
<p><b>HB 3005</b> By Rep. Burkett, et al.</p>	<p>Relating to the authority of the Texas Workforce Commission to use certain unemployment compensation funds for reemployment activities</p>	<p>Economic &amp; Small Business Development</p>	<p>Through a waiver or an agreement with US Secretary of Labor, 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.</p> <p>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"> <li>• 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.</li> <li>• 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.).</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> </ul> <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"> <li>• 38% of unemployed at six months or more, which is an unprecedented level.</li> <li>• Discrimination: the unemployed need not apply.</li> <li>• The economy will not be functioning at optimum level until we reconnect these Texans with jobs.</li> </ul>	<p><b>Unfavorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p><b>HB 1352</b> 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 &amp; 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.</p> <p>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><b>Unfavorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p><b>HB 3593</b> 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</p>	<p><b>Favorable</b> Evaluated by: Kelle’ Martin 512-763-0031 Kelle@texaslsg.org</p>

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			<p>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><b>HB 581</b> 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 &amp; 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. 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><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p><b>HB 586</b> 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 &amp; 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. 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><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p><b>HB 2765</b> 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><b>Favorable</b> Evaluated by: Torey Ian Powell 512-763-0031 torey@texaslsg.org</p>
<p><b>HB 2690</b> By Rep. Elkins</p>	<p>Relating to the sale of a vehicle by an unlicensed seller; creating an offense</p>	<p>Judiciary &amp; 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><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>

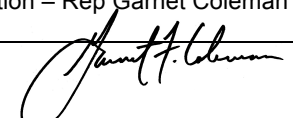
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<p><b>HB 2500</b> by Rep. Bohac</p>	<p>Relating to the appraisal for ad valorem tax purposes of solar energy property.</p>	<p>Ways &amp; Means</p>	<p>HB 2500 clarifies methodology for appraisal of solar energy devices and property. The bill directs appraisers to use the cost method, as outlined, to value solar energy devices and property made or installed after 2013.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 2145</b> by Rep. Hilderbran</p>	<p>Relating to apportionment of certain receipts of a broadcaster under the franchise tax.</p>	<p>Ways &amp; 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><b><u>Will of the House with Concerns</u></b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 12</b> 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><b><u>Favorable</u></b> Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org</p>
<p><b>HB 3669</b> 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 &amp; 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>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.</p>	<p><b><u>Favorable</u></b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>

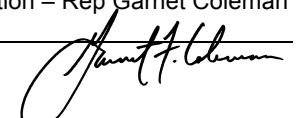
<p><b>HB 3316</b> by Rep. Keffer</p>	<p>Relating to an account or bond for construction retainage under certain contracts.</p>	<p>Business &amp; Industry</p>	<p>HB 3316 requires that the portion of monies due to a contractor and held by an owner be deposited in a trust account. Holding the money is meant 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.</p>	<p><b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 3065</b> By Rep. Menéndez</p>	<p>Relating to the payment of state funds by the secretary of state directly to an entity conducting a primary election under contract.</p>	<p>Elections</p>	<p>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.</p> <p>This bill seeks to ensure that funds intended for administration of elections are properly used.</p>	<p><b>Favorable</b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>
<p><b>HB 16</b> By Rep. Flynn</p>	<p>Relating to a requirement that a state agency post the results of certain audits on the state agency's Internet website.</p>	<p>Transparency in State Agency Operations, select</p>	<p>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.</p> <p>Currently, state agencies are required to make financial statements available to the public. HB 16 aids in the financial transparency of Texas state agencies.</p>	<p><b>Favorable</b> Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org</p>
<p><b>HB 1468</b> by Rep. Sheets</p>	<p>Relating to confidential communications between an insurance carrier and a covered employer under the Texas Workers' Compensation Act.</p>	<p>Business &amp; Industry</p>	<p>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.</p>	<p><b>Will of the House with Concerns</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 3227</b> 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><b>Favorable</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>

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			<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"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• Individuals with anorexia nervosa are 18 times more likely to die, than those without.</li> <li>• Anorexia nervosa has the highest premature mortality rate of any psychiatric disorder. Among adolescents, anorexia is the third most common chronic illness.</li> <li>• 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</li> <li>• Girls and women are at higher risk for an eating disorder: 42 percent of 1<sup>st</sup>-3<sup>rd</sup> 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.</li> </ul> <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>	
<b>HB 3475</b> by Rep. Paddie	Relating to information relating to hotel occupancy tax receipts.	Ways & Means	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.	<b><u>Will of the House</u></b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org
<b>HB 2163</b> By Rep. Eiland	Relating to an annual assessment on insurers for the examination of insurers; imposing an assessment	Insurance	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 <b>all</b> 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.	<b><u>Favorable</u></b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org
<b>HB 2996</b> by Rep. King, Tracy	Relating to regulation by the Texas Commission on Environmental Quality of the land application of Class B sludge.	Environmental Regulation	<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</p>	<b><u>Unfavorable</u></b> Evaluated by: Amanda Williams 512-763-0031 amanda.williams@texaslsg.org

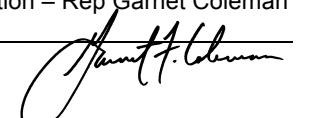
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			<p>quarter mile from the proposed land application site. This bill also removes the requirement to notify affected persons who live or own land near the site of the application. <b>Because Class B sludge contains volatile human waste, toxins, and bacteria, the sludge can pose serious health threats to people who live in surrounding areas.</b></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>	
<b>HB 1340</b> by Rep. Rose	Relating to consent to the immunization of certain children.	Public Health	<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>	<b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org
<b>HB 382</b> By Rep. Burnam, et al.	Relating to certain limitations on settlement agreements with a governmental unit	Judiciary & Civil Jurisprudence	<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>	<b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org
<b>HB 1843</b> By Rep. Branch	Relating to limitations on the automatic admission of undergraduate students to general academic teaching institutions.	Higher Education	<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 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 that race can no longer be considered as a factor in undergraduate admissions, the University of Texas must remove any caps on the automatic admissions process. The repeal of this section would harm the diversity of 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>	<b>Will of the House with Concerns</b> Evaluated by: Torey Ian Powell 512-763-0031 torey@texaslsg.org
<b>HB 2972</b> by Rep. King, Ken	Relating to exempting premiums for certain insurance covering stored or in-transit baled cotton from surplus lines insurance premium taxes.	Ways & Means	<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>	<b>Will of the House with Concerns</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org

<p><b>HB 1382</b> 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 &amp; 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><b>Favorable</b> Evaluated by: Katherine Little 512-763-0031 katherine@texaslsg.org</p>
<p><b>HB 1853</b> 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><b>Favorable</b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p><b>HB 1882</b> By Rep. Callegari, et al.</p>	<p>Relating to the powers and duties of and contributions to and benefits from the systems and programs administered by the Employees Retirement System of Texas.</p>	<p>Pensions</p>	<p>HB 1882 adds and repeals provisions of the Government Code relating to the Employee Retirement System of Texas (ERS). This bill adds a provision that unfairly raises the retirement age to 62 and penalizes employees by decreasing their retirement benefits by 5% annually until they reach age 62. HB 1882 also prohibits the use of unused sick leave and accumulated annual leave to determine retirement eligibility. Under this bill, a one-time Cost-of-Living Adjustment (C.O.L.A) of 3% would be paid to all ERS participants who have been retired for over 20 years once the funding period is less than 31 years. The one-time COLA would not exceed \$100/month. However, HB 1882 directly cuts the annuities of active state employees by increasing the final average salary calculation period from 36 months to 60 months. Additionally, this bill lowers the interest paid on retirement accounts from 5% to 2% and caps the state's contribution rate at 7%.</p> <p>HB 1882 cuts annuities of active state employees, reduces interest payments on members' retirement accounts, and only provides for one COLA. The ERS pension funds are current stable and at 80% actuarially sound. If the state is serious about ensuring the funds are completely actuarially sound it will require more money, not cutting the retirement benefits of employees.</p> <p>Please support favorable amendments that will be offered to improve the bill and are acceptable to the author.</p>	<p><b>Will of the House</b> Evaluated by: Maggie Nelson 512-763-0031 Maggie@texaslsg.org</p>
<p><b>HB 1174</b> By Rep. Fallon</p>	<p>Relating to the penalties for illegally passing a stopped school bus.</p>	<p>Homeland Security &amp; Public Safety</p>	<p>HB 1174 increases the fine for the misdemeanor offense of passing a school bus that is operating a visual stop signal to a minimum of \$500 and a cap of \$1250. This bill also establishes that if the person is convicted of the same offense on a second or subsequent time within five years of the most recent offense, the fine is increased to a minimum of \$1,000 and no more than \$2,000. Currently the fine is no less than \$200 and up to \$1,000.</p>	<p><b>Favorable</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.Foster@texaslsg.org</p>

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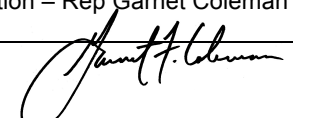




<p><b>HB 3509</b> By Rep. Bonnen, Dennis</p>	<p>Relating to endangered species habitat conservation and to the creation of a committee to oversee and guide the state's coordinated response to federal actions regarding endangered species.</p>	<p>State Affairs</p>	<p>HB 3509 establishes a more modern and streamlined response to the growing endangered and threatened species list in Texas, additionally the adjustment of authority from the comptroller to the Texas Parks and Wildlife Department (TPWD) is intended to more effectively prevent the endangerment of and protect species by way of funding and resources.</p> <p>HB 3509 allows a political subdivision of the state to participate in the study, preparation, and creation of a habitat and regional habitat conservation plan. This bill allows the TPWD to apply for or hold a federal permit and enter into an agreement with the US Department of Interior (USDI) in connection with certain plans authorized by federal law. The bill prohibits state agencies other than an institution of higher education, from the aforementioned actions, unless specifically authorized by the department.</p> <p>Before engaging in the development of a habitat conservation plan, the department must provide public notice, which may be executed in a number of ways, of the plans and solicit input from certain affected persons, such as landowners and businesses that may be impacted by the execution of the plan. Additionally the department may create an advisory committee to assist the department as necessary to properly execute the habitat conservation plan.</p> <p>HB 3509 creates a habitat protection research fund held by the comptroller. Money in the research fund may be used for various different research initiatives and resources needed to facilitate those initiatives.</p> <p>The bill also creates the coordinated state endangered species response committee, which has two-year rotating chair and member positions. The committee is responsible for overseeing and guiding the state's coordinated response to listings and potential listings of endangered species, including overseeing the state's official positions in response to actions of the U.S. Fish and Wildlife Service.</p> <p>HB 3509 removes provisions relating to the comptroller's authority to coordinate the development of a habitat conservation plan or candidate conservation plan and to apply for a federal permit for such plans. The bill repeals provisions relating to the authority of the task force on economic growth and endangered species and the comptroller's authority to create advisory committees.</p>	<p><b>Favorable</b> Evaluated by: Amanda Williams 512-763-0031 Amanda.Williams@texaslsg.org</p>
<p><b>HB 741</b> By Rep. Walle</p>	<p>Relating to the right of a public employee to express breast milk in the workplace.</p>	<p>Business &amp; Industry</p>	<p>HB 741 directs public employers to codify support and accommodation for expression of breast milk. Policies shall give the time needed to express or pump milk and the private space needed for an employee to do so. Irregular or delay in pumping can be painful and stops production of milk. As it is now, some Texans have to choose between pumping in a bathroom, in a public space, or not at all. Breastfeeding has been well-documented to provide significant health benefits to the baby and the mother, and significant economic benefits for the employer of the breastfeeding mother. Breastfeeding is linked to lower health care costs and reduced employee absenteeism. The bill supports a mother's right and will to work, supports healthy families, and brings Texas in line with federal law.</p>	<p><b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 133</b> By Rep. Raymond</p>	<p>Relating to the dissemination of criminal history record information by the Department of Public Safety concerning the offense of intoxication manslaughter.</p>	<p>Criminal Jurisprudence</p>	<p>HB 133 makes the criminal history record public information concerning a person's conviction of intoxication manslaughter involving the operation of a motor vehicle public for 10 years. This information would be available on a searchable Department of Public Safety website including their name, address and a recent photo. Personal identifying information would not be included such as their driver's license, social security or phone numbers.</p> <p>DPS is required to provide law enforcement this information when requested during traffic stops. Criminal history record information must be removed after 10 years of the date of conviction, when it is repealed or reversed, or on expunction.</p> <p>Intoxication manslaughter felony convictions currently already appear in background checks for jobs, housing, and loan inquiry. Law enforcement are also able to access this criminal history. This bill would only further stigmatize offenders from reintegrating into society by providing this information publicly.</p>	<p><b>Unfavorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>

<p><b>HB 690</b> By Rep. Lewis</p>	<p>Relating to reimbursing public institutions of higher education for tuition and fee exemptions for certain military personnel and their dependents.</p>	<p>Higher Education</p>	<p>HB 690 creates a funding mechanism to proportionately refund Texas universities that provided exemptions to qualified service-members, spouses, and their children through the Hazelwood-Simpson Act and the subsequent Legacy Act. This bill does not appropriate money to universities, it simply requires the Texas Higher Education Coordinating Board to refund these universities based on the proportionate cost to the institution in relation to other institutions. Due to lack of full funding of the program, institutions currently absorb the cost through tuition raises on other students. Proportionately refunding these institutions based on the number of students using these exemptions will decrease the costs passed onto other students. It is estimated that by 2018 the Hazelwood Act will cost universities \$235.6 million. Although, this bill will help preserve the Hazelwood Act over time, the Legislature should take the necessary steps to address the larger issue of inadequate funding.</p>	<p><b>Favorable</b> Evaluated by: Torey Powell 512-763-0031 Torey@texaslsg.org</p>
<p><b>HB 1344</b> By Rep. Canales</p>	<p>Relating to the expunction of arrest records and files relating to certain nonviolent offenses.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1344 entitles a person who has been placed under a custodial or noncustodial arrest for an offense other than one causing direct physical harm or force, to have all records expunged for the following reasons: 1) if the person was placed on deferred adjudication community supervision and received a discharge or dismissal 2) if they have not been arrested for a Class A or B misdemeanor or felony committed after the offense for which they received deferred adjudication 3) a minimum of 5 years has passed if the person received a discharge or dismissal for a misdemeanor 4) if 10 years have passed after the discharge or dismissal of a felony.</p> <p>A petition must be filed for expunction and verified by the court. There is a common misconception by persons placed on deferred adjudication that their records are expunged after completing community supervision. A deferred adjudication can create barriers for individuals in terms of jobs, housing, loans and other reintegration efforts. This bill would remedy this issue.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 2843</b> By Rep. Sheets</p>	<p>Relating to an objection of a defendant physician or health care provider to an expert report filed in a health care liability claim.</p>	<p>Judiciary &amp; Civil Jurisprudence</p>	<p>HB 2843 clarifies ambiguity in statute for parties involved in serving expert reports, filing objections to expert reports, and court dates that relate to health care liability cases.</p> <p>HB 2843 changes the deadline by which a claimant in a health care liability case is required to serve an expert report by the 120<sup>th</sup> day after the date the original petition is filed. Moreover, the bill authorizes that each defendant physician or health care provider in a health care liability claim must file and serve any objection to the competence of the expert report within 21 days.</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p><b>HB 3198</b> By Rep. Gonzales, Larry</p>	<p>Relating to suits for default on a student loan administered by the Texas Higher Education Coordinating Board.</p>	<p>Government Efficiency &amp; Reform</p>	<p>HB 3198 requires the Texas Higher Education Coordinating Board submit the name and last known address of a person who has cosigned as a guarantor for a higher education loan to the Attorney General (AG). The AG is not obligated but may institute a suit for the collection of the remaining default loan sum. The bill specifies that all default suits will be held at the district court of Travis County, exclusively.</p> <p>The bill seeks to address the current inefficiencies in the collection process by providing additional points of contact (guarantor information) as well as move the suits to a centralized court in Travis County.</p>	<p><b>Favorable</b> Evaluated by: Nena Chima 512-763-0031 Nena@texaslsg.org</p>
<p><b>HB 3348</b> By Rep. Rodriguez, Eddie</p>	<p>Relating to the authority of the governing body of a taxing unit to adopt a local option residence homestead exemption from ad valorem taxation of a portion, expressed as a dollar amount, of the appraised value of an individual's residence homestead.</p>	<p>Ways &amp; Means</p>	<p>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><b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>

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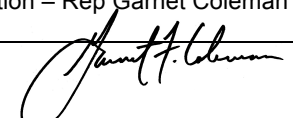


<p><b>HB 875</b> By Rep. King, Phil</p>	<p>Relating to the eligibility of the surviving spouse of a person who is disabled to receive a limitation of school district ad valorem taxes on the person's residence homestead.</p>	<p>Ways &amp; Means</p>	<p>HB 875 makes the tax break allowed to disabled individuals transferable to their surviving spouse. Currently, the tax break eligibility for transfer is only for someone 65 or older.</p>	<p><b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 1168</b> By Rep. Flynn</p>	<p>Relating to the exemption of dedicated cemetery property from drainage fees or charges.</p>	<p>Natural Resources</p>	<p>HB 1168 exempts all property of a dedicated cemetery, including a road, alley, or walk in the cemetery from drainage fees or charges. Currently these properties are exempt from public improvements assessments and public taxation.</p> <p>Originally cemeteries were exempt from the payment of services when they did not use that service. Cemeteries now utilize city water services, through water drainage off of their property. If the fees were to become exempt, the cities and rate payers would have to bear the cost.</p>	<p><b>Will of the House</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.Foster@texaslsg.org</p>
<p><b>HB 3576</b> By Rep. Fallon</p>	<p>Relating to the application of the law of this state to certain Internet contracts.</p>	<p>Business &amp; Industry</p>	<p>HB 3576 addresses governance of business done over the internet. The bill says that a contract is governed by the laws of Texas if any party to the contract is located in the state and if any party located out-of-state receive notice that the contract is governed by Texas law and the out-of state-party agrees this is the case. Governance under Texas law increases opportunity for the state to benefit and protect the interests of Texans and their businesses.</p>	<p><b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 3379</b> By Rep. Hunter</p>	<p>Relating to motor vehicle registration requirements for active duty military personnel stationed in or assigned to another state or nation.</p>	<p>Transportation</p>	<p>HB 3379 exempts annual vehicle registration requirements for a person who is a Texas resident, is on active duty in the United States military and is stationed in or assigned to another state or nation under military orders on the date their registration renewal is due. HB 3379 also includes provisions protecting stored or parked cars on private property.</p>	<p><b>Favorable</b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>
<p><b>HB 1216</b> By Rep. Craddick</p>	<p>Relating to the penalty for the offense of reckless driving.</p>	<p>Homeland Security &amp; Public Safety</p>	<p>HB 1216 increases the offense for reckless driving to a Class B misdemeanor, which carries a punishment of a fine up to \$2,000 and/or a jail sentence of up to 180 days. Currently the offense is a misdemeanor and can warrant a fine up to \$200 and/or confinement in county jail for up to 30 days.</p> <p>HB 1216 allows the court to suspend the convicted person's driver's license for 30 to 180 days and requires the person to attend and present proof that they successfully completed an approved driving safety course before their driver's license may be reinstated. This bill also allows an acting judge to require a defendant on community supervision to successfully complete an approved driving safety course. This bill states that a person who is subject to prosecution for reckless driving and another offense may be prosecuted for either offense or both.</p>	<p><b>Will of the House</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.Foster@texaslsg.org</p>

<p><b>HB 1329</b> By Rep. Márquez</p>	<p>Relating to the administration of oaths and issuance of subpoenas in an arbitration proceeding involving firefighters or police officers in certain political subdivisions; creating an offense.</p>	<p>Urban Affairs</p>	<p>HB 1329 establishes that under the Fire and Police Employee Relations Act, a police or fire department employee is subject to a subpoena and is compelled to appear in front of an Arbitration board or present evidential information to that board. This bill excludes individuals under an administered oath; individuals that can show due cause not to appear 15 days prior to arbitrator proceeding and an individual who has produced requested information.</p> <p>Those found in contempt of an arbitration subpoena are subject to <i>up to 30 days</i> in jail or a <i>\$1,000 fine or less</i>. The bill directly impacts El Paso, TX—El Paso County.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Nena Chima 512-763-0031 Nena@texaslsg.org</p>
<p><b>HB 1456</b> By Rep. Gooden, et al.</p>	<p>Relating to the right of a county to intervene in an original rate proceeding.</p>	<p>County Affairs</p>	<p>HB 1456 authorizes a county to intervene and participate in the water and sewer utility ratemaking process for rural customers. Utility companies charge significantly higher rates to provide services in rural areas causing major concerns particularly for individuals on fixed income. This bill allows the county to provide these customers with adequate resources, expertise, and representation to negotiate for fairer utility rates.</p>	<p><b><u>Favorable</u></b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p><b>HB 1516</b> By Rep. McClendon, et al.</p>	<p>Relating to solid waste services for rental property and solid waste management programs in the extraterritorial jurisdiction of municipalities in certain counties; authorizing penalties.</p>	<p>Environmental Regulation</p>	<p>This bill addresses serious sanitation concerns held by residents in communities of Bexar County, such as Camelot II, which have been subjected to unsafe conditions due to the lack of mandatory solid waste services in unincorporated areas and/or agreements with municipalities to provide these crucial waste services.</p> <p>HB 1516 sets provisions to allow a commissioners court to regulate solid waste collection, handling, storage, and disposal by establishing a mandatory program in Bexar County in direct coordination with the municipality.</p> <p>HB 1516 makes statutory revisions to allow a public agency or county to offer solid waste disposal services to areas of a county located within the extraterritorial jurisdiction (ETJ) of a municipality if that municipality does not provide such services to that area. The bill states the agency or county may <i>require</i> the use of the solid waste service for these areas.</p> <p>The bill states that a person is not required to use these services if they contract with a provider that meets rules adopted by the commission for the regulation of solid waste disposal. Additionally, HB 1516 provides a way for landlords with two or more rental properties in Bexar County to separately contract for waste pickup services.</p>	<p><b><u>Favorable</u></b> Evaluated by: Amanda Williams 512-763-0031 Amanda.Williams@texaslsg.org</p>
<p><b>HB 1893</b> By Rep. Gonzales, Larry</p>	<p>Relating to the Texas Funeral Service Commission and the regulation of funeral directing and embalming.</p>	<p>Public Health</p>	<p>HB 1893 aims to address the shortage of funeral directors by adjusting the training and supervision requirements to best meet the needs of students in this field. This bill changes the requirements for a provisional license that allows students to gain insight on various challenges of being a funeral director as well as to develop skills for embalming.</p> <p>Currently, students attend mortuary school before completing the provisional which leads to higher drop-out rates due to lack of field experience.</p>	<p><b><u>Favorable</u></b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p><b>HB 2042</b> By Rep. Guillen</p>	<p>Relating to the Chronic Kidney Disease Task Force.</p>	<p>Public Health</p>	<p>HB 2042 allows for the continuation of the Chronic Kidney Task Force to raise overall awareness for kidney disease and promote public health. This bill specifies the composition of the task force members and requires a report with findings and recommendations submitted to the Governor, Lieutenant Governor, and Speaker of the House as well as related legislative committees on health.</p>	<p><b><u>Favorable</u></b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>

<p><b>HB 2053</b> By Rep. Phillips</p>	<p>Relating to temporarily holding certain arrested persons in municipal jails.</p>	<p>Corrections</p>	<p>In counties of 10,000 or less, HB 2053 allows the transfer of an offender to a municipal jail, instead of a county jail for 72 hours or less. Small counties may not have immediate access to a jail and currently must transfer the offender to the closest county jail. This may cost counties large amounts of funding due to the travel and transfer of the offender. Some counties may have a municipal jail closer to their area, and this bill seeks to reduce the cost for counties by allowing the transfer of an offender to the municipal jail. However, municipal jails are not required to comply with the standards set by the Texas Commission on Jail Standards (TCJS). TCJS has meaningful standards including inspection requirements to ensure adequate living standards for offenders. This bill could lead to lawsuits and ultimately cost counties more than they would save.</p>	<p><b>Unfavorable</b> Evaluated by: Natalie Powell 512-763-0031 Natalie@texaslsg.org</p>
<p><b>HB 1714</b> By Rep. Smith</p>	<p>Relating to the discontinuance of the Texas Commission on Environmental Quality's compliance history program.</p>	<p>Environmental Regulation</p>	<p>HB 1714 would end the Texas Commission on Environmental Quality's (TCEQ) compliance history program, which includes performance-based evaluations on regulatory compliance of an applicant or permit holder, aimed to reward good actors and penalize bad actors in the permitting and penalty processes. This program currently incentivizes applicants and permit holders to use environmentally safe practices.</p> <p>HB 1714 amends all statutory provisions relating to the program by removing any reference to the history program. Instead, HB 1714 requires the commission to determine an applicant or permit holder's compliance for the <i>preceding five years</i> as opposed to its general past and overall history of compliance.</p> <p>HB 1714 eliminates ratings such as "satisfactory performers" "unsatisfactory performs," and "high performers which are currently determined based on whether or not facilities meet certain standards in the Water Code.</p> <p>The bill states that the commission may use certain authorities regarding permits if the permit holder or applicant has committed violations that constitute a recurring pattern of conduct that demonstrates a consistent disregard for the regulatory process, including the failure to make a timely and substantial attempt to correct violations.</p> <p>HB 1714 adds a provision relating to regulatory flexibility that would exempt an applicant from certain regulations if the permit demonstrates an economic impact that "satisfies regional needs." This would further weaken permitting standards for larger facilities, which tend to have a large economic impact.</p> <p>HB 1714 limits the online public posting of historical information regarding compliance of facilities on the Internet to the preceding five years. Additionally, this bill repeals sections in the Water Code that further eliminate transparency such as the commission's collection on data and compliance performance information of facilities, including the degree and frequency of violations.</p>	<p><b>Unfavorable</b> Evaluated by: Amanda Williams 512-763-0031 Amanda.Williams@texaslsg.org</p>
<p><b>HB 1596</b> By Rep. Gonzalez, Naomi</p>	<p>Relating to the exclusion of certain flow-through funds by taxable entities engaged in the business of transporting barite in determining total revenue for purposes of the franchise tax.</p>	<p>Ways &amp; Means</p>	<p>HB 1596 requires entities that are primarily engaged in the business of transporting barite to exclude the cost of subcontracting payments to individuals that provide transportation services from the entities' total revenue when determining the margin for the franchise tax.</p> <p>The specificity of this exclusion to contractors that transport barite results in no anticipated fiscal impact for the state.</p>	<p><b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 210</b> By Rep. Márquez</p>	<p>Relating to the authority of the commissioner of education to issue subpoenas and conduct accreditation</p>	<p>Public Education</p>	<p>HB 210 establishes that the Texas Education Agency (TEA) Commissioner may request a subpoena in response to a complaint about an alleged inaccuracy with data submitted to the Public Education Information Management System (PEIMS). In order to assist the TEA Commissioner with special accreditation investigations, the subpoena would require key witnesses to provide evidence on data inaccuracy allegations or attend hearings.</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>

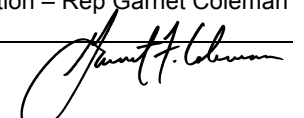
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	investigations.		The bill is designed to maintain an education system that is accountable, transparent and appropriately addresses the accuracy and integrity of the accreditation and certification of Texas students, schools and educators.	
<b>HB 548</b> By Rep. Turner, Chris, et al.	Relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a member of the armed services of the United States who is killed in action.	Ways & Means	Under current Texas law, only surviving spouses of <i>disabled</i> veterans are eligible to receive a property tax exemption. HB 548 includes surviving spouses of service members killed in action as eligible for property tax exemption. Transferability rests on the surviving spouse not remarrying, and the amount of exemption stays the same if transferred to a new home. The bill brings the law in line with its intent: to alleviate challenges of loss for the family of servicemen who sacrificed their lives for our country.	<b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org
<b>Amendment</b> By Rep. Turner, Chris, et al.	#831555		This is a perfecting amendment.	<b>Favorable</b>
<b>HB 2406</b> By Rep. Wu	Relating to the installation, maintenance, operation, and relocation of saltwater pipeline facilities.	Energy Resources	HB 2406 allows a saltwater pipeline operator to lay a pipeline on or in public land. The allowance is conditioned on compliance with all rules of the Texas Transportation Commission (TTC), counties and cities, restoration of the land to its original condition after any activity, and payment for its use of the land. The pipeline operator, at their own cost, must move the pipeline if public works activities require it. The measure alleviates the cost to Texans from the wear and tear on infrastructure caused by increased oil and gas activities.	<b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org
<b>HB 2756</b> By Rep. Branch	Relating to the equalized wealth level and the guaranteed yield under the school finance system.	Public Education	<p>HB 2756 increases the limit on Maintenance and Operations taxes (golden pennies) in the school finance system for the Foundation School Program, from \$0.06 to \$0.08.</p> <p>Currently, the Maintenance and Operations (M&amp;O) tax rate is \$1 per \$100 of the property value. The tax cap for M&amp;O is \$1.17 and the first 6 (golden) pennies of that cap are not captured. The additional 11 pennies are called copper pennies and are recaptured. Under HB 2756 the tax cap will remain at \$1.17 and no further taxing will occur.</p> <p>It may be assumed that an increase of the golden pennies would be a direct benefit for school districts through the enrichment tier of the school finance system—<b>instead HB 2756 diminishes equity among school districts, detrimentally.</b> Golden pennies are taxed by school districts at an equalized yield to the Austin Independent School District—a district that generates more money per penny than 95% of other districts.</p> <p>This legislation would allow property-wealthy districts a greater opportunity to generate more recaptured golden pennies which creates more revenue for that district. Although property-poor districts would benefit, it would be <i>significantly lower</i> than wealthier schools. <b>It has been estimated that property-wealthy districts are able to collect 3x more than what a property-poor district can collect - this greatly increases inequity between districts.</b></p> <p>It is imperative that the Legislature continues to focus on enhancing the public schools to the fullest degree possible but not at the cost of contributing to an unjust and unequal financial system that creates further disparities among already troubled schools districts.</p>	<b>Unfavorable</b> Evaluated by: Nena Chima 512-763-0031 Nena@texaslsg.org

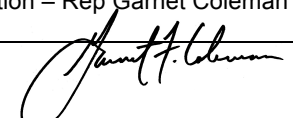
<p><b>HB 2210</b> By Rep. Naishtat</p>	<p>Relating to information required to be displayed for the transfer of a manufactured home.</p>	<p>Licensing &amp; Administrative Procedures</p>	<p>HB 2210 seeks to ensure consumer protection when consumers purchase manufactured homes from independent sellers. This bill establishes that a seller may not sell, exchange, lease or negotiate the sale of a used manufactured home unless the seller provides a notice on the door of the home affirming ownership— including information about any existing home tax liens. This bill maintains legal compliance in sales and would give consumers security and legal assurance in their purchase.</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p><b>HB 2696</b> By Rep. Johnson</p>	<p>Relating to requiring a home inspection report as a condition of a residential service contract.</p>	<p>Business &amp; Industry</p>	<p>HB 2696 restricts a residential service company from requiring a homeowner, lessor, or renter to provide a home inspection report to the company after a residential service contract is entered into. This bill states if the company requires a report before a contract is entered into and declines the contract, the company may not collect any payment from the homeowner, lessor, or renter.</p> <p>HB 2696 does not allow a company to deny a claim on any structural component, appliance or system that is addressed in the required report and is included in the contract, unless a notice of exclusion of the component, appliance, or system is given to the homeowner, lessor, or renter before the contract is entered into.</p>	<p><b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 3812</b> By Rep. Howard, et al.</p>	<p>Relating to authorizing the optional imposition of a county air quality fee at the time of an emissions-related inspection.</p>	<p>Environmental Regulation</p>	<p>Currently fees from vehicle emissions inspections are collected by the Texas Commission on Environmental Quality (TCEQ) and returned back to the counties of which they were collected to properly implement low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement programs (LIRAP), and certain local initiative projects (LIP). However, this obligation is not being properly or effectively met.</p> <p>This bill creates a parallel program, without the need for the TCEQ to play a role in the collection and remission of these funds. Therefore, it creates a more streamlined and efficient local practice, and paves the way for the future certification of LIRAP funds. HB 3812 allows certain counties in nonattainment areas, like Harris, Dallas, Tarrant, Travis County, to adopt an <i>optional</i> county air quality fee imposed during an emissions inspection and apply it directly to the aforementioned projects and programs to better address the local air emissions problems.</p> <p>A county that adopts a fee must notify the Department of Public Safety (DPS) of the fee amount no later than the 60<sup>th</sup> day before the county imposes the fee. The bill specifies the fee amount may not exceed the amount of an emissions inspection fee, which is approximately six dollars. The bill requires the DPS to notify the county’s inspection stations on the implementation of the fee. HB 3812 creates a trust fund, administered by the DPS, to hold the collection of fees until the department disburses the revenue back to counties to be used for their aforementioned intended purpose. This remission of revenue is to be done annually, and the department may deduct no more than two percent of the fees for administrative costs.</p>	<p><b>Favorable</b> Evaluated by: Amanda Williams 512-763-0031 Amanda.Williams@texaslsg.org</p>
<p><b>HB 3138</b> By Rep. Sheets</p>	<p>Relating to the prosecution of the offense of money laundering and to the forfeiture of certain contraband.</p>	<p>Criminal Jurisprudence</p>	<p>HB 3138 authorizes a district court to issue a search warrant authorizing an officer to seize “substitute property,” property that is not contraband and is owned by a person who is or was the owner of contraband valued at \$200,000 or more. The state attorney must prove that the contraband was subject to seizure and forfeiture. This bill does not require that the owner have simultaneously owned all the property constituting contraband. If the value of the property exceeds the highest fair market value of the contraband during ownership, the court must make appropriate orders that property equal in value to the excess is returned to the person from whom it was seized.</p> <p>For contraband located outside of the state, an officer must provide the attorney representing the state a statement identifying the contraband and the reasons it is subject to seizure. Upon receipt of the statement, the attorney must file an intended forfeiture in a district court in a certain county or Travis county. A citation must be served to the person who owns the contraband that it must be returned to the court’s jurisdiction. If it is found that any person, after being served with a citation has transported, concealed, or disposed of the contraband, the court may order the payment to the attorney representing the state of costs incurred in investigating the location of the contraband. They may also enter a judgment for civil contempt and impose fines, confinement and civil penalties.</p>	<p><b>Will of the House</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>

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			<p>This bill expands the definition of money laundering to include knowingly supervising or facilitating a transaction in violating the federal Bank Secrecy Act.</p> <p>HB 3138 includes funds used in the commission of criminal activity in the definition of proceeds. Many crime organizations commit the act of 'structuring', or depositing money in small increments in order to avoid reporting the transaction. This bill seeks to close this loophole.</p>	
<p><b>HB 1242</b> By Rep. Geren</p>	<p>Relating to the authority of a judge to impose a period of confinement in a county jail for a violation of a condition of community supervision.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1242 authorizes a judge on a felony case who has communicated the consequences of violating community supervision, including supervision eligible to be modified, to revoke supervision or require the defendant to serve an additional period of confinement in county jail for violating supervision. The judge may require the defendant to serve a period of confinement in jail as a condition of community supervision in addition to the 180 day period authorized by law.</p> <p>Confinement must be limited the period of 3 days for the first violation, 7 days for the second, 14 days for the third and 21 days for a fourth and subsequent violation.</p> <p>Community supervision enables offenders to access resources to help rehabilitate them and lead a productive life. Community based corrections have the greatest impact in reducing crime and effective rehabilitation, however punishing offenders for violations with more jail time may be counterproductive to the process.</p>	<p><b><u>Will of the House with Concerns</u></b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 153</b> By Rep. Taylor, Van, et al.</p>	<p>Relating to the definition of intoxicated for purposes of certain weapons offenses.</p>	<p>Criminal Jurisprudence</p>	<p>Current law in relation to weapons offenses defines "intoxicated" as substantial impairment of mental or physical capacity resulting from introduction of any substance into the body. These provisions also make it an offense for a person to sell a firearm or ammunition to an intoxicated person and for a concealed handgun license holder to carry a handgun, regardless of whether it is concealed, while intoxicated. This bill clarifies the definition of "intoxicated" to mean not having the normal use of mental or physical faculties by reason of the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body or having an alcohol concentration of 0.08 or more.</p> <p>This bill would make it clearer for individuals affected by these laws such as concealed handgun license holders and peace officers by providing a more specific definition of "intoxicated". It gives certainty to those that follow the law and provides immediate clarity, preventing ambiguous situations.</p>	<p><b><u>Favorable</u></b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 1475</b> By Rep. Hilderbran</p>	<p>Relating to the exclusion of certain flow-through payments related to petroleum and mineral interests in determining total revenue for purposes of the franchise tax.</p>	<p>Ways &amp; Means</p>	<p>This bill provides franchise tax exemptions to entities providing landman services. Exemptions are applied to subcontractor payments made to nonemployees providing the following landman services:</p> <ul style="list-style-type: none"> <li>• Title searches relating to land ownership or title defects relating to oil, gas, mineral, or petroleum interests.</li> <li>• Negotiation of mineral rights ownership</li> <li>• Managing the negotiation of mineral interest contracts related to oil, gas, mineral, or petroleum interests.</li> </ul> <p>According to the LBB, this action results in an almost 2 million loss each biennium to The Property Tax Relief Fund. Funds must be found in the General Revenue to make up the loss to schools.</p>	<p><b><u>Unfavorable</u></b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 1743</b> By Rep. Johnson</p>	<p>Relating to the prosecution of certain offenses involving controlled substances and other prohibited drugs, substances, or</p>	<p>Criminal Jurisprudence</p>	<p>HB 1743 establishes a defense to prosecution to certain controlled substance possession offenses if the actor requested emergency medical assistance in response to a possible controlled substance overdose of another person. They must be the first person to make the request for medical assistance, remain on the scene until medical personnel arrive, and cooperate with medical assistance and law enforcement.</p> <p>Currently, there is a steady rise in accidental drug overdose in Texas, many of which could have been prevented if medical assistance was requested in the critical moments it was needed. <b>The 911 Lifeline Law was passed last session that encouraged young adults</b></p>	<p><b><u>Favorable</u></b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>

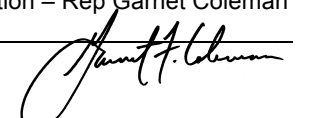
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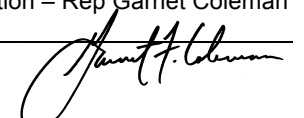
	paraphernalia.		<b>under 21 to request medical assistance in incidents involving alcohol poisoning.</b> This would extend it to controlled substances and save lives.	
<b>HB 453</b> By Rep. Dukes	Relating to the application, renewal, and period of validity of a registration under the Texas Controlled Substances Act; authorizing the increase of a fee.	Public Health	HB 453 creates an efficient process for medical professionals to renew their controlled substance registrations. This license is required for medical professionals that distributes or dispenses controlled substances. This bill requires the Department of Public Safety (DPS) to create an online system for medical providers to renew and pay registration fees. HB 453 extends the renewal period to three years instead of one year.  Currently, without an online system, the process to renew license and fee payment is inefficient and frustrating for medical professionals.	<b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org
<b>HB 3650</b> By Rep. Harper-Brown	Relating to the authority of the Texas Department of Transportation to enter into availability payment agreements for the design, development, financing, construction, maintenance, or operation of a highway project.	Transportation	HB 3650 authorizes TxDOT to enter into an agreement with a private entity to design, develop, finance, construct, maintain, or operate a toll or non-toll facility on the Texas state highway system. The bill specifies that agreements under this provision can be selected based on competitive bids and TxDOT is able to use any available funds, including those in the state highway fund for public roadways, to pay for projects under HB 3650. The bill restricts the total amount of funds from the state highway fund that can be used for these purposes. The bill gives TXDOT authority to hold money to be used as payment for a project under this subchapter in a reserve fund or trust account created under an agreement with a commercial bank, depository trust company, or other entity.  TxDot could pay a bidder for the amount of work they put into their proposal after which the department and the contractor own joint rights to the product. TxDot would require any private entity they enter into an agreement with to provide a performance or payment bond or an alternative form of financial security equal to the cost of construction for the project facility. The department would be able to use its discretion and set the amount of security required for a project if the amount is higher than a private entity can provide.  All or part of the proposal that is submitted by a private entity for an agreement under this subchapter except information regarding the location, scope or limits of the project, the private entity’s qualifications, experience, technical competence , capability to develop the project is to remain confidential unless the private entity consents to disclosure until after a proposal is selected. A state highway or other facility under this payment agreement is public property owned by TxDOT. TxDOT will be able to enter into an agreement allowing a private entity a means to construct the project they are contracted to complete. The commission is given authority to adopt rules to implement HB 3650. <b>This bill is a creative way to fund new roads at a time when transportation is underfunded, but it could lead to more privatized toll-roads.</b>	<b>Will of the House</b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org
<b>HB 2979</b> By Rep. Parker	Relating to the prosecution and punishment of certain offenses involving injury to a child, elderly individual, or disabled individual.	Criminal Jurisprudence	HB 2979 increases the penalty for certain offenses involving continuous injury to a child, elderly or disabled individual. This bill creates a first degree felony offense for causing serious mental deficiency, impairment, or injury to a child, committing two or more acts of abuse during a period of 30 days or more. The punishment for continuous physical abuse with a first degree felony is a life sentence or between 25 and 99 years. This bill increases the punishment and time that an inmate would be eligible for parole, which requires serving one-half of their sentence or 30 years, whichever less, but at least two years. Community supervision is removed as an option for these first felony offenses of causing injury to a child, elderly and disabled individuals.  Removing community supervision for offenders that cause injury to vulnerable populations prevents individuals from rehabilitative services and counseling that would help prevent future abusive behavior.	<b>Will of the House</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org

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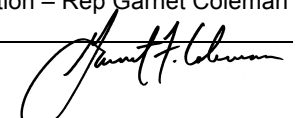
<p><b>HB 1998</b> By Rep. Kleinschmidt</p>	<p>Relating to the eligibility of land for appraisal for ad valorem tax purposes as qualified open-space land on the basis of its use for wildlife management.</p>	<p>Agriculture &amp; Livestock</p>	<p>HB 1998 adds “supporting outdoor education” to the list of activities that qualify land as used for wildlife management purposes. Land owners must practice at least three of the specified activities to be eligible for an ad valorem tax break. This bill incentivizes landowners to partner with educational institutions and provide agricultural information to Texas youth.</p>	<p><b>Favorable</b> Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org</p>
<p><b>HB 2559</b> By Rep. Thompson, Senfronia</p>	<p>Relating to the rights of certain victims of sexual assault.</p>	<p>Criminal Jurisprudence</p>	<p>HB 2559 expands the definition of “sexual assault” for the purpose of crime victims’ rights to include the following: indecency with a child, sexual assault, and aggravated sexual assault. A victim, guardian of a victim, or close relative of a deceased victim is entitled to disclosure of information regarding any evidence that was collected during the investigation unless it would interfere in some way, and if so, be informed of an estimated date of disclosure. The right is granted to information and results regarding analysis of evidence for lab tests collected during the investigation being compared to DNA profiles in a state or federal database.</p> <p>A current address and phone number must be provided in order to receive notice of this information. Additionally, the survivor is allowed to designate an entity, including one that provides services to victims of sexual assault, to receive the notifications instead of the survivor.</p> <p>This addresses the issue of <i>untested</i> sexual assault evidence kits or “rape kits”, resulting in victims not having access to information regarding their assault. <b>The Department of Public Safety estimates that there are about 20,000 untested kits statewide.</b> This is a victim’s rights issue and would help track down rapists and solve cases.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 2533</b> By Rep. Zerwas</p>	<p>Relating to coverage for and access to hemophilia medical treatment.</p>	<p>Insurance</p>	<p>This bill allows the Department of State Health Services (DSHS) to provide premium payment assistance to individuals receiving assistance for the Hemophilia Assistance Program (HAP). Provisions of the bill require individuals to be at least 18 years old to be eligible for premium payment assistance. In addition, the bill clarifies that individuals receiving assistance from the Texas Health Insurance Pool may also be eligible for the HAP and vice-versa. Current eligibility requirements for the HAP are:</p> <ul style="list-style-type: none"> <li>• 21 years of age or older</li> <li>• Income level at or below 200 percent of the federal poverty level (FPL)</li> <li>• Has been diagnosed with Hemophilia by a licensed physician.</li> </ul> <p>Hemophilia is a rare blood disorder in which the blood has little or no clotting factor proteins. This prevents the blood from clotting properly and leads to abnormally heavy or extended bleeding, and/or unprovoked bleeding and bruising. Individuals with Hemophilia must undergo Replacement Therapy, which uses blood transfusions to replace the clotting proteins. Treatment for Hemophilia is extremely expensive, one of the most costly chronic diseases in the nation. The financial assistance provided by the HAC helps cover the costs of certain blood factor products.</p> <p>As a result of the high costs associated with treating Hemophilia, DSHS is only able to provide assistance to a limited number of individuals. Under the Affordable Care Act, these consumers be able to obtain health care coverage more easily and will have lower premiums. Passage of this bill will decrease the cost burden on DSHS and will allow the agency to support more eligible individuals. This is an excellent program that should be further expanded beyond the limited clients currently receiving services to include those on the waiting list.</p>	<p><b>Favorable</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>

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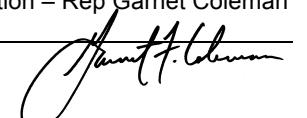
<p><b>HB 2391</b> By Rep. Menéndez, et al.</p>	<p>Relating to electric utility bill payment assistance programs for certain veterans burned in combat.</p>	<p>State Affairs</p>	<p>HB 2391 allows an electric utility to establish and implement a bill payment assistance program for customers who are veterans who have been certified to have a limited ability to regulate their body temperature due to severe burns obtained in combat. This bill is aimed to reasonably accommodate injured military veterans, and in turn promotes their health and healing. HB 2391 requires the board of directors of an electric cooperative or the governing body of a municipally owned utility to develop the bill payment assistance programs and determine the method of funding for these customers. The bill establishes that the electric utility is entitled to fully recover all costs and expenses related to the bill payment assistance program, to defer each cost or expense related to the bill payment assistance program not explicitly included in base rates, and to apply carrying charges at the utility's weighted average cost of capital to the extent related to the bill payment assistance program. The costs of the bill payment assistance program are considered a necessary operations expense. The bill also requires the Public Utilities Commission (PUC) to compile a list of related programs available for this purpose to publish the list on the PUC's website and provide a link appropriately.</p>	<p><b>Favorable</b> Evaluated by: Amanda Williams 512-763-0031 Amanda.Williams@texaslsg.org</p>
<p><b>HB 212</b> By Rep. Alonzo</p>	<p>Relating to pretrial hearings in criminal cases.</p>	<p>Criminal Jurisprudence</p>	<p>HB 212 requires a court to set a pre-trial hearing in a criminal case other than an offense involving a Class C misdemeanor, if the defendant requests the hearing no later than 60 days before the trial begins. The court must hold the hearing no later than the 30<sup>th</sup> day before the trial begins, and rule on all pre-trial motions if possible. The court's failure to comply is not grounds for dismissal or from sustaining a motion to set aside an indictment, information or complaint.</p> <p>Currently, a pre-trial hearing is authorized but not required by Texas courts. A pre-trial hearing would be economically efficient by utilizing that opportunity to present arguments, physical evidence, and establish preliminary matters such as evidence and witnesses before bringing a case to court.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 263</b> By Rep. Flynn</p>	<p>Relating to combination resident hunting and fishing licenses for military personnel.</p>	<p>Culture, Recreation &amp; Tourism</p>	<p>HB 263 requires the Parks and Wildlife Commission to waive the fees for combination resident hunting and fishing licenses for qualified disabled veterans or residents who hold a valid active duty military ID card. Retired military and military dependents do not qualify for the fee waiver. A valid military ID card is also a sufficient qualification for Texas residency.</p>	<p><b>Favorable</b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>
<p><b>HB 1067</b> By Rep. Moody</p>	<p>Relating to certain waivers by a defendant regarding a community supervision revocation hearing.</p>	<p>Criminal Procedure Reform, Select</p>	<p>HB 1067 applies to individuals who are on probation in one jurisdiction and in prison in a different jurisdiction. The bill allows for a defendant to waive the right to a trial through a notary public in the jurisdiction where the individual is currently imprisoned. Under existing statute, the offender must be transported to court in the jurisdiction where the other violation stands for a hearing. If the defendant chooses to waive the right to a trial, the judge must travel to the offender's physical location to obtain the written record. This becomes more difficult when addressing cases that cross state lines. This bill seeks to make this process more efficient and reduce the associated costs.</p> <p>An amendment to this bill is expected to propose a mandate that individuals must meet with a magistrate who is an attorney prior to waiving these rights. This is to ensure that individuals are making informed decisions, and that those who choose to fight their own case do so from an informed perspective.</p>	<p><b>Favorable</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>
<p><b>HB 2181</b> By Rep. Stephenson, et al.</p>	<p>Relating to authorizing development corporations to finance projects to support primary job training facilities and programs</p>	<p>Economic &amp; Small Business Development</p>	<p>HB 2181 would allow corporations to use tax program incentives and Type A and Type B Economic Development Corporations (EDCs) through the Development Corporation Act of 1979 to purchase equipment for local job training. Currently, the Development Corporation Act gives Texas cities the ability to finance new and expanded business enterprises in their local communities through EDCs. Type A EDCs are typically created to fund industrial development projects, such as business infrastructure, manufacturing and research and development. Type B EDCs are allowed to fund all projects eligible for Type A projects as well as parks, museums, sports facilities and affordable housing.</p>	<p><b>Will of the House</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>

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	at certain educational institutions.		This bill would authorize EDCs under this Development Corporation Act to create job development projects, job training programs, to pay for cost-related to training equipment at a public junior college, public technical institute, or local high schools located in a corporation’s authorizing municipality; and a public junior college whose service area includes any portion of a corporation’s authorizing municipality. Under the bill’s provisions, state and tax revenue would fund the newly authorized projects by municipalities that would hold an election to vote for EDCs by registered voters in the given municipality. This election is contingent upon a minimum of 10% return of the municipality petition. There is no fiscal implication to the state; however, there is a possibility that the projects may become the funding for the equipment as oppose to the companies needing the equipment for the training to allow the project to move forward.	
<b>HB 2146</b> By Rep. Hilderbran	Relating to certain restrictions on the mining of marl, sand, gravel, shell, or mudshell in certain protected freshwater areas.	Natural Resources	<p>HB 2146 restricts certain freshwater areas from commercial mining. This bill allows the TCEQ to deny a permit to take more than 1,000 cubic yards of marl, sand, gravel, shell, or mudshell, from a protected freshwater area. HB 2146 creates exceptions for this restriction including if the area covered by the permit is located east of Interstate 35, outside the Edwards Plateau or if the sedimentary materials will not be sold.</p> <p>HB 2146 seeks to address the state’s obligation to protect freshwater areas within the Edwards Plateau and private property rights with the consideration of the need for mining of sedimentary materials. These restrictions will facilitate the prevention of further adverse effects on Texas’ natural resources, wildlife, and economic assets.</p>	<b>Favorable</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.Foster@texaslsg.org
<b>HB 2958</b> By Rep. Leach et al.	Relating to the applicability of project design and construction requirements to agencies or instrumentalities of, or agreements between, governmental entities subject to those requirements.	Government Efficiency & Reform	<p>HB 2958 requires that state laws applying to districts, counties or cities, procuring design and construction projects, must also be the same laws regulating agency and project design agreements between the agency and government entity.</p> <p>Overall, the bill establishes that local and county governments must follow state regulations when contracting with developers and construction agencies for local facility and building projects.</p>	<b>Favorable</b> Evaluated by: Nena Chima 512-763-0031 Nena@texaslsg.org
<b>HB 3415</b> By Rep. Flynn	Relating to driving on an improved shoulder.	Transportation	<p>HB 3415 allows a slow-moving vehicle to drive on an improved shoulder to the right of the main traffic portion of a roadway or to the left of a divided or limited-access or controlled-access highway in certain circumstances. Slow-moving is defined as a motor vehicle <i>designed</i> to operate at a maximum speed of 25 MPH or less, such as a tractor or golf cart.</p> <p>Courteous slow vehicle should not be penalized for moving to the shoulder to allow others to pass by in the regular flow of traffic. However, there may be problematic instances when emergency vehicles or bicycles need to utilize the improved shoulder but cannot gain access.</p>	<b>Favorable with Concerns</b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org
<b>HB 3273</b> By Rep. Simmons	Relating to regulation of traffic on certain roads by counties.	Transportation	<p>Current law requires a petition of 50% of the residents in an area to allow for county enforcement of traffic laws in the area. Many districts contend that this number is rather large and unattainable.</p> <p>HB 3273 requires counties with a population between 600,000 and 750,000 to file a petition with the commissioners court requesting a county to enforce traffic rules on roads. The petition must be signed by 25 percent of the property owners residing in the area who are served by the roads of the special district where county enforcement is sought.</p>	<b>Favorable</b> Evaluated by: Tanya Gripton 512-763-0031 Tanya@texaslsg.org

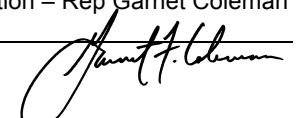
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<p><b>HB 1575</b> By Rep. Zedler</p>	<p>Relating to the effect on a credit report of certain transactions by a person's spouse pending a divorce decree.</p>	<p>Investments &amp; Financial Services</p>	<p>During a divorce, one person is usually granted the property that both spouses previously owned. When the court awards the property to one spouse, statute does not make the other person responsible for the debt. However, the debt still reflects on the credit report of the individual who does not own the property.</p> <p>HB 1575 excludes property ownership on the spouse's credit rating that no longer owns the asset. This is important because the spouse who owns the property could potentially miss payments, which would also reflect on the person who no longer owns the property.</p>	<p><b>Favorable</b> Evaluated by: Natalie Powell 512-763-0031 Natalie@texaslsg.org</p>
<p><b>HB 1552</b> By Rep. Rodriguez, Justin</p>	<p>Relating to the authority of the commissioners court of a county to create a law enforcement technology fund and to require certain defendants to pay court costs for deposit in the fund; authorizing a fee.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1552 authorizes the commissioners court of a county to create a law enforcement technology fund and require a defendant convicted of a misdemeanor offense in a justice or county court to pay a \$2 law enforcement technology fee. They are considered convicted if the sentence is imposed on them, placed on community supervision, or the court defers final position of their case.</p> <p>The court clerk must collect the fee and pay it to the county treasurer for deposit in the fund. The fund must only be used for technological enhancements for law enforcement.</p> <p>While the Legislature has continued to pass on unfunded mandates to local governments and law enforcement, it has failed to properly fund the necessary functions of state government. Law enforcement needs additional revenue to cover the cost of technology. Resorting to fees to cover those costs is an unfortunate necessity to make up for the failure of the state.</p>	<p><b>Will of the House</b> Evaluated by: Muna Javid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 1234</b> By Rep. Price</p>	<p>Relating to the eligibility of an inmate convicted of reckless injury to a child, elderly person, or disabled person for release to mandatory supervision.</p>	<p>Corrections</p>	<p>HB 1234 does not allow an inmate to be released on mandatory supervision for an offense of reckless injury to a child, elderly, or disabled individual. Proponents state that bill would safeguard victims and their families from having to go through the emotional stress and fear due to the possibility of the perpetrator being released. Under current law the victim and/or victims' families are given notification that the inmate is up for parole; in order to stop the release, they must lobby by sending letters to the parole board.</p> <p>Although the intent of this bill is laudable, there may be situations in which individuals cause unintentional harm to someone and due to this bill would no longer be considered eligible for mandatory supervision. For example, a nurse in an adult care facility who unintentionally gives an elderly person the wrong prescription drug which leads to harming the individual can be charged with "reckless behavior" and would no longer qualify for parole. Additionally, this bill has a \$2 million fiscal note that will grow larger with each fiscal year.</p>	<p><b>Will of the House with Concerns</b> Evaluated by: Natalie Powell 512-763-0031 Natalie@texaslsg.org</p>
<p><b>HB 1208</b> By Rep. Parker, et al.</p>	<p>Relating to liability for interest if land appraised for ad valorem tax purposes as agricultural or open-space land is sold or diverted to a different use.</p>	<p>Agriculture &amp; Livestock</p>	<p>HB 1208 eliminates interest rates on tax penalties that are collected when the use of land changes.</p> <p>Currently, when the use of land changes, taxes imposed equal the difference between the taxes paid from the preceding five years and what would have been imposed based on market value, plus a 7 percent interest rate.</p> <p>When agricultural land is sold or diverted to non-agricultural use, taxes for the preceding three years plus an interest rate are due. The interest rates for these taxes are eliminated unless the taxes owed become delinquent.</p> <p>Cutting property taxes will reduce funding for the public education system, which is still recovering from the severe budget cuts of last session.</p>	<p><b>Will of the House</b> Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org</p>
<p><b>HB 1368</b> By Rep. Bonnen, Dennis</p>	<p>Relating to hunting and fishing license fee exemptions for certain veterans.</p>	<p>Defense &amp; Veteran's Affairs</p>	<p>This bill amends current exemptions relating to a free hunting and fishing license for qualified disabled veterans. It expands the definition of a qualified veteran to include veterans who have suffered the loss of an upper body extremity and expands this free license to qualified nonresident Veterans. Currently this exemption is only provided to resident disabled Veterans with a lower extremity loss or disability rating of 60 percent or more. Veterans who relocate to Texas temporarily are not eligible to participate in the exemptions.</p>	<p><b>Favorable</b> Evaluated by: Torey Powell 512-763-0031 Torey@texaslsg.org</p>

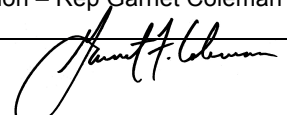
<p><b>HB 3706</b> By Rep. Carter</p>	<p>Relating to certain requirements for certain sponsors and other participants in the summer food service program.</p>	<p>Agriculture &amp; Livestock</p>	<p>HB 3706 extends the authority of the Texas Department of Agriculture (TDA) to obtain criminal history information of a principal of a nongovernmental entity that is a participant or applicant for the summer food service program. The term principal is redefined for these provisions as an individual who holds a management position or is an officer of an institution or sponsor.</p> <p>Currently, TDA is authorized to obtain criminal history information on participants or applicants for the Child and Adult Care Food Program. HB 3706 seeks to ensure that the principal who applies for grants for these programs does not have fraudulent history.</p>	<p><b><u>Favorable</u></b> Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org</p>
<p><b>HB 2875</b> By Rep. Harper-Brown</p>	<p>Relating to the motor vehicle inspection program; creating an offense; amending the amount of certain fees.</p>	<p>Transportation</p>	<p>HB 2875 establishes the for a registration-based system of motor vehicle inspections with cooperation between the Department of Public Safety (DPS) and the TX Department of Motor Vehicles (DMV) resulting in a single inspection and registration sticker.</p> <p>DPS must maintain an electronic database where inspection stations are able to submit the results of a vehicle inspection. Before a vehicle can be <i>registered</i> by the DMV or county-assessor collector, it must first be verified as passing in the DPS <i>inspection</i> database. If database information is unavailable, the owner of the vehicle may present an inspection certificate instead.</p> <p>HB 2875 revises, removes, and repeals language to accommodate consolidation of the registration and inspection based system, including the provision and display of an inspection/registration sticker. The bill specifies provisions to ensure that all passing inspection reports are submitted by credible and legal inspection stations. It also creates guidelines to restrict fraudulent practices. Inspection stations must also issue a hard copy inspection certificate to drivers for certification and safe-keeping. The maximum statewide inspection fee is \$17.50, and \$5.50 must be remitted to the state comptroller. A sign displaying the maximum fee must be posted publicly in inspection facilities.</p>	<p><b><u>Favorable</u></b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>
<p><b>HB 895</b> By Rep. Kolkhorst</p>	<p>Relating to access by a public institution of higher education to the criminal history record information of certain persons seeking to reside in on-campus housing.</p>	<p>Higher Education</p>	<p>HB 895 allows universities to obtain a criminal history record when considering an applicant for on-campus housing. Although the bill attempts to provide safe guards to on campus residents it does so at the expense of reformed adolescents, many of whom are low income minority students who are seeking to turn around their lives. Concerns have been raised regarding the due process of individuals with pending charges. These charges, which may be dropped or dismissed, may influence the university's decision during the application process.</p>	<p><b><u>Unfavorable</u></b> Evaluated by: Torey Powell 512-763-0031 Torey@texaslsg.org</p>
<p><b>HB 3647</b> By Rep. Harper-Brown</p>	<p>Relating to removing licensing and fee requirements for certain salespersons who sell or lease-purchase or offer to sell or lease-purchase manufactured housing to a consumer.</p>	<p>Government Efficiency &amp; Reform</p>	<p>HB 3647 eliminates the licensure requirement for selling of manufactured homes—housing units assembled in a factory and transported to a land site.</p> <p>Currently, a person is required to become licensed if they sell more than one manufactured home in a 12 month period, costing them a total of \$350 (price includes license plus an education course). Retailers, Brokers, and Installers have greater duties, for which licensing is necessary; the same need is not imperative for Salespersons and is an undue burden.</p>	<p><b><u>Favorable</u></b> Evaluated by: Nena Chima 512-763-0031 Nena@texaslsg.org</p>
<p><b>HB 2827</b> By Rep. Burkett</p>	<p>Relating to the punishment for the offense of burglary of a vehicle and to grants of community supervision to persons who commit</p>	<p>Criminal Jurisprudence</p>	<p>HB 2827 establishes penalties for burglary of a vehicle ranging from a Class B misdemeanor to a first degree felony based on monetary loss of personal property resulting from the offense, rather than a Class A misdemeanor with enhancements for following or subsequent convictions. The amount of loss is the sum of repair costs if there was vehicle damage, plus the value of the property stolen if theft was committed. If a defendant commits more than 3 vehicle burglary offenses in a 24 hour period, it may be considered one offense.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>

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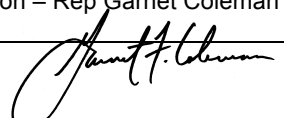
	that offense.		The amount of community service work ordered by the judge for this offense may not exceed 200 hours for a Class A misdemeanor, or for any other misdemeanor for which confinement exceeds six months or the maximum exceeds \$4,000.	
<b>HB 2687</b> By Rep. Rodriguez, Eddie	Relating to the authority of a taxing unit to prohibit certain transfers of ad valorem tax liens.	Ways & Means	The bill authorizes the governing body of a taxing unit to prohibit, in the manner required by law for official action by the governing body, such a transfer of tax liens that exist in favor of the taxing unit. Currently, taxing entities are required to transfer liens to private, for profit entities in certain cases, which can result in more foreclosures without the judicial recourse required of government taxing entities.  This bill aims to increase transparency and accountability by allowing local elected officials to decide whether or not to allow transfers of their liens to private entities.	<b>Favorable</b> Evaluated by: Tanya Gripton 512-763-0031 Tanya@texaslsg.org
<b>HB 2531</b> By Rep. Davis, John	Relating to the use of money in the spaceport trust fund for programs related to the aerospace industry.	Economic & Small Business Development	Current law states that money in the spaceport trust fund must be spent only on specified activities. HB 2531 expands these activities to fund programs that are related to research conducted on the International Space Station, including programs that provide money to a nonprofit organization to support this research. The nonprofit organization must collaborate with companies or public-private partnerships to support this research.	<b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org
<b>HB 1820</b> By Rep. Kacal, et al.	Relating to the eligibility of a disabled veteran to pay ad valorem taxes imposed on a residence homestead in installments.	Ways & Means	HB 1820 adds disabled veterans to the list of persons eligible to pay certain homestead taxes in installments. If the veteran pays at least one-fourth of the property taxes owed before the payment becomes delinquent, then they will be allowed to pay the remaining taxes in three equal installments throughout that year. The veteran may pay more than the amount due, and the extra payment will rollover to the next installment. Delinquent payments will incur a penalty of six percent and an interest rate of one percent for each month the taxes remain unpaid.  Extending this exemption to disabled veterans can benefit a vulnerable population while still maintaining conditions on the exemption.	<b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org
<b>HB 734</b> By Rep. Murphy	Relating to enhancing the penalties for certain repeat and habitual misdemeanor offenders.	Criminal Jurisprudence	HB 734 raises the penalty for repeat Class A and B misdemeanor offenders. If a defendant is shown at trial to have been previously convicted of two or more Class A or B misdemeanors or a felony, they shall be punished with a \$2,000-\$4,000 fine, or jail confinement for 180-365 days, or both fine and jail time.  Additional jail time will burden state jails with an increased prison population. Community supervision rather than heavy fines would better serve repeat offenders and deter them from future offenses.	<b>Will of the House</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org
<b>HB 516</b> By Rep. Pitts	Relating to the execution of a search warrant for taking a blood specimen from certain persons in certain intoxication offenses.	Criminal Jurisprudence	HB 516 authorizes the execution of a search warrant issued to collect a blood specimen from a person suspected of committing certain intoxication offenses in a county adjacent to the one in which the warrant is issued, regardless of whether the issuing court's jurisdiction extends outside that county.  Currently, search warrants issued by a magistrate to determine blood alcohol content cannot be executed in a county that is contiguous to the county where the warrant was issued. Only warrants by certain judges can be executed in these cases.	<b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org
<b>HB 1608</b> By Rep. Hughes	Relating to warrants or orders issued to obtain location information from wireless communications devices	Criminal Jurisprudence	HB 1608 authorizes the issuance of a search warrant to search for and seize location information derived from a cell phone or wireless device. It authorizes a district court to seal an order for the installation of tracking devices at the request of a prosecutor or officer. An application and order may not be sealed for more than 180 days, and additional year may be granted if good cause is shown. If the disclosure of the information would result in adverse effects for a victim, officer or witness, it may be redacted and permanently sealed.	<b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org

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	and to public access to law enforcement or prosecutor requests for certain related location or communication information.		<p>A warrant issued from a judge authorizes the acquisition of location information from a device if located outside of the judicial district but within Texas if the device is located within the district when issued. There are specific requirements for the warrant in regards to execution, expiration date, and the mode in which it is served. If the device is in the possession of a fugitive with an arrest warrant or a life threatening situation exists, the bill authorizes location information be obtained without a warrant by a private entity or peace officer. A remote computing service may be compelled to produce certain business records. A warrant can be issued to communication services to provide customer information if there is cause to believe there is evidence in a criminal investigation.</p> <p>This bill requires that 60 days after the expiration of a warrant, information must be submitted to DPS. No later than March 15 of each year, the prosecutor must submit information about each warrant. This information is submitted to DPS and becomes public information. The public safety director of DPS must submit a report by June 1 of each year with tracking information and associated warrants.</p> <p>This bill increases protections against unreasonable searches and seizures by requiring a warrant to seize location information.</p>	
<b>HB 178</b> By Rep. Larson	Relating to exemption from the sales tax for certain water efficient products for a limited period.	Ways & Means	<p>HB 178 makes any product certified by the EPA as water efficient and sold on the Saturday before Memorial Day to be exempted from sales tax. The bill is in line with a holiday in current law that exempts certified energy efficient products from taxes on Memorial Day weekend. It serves to encourage efforts to meet the state’s increasing demand for water.</p> <p>The LBB estimates a cumulative \$2.6 million loss from cities, transit authorities, counties, and general revenue.</p>	<b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org
<b>HB 2401</b> By Rep. McClendon, et al.	Relating to the provision of community-based services to individuals who have or may have mental illness.	Public Health	HB 2401 increases the availability of mental health services by requiring the Department of State Health Services (DSHS) to provide community-based alternatives to inpatient hospitalization. Strategic planning for community-based alternatives expands and improves the delivery of care to meet the increasing needs for mental health services.	<b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org
<b>HB 3124</b> By Rep. Lucio III	Relating to authorizing a fee for county records technology and infrastructure costs.	County Affairs	HB 3124 authorizes the commissioner’s court to impose a records technology and infrastructure fee to help support and maintain the centralized records system. This bill establishes the \$2 fee to be collected when a person pays to obtain records such as real property, and various certified documents such as birth or marriage license. HB 3124 directs this fund to be deposited in a separate account only used to support technology and infrastructure. The fees collected will provide counties with needed funds in order to update and maintain their centralized records system.	<b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org
<b>HB 365</b> By Rep. Martinez, "Mando"	Relating to certain diseases or illnesses suffered by firefighters and emergency medical technicians.	Urban Affairs	<p>HB 365 seeks to continue the protection of firefighters under worker’s compensation for illnesses acquired while actively on duty and providing services. This bill specifies that firefighters or emergency medical technicians (EMT) that pass away or becomes disabled due to an acute myocardial infarction (heart attack) <i>while on duty</i> are presumed to have been suffering from these conditions over the course and scope of the job. This bill removes the requirement that firefighters or EMTs be engaged in strenuous or stressful activities at the time of the attack or stroke to be considered work-related.</p> <p>The bill adds that an EMT or firefighter who suffers from AIDS/HIV, hepatitis B or C is presumed to have contracted the disease while on duty only if they regularly respond to emergency calls involving exposure to blood or fluid-borne pathogens or respond to emergencies involving the documented release of blood or bodily fluids containing HIV, hepatitis B or C or methicillin-resistant Staphylococcus aureus (MRSA).</p>	<b>Favorable</b> Evaluated by: Nena Chima 512-763-0031 Nena@texaslsg.org

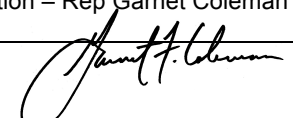
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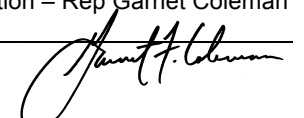
			Currently, under the presumption rebuttable law a firefighter or EMT may not be covered for worker’s compensation if it is evident that risk, accident or hazard occurred while not on duty at their own discretion.	
<b>HB 1115</b> By Rep. Raney, et al.	Relating to the eligibility for grants for natural gas fueling stations under the Texas natural gas vehicle grant program.	Environmental Regulation	<p>HB 1115 expands the eligibility for participation in the alternative fueling facilities program to include natural gas fueling stations located along certain state and federal highways in order to support, encourage, and increase the use of natural gas,-which is both environmentally and economically responsible for the state.</p> <p>Currently stations along interstate highways connecting the area between the Houston, San Antonio, and Dallas-Fort Worth receive grants from the Texas Commission on Environmental Quality (TCEQ) under the program. HB 1115 adds a provision to require the grants to stations along state or U.S. highways in counties contained wholly or partly in the triangular area.</p> <p>The bill specifies that stations must be publicly accessible and located not more than three miles from a highway designated as part of the state or U.S. highway, and preference is given to stations located less than a mile away from a state or U.S. highway. Additionally, the bill states that an application for a grant must contain a certification that the applicant is in compliance with all laws, rules, and requirements regarding taxation of fuel provided by the applicant. The bill authorizes TCEQ to terminate an awarded grant without further obligation to the grant recipient if TCEQ determines that the recipient was not in compliance. The bill does not create a cause of action to contest an application or award of a grant.</p>	<b>Favorable</b> Evaluated by: Amanda Williams 512-763-0031 Amanda.Williams@texaslsg.org
<b>HB 3207</b> By Rep. Alonzo	Relating to the authority of public defenders to refuse to accept indigent defense appointments for good cause.	Criminal Jurisprudence	<p>HB 3207 prohibits a public defender’s office from accepting an appointment as counsel to represent an indigent defendant if accepting the appointment would violate the maximum allowable caseloads established at the public defender’s office. The chief public defender must file a written statement identifying the reason for refusal. The court must determine whether there was adequate cause for refusal. It is prohibited to terminate the public defender for refusing in good faith a to accept an appointment.</p> <p>This bill addresses the issue of case overload for public defenders, and their inability to represent indigent defendants competently. Overloaded public defense systems result in more prison time and less justice.</p>	<b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org
<b>HB 357</b> By Rep. Giddings	Relating to the exemption from the sales tax for certain school art supplies during limited periods.	Ways & Means	<p>HB 357 adds school art supplies to the list of items that qualify on tax-free weekend. The bill exempts paintbrushes used for art, watercolors and acrylic, tempera and oil paints. While these few additions come with an estimated 2 million loss each biennium, the bill would bring relief to families and teachers who pay out of pocket for supplies.</p>	<b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org
<b>HB 149</b> By Rep. Larson, et al.	Relating to the Texas Liberty Preservation Act; providing penalties.	Federalism & Fiscal Responsibility, Select	<p>HB 149 establishes the Texas Liberty Preservation Act which states that certain provisions of the National Defense Authorization Act (NDAA), related to holding suspected terrorists indefinitely, are unconstitutional. Proponents of this bill state that federal law is loosely worded and could be used to detain citizens for indefinite periods of time. This bill makes it illegal for a governmental entity or employee, such as a police officer, to enforce certain federal laws related to NDAA. Individuals can be charged with a Class A or B Misdemeanor, with imprisonment for up to one year and/or a fine of \$10,000. Additionally, the bill requires DPS to report directly to the Governor and Legislature when any attempt to enforce these laws occurs.</p> <p>This bill causes confusion and criminalizes hard working Texans who choose to follow federal law. Specifically, it puts law enforcement in unreasonable situations and sets them up for failure, since they are forced to choose between state and federal law. Additionally, this bill is unnecessary. The U.S. constitution already addresses this issue through the Supremacy Clause, which states that</p>	<b>Unfavorable</b> Evaluated by: Natalie Powell 512-763-0031 Natalie@texaslsg.org

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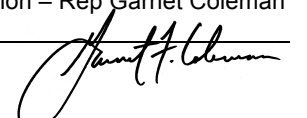
			when there is conflict between federal and state law federal law supercedes state law, when federal law is consistent with the U.S. Constitution. Due to this bill’s unconstitutionality, Texas would spend unknown amounts of taxpayer money attempting to defend this flawed law in court.	
<b>HB 307</b> By Rep. Farias	Relating to safety equipment requirements for certain cyclists; creating an offense.	Transportation	HB 307 prohibits a person from operating a bicycle at nighttime, unless the person or the bike is equipped with a steady or flashing white light visible from 500 feet away in front of the bike and a light that emits a flashing or steady red light visible from 500 feet away to the rear of the bike. This bill removes the option for the bike to have a red reflector on the rear as an alternative to a light or lamp. Bike lights/lamps are affordable, and the intention of this bill is to improve safety for bikers at night. Cyclists will be more visible at night time which will make Texas roads safer for both drivers and bikers.	<b>Favorable</b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org
<b>HB 405</b> By Rep. Fletcher	Relating to testimony by members of the State Board of Dental Examiners.	Public Health	HB 405 seeks to prevent conflict of interest by increasing restrictions on a member of the State Board of Dental Examiners to provide testimony or serve as an expert witness in a lawsuit. This bill further specifies and prohibits a board member from providing oral or written expert information on a healthcare related liability claim. HB 405 removes the option for a board member to seek an override from the executive committee in order to serve as an expert witness.	<b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org
<b>HB 1436</b> By Rep. Lucio III	Relating to a mandatory term of confinement for certain offenses involving family violence.	Criminal Jurisprudence	HB 1436 requires a court granting community supervision to a person convicted of family violence against a person they have a dating relationship with or a family or household member, to require not less than 72 hours of jail time for causing bodily harm. Jail time is increased to at least 5 days if previously convicted two or more times in continuous violence against family cases and punishable as a third degree felony. A maximum confinement of 30 days is given if the defendant is convicted of aggravated assault involving the use of a deadly weapon and punishable as first degree felony.	<b>Will of the House</b> Evaluated by: Muna Javid 512-763-0031 Muna@texaslsg.org
<b>HB 454</b> By Rep. Dukes	Relating to authorization for a caregiver who is a relative to enroll a child in school.	Judiciary & Civil Jurisprudence	HB 454 seeks to avoid gaps in Texas children’s education as a result of being raised by a relative other than a parent or legal guardian. Presently, relatives raising children are not allowed to enroll children in school because they are not the parent or legal guardian. This bill authorizes a caregiver to give the school or residential school district an affidavit explaining that the child lives with them in order to enroll the child in school. The bill establishes that this affidavit does not have any legal bearing in custody cases nor does it affect the rights of the child’s parent or legal parents. This nonparent relative authorization agreement for a relative or a caregiver’s authorization affidavit would be adopted by the Texas Education Agency and the Texas Commissioner of Education.	<b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org
<b>HB 533</b> By Rep. Lozano	Relating to a development of a workforce investment partnership in rural areas.	Economic & Small Business Development	Subject to the availability of funding, HB 533 would allow the Commissioner of Agriculture to develop a rural workforce investment program. This program is applicable to rural areas with a county population of less than 200,000 or a municipality of less than 50,000. The Workforce Investment program would facilitate partnerships among school districts, public junior colleges, public technical institutes, general academic teaching institutions, and business and industry to promote workforce investment plans.	<b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org
<b>HB 1333</b> By Rep. Perry, et al.	Relating to the designation of certain synthetic compounds to Penalty Group 2 or 2-A of the Texas Controlled Substances Act.	Criminal Jurisprudence	HB 1333 clarifies the definition of “controlled substance” to include substances in Penalty Group 2-A of the Texas Controlled Substances Act. The purpose of this bill is to address the use of synthetic drugs that mimic the effects of illegal controlled substances. It also expands the definition of “controlled substance analogue” to include a substance with a chemical structure substantially similar to the chemical structure and produces the same effect of a controlled substance in Penalty Group 2-A.  This bill also expands the list of substances in Penalty Group 2 to include chemical designations of hallucinogenic substances and their derivatives, compounds containing Etaqualone and the compound Methedrone. Penalty Group 2-A is expanded to include synthetic chemical compounds that mimic the effect of cannabinoids. This bill includes this penalty group among ones that may be prosecuted for manufacture, delivery or possession for a controlled substance analogue.	<b>Favorable</b> Evaluated by: Tanya Gripton 512-763-0031 Tanya@texaslsg.org

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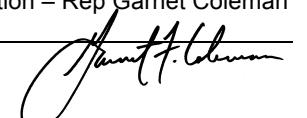


<p><b>HB 781</b> By Rep. Farias</p>	<p>Relating to the allocation of certain grants from the fund for veterans' assistance.</p>	<p>Defense &amp; Veteran's Affairs</p>	<p>HB 781 requires the Texas Veterans Commission to conduct a needs based assessment when allocating monies from the fund for veterans' assistance. This needs assessment will help TVC determine the most effective and impactful programs based on the current needs of veterans. The study would be conducted every odd year to ensure we are consistently prioritizing the right projects as needs change.</p> <p>Although the TVC currently allocates these funds on a competitive model, they are not required to study the needs of the veteran community. With the current uncertain fiscal climate, the Legislature should embrace programs that attempt to make sure each dollar counts and ensure monies are being allocated to programs that are in need.</p>	<p><b>Favorable</b> Evaluated by: Torey Powell 512-763-0031 Torey@texaslsg.org</p>
<p><b>HB 946</b> By Rep. Giddings, et al.</p>	<p>Relating to the reporting of information by a school district relating to certain offenses committed by certain students.</p>	<p>Public Education</p>	<p>HB 946 requires that each school district in the state submit an annual report to the TEA Commissioner about offenses committed that do not involve weapon. The report focuses on cited offenses during school instruction time on school property by students who are younger than 12 years old.</p> <p>Annual reported conduct will only include citations for non-violent, open-handed physical contact between two students that do not intend to cause harm and is playful in nature. All reports provide the offense information as well as demographic information of the student.</p> <p>HB 946 seeks to develop a complete report and point of reference for what citation students receive and for what reasons. This is done in order to evaluate cause and resolution. The data collected for the purpose of the report may lead to studies or procedures to reduce the occurrence of citations for non-harmful acts. The bill may also show evidence of disproportionality; certain students being cited more than others, and the study may help to eliminate this phenomena.</p>	<p><b>Favorable</b> Evaluated by: Nena Chima 512-763-0031 Nena@texaslsg.org</p>
<p><b>HB 2739</b> By Rep. Martinez Fischer</p>	<p>Relating to permitting requirements of groundwater conservation districts, including permits to transfer water.</p>	<p>Natural Resources</p>	<p>Currently some districts are interpreting permits for groundwater transfer out of the district to be two separate required permits: a withdraw permit that is considered short term and a transfer permit that is at least 30 years.</p> <p>HB 2739 clarifies that the permitting process of transferring groundwater is issued as a single permit.</p>	<p><b>Favorable</b> Evaluated by: Amanda Foster 512-763-0031 Amanda@texaslsg.org</p>
<p><b>HB 1011</b> By Rep. King, Susan</p>	<p>Relating to the punishment for the offense of online solicitation of a minor.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1011 enhances the minimum term of imprisonment from two years to five years for the solicitation of a minor through the internet, e-mail, text message or by other electronic means and travels with the intent to meet the minor to engage in sexual contact or intercourse.</p> <p>Currently, the penalty for the solicitation of a minor through the internet, e-mail or text message, or by other electronic means is a second degree felony with a two year minimum term of imprisonment.</p>	<p><b>Will of the House</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 1155</b> By Rep. Smithee</p>	<p>Relating to suspension of payment of certain income benefits under the workers' compensation system for failure to submit to a designated doctor examination.</p>	<p>Business &amp; Industry</p>	<p>HB 1155 increases the severity of the penalty imposed on a worker who does not attend a medical examination when requested by a workers' compensation insurance carrier. The bill allows a carrier to suspend all types of benefits – temporary, impairment, supplemental, and lifetime benefits – until there is an examination. The penalty aims to improve the integrity and accountability of the benefit system on the part of the worker, but lacks consideration for the cause of missed appointments and therefore has unintended consequences.</p> <p>For example, to avoid conflicts of interest, designated care providers are sent to different cities than they are located to provide services, making them available only occasionally. Their occasional availability can affect a worker's ability to reschedule an</p>	<p><b>Unfavorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>

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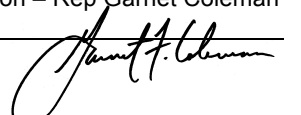
			<p>appointment promptly, and thus can delay reinstatement of benefits. The worker should not be held responsible for these extenuating circumstances or suffer an increase in penalty when cause for missed appointment is accidental. Under current law, only temporary benefits are suspended in these circumstances.</p>	
<p><b>HB 1292</b> By Rep. Anchia</p>	<p>Relating to the issuance of protective orders for certain sexual, stalking, and trafficking offenses.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1292 requires courts to issue protective orders to victims of sexual abuse, trafficking, sexual assault and stalking in any court with jurisdiction over a family violence related protective order. Additional locations a victim may file for a protective order are expanded to include any county in which an element of the offense occurred as well a court in a county in which the applicant or offender resides. This bill also includes sex abuse and trafficking as offenses in which a court can determine whether the applicant of a protective order was a victim of that offense.</p> <p>Extending the offenses and venues for which a protective order may be issued ensures victim safety in cases of sexual abuse, trafficking, sexual assault and stalking.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 1359</b> By Rep. Alonzo</p>	<p>Relating to the date on which certain criminal defendants are eligible to file a petition for an order of nondisclosure.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1359 decreases the amount of time an individual must wait after successful discharge and dismissal from deferred adjudication to petition the court for an order of nondisclosure. This bill authorizes that deferred adjudication for misdemeanor offenses may be petitioned on the first anniversary of the discharge and dismissal, the third anniversary for felony offenses.</p> <p>Currently, offenders must wait the entire period of probation in addition to 2 to 5 years before an order of nondisclosure may be petitioned. This bill would reduce the amount of time they must wait, and allow offenders to reintegrate into society and overcome barriers in terms of jobs, housing and loans.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 1567</b> By Rep. Miller, Rick</p>	<p>Relating to the presentation of a statement by certain persons at the conclusion of a juvenile disposition hearing.</p>	<p>Corrections</p>	<p>HB 1567 permits a victim or guardian to provide a statement in person at a juvenile disposition hearing after sentencing has taken place. This bill prohibits the court from transcribing the information, and no questions may be asked toward the juvenile offender. This will help rehabilitate the juvenile offender, because he will hear from the victim’s perspective and grasp the full consequences of his conduct. Additionally, this bill provides the victim with the same rights that are provided to victims in adult cases.</p>	<p><b>Favorable</b> Evaluated by: Natalie Powell 512-763-0031 Natalie@texaslsg.org</p>
<p><b>HB 1833</b> By Rep. Sheets, et al.</p>	<p>Relating to the residual market for workers' compensation insurance in this state and to the operation, governance, and organization of the Texas Mutual Insurance Company; authorizing administrative penalties; imposing fees.</p>	<p>Insurance</p>	<p>HB 1833 allows the Texas Mutual Insurance Company (TMIC) to completely privatize so it can issue coverage in other states. Current Texas statute does not prevent the TMIC from entering an out-of-state exchange. The barriers experienced by the TMIC are the result of statute in other states that prohibits this interaction if the business is governed by another state. As a result, the TMIC must contract with an out-of-state insurer to provide coverage in that state. This bill would eliminate the “middle man.”</p> <p>Under current statute, insured employers must participate in a safety consultation to provide the insurer with information regarding engagement of unsafe or hazardous practices. In the presence of such situations, an accident prevention plan must be developed and a follow-up inspection must be conducted within six months of the development of the plan. Policyholders who fail to meet the requirements instituted in the action plan may terminate their coverage. If they choose not to do so, <b>the insurance company may cancel the coverage or institute an administrative penalty of up to \$5,000. A new violation can be issued for each day of noncompliance and revenue generated from these penalties is deposited into the General Revenue Fund.</b></p> <p>In Texas, private employers can choose whether they will carry workers’ compensation coverage. Currently, the TMIC is the number one workers’ compensation writer in the state for all businesses and is required to enter into the residual market insurance exchange. Through the residual market, the TMIC provides health insurance plans for high-risk employers who are uninsurable due to the inherent nature of their work, poor loss experience, or their new business status. A recent report from Texas Department of Insurance -</p>	<p><b>Unfavorable</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>



			<p>Division of Workers Compensation shows that injury rates are lower than the national average, are still declining, and the return-to-work rates are at also the best they have been for the past eight years.</p> <p><b>This bill is unfavorable because it attempts to make significant changes to a program that is not problematic and is proven to reduce employee injuries and claims.</b> These changes reverse statute to previous provisions that prevented high-risk employers from being able to obtain workers' compensation insurance coverage. <b>This resulted in high rates of worksite injuries, increased medical costs, and lawsuits against employers, imposing an unnecessary cost burden to employers, employees, and the state.</b></p> <p>If this HB 1833 passes, the state will lose all control over the program when the TMIC becomes a privatized company. Once the TMIC increases contracts within other states, there is no guarantee that the company will maintain the same levels of support for Texas policyholders or its status as a mutual insurance company. Currently, the TMIC provides dividends to policyholders, which incentivizes them to continue to provide and maintain safe working conditions. In addition, all revenue generated by the TMIC is given to the insurance investigation department of Travis County- under the provisions of this bill, this money will no longer support that department.</p>																															
<p><b>HB 2225</b> By Rep. McClendon</p>	<p>Relating to the operation of a motor vehicle in the vicinity of an unprotected road user; providing penalties.</p>	<p>Transportation</p>	<p>HB 2225 defines "unprotected road user" as a pedestrian, person on horseback, cyclist, motorcyclist, moped user, or motor scooter user. HB 2225 requires vehicle operators to vacate the lane in which an unprotected road user is located if the highway has two or more marked lanes running in the same direction and sets a safe distance as three feet for a car or light truck and six feet for a large truck. The bill requires vehicle operators to yield the right of way to unprotected road users, which prohibits them from overtaking an unprotected user or maneuvering unsafely around an unprotected user. The bill creates a civil penalty of a fine not to exceed \$500 and enacts a Class B misdemeanor for damaging property of an unprotected road user or any incident involving bodily injury to an unprotected user. An actor prosecuted under HB 2225 could also be prosecuted under multiple sections of the law.</p> <p>Current law does not provide specific guidelines or penalties for motor for a motor vehicle overtaking a vulnerable road user on a street or highway and does not provide uniform protection for a collective class of unprotected road users. This bill seeks to make roads safer for unprotected road users.</p>	<p><b>Favorable</b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>																														
<p><b>HB 2253</b> By Rep. Geren, et al.</p>	<p>Relating to compensation for commissioned peace officers employed by the attorney general.</p>	<p>Appropriations</p>	<p>This bill redefines "state employee" to include commissioned law enforcement officers in the Office of the Attorney General (OAG) for the purposes of increasing salaries for criminal investigators employed by the OAG. Under HB 2253, criminal investigators are promoted to Schedule C of the Salary Classification Schedule stipulated in the General Appropriations Act; this provision is set to expire September 1, 2015. Currently criminal investigators are paid according to Schedule B. Passage of this bill will result in additional funding needs as follows:</p> <table border="1"> <thead> <tr> <th><i>Fiscal Year</i></th> <th><i>General Revenue</i></th> <th><i>Federal Funds</i></th> <th><i>Criminal Justice Grants for the Office of the Governor</i></th> <th><i>Total Fiscal Year Financial Needs</i></th> </tr> </thead> <tbody> <tr> <td><b>2014</b></td> <td>\$1,093,083</td> <td>\$453,478</td> <td>\$39,348</td> <td>\$1,585,909</td> </tr> <tr> <td><b>2015</b></td> <td>\$1,130,051</td> <td>\$486,368</td> <td>\$39,508</td> <td>\$1,655,927</td> </tr> <tr> <td><b>2016</b></td> <td>\$1,192,707</td> <td>\$512,989</td> <td>\$41,739</td> <td>\$1,747,435</td> </tr> <tr> <td><b>2017</b></td> <td>\$1,267,397</td> <td>\$546,446</td> <td>\$46,681</td> <td>\$1,860,524</td> </tr> <tr> <td><b>2018</b></td> <td>\$1,330,557</td> <td>\$586,952</td> <td>\$50,270</td> <td>\$1,967,779</td> </tr> </tbody> </table>	<i>Fiscal Year</i>	<i>General Revenue</i>	<i>Federal Funds</i>	<i>Criminal Justice Grants for the Office of the Governor</i>	<i>Total Fiscal Year Financial Needs</i>	<b>2014</b>	\$1,093,083	\$453,478	\$39,348	\$1,585,909	<b>2015</b>	\$1,130,051	\$486,368	\$39,508	\$1,655,927	<b>2016</b>	\$1,192,707	\$512,989	\$41,739	\$1,747,435	<b>2017</b>	\$1,267,397	\$546,446	\$46,681	\$1,860,524	<b>2018</b>	\$1,330,557	\$586,952	\$50,270	\$1,967,779	<p><b>Favorable</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>
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<p><b>HB 2281</b> By Rep. Phillips</p>	<p>Relating to the titling of nonrepairable, salvage, and abandoned motor vehicles and the regulation of dealers of those vehicles or parts from those vehicles; providing penalties.</p>	<p>Licensing &amp; Administrative Procedures</p>	<p>HB 2281 resolves inconsistencies in regulations for salvage vehicle dealers and recyclers. Under the bill, a “licensed vehicle parts recycler” is authorized to repair, rebuild, or reconstruct motor vehicles issued nonrepairable vehicle titles before September 2, 2013, or salvage motor vehicle as an incidental part of the used automotive parts recyclers’ business. HB 2281 allows licensed used automotive parts recyclers to recycle nonrepairable motor vehicles and salvaged motor vehicles.</p> <p>The bill specifies that if a dealer has already turned in a title, the recycler is no longer required to do so. The bill allows vehicle recycler and salvage companies to provide TxDMV an application receipt so that TxDMV may issue a nonrepairable vehicle title. The bill provides that a TxDMV receipt for an ownership document (or auction sales receipt) issued by TxDMV is sufficient proof of ownership to a salvaged dealer and vehicle recycler in order to satisfy proof of ownership in order to dismantle, demolish, or recycle the vehicles parts. The bill enhances criminal penalties against persons who violate licensing requirements by increasing the penalty to a Class “A” Misdemeanor. Since penalties already exist for these actions, this enhancement may be too extreme.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p><b>HB 2319</b> By Rep. Parker, et al.</p>	<p>Relating to the authority of a municipality to regulate churches that provide overnight shelter for children.</p>	<p>Juciciary &amp; Civil Jurisprudence</p>	<p>Currently, municipal ordinances grant cities the authority to adopt an ordinance to prohibit a church from providing overnight shelter for children. The bill prohibits municipalities from adopting ordinances that prohibit churches from providing children 17 years of age or younger with overnight shelter.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p><b>HB 2471</b> By Rep. Rodriguez, Eddie</p>	<p>Relating to the exception of certain information related to the humane disposition by a local government of an unclaimed stray animal from required disclosure under the public information law.</p>	<p>Government Efficiency &amp; Reform</p>	<p>HB 2471 seeks to preserve confidentiality by requiring all identifying information of a person adopting an animal from a local humane society be protected and private. The information may only be disclosed to a governmental entity or related affiliate.</p> <p>Currently, open records law allows previous animal owners to gain access of a new owner’s address or contact information, simply by accessing animal registry information. The availability of personal and geographic information has led to pestering and, at times, aggressive encounters from the former pet owner to the current owner.</p>	<p><b><u>Favorable</u></b> Evaluated by: Nena Chima 512-763-0031 Nena@texaslsg.org</p>
<p><b>HB 2524</b> By Rep. Oliveira</p>	<p>Relating to unenforceable restrictive covenants regarding standby electric generators affecting residential homes.</p>	<p>Business &amp; Industry</p>	<p>HB 2524 allows outlines what rules a property owners’ association (POA) may impose regarding standby electric generators. The bill allows POAs to establish reasonable policies that address manufacturer rules, municipal ordinances, health and safety codes, product condition, location of the generator and screening for appearance, occasional product testing. POA policies are unreasonable if they increase the cost of installation by a certain degree, require more than is written in policy, and sets burden of proof on those claiming non-compliance.</p> <p>Currently POAs can and often do prohibit the use of electric generators when generators offer an important alternative power source where consumers may face unreliable power supplies. The bill’s guidance balances the concerns of POAs with the wants and needs of homeowners.</p>	<p><b><u>Favorable</u></b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 2678</b> By Rep. Moody</p>	<p>Relating to the prosecution of certain offenses committed against a person in custody.</p>	<p>Criminal Jurisprudence</p>	<p>HB 2678 expands the definition of correctional facility to include any place or facility designated for a person suspected of violating the federal Immigration and Nationality Act. The purpose for this addition is to address statutory provisions relating to the violation of civil rights or improper sexual activity with a person in custody.</p> <p>Currently, institutions that house detained immigrants are not subject to restrictions related to civil rights or sexual conduct. Detainees, like prison inmates, deserve these necessary protections under Texas law.</p>	<p><b><u>Favorable</u></b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>

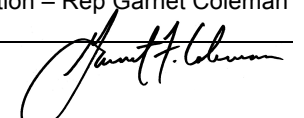
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<p><b>HB 2689</b> By Rep. Howard</p>	<p>Relating to a study regarding state formula funding for health-related institutions and general academic teaching institutions.</p>	<p>Appropriations</p>	<p>HB 2689 requires the Legislative Budget Board (LBB) to implement a study to evaluate current funding formulas for health-related institutions in comparison to funding formulas utilized for general academic institutions. Currently, there are inconsistencies related to the eligibility of institutions for health-related formula funding despite the similarity of programs.</p> <p>The study must consider the historical reasoning and overall impact of utilizing different funding formulas, and the ramifications of this funding mechanism on the economy of scale (cost advantages) incurred by related institutions. Higher economies of scale indicate operational efficiency and a lower variable cost. The LBB's report must include recommendations for administrative and/or legislative modifications, which must be provided to the Texas Higher Education Coordinating Board (THECB), the Governor, Lieutenant Governor, and the Speaker of the House by December 1, 2014. Provisions of the bill expire January 31, 2015.</p>	<p><b><u>RECOMMENDATION</u></b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>
<p><b>HB 2709</b> By Rep. Cortez</p>	<p>Relating to the establishment of a state plan for Streptococcus pneumoniae education and prevention.</p>	<p>Public Health</p>	<p>HB 2709 promotes public health by requiring a state plan for the education and prevention of diseases caused by Streptococcus pneumoniae. This plan must include strategies for prevention and treatment for diseases caused by this bacterium which affects the most vulnerable populations such as the elderly, young children and persons with chronic illnesses. The Department of State Health Services is required to update this state plan at least once every five years. This bill specifies the requirements to include in the education and prevention program such as raising awareness, screening services as well as available resources. HB 2709 raises awareness as an effort to reduce preventable deaths caused by diseases from this bacterium.</p>	<p><b><u>Favorable</u></b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p><b>HB 2863</b> By Rep. Carter</p>	<p>Relating to the offense of prostitution, the defendants eligible for participation in a first offender prostitution prevention program, and certain procedures for the provision of services under the program.</p>	<p>Criminal Jurisprudence</p>	<p>HB 2863 expands the prostitution conduct for which a court may establish a first offender prostitution prevent program including prostitution that involves knowingly offering to engage, agreeing to engage or engaging in sexual conduct for a fee. This court or governing body that establishes the program must provide counseling, services, and classroom instruction for defendants charged with prostitution. This bill also provides gender neutral language</p> <p>This bill authorizes a conviction of a prostitution offense to used be for purposes of enhancements under statutory provisions relating to prostitution or to exceptional sentences for punishments, but not under both. The defendant is previously convicted of a prostitution offense for the purpose of enhancements if the defendant was guilty or granted deferred adjudication, regardless of whether the sentence was imposed or probated and defendant was discharged from supervision.</p> <p><b>Expanding the conditions for participation in the first offender prostitution program is beneficial and drops recidivism. However, authorizing enhancements and stacking prostitution offenses is a barrier to rehabilitation, particularly when these offenders could be victims of trafficking.</b></p>	<p><b><u>Will of the House with Concerns</u></b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 3061</b> By Rep. Herrero</p>	<p>Relating to a limited exception to the prohibition on releasing personal information about a juror collected during the jury selection process in certain cases.</p>	<p>Criminal Jurisprudence</p>	<p>HB 3061 provides an exception to the restriction of releasing personal information about a juror that was collected during the selection process in a <b>capital case</b>. This bill authorizes the defense counsel to disclose this information to the next counsel in a habeas corpus proceeding, after an appeals process without application to the court or with good cause. Currently, the juror's information including their phone, social security and driver license numbers, address and other personal information must be requested through an application to the court.</p> <p>In a habeas corpus proceeding, a post-conviction counsel must investigate everything that occurred in the original case including jury information. This bill would streamline the process of obtaining juror information, as it can currently take up to two months.</p>	<p><b><u>Favorable</u></b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>

<p><b>HB 3094</b> By Rep. Fletcher</p>	<p>Relating to the fines for and other enforcement of laws providing for the operation of oversize or overweight vehicles; creating an offense.</p>	<p>Transportation</p>	<p>HB3094 makes operating an oversize or overweight vehicle without a permit punishable by a \$5000 fine. Half the fee goes to credit the state highway fund and the other to road maintenance on county roads and to the enforcement of county traffic laws. The bill prohibits operation of a moving vehicle equipped with a tag or lift axle if either is lowered to the surface of the highway. The bill reduces the percentage over applicable axle or gross weight limit of vehicles when determining intent to loading a vehicle in excess of weight limitations from 15 to three percent and is subject to administrative enforcement against all vehicles except gasoline, diesel fuel, or aviation fuel shippers.</p> <p>HB3094 put length limitations on vehicles transporting timber, different types and forms of wood, electric power transmissions poles, and poles and pipes. The bill increases the minimum and maximum fines for this offense to \$150 and \$1250 respectively and creates a weight tier system: Class 1: excess weight 2,500 lbs. to 5,000 lbs. more than standard, and Class 2 anything over 5,000 lbs. HB3094 creates a tier system from 1 to 4 on weight violations dealing with a vehicle's gross weight vs. its allowable weight. Offenses around weight are subject to administrative enforcement. HB3094 increases fines for initial conviction and subsequent convictions which reset annually on the day of the first conviction. The minimum fee for the first conviction is \$5000. HB3094 increases the fine for not having a permit to operate an overweight vehicle from \$100 to \$1000; 50 percent of the fee goes to the comptroller of public accounts. Municipal courts have jurisdiction over offenses that don't exceed \$10,000 and county or district courts handle offenses of larger amounts.</p> <p>Permits can only be revoked if the offender is convicted before the anniversary of his previous conviction if he has 3 or more offenses TxDMV is required to fine shippers that falsify weight information on trucks an additional \$5000 on top of their other penalties. This money goes to the comptroller for deposit in a special account in general revenue fund for commercial vehicle enforcement.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>
<p><b>HB 3110</b> By Rep. Hilderbran</p>	<p>Relating to the Texas Emissions Reduction Plan motor vehicle purchase or lease incentive program.</p>	<p>Environmental Regulation</p>	<p>HB 3110 establishes an incentive program for customers who buy or lease vehicles powered by certain light-duty motor vehicles powered by compressed natural gas, liquefied petroleum gas, or electricity. HB 3110 sets specific eligibility requirements, including efficiency standards, for vehicles to participate in the program and removes scheduling for the remission of the incentives. The bill requires the commission to publish a list of the new model motor vehicles eligible for an incentive and provide the list to the comptroller.</p>	<p><b><u>Favorable</u></b> Evaluated by: Amanda Williams 512-763-0031 Amanda.Williams@texaslsg.org</p>
<p><b>HB 3170</b> By Rep. Bohac</p>	<p>Relating to persons excused or disqualified from jury service.</p>	<p>Judiciary &amp; Civil Jurisprudence</p>	<p>Each month, court clerks prepare a list of individuals that are excluded or disqualified from jury service because of citizenship. HB 3170 would send that list to county election officials and includes an investigation into whether those individuals voted illegally in previous elections. Next, the bill instructs the voter registrar to send notice to that voter requiring proof of citizenship and to notify that their voter registration is subject to cancellation if the voter does not prove citizenship in a certain time period.</p> <p>Individuals that are summoned to jury duty will sometimes check a box that states that they are ineligible because of citizenship in order to avoid jury service. Knowingly lying to evade jury service is a serious offense, but should not be punished by removing that individual from the voting rolls.</p>	<p><b><u>Unfavorable</u></b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p><b>HB 3217</b> By Rep. Price</p>	<p>Relating to authorizing certain real property transactions involving the Department of Public Safety of the State of Texas.</p>	<p>State Affairs</p>	<p>This bill addresses the growing need for a larger Department of Public Safety (DPS) that can more effectively provide services to residents in the Amarillo area. Because of its rapidly growing population, customers currently experience long wait times, inadequate parking, and other hardships upon receiving services at the DPS, which can be resolved by selling the current district office and opening a new office in the area. Randall County, one of the two counties of Amarillo, has expressed interest in acquiring the current DPS office in order to expand its court offices. HB 3217 requires the General Land Office, on behalf of the Amarillo DPS, to offer real property to Randall County by August 31, 2017.</p>	<p><b><u>Favorable</u></b> Evaluated by: Amanda Williams 512-763-0031 Amanda.Williams@texaslsg.org</p>

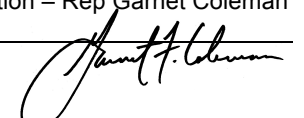
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			<p>The bill specifies that the sale or exchange of the property must be in an amount equal to market value of the property. The bill requires proceeds from the sale to be deposited to the credit of a dedicated account in the general revenue fund and authorizes proceeds to be used only for the purpose of constructing, purchasing, or leasing a new facility for the DPS in Amarillo.</p> <p>HB 3217 authorizes the DPS to enter into a 10-year contract to lease a facility built to suit the department’s operations.</p>	
<p><b>HB 3030</b> By Rep. Fletcher</p>	<p>Relating to alternative means of payment of certain fines.</p>	<p>Criminal Jurisprudence</p>	<p>HB 3030 authorizes a court to utilize an alternative method of collecting an outstanding fine or court cost associated with a Class C misdemeanor or a judgment for fines of a defendant convicted of any offense in which a fine has been issued. An officer making an arrest must inform the person of the possibility of making an immediate payment by credit or debit card. The officer must release the person after accepting the payment on behalf of the court.</p> <p>Currently, officers must arrest persons on traffic stops who have outstanding warrants. This bill gives them the opportunity to pay the cost immediately and avoid arrest. This is an efficient measure that would provide revenue for counties and municipalities.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 3283</b> By Rep. Davis, Yvonne</p>	<p>Relating to administrative penalties assessed or imposed against certain hospitals and reported to certain health professional licensing boards.</p>	<p>Public Health</p>	<p>HB 3283 ensures patient safety by requiring certain health care licensing boards to provide information on violations committed regarding negligent care. This bill allows a tracking mechanism to increase accountability and prevent these medical professionals from providing these unacceptable services.</p> <p>Currently, a health care professional that provided negligent patient care can relocate and work at different medical facilities.</p>	<p><b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p><b>HB 1796</b> By Rep. Isaac</p>	<p>Relating to the renewal or amendment of permits issued by groundwater conservation districts.</p>	<p>Natural Resources</p>	<p>HB 1796 seeks to reduce the burden and cost for groundwater conservation districts during the permit renewal and permit amendment application process.</p> <p>HB 1796 establishes procedures for permit renewals and permit amendments required by change in conditions that are issued by groundwater and conservation districts. HB 1796 requires a district to approve an application to renew an operating permit without a hearing before the date on which the permit expires, provided that they meet certain criteria. This bill also lays out when a district is not required to renew an applicant’s permit.</p> <p>HB 1796 establishes that after a notice and hearing are conducted, a district can amend a permit to adjust the rate or amount of permitted groundwater, but only to respond to certain criteria. This bill requires a district to demonstrate an existing condition that justifies the amendment before the permit can be amended. HB 1796 also lays out what a district is both prohibited and not prohibited from doing.</p> <p>HB 1796 adds listed conditions for a district when determining whether to grant or deny an application for a permit for wells or permit amendment, while taking into consideration provisions of the transfer of groundwater out of district.</p>	<p><b>Favorable</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.Foster@texaslsg.org</p>
<p><b>HB 3465</b> By Rep. Bohac</p>	<p>Relating to standards for recycling or reusing computer and television equipment.</p>	<p>Environmental Regulation</p>	<p>HB 3465 aims to support the proper recycling of computer and television equipment. HB 3465 requires a manufacturer to follow the standards established under certain audited certifications for electronics recycling or to use a recycler who meets certain compliance standards to ensure that best practices are being executed upon recycling, reusing, or otherwise disposing of computer and television equipment. The bill removes the requirement for the TCEQ to adopt standards for recycling these items.</p>	<p><b>Favorable</b> Evaluated by: Amanda Williams 512-763-0031 Amanda.Williams@texaslsg.org</p>

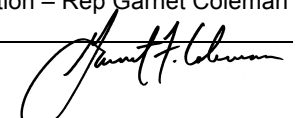
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<p><b>HB 3486</b> By Rep. Villarreal</p>	<p>Relating to financial coaches for economically disadvantaged persons.</p>	<p>Investments &amp; Financial Services</p>	<p>HB 3486 requires the credit commissioner to launch a voluntary financial literacy certification program for low income families through non-profit organizations. The bill allows non-profits to enroll families in higher education savings plans, so that higher education is accessible to all income levels. This bill has no fiscal impact and helps educate struggling Texas families, so that they are able to become self-sufficient.</p>	<p><b>Favorable</b> Evaluated by: Natalie Powell 512-763-0031 Natalie@texaslsg.org</p>
<p><b>HB 3678</b> By Rep. Farney</p>	<p>Relating to the land application of Class B sludge.</p>	<p>Environmental Regulation</p>	<p>Currently the TCEQ is required to provide a permit for any land application of Class B sludge. The land application of septage waste merely requires the TCEQ to approve a certain registration, which requires a less strict process than that of a permit. HB 3678 amends the definition of Class B sludge to include septage waste, which is the waste content stored in a septic tank. The intent of HB 3678 is to prohibit land application of septage waste without successfully obtaining a permit from the Texas Commission on Environmental Quality (TCEQ) and to position septage waste in line with the same regulations as sludge under the Solid Waste Disposal Act.</p>	<p><b>Favorable</b> Evaluated by: Amanda Williams 512-763-0031 Amanda.Williams@texaslsg.org</p>
<p><b>HB 3857</b> By Rep. Lucio III</p>	<p>Relating to periodic rate adjustments by water and sewer utilities.</p>	<p>Natural Resources</p>	<p>HB 3857 codifies rate adjustments for infrastructure projects. This bill identifies an infrastructure project to mean an engineering project to construct, improve, or renovate a facility used and useful for the production, transmission, storage, distribution, or provision of potable or recycled water to the public or the collection, transportation, treatment, or disposal of sewage.</p> <p>HB 3857 allows TCEQ, on the petition of a water and sewer utility, to approve a tariff or rate schedule that includes an adjustable rate or charge designed to increase or decrease, without the necessity of a contested case hearing, in proportion to the utility's amount of invested capital committed to infrastructure improvement projects to serve the utility's certificated service area. This bill requires a written petition with certain criteria to be filed, no later than 60 days before the proposed effective date, with the executive director for review and approval for a water and sewer utility to be eligible for an adjustment.</p> <p>HB 3857 prohibits the executive director from approving a rate or charge that allows a water and sewer utility to recover more than 5% of the utility's annual revenue or a rate or charge that exceeds 5% of a utility's annual revenue from a region or single tariff, if the utility regionalizes or consolidates into a single tariff.</p> <p>HB 3857 prohibits a water and sewer utility from implementing or increasing a rate or charge more than once a in calendar year. This bill allows TCEQ to require the water and sewer utility to apply a rate or charge to each customer included in the utility's tariff or rate schedule with written notice on the initial filing that proposes to implement the rate or charge.</p> <p>HB 3857 does not allow a water and sewer utility to recover expenses related to the maintenance and operation of an infrastructure improvement project through a rate or charge. A rate or charge approved by the TCEQ is subject to a true-up or reconciliation at the water and sewer utility's next general rate case relating to a statement of intent to change rates. This bill does not allow a utility that has filed four petitions since the utility's most recent general rate case to file another petition until after the utility's next general rate case.</p> <p>HB 3857 declares that the implementation of a utility facilities construction and improvement charge is not subject to a contested case hearing. This bill requires a regulatory authority other than the TCEQ to allow a water and sewer utility to use an adjustable rate or charge in a similar manner.</p>	<p><b>Favorable</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.Foster@texaslsg.org</p>

<p><b>HB 966</b> By Rep. Murhpy</p>	<p>Relating to the residence address of a person for purposes of registration under the Election Code.</p>	<p>Elections</p>	<p>HB 966 establishes a person’s residence for election purposes as the address on an unexpired driver’s license, a personal ID from the department of Public Safety, license to carry, where a person’s receives mail or the address the person claims as a homestead in Texas. If an individual does not have an address, they can file an affidavit with the secretary of state. This bill does not apply to anyone in the US Armed Forces, their spouse or dependents, or full-time college students. The secretary of state is charged with adopting rules for implementation.</p> <p>HB 966 was met with a large amount of opposition in committee. It would make voting and registration difficult for voters who move frequently.</p>	<p><b>Unfavorable</b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>
<p><b>HB 1124</b> By Rep. Workman</p>	<p>Relating to the creation of regional emergency communications districts; authorizing the issuance of bonds; authorizing a fee.</p>	<p>Special Purpose Districts</p>	<p>HB 1124 creates and secures funding for a regional emergency communications district to address the needs for certain areas that lack adequate 911 services. Counties and municipalities that operate a 911 system must adopt a resolution to participate in a regional emergency communications district. Emergency communication districts fund the 911 services to have the necessary digital infrastructure. This bill allows counties without emergency communication districts within their territory to establish the same 911 infrastructure.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 1012</b> By Rep. King, Susan</p>	<p>Relating to the elements of and punishment for the offense of providing an alcoholic beverage to a minor.</p>	<p>Licensing &amp; Administrative Procedures</p>	<p>HB 1012 seeks to impose stricter penalties for an individual who gives a minor alcohol with regard to resulting outcomes of the minor’s alcohol consumption. This bill enhances the penalty for an individual if they purchase or provide alcohol to a minor from a Class A misdemeanor to a state jail felony if the minor’s consumption of the alcohol was proven in trial to have caused another person to suffer serious bodily injury or death. Though the intent of this bill is laudable, there is no mention or obvious regard to cases involving an individual who did <i>not</i> consciously or intentionally provide alcohol to or purchase alcohol for a minor.</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p><b>HB 1013</b> By Rep. King, Susan</p>	<p>Relating to civil liability for the provision of an alcoholic beverage to a minor.</p>	<p>Licensing &amp; Administrative Procedures</p>	<p>Currently an adult 21 years of age or older is liable for damages caused by the intoxication of a minor who is under the age of 18. HB 1013 extends the liability for damages caused by the intoxication of a minor who is <i>under the age of 21</i>. In the state of Texas, an individual is considered an adult at the age of 18. This bill would exempt adults from the age of 18-21 from liability.</p>	<p><b>Will of the House</b> Evaluated by: Amanda Williams 512-763-0031 Amanda.williams@texaslsg.org</p>
<p><b>HB 2227</b> By Rep. Wu</p>	<p>Relating to sworn affidavits provided to support the issuance of a search warrant.</p>	<p>Criminal Jurisprudence</p>	<p>HB 2227 authorizes a magistrate to accept a sworn affidavit by telephone, e-mail, or other electronic communication for the purpose of issuing a search warrant. This authorizes the magistrate to electronically record an oral statement.</p> <p>Currently, a sworn affidavit must be signed in person by the magistrate, which creates issues due to time sensitivity. This bill modernizes and streamlines the warrant process.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 3688</b> By Rep. Naishtat</p>	<p>Relating to the purchase of computer equipment by the Department of Information Resources.</p>	<p>State Affairs</p>	<p>HB 3688 requires the Department of Information Resources (DIR) to ensure that each solicitation by the department for computer equipment requires a vendor to conduct certain actions with regard to environmental criteria, encouraging ecologically responsible sales transactions. Actions required by the vendor include: reporting on progress toward the Electronic Product Environmental Assessment Tool (EPEAT) certification of computer equipment, identifying all EPEAT certified computer equipment offered by the vendor, and reporting on a form adopted by the department state agency purchases of computer equipment from the vendor that are EPEAT certified.</p>	<p><b>Favorable</b> Evaluated by: Amanda Williams 512-763-0031 Amanda.Williams@texaslsg.org</p>

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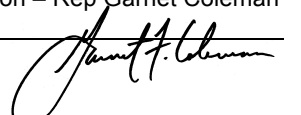


<p><b>HB 1769</b> By Rep. Geren</p>	<p>Relating to the regulation of certain metal dealers; providing a criminal penalty.</p>	<p>Environmental Regulation</p>	<p>HB 1769 aims to better equip law enforcement officers to properly address the theft and unlawful sales transactions of precious metals by providing stricter reporting requirements and enforcing certain precautionary measures. HB 1769 redefines “personal identification document” to include a passport or documentation issued by the U.S. agency responsible for citizenship and immigration as qualifying forms of identification. The bill adds a provision prohibiting the consumer credit commissioner from registering a person as a dealer if the person fails to comply with certain requirements.</p> <p>The bill requires a dealer to maintain an accurate record of all crafted precious metal that the dealer purchases or accepts. The record must contain certain information such as the name and physical address of the dealer, the id number of the seller’s personal id document, the seller’s physical appearance description, along with a detailed description of the metal. The record must be provided to a peace officer, chief of police, or sheriff no later than 48 hours after the transaction. The bill requires the record to be submitted to a designated Internet database designed to make information regarding metal transactions available to law enforcement agencies to assist in solving crimes. HB 1769 also lists the appropriate methods of payment for these metals and states that a person commits an offense if the person violates any provisions relating to the payments for crafted precious metals, punishable by a Class B misdemeanor.</p>	<p><b>Favorable</b> Evaluated by: Amanda Williams 512-763-0031 Amanda.Williams@texaslsg.org</p>
<p><b>HB 1733</b> By Rep. Hilderbran</p>	<p>Relating to the exclusion of certain flow-through funds by taxable entities engaged in the business of transporting aggregates in determining total revenue for purposes of the franchise tax.</p>	<p>Ways &amp; Means</p>	<p>HB 1733 exempts businesses that transport aggregates from paying franchise tax on monies paid to contractors. Inequities in the franchise tax must be solved in a broader context so critical services are not put at risk in the reduction in revenue. The LBB estimates a \$2.5 million loss each biennium from the Property Tax Relief Fund, an amount that must be replaced with monies from General Revenue.</p>	<p><b>Unfavorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 1273</b> By Rep. Kacal</p>	<p>Relating to the Texas Certified Retirement Community Program.</p>	<p>Economic &amp; Small Business Development</p>	<p>HB 1273 would create General Revenue-Dedicated Account for Texas Certifies Communities Program. The certified the funds in this dedicated account will come from the fees generated by the Texas Certified Communities Program in the Agricultural Code. Currently, these funds are deposited to General Revenue Fund. The LBB estimates a minor \$13,000 loss to General Revenue and an identical gain to the General Revenue-Dedicated Account.</p> <p>The bill also extends the deadline that winning communities can get their money 90 days after the community has been awarded the “Certified Retirement Community Program.” The bill authorizes that the department must provide assistance to communities to help attract retirees and tourists and improve the community’ desirability as a home for retirees.</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p><b>HB 889</b> By Rep. Fallon, et al.</p>	<p>Relating to the requirement that certain governmental bodies make audio and video recordings of open meetings available on the Internet.</p>	<p>Technology</p>	<p>HB 889 requires certain governmental bodies to post audio/video broadcast and archives of all public meetings on the Internet. These governmental bodies include counties, public school districts, or home-rule municipalities with a population of more than 50,000. This bill continues the effort of the legislature to provide increased transparency in local and statewide operations. Although the bill requires these governmental bodies to post the video within 7 days, it makes exceptions for catastrophes or events beyond their control. The bill also makes exception for governmental bodies that do not currently maintain a website. This requirement only applies to open meetings, not work sessions or closed meetings.</p>	<p><b>Favorable</b> Evaluated by: Torey Powell 512-763-0031 Torey@texaslsg.org</p>

<p><b>HB 1178</b> By Rep. Gooden</p>	<p>Relating to municipal judicial and law enforcement authority on a segment of a highway or street that abuts property located in a municipality.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1178 clarifies territorial limits of a municipality to help courts and law enforcement determine certain jurisdictions along city and county lines. This uncertainty on jurisdiction creates restrictions for law enforcement in regards to their ability to make arrests and address certain crimes. The bill states that the territorial limits of a municipality includes the entire width of a segment of highway or street that is partially located in a municipality or a segment of highway or street that abuts property located in the municipality.</p> <p>Currently, residents in areas in which half of a roadway is located in a city and the other half in a county, struggle with police service. This bill defines these limits to increase efficiency for law enforcement.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org</p>
<p><b>HB 1706</b> By Rep. Farrar</p>	<p>Relating to the promotion of breast-feeding and the prohibition against interference with or restriction of the right to breast-feed.</p>	<p>Business &amp; Industry</p>	<p>HB 1706 clarifies and underlines the right to breastfeed in public spaces and in work spaces of state agencies, by bringing awareness to Texas businesses, advancing policy in public offices and creating a penalty for interference. The bill clarifies that a mother's right to breastfeed extends anywhere she and her child are otherwise allowed to be, it creates a cause of action when entities interfere, and allows \$500 a day civil penalty and the awarding of attorney fees when plaintiff prevails. The comptroller will give notice to businesses annually in an e-newsletter and at each taxpayer seminar they offer. The bill also directs state agencies to develop policies supporting the practice of breastfeeding.</p> <p>It is necessary the right to breastfeed be codified, but as the legislature has already found, is important to encourage. Because many Texans and Texas businesses are uninformed, mothers are often met with discouragement and even hostility. Breastfeeding is the ideal way to nourish an infant and has numerous health benefits for mothers.</p>	<p><b>RECOMMENDATION</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 2547</b> By Rep. Burkett</p>	<p>Relating to the exclusion of certain taxable entities from a combined group for purposes of the franchise tax.</p>	<p>Judiciary &amp; Civil Jurisprudence</p>	<p>HB 2547 makes the burden of proof higher for grandparents in a custody case who are seeking parental rights. Currently, during a parent-grandparent custody case, a grandparent can file suit for possession or access to the biological grandchild. This bill unfairly raises the bar of evidence from preponderance of evidence to "clear and convincing" and/or the well-being of the child is in jeopardy. Additionally, bill would not allow grandparents to have geographic restrictions from the parent. The bill unfairly requires the judge to order the grandparent to pay the parents' legal fees if they rule against the grandparent. Finally, the bill denies biological and adoptive grandparents from requesting custody or access to a grandchild that has been adopted or in a pending adoption case or if the parent has had previous custody of the child. These provisions discourage grandparents from trying to protect their grandchildren from unfit parents.</p>	<p><b>Unfavorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@texaslsg.org</p>
<p><b>HB 1735</b> By Rep. Hilderbran</p>	<p>Relating to the eligibility of certain Texas Rangers for burial in the state cemetery.</p>	<p>Ways &amp; Means</p>	<p>HB 1735 allows retail/wholesale and non-retail/wholesale electric utilities to file separately for the franchise tax. Under current law, affiliated businesses are required to file together. If the percent of retail of the combined business does not make the threshold to qualify as retail, the combined entity is considered non-retail and must calculate all of its revenue at the higher 1 percent. The bill's provisions allowing them to file separately lets the entity qualifying as retail/wholesale to receive the lower .5 percent rate assigned to retail/wholesale businesses. The other entity would continue to be taxed at the higher 1 percent rate.</p> <p>The bill's provisions are an attempt at flexibility and fairness, diminishing return on the franchise tax revenue continues the state's struggles to fund its most basic and critical services.</p>	<p><b>Will of the House</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>HB 3160</b> By Rep. Isaac</p>	<p>Relating to the punishment for the offense of prostitution.</p>	<p>Culture, Recreation &amp; Tourism</p>	<p>HB 3160 enables honorably retired officers of the Texas Rangers who serve at least 12 years as an officer or a Texas Ranger who dies in the line of duty to be eligible for burial in the Texas State Cemetery. This bill gives Texas Rangers a right to be buried in the state cemetery without seeking approval of the Texas State Cemetery Committee. The Texas State Cemetery testified in opposition of this bill in committee.</p>	<p><b>Will of the House</b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>

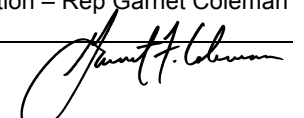
<p><b>HB 2801</b> By Rep. Johnson</p>	<p>Relating to the classification of certain misdemeanor and felony theft offenses.</p>	<p>Criminal Jurisprudence</p>	<p>Currently the penalty for the offense of prostitution for a defendant who has been convicted for <i>three or more times</i> is a state jail felony.                  HB 2801 lowers this penalty to a Class A misdemeanor with minimum jail time of 90 days.                  Additionally, HB 2801 imposes a state jail felony for such a defendant who has been convicted of prostitution <i>eight or more times</i>, rather than three or more times, which reduces the likelihood of the defendant being incarcerated for a non-violent crime, thus providing more time and opportunity to access crucial resources and support they may need to get their lives back on track and save tax-payer money by avoiding the cost of prison housing.                  The bill specifies that the current state jail felony, third degree felony, and second degree felony penalties for a prostitution offense resulting from previous prostitution convictions apply only to a defendant who paid or was to pay a fee.                  HB 2801 addresses the concern that people faced with felony convictions for prostitution are generally in need of rehabilitation, including mental health services, and incarcerating such persons is counterintuitive to ensuring they receive the help they need to live productive lives.</p>	<p><b>Favorable</b>                  Evaluated by:                  Muna Javaid                  512-763-0031                  Muna@texaslsg.org</p>
<p><b>HB 1069</b> By Rep. McClendon</p>	<p>Relating to the regulation, development, and treatment of brackish and marine water.</p>	<p>Criminal Jurisprudence</p>	<p>HB 1069 increases the financial thresholds for the classification of misdemeanor and felony theft offenses. It increases the value of property stolen from \$50 to \$100 to be classified as a Class C misdemeanor, from \$500 to \$1000 for a Class B, and from \$1500 to \$3000 a Class A. It is a state jail felony to steal property that is between \$3,000 and \$20,000.</p> <p>When the value of property cannot be determined, the value is deemed to be between \$1,000 and \$3,000 if the person is charged with theft.</p> <p>This bill accounts for economic inflation and updates 20 year old statute. It also helps reduce harsh penalties on non-violent, low level offenders and saves the state costs by reducing incarceration.</p>	<p><b>Favorable</b>                  Evaluated by:                  Muna Javaid                  512-763-0031                  Muna@texaslsg.org</p>
<p><b>HB 2334</b> By Rep. Callegari, et al.</p>	<p>Relating to resuming a criminal case after a defendant is determined to be competent to stand trial.</p>	<p>Natural Resources</p>	<p>HB 2334 seeks to streamline the process and reduce the cost and regulation of desalination.</p> <p>HB 2334 requires TCEQ, without a hearing a permit, to use the bed and banks of any flowing natural stream in the state to convey marine seawater or brackish water. TCEQ is also required to provide notice of a hearing for an application for a permit to convey marine seawater or brackish water into or through a lake, reservoir, or other impoundment.</p> <p>HB 2884 establishes procedures for permit exemptions for use by a water supply entity of marine seawater.</p> <p>HB 2334 defines an inland desalination project and outlines the research and study that is currently in place for seawater desalination. This bill changes the progress report on the implementation of desalination activities by the TWDB to be prepared annually. This bill also adds information regarding state participation in public-private partnerships to advance research efforts, implement pilot projects, and develop new technologies relating to water transport, brine disposal, pretreatment of brackish water and marine seawater, and innovative concentrated management strategies to annual report. HB 2334 requires the TWDB to actively pursue federal funding for inland and seawater desalination projects.</p> <p>HB 2334 establishes procedures for the implementation of desalination of water for drinking water. This bill also creates the Texas Center for Innovative Desalination Technology and codifies the procedures for its purposes, powers and duties, collaboration with other entities, gifts and grants, personnel, and expiration.</p>	<p><b>Favorable</b>                  Evaluated by:                  Amanda Foster                  512-763-0031                  Amanda.Foster@texaslsg.org</p>

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			HB 2334 exempts the transfer of water that has been diverted from the Gulf of Mexico to a location in a river or coastal basin from rules relating to interbasin transfers.	
<b>HB 3532</b> By Rep. Rose	Relating to qualified manufacturing project zones and the creation and funding of the Texas workforce investment program.	Criminal Jurisprudence	<p>HB 3532 requires the court to notify both the prosecuting and defending attorney of the defendant’s release from a facility or outpatient treatment program and return to court. This notification must happen no later than a day after the defendants return. The defendant’s attorney is then required to meet and deliberate with the defendant to evaluate their full cognizance—this must occur within three business days.</p> <p>The bill adds that the court may make a determination of the defendant’s competency to stand trial, no later than the fifth date from the defendants return from court; if the defendant is found to be competent, the trial resumes on the 14<sup>th</sup> day after the court determination of competence.</p> <p>Currently, defendants released back to prison from treatment programs wait long periods of time before they receive an opportunity to meet with their attorney. Returning back to confinement for extended periods of time without a meeting with their attorney for evaluation creates an environment that may hinder their competency and reverse treatment efforts.</p>	<b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org
<b>HB 3092</b> By Rep. Parker, et al.	Relating to a suit for possession of or access to a child by a grandparent.	Economic & Small Business Development – S/C on Manufacturing	<p>HB 3092 promotes economic development by establishing a Texas workforce investment fund to encourage the expansion of manufacturing as well as to increase skilled training to meet this growing demand. This bill establishes a dedicated account for the Texas workforce investment program outside the General Revenue fund (GR) to be administered by the Comptroller for a workforce investment program. The Comptroller will distribute funds to qualified educational participants to provide job training and education for the manufacturing industry. Each fiscal year, 25 percent of the additional sales tax directly attributable to the Texas workforce investment program will be deposited into the dedicated account.</p> <p>Each session the state’s reliance on GRD accounts has increased, limiting the flexibility of discretionary spending. Over time, underutilization of GRD accounts has led to an accumulation of funds and interest collected on those funds. Continued GRD fund growth has become motivation for legislators to underappropriate GRD to satisfy legislative priorities while remaining under the “pay as you go” limit. While GRD is needed at times, over-dedicating funds for specific purposes limits the flexibility of the Legislature to address the state’s changing needs.</p> <p><b>This legislation will cost the state an estimated to cost \$2.65 million GR for the 2014-2015 biennium. This is anticipated to increase to \$12.5 million GR for the 2016-2017 biennium.</b> This is a steep cost to pay when the Legislature continues to struggle to find sufficient revenue to fund public education and other state priorities.</p>	<b>Will of the House</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org
<b>HB 1845</b> By Rep. Gooden	Relating to capital murder of a prosecuting attorney or an assistant prosecuting attorney.	Criminal Jurisprudence	<p>HB 1845 expands what constitutes as a capital murder offense to include intentionally or knowingly causing the death of an individual in retaliation on account of their status as a prosecuting attorney or an assistant prosecuting attorney. Current law affords this protection to judges and justices and this would it expand it to prosecutors, who are also targets of retaliation.</p> <p>Life imprisonment may be a more cost effective alternative to capital punishment. County estimates in Texas indicate that the death penalty system is much more expensive than sentencing inmates to life imprisonment, averaging at \$1.2 million from indictment to execution.</p>	<b>Will of the House</b> Evaluated by: Muna Javaid 512-763-0031 Muna@texaslsg.org

OK for Distribution – Rep Garnet Coleman



<p><b>HB 286</b> By Rep. Zedler</p>	<p>Relating to success-based funding for certain public institutions of higher education.</p>	<p>Public Health</p>	<p>HB 286 provides an opportunity for a physician who is the subject of complaint to better prepare by providing the medical board with appropriate information for the investigation. This bill requires the board to provide specific information on allegations that must also indicate statute, rule or standard of care violations. HB 286 requires the board to <b>disclose the credentials</b> of experts that reviews the case.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p><b>HB 1299</b> By Rep. Stickland, et al.</p>	<p>Relating to the investigation and resolution of complaints filed against physicians.</p>	<p>Urban Affairs</p>	<p>HB 1299 codifies electric stun guns, knives and personal defense sprays by defining them as weapons. Further, the bill establishes that a municipality may not adopt, enforce an ordinance, or place any other regulation on the ownership, carrying, transporting, keeping, licensing or registration of these particular weapons.</p> <p>The bill does not affect a municipality's ability to adopt or enforce ordinances dealing with the unlawful carrying of weapons, places in which weapons are prohibited, banned weapons or ordinances for the purpose of entering a metal detector in restricted areas, with a weapon. <b>However, HB 1299 as written preempts local control.</b> A city should be provided with the right to regulate <b>any</b> dangerous weapon in their community.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Nena Chima 512-763-0031 Nena@texaslsg.org</p>
<p><b>HB 25</b> By Rep. Branch</p>	<p>Relating to municipal regulation of electric stun guns, knives, and personal defense sprays.</p>	<p>Higher Education</p>	<p>HB 25 requires at least 15 percent of base funding for general academic teaching institutions to be based on success-based metrics provided by the current education code during the 2016-2017 biennium. These metrics include the total number of bachelor's degrees awarded, the total number of bachelor's degrees in critical fields awarded, the total number of bachelor's degrees awarded by the institution to at-risk students and the six-year graduation rate of undergraduate students. The bill also requires at least 25 percent of base funding be based on these success metrics for each biennium thereafter.</p>	<p><b><u>Will of the House</u></b> Evaluated by: Torey Powell 512-763-0031 Torey@texaslsg.org</p>