



Chair, Rep. Garnet Coleman

Treasurer, Rep. Elliott Naishtat

Vice Chair, Rep. Lon Burnam

### LSG Floor Report For Major State Calendar – Monday, May 20, 2013

Bill	Caption	Committee	Analysis & Evaluation	Recommendation
<b>SB 1459</b> By Sen. Duncan (Rep. Callegari)	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.	Pensions	<p>SB 1459 adds and repeals provisions of the Government Code relating to the Employee Retirement System of Texas (ERS). This bill adds a provision that raises the retirement age to 62 and penalizes employees by decreasing their retirement benefits by 5% annually until they reach age 62. SB 1459 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 (COLA) 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, SB 1459 directly cuts the annuities of active state employees by increasing the final average salary calculation period from 36 months to 60 months.</p> <p>SB 1459 as amended by the senate provides that all current employees will be grandfathered from design changes in the pension plan, active state employees contributions will be increased over a 4-year period to 7.5% (6.6% in FY2014, 6.9% in FY2015, 7.2% in FY2016, and 7.5% in FY2017), ERS will be required to model Juvenile Justice Correctional officers' induction into the Law Enforcement Supplemental Retirement fund, employees with 5 years in the system as of 2014 will be grandfathered from health care contribution tiering and the state will increase its contribution to 7.5% in 2014-2015 biennium. These improvements are favorable improve the legislation greatly.</p>	<b>Favorable</b> Evaluated by: Maggie Nelson Maggie@texaslsg.org (512) 763-0031
<b>SB 16</b> By Sen. Zaffirini (Rep. Pitts)	Relating to authorizing the issuance of revenue bonds to fund capital projects at public institutions of higher education.	Appropriations	Please see attached document.	<b>Favorable</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org
<b>SB 219</b> By Sen. Huffman (Rep. Bonnen, Dennis)	Relating to ethics of public servants, including the functions and duties of the Texas Ethics Commission; the regulation of political contributions, political advertising, lobbying, and conduct of public servants; and the reporting of	Elections	Please see attached document.	<b>Favorable</b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org

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	political contributions and expenditures and personal financial information; providing civil and criminal penalties.			
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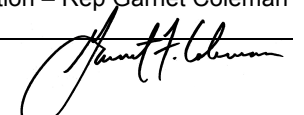
**LSG Floor Report For Constitutional Amendments Calendar – Monday, May 20, 2013**

<p><b>SJR 1</b> By Sen. Williams (Rep. Pitts)</p>	<p>Proposing a constitutional amendment providing for the creation of the State Water Implementation Fund for Texas and the State Water Implementation Revenue Fund for Texas to assist in the financing of priority projects in the state water plan.</p>	<p>Appropriations</p>	<p>SJR 1 creates the State Water Implementation Fund for Texas (SWIFT) and the State Water Implementation Revenue Fund for Texas (SWIRFT) to support the implementation of the state water plan (SWP). The SWIFT is a General Dedicated Fund (GRD) and the bill states that money deposited to the fund from the economic stabilization fund (ESF) is dedicated tax revenue.</p> <p><b><u>The SWIFT consists of:</u></b></p> <ul style="list-style-type: none"> <li>➤ Funds transferred or deposited by the TWDB</li> <li>➤ Revenue generated by fees or taxes dedicated for the fund</li> <li>➤ Additional revenue dedicated to the fund</li> <li>➤ Investment and interest earned on money in the fund</li> <li>➤ Bond enhancement agreement funds transferred from another account</li> </ul> <p><b><u>The SWIRFT consists of:</u></b></p> <ul style="list-style-type: none"> <li>➤ Funds transferred or deposited by the TWDB</li> <li>➤ Revenue generated by fees or taxes dedicated for the fund</li> <li>➤ Additional revenue dedicated to the fund</li> <li>➤ Investment and interest earned on money in the fund</li> <li>➤ The proceeds from the sale of bonds designated under the TWDB</li> <li>➤ Funds transferred from the SWIFT</li> </ul> <p>The Texas Water Development Board (TWDB) administers money to the SWIFT and the SWIRFT, and is also authorized to issue bond enhancement agreements to cover SWP costs. Written notice must be provided to the Legislative Budget Board for approval of the proposed bond enhancement agreement. The Legislature must dictate provisions for the use of money in the fund and the process for using those funds to invest in the SWIRFT. In addition, the TWDB must set aside funds annually to cover costs related to the issued bonds. Money set aside from the SWIFT must cover payments on the outstanding bonds and money from the SWIRFT must cover payment on the principle and interest on the bond, as well as any other related costs. The SWIFT will be subject to the funds review process recently approved under HB 6 (Rep. Otto).</p>	<p><b><u>Will of the House</u></b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>
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**LSG Floor Report For General State Calendar – Monday, May 20, 2013**

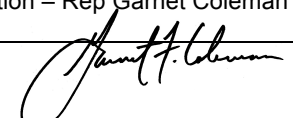
<p><b>SB 1773</b> By Sen. Huffman, et al. (Rep. Bonnen, Dennis)</p>	<p>Relating to the creation of a select interim committee to review and make recommendations for substantive changes to ethics laws.</p>	<p>Elections</p>	<p>SB 1773 creates a select interim committee to study and review statute and regulations relating to ethics, including campaign finance laws, lobby laws, and personal financial disclosure laws. The committee shall evaluate whether current laws are relevant and accomplish what they are supposed to, and determine what changes, if any, need to be made. The committee shall report these findings to the Legislature and the Governor by Dec. 20, 2014. SB 1773 creates a 9 member council of members for this select committee and outlines the qualifications and appointment of the members.</p>	<p><b><u>Favorable</u></b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>
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<p><b>SB 247</b> By Sen. Carona, et al. (Rep. Miller, Doug)</p>	<p>Relating to the transfer of an ad valorem tax lien; providing an administrative penalty.</p>	<p>Business &amp; Industry</p>	<p>SB 247 amends the Texas code to outline and clarify the authority and administration of transference of a property lien from one property owner to another. The bill adds points of oversight in the process to minimize the chances a person or entity will capitalize on a transfer for unintended purposes.</p> <p>SB 247 narrows <i>who</i> may enter into a transfer and adds steps in the process in order to increase consumer protection. The bill:</p> <ul style="list-style-type: none"> <li>• Calls for truth in advertising and requires certain specific disclosures by property tax lenders in the advertising and solicitation of loans</li> <li>• Prohibits any successor in interest – one subsequent in ownership or control – from charging fees for transferring a lien, including interest not expressly allowed. Currently only a property tax lender is prohibited from charging these fees</li> <li>• Prohibits a property owner from waiving or limiting requirements imposed on a property tax lender or required notice of installment plans available in delinquency</li> <li>• Prohibits sale, assignment, transfer or release of property tax loan to an unlicensed lender</li> <li>• Transferee must be licensed and may be a successor in interest to a transferred lien</li> <li>• Exempts a person related within two degrees to a property owner from requirements and restrictions placed on property tax lenders</li> <li>• Outlines steps for a lender to request a payoff statement and declares some contracts void in the case of non-compliance</li> </ul> <p>SB 247 narrows <i>when</i> a property may be transferred. The bill:</p> <ul style="list-style-type: none"> <li>• Strikes a provision allowing a lien transfer for taxes due and not delinquent when an owner-authorized transfer was made in years prior and without a current lien on the property</li> <li>• Prohibits a lien transfer by elderly property owner as they are already eligible for an exemption</li> <li>• Prohibits lien transfer when the property is financed by grant, by lower than market rate government loan, or has a lien because of dangerous structure</li> <li>• Strikes language allowing a lender or successor in interest form foreclosing in a certain manner after obtaining a court order in order to foreclose</li> </ul> <p>SB 247 authorizes the finance commission, and in one case, the Consumer Credit Commission, to implement, further develop, and enforce the different provisions of the bill.</p>	<p><b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>SB 17</b> By Sen. Patrick, et al. (Rep. Fletcher)</p>	<p>Relating to the training in school safety of certain educators of a school district or an open-enrollment charter school authorized to carry a concealed handgun on school premises.</p>	<p>Public Education</p>	<p>SB 17 requires DPS to establish and maintain a training program in school safety and the protection of students, with assistance from the Advanced Law Enforcement Rapid Response Training Center at Texas State University in San Marcos, for employees of a school district or an open-employment charter school who meet the specified criteria. DPS will provide the training program for two employees, at no charge, at a school campus that does not have security personnel or a commissioned peace officer assigned full-time to the school campus; additional employees may participate for a fee.</p> <p>SB 17 allows an employee who has met the requirements and successfully completed the training program to, with authorization by the school, carry a concealed handgun on premises owned or controlled by the employing school during a high school event or interscholastic event in which students from the employing school are participating. SB 17 outlines the limitations for liability for school districts, open-enrollment charter schools, Texas State University System, and officers or employees of the schools.</p> <p><i>(cont'd on next page)</i></p>	<p><b>Will of the House</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>

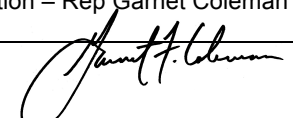
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			<p>SB 17 creates the school safety training fund as a special fund in the state treasury and consists of gifts, grants, and donations. Funds collected must be used before using any state funds to establish and maintain the training program. SB 17 stipulates that the amount of state funds allocated in any state fiscal biennium for the training program <i>may not</i> exceed \$1 million. The bill requires the DPS to establish and maintain the training program only if sufficient funds and state funds allocated for the training program available.</p> <p>The safety of our children at school is one of the state’s top priorities, but concerns arise when state funds might be diverted for this purpose instead of going to our schools that have already suffered severe budget cuts.</p>	
<p><b>SB 1509</b> By Sen. Seliger (Rep. Aycock)</p>	<p>Relating to college readiness and success.</p>	<p>Public Education</p>	<p>SB 1509 allows the inclusion of dual credit courses that promote college readiness for applied science, technology, engineering or mathematics (STEM) classes in the recommended high school program. The bill requires the State Board of Education identify existing higher education bridge programs for STEM students to enhance the success of students at institutions of higher education. This bill decreases the number of mandatory cumulative course credit hours for certain students from 90 to 66 and requires the TEA commissioner to determine the qualifications and requirements for institutional or public school eligibility and student participation in a newly developed or identified existing program.</p>	<p><b>Favorable</b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p><b>SB 791</b> By Sen. Seliger (Rep. Darby)</p>	<p>Relating to the regulation of low-level radioactive waste disposal facilities and radioactive substances.</p>	<p>Environmental Regulation</p>	<p>SB 791 allows Waste Control Specialists (WCS) to accept more radioactive waste into a disposal facility in Andrews County from out of state. This would result in more concentration of the hottest radioactive wastes, Class B and Class C, and poses greater risks of transportation accidents and water contamination. Additionally, this bill authorizes the TCEQ executive director to modify compact waste disposal facility licenses and limits contested case hearings. Because there is no geological barrier between the waste at the site and the neighboring Ogallala aquifer, there is also concern that radiation leaks will result in a greater degree of contamination if more Class B and C radioactive waste were to enter the aquifer.</p> <p>This bill prohibits a license holder from entering into a contract for the disposal of Class A waste unless it is containerized, while increasing the amount out-of-state disposal curies allowed in the site from 220,000 to 275,000 per year. This allotted higher level would promote sending Class A waste out of Texas, while allowing out-of-state locations to ship more Class B and C levels into Texas for disposal, and therefore posing greater environmental impacts and health risks for Texans.</p> <p>SB 791 also creates a new account, capped at \$25 million, within the GR Fund to be called the Environmental Radiation and Perpetual Care Account for the use of the TCEQ for various purposes and requires the TCEQ to deposit financial assurance security from the licensee into the fund. Additionally, the bill requires TCEQ to conduct random audits on shipments to the site.</p>	<p><b>Unfavorable</b> Evaluated by: Amanda Williams 512-763-0031 amanda.williams@texaslsg.org</p>
<p><b>SB 1406</b> By Sen. Patrick, et al. (Rep. Toth)</p>	<p>Relating to State Board of Education oversight of regional education service center activities concerning certain curriculum management systems.</p>	<p>Public Education</p>	<p>SB 1406 requires any regional education service center (ESC) or a collaboration of centers providing an instructional lesson developed through a curriculum management system by the ESC to be adopted and reviewed by the State Board of Education in the same manner that instructional material for prekindergarten, elementary, and secondary grade levels are processed. The bill would ensure that curriculum management systems like CSCOPE would undergo the same process as any other curriculum instruction tool.</p> <p>This bill does not require a curriculum management system developed by a school district or a private company to undergo the same review process conducted by the SBOE. <b>The focus on curriculum management systems like CSCOPE would have a negative impact on rural, smaller or economically disadvantaged school districts that use the lesson plans of CSCOPE to their benefit and do not have the resources, technology or funds necessary to develop curriculum tools of their own.</b></p> <p>CSCOPE is a K-12 online educational curriculum tool with lesson plans used in about 70-80 percent of Texas school districts. However CSCOPE was developed almost 10 years ago and designed for the Texas Essential Knowledge Standards (TEKS) test.</p>	<p><b>Will of the House</b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>

<p><b>SB 1702</b> By Sen. Taylor, et al. (Rep. Bonnen, Dennis)</p>	<p>Relating to residential property insured by the Texas Windstorm Insurance Association.</p>	<p>Insurance</p>	<p>SB 1702 authorizes the Texas Windstorm Insurance Association (TWIA) to insure a residential structure constructed, altered, remodeled, enlarged, repaired, or added to on or after June 19, 2009, that is not in compliance with building code standards as long as the structure had been insured on or after that date by an insurer in the private market who canceled or non-renewed the insurance coverage before September 1, 2013.</p> <p>This waiver program is contingent upon there being no new construction, alteration, remodeling, enlargement, repair, or addition to the structure after cancellation or nonrenewal of the coverage and before submission of the application. SB 1702 requires that a new or renewal insurance policy insuring a noncompliant residential structure is subject to an annual premium surcharge in amount equal to 15% of the premium for insurance coverage obtained through the association.</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@Texaslsg.org</p>
<p><b>SB 1052</b> By Sen. Carona (Rep. Frullo)</p>	<p>Relating to search warrants issued in this state and other states for certain customer data, communications, and other information held in electronic storage in this state and other states by providers of electronic communications services and remote computing services.</p>	<p>Criminal Jurisprudence</p>	<p>SB 1052 authorizes a district judge to issue a search warrant for customer data in electronic storage, including contents and records held by a service provider of remote computing service regardless of whether that data is held in Texas or another state. A search warrant is required based on probable cause that an offense was committed and that the electronic data constitutes as evidence. This warrant must be sealed and presented in the name of the state of Texas and executed not later than the 11<sup>th</sup> day after issuance.</p> <p>The bill requires that the local provider produce all data within 15 days in accordance to the warrant, and authorizes a 30 day extension period if needed. These deadline requirements are under the judge’s discretion and may be adjusted according to risk of danger or physical safety of persons involved. All information regarding the customer data must be verified by the provider with an affidavit to attest to its authenticity. A provider must comply with a warrant issued in another state seeking information held in electronic storage.</p> <p>Several other states have enacted computer data warrant laws that take advantage of out-of-state jurisdiction when dealing with internet data. Providers often hold vital information to prosecute an offense under state law. Although certain internet activity may take place within a state, law enforcement officers must apply for a local search warrant in an internet company’s jurisdiction, often found out of state. This limitation hinders law enforcement’s efforts to obtain evidence on internet criminals.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>
<p><b>SB 227</b> By Sen. Williams (Rep. Zerwas)</p>	<p>Relating to the dispensing of aesthetic pharmaceuticals by physicians and therapeutic optometrists; imposing fees.</p>	<p>Public Health</p>	<p>SB 227 allows physicians and therapeutic optometrists to dispense certain aesthetic medications. This bill specifies the three groups of aesthetics, namely Bimatoprost, Hydroquinone, and Tretinoin which are different topical medications used for skin conditions and enhancement of eyelashes. The Texas Medical Board and the Texas State Board of Pharmacy must establish guidelines for dispensing fees and other necessary procedures for implementation. This bill increases accessibility and treatment options for patients who have immediate needs for these medications.</p>	<p><b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p><b>SB 1221</b> By Sen. Paxton (Rep. Smithee)</p>	<p>Relating to use of a Medicaid-based fee schedule for reimbursement of services under a contract between a health care provider and certain health benefit plans.</p>	<p>Insurance</p>	<p>SB 1221 applies to insurance companies, health maintenance organizations (HMOs), or preferred provider organizations. These providers are required to provide written verification that they authorize the company to apply its Medicaid or Children’s Health Insurance Program (CHIP) fee reimbursement schedule for services provided through commercial insurance or HMOs. Under the Affordable Care Act (ACA), Medicaid reimbursements for specific primary care services are increased to 100 percent of Medicare levels in FY 2013 and FY2014. Increased reimbursements are provided in the fee-for-service (FFS) and managed care settings for physicians providing certain primary care services. Physicians specializing in family medicine, general internal medicine, or pediatric medicine, and/or have a 60 percent Medicaid claims history for E&amp;M and vaccine administration codes in the previous year are eligible. Specialists and subspecialists recognized by the American Board of Medical Specialties (ABMS), the American Osteopathic Association (AOA), or the American Board of Physician Specialties (ABPS) are also eligible for the higher reimbursement rates.</p>	<p><b>Will of the House</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>

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<p><b>SB 21</b> By Sen. Williams, et al. (Rep. Creighton)</p>	<p>Relating to drug screening or testing as a condition for the receipt of unemployment compensation benefits by certain individuals.</p>	<p>Economic &amp; Small Business Development</p>	<p>SB 21 requires the Texas Workforce Commission (TWC) to establish a drug screening and testing policy as a pre-requisite for unemployment benefits for certain former employees. This bill would require unemployment applicants who received their job with a pre-employment drug test to do a pre-screening and drug test via TWC in order to receive unemployment. The screening would consist of a written questionnaire designed to “accurately determine the reasonable likelihood that an individual is using a substance,” however the effectiveness of the screening is unproven. The bill specifies that an applicant is not eligible for unemployment benefits if they fail the drug test and they remain ineligible until they pass a subsequent drug test after a minimum of a four-week period. The bill allows applicants who fail a drug a test to retest and appeal the results in case of a false positive. During the time of the appeal and the retake process, a person would not lose their benefits. The bill creates the following <i>exceptions</i> for eligible individuals who have failed a drug test: 1) Persons in a drug treatment program, 2) Persons who enroll in a drug treatment program within 7 days of notification that they failed the drug test, and 3) Persons taking a controlled substance deemed medically necessary by a doctor. SB 21 is an intrusive policy that could cause minor drug offenses to hamper the lives of already struggling Texans. Under current law, a person is already stripped of their benefits if they are fired due to drug use. <b>This bill strips benefits from individuals who have earned them without providing any additional funding for substance abuse treatment programs.</b> This bill could negatively affect the lives of many Texans in need of rehabilitative services.</p>	<p><b>Unfavorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@Texaslsg.org</p>
<p><b>SB 163</b> By Sen. Van de Putte (Rep. Turner, Chris)</p>	<p>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 U.S. who is killed in action.</p>	<p>Ways &amp; Means</p>	<p>Under current Texas law, only surviving spouses of <i>disabled</i> veterans are eligible to receive a property tax exemption. SB 163 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.</p>	<p><b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>SB 190</b> By Sen. Huffman, et al. (Rep. Zerwas)</p>	<p>Relating to the prescription and pharmaceutical substitution of biological products.</p>	<p>Public Health</p>	<p>SB 190 creates a legislative pathway for patient access to biological products if the U.S Food and Drug Administration (FDA) grants approval. Biological products are an emerging class of complex medicine made from natural sources that can used to treat different medical conditions including rare or chronic diseases in addition to gene and cellular therapies. This bill provides cost savings to patients by offering interchangeable biosimilar biological products, which are similar in safety, purity and potency. These products meet appropriate standards and are less expensive for patients. Pharmacists are required to record the biological products dispensed to patients and must notify the physician before dispensing interchangeable biosimilar biological products. The provision for notification of physicians expires in December 31, 2015. Dependent upon FDA’s approval, this bill establishes a mechanism to access these biosimilar products if it is made available for medical use.</p>	<p><b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p><b>SB 345</b> By Sen. Whitmire (Rep. Parker)</p>	<p>Relating to the abolition of the state boot camp program.</p>	<p>Corrections</p>	<p>SB 345 abolishes boot camp programs used for adolescents in the juvenile justice system as a tool to reduce recidivism. Evidence confirms that boot camp programs for boys and girls are ineffective, fiscally irresponsible, and a waste of imperative resources. Due to this evidence, there are nearly no adolescents placed in this program, but the state continues to operate some of these facilities. These programs became popular in the early 1990’s and several facilities were designated to open by the legislature. This bill stops the waste of funding on unproductive programs.</p>	<p><b>Favorable</b> Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>

<p><b>SB 369</b> By Sen. Whitmire (Rep. Burnam)</p>	<p>Relating to certain information available to the public on a central database containing information about sex offenders.</p>	<p>Criminal Jurisprudence</p>	<p>SB 369 removes the requirement to include the name, address or telephone number of the employer of an individual on a sex offender registry and moves this information to the nonpublic database used by law enforcement.</p> <p>This bill helps sex offenders reintegrate into society and find employment and housing. Employers are less likely to hire sex offenders to avoid their business being publicized on the registry and from receiving potential harassment due to that listing. This legislation would alleviate barriers both for former offenders and employers.</p>	<p><b>Favorable</b> Evaluated by: Muna Javid 512-763-0031 muna@texaslsg.org</p>
<p><b>SB 504</b> By Sen. Deuell (Rep. King, Susan)</p>	<p>Relating to the requirement that certain schoolchildren be screened for abnormal spinal curvature.</p>	<p>Public Education</p>	<p>SB 504 requires each public school to choose whether to participate in the spinal screening program or provide information about abnormal spinal curvature or scoliosis to parents, guardians or conservators of children in grades 6-9 in public schools <i>only</i>. The State Board of Education is required to adopt rules for the development and provision of information of spinal curvature abnormalities.</p> <p>In a 2004 study, the US preventive service task force found that scoliosis screenings did not meet the criteria of evidence-based medicine. The diagnostic tool--a visual inspection of the back during forward bending position--was deemed unreliable and led to a large number of false-positive results. Ultimately, the determination of scoliosis is made via X-ray or genetic testing, and in some cases magnetic resonance imaging (MRI).</p> <p>Due to scientific findings, it is a more efficient process to allow school districts to determine what method of participation they would like to adopt. Currently, scoliosis screenings are mandatory in both public and private schools for students in grade 6-9.</p>	<p><b>Favorable</b> Evaluated by: Nena Chima 512-763-0031 nena@texaslsg.org</p>
<p><b>SB 656</b> By Sen. Paxton (Rep. Button)</p>	<p>Relating to providing transparency in the budget adoption process of municipalities and counties.</p>	<p>Ways &amp; Means</p>	<p>SB 656 adds procedural and administrative steps to the budget processes of cities and counties. This bill requires the budget vote be a record vote and requires a cover page be included with the budget as filed and as posted online. The cover page must include basics of the budget, including the change in revenue from the previous year, the revenue to be raised from new additions to the tax roll, the record votes of each individual member, rates for the preceding year, and total debt and bonds owned by the budget entity. The bill improves transparency of the budgeting processes of cities and counties.</p>	<p><b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>SB 628</b> By Sen. Watson, et al. (Rep. Workman)</p>	<p>Relating to the creation of regional emergency communications districts; authorizing the issuance of bonds; authorizing a fee.</p>	<p>Intergovernmental Affairs</p>	<p>SB 628 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 Javid 512-763-0031 muna@texaslsg.org</p>
<p><b>SB 1150</b> By Sen. Hinojosa, et al. (Rep. Guerra)</p>	<p>Relating to a provider protection plan that ensures efficiency and reduces administrative burdens on providers participating in a Medicaid managed care model or arrangement.</p>	<p>Human Services</p>	<p>SB 1150 requires HHSC to develop and implement a provider protection plan for Medicaid managed care providers. The plan improves efficiency for Medicaid providers by establishing uniform standards and an electronic process for the submission and tracking of claims, prior authorization requests, claims appeals, clinical data, and other documentation.</p> <p>The plan must provide for the creation of a work group to review and make recommendations to HHSC concerning the implementation of these provisions if they are not immediately feasible to implement, as well as the fiscal impact and the timeline for implementation.</p> <p>Improving the efficiency of administrative tasks for Medicaid providers will reduce administrative burdens and encourage the participation of Medicaid managed care providers.</p>	<p><b>Favorable</b> Evaluated by: Katherine Little 512-763-0031 Katherine@Texaslsg.org</p>

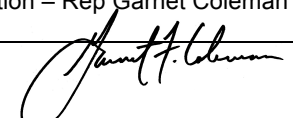
<p><b>SB 1226</b> By Sen. Zaffirini (Rep. Perez)</p>	<p>Relating to the establishment of an employment-first policy and task force to promote competitive employment opportunities that provide a living wage for individuals with disabilities.</p>	<p>Economic &amp; Small Business Development</p>	<p>SB 1226 seeks to increase sustainable employment for persons with disabilities. SB 1226 establishes the employment-first policy that would provide a living wage for individuals with disabilities who receive public benefits. The Texas Education Agency (TEA), Health and Human Services Commission (HHSC), and the Texas Workforce Commission (TWC) will collaboratively work together to establish the employment-first task force. The task force will focus on working-age individuals with disabilities through an outreach process to increase awareness of available opportunities. This task force would increase job training and promote partnerships with employers to use creative technology and innovation. The bill contains provisions to ensure that a person would not lose their public benefits for which the individual is otherwise eligible if they do not acquire a competitive job. The task force would have an assembly of stakeholders from state agencies that work directly and indirectly with persons with disabilities to make recommendations on policy, procedures, and rule changes. Finally, the bill requires the TWC, HHSC Commissioner, and the Commissioner of Education to evaluate the recommendations made by the task force and adopt rules as necessary to maintain the employment-first policy mission.</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@Texaslsg.org</p>
<p><b>SB 1636</b> By Sen. Deuell (Rep. Davis, John)</p>	<p>Relating to the facilitation and operation of space flight activities in this state.</p>	<p>Economic &amp; Small Business Development</p>	<p>In 2011, the Legislature passed a bill requiring participants on a space vehicle launched from Texas to assume the risk of injury if they are made aware of the risks and sign a written waiver of liability. SB 1636 would extend this liability protection to space launch vehicles and any type of space flight activities arising from nuisance noises or space-related work. This bill adds “disability” to the definition of “spaceflight participant injury.” Space flight entities would not be immune from liability in cases of evidentiary gross negligence or intentional negligence. Finally, injunctive relief to stop space flight activities is precluded under the bill.  Additionally, SB 1636 requires business entities located in reasonable proximity to launching and landing areas to demonstrate that they have to finance 75 percent of the cost to run their business in order to be certified by the Texas Economic Development and Tourism Office to the Comptroller for the expenditure of money in The Spaceport Trust Fund. Finally, SB 1636 would amend the Penal Code by adding that noise made from spaceflight activities does not constitute “unreasonable noise” for the purpose of disorderly conduct court findings.</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@Texaslsg.org</p>
<p><b>SB 644</b> By Sen. Huffman (Rep. Zerwas)</p>	<p>Relating to the creation of a standard request form for prior authorization of prescription drug benefits.</p>	<p>Insurance</p>	<p>SB 644 aims to streamline the authorization process for prescription drug benefits. The bill requires the Texas Department of Insurance (TDI) to develop one standard authorization form by January 1, 2015. TDI must create a committee to develop the details of the form and the provisions for its implementation.  In addition, TDI must require an insurer to use the form and make it available electronically on the department’s website, the insurer’s website, and the agent of the insurer’s website. Electronic exchange of prior authorization requests must be fully implemented within two years of the implementation of the national standards for electronic prior authorization. Failure to comply will result in penalties established by the TDI.  This bill only applies to authorization request made on or after September 1, 2015. The bill applies to certain health care plans covering medical or surgical expenses resulting from a health condition, accident or sickness.</p>	<p><b>Favorable</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>
<p><b>SB 289</b> By Sen. Carona (Rep. Schaefer)</p>	<p>Relating to the approval requirement for a rental-purchase agreement that includes a loss damage waiver provision.</p>	<p>Business &amp; Industry</p>	<p>SB 289 eliminates the requirement for the Texas Department of Licensing and Regulation (TDLR) to approve agreements between rental businesses and consumers engaged in certain rental contracts that involve a loss damage waiver. Although this bill removes TDLR oversight, it does not remove existing consumer protections and still requires businesses to produce a notice of disclosure. Currently, there are less than 50 contracts that TDLR must review, and the process is burdensome and ineffective. SB 289 removes bureaucracy and enables TDLR to work effective and efficiently.</p>	<p><b>Will of the House</b> Evaluated by: Natalie Powell 512-763-0031 Natalie@texaslsg.org</p>



<p><b>SB 1484</b> By Sen. Watson, et al. (Rep. Gonzales, Larry)</p>	<p>Relating to health benefit plan coverage for enrollees diagnosed with autism spectrum disorder.</p>	<p>Insurance</p>	<p>Autism spectrum disorder is a developmental disorder that requires individualized behavioral treatment, medical treatment, and life-long services. Under current statute, a health benefit insurance plan is required to provide coverage, to an enrollee diagnosed with autism spectrum disorder, from the date of diagnosis until the child turns 10 years old. Once the child reaches age 10, it is exceptionally difficult to maintain coverage, which impedes the ability to access the same level of services. Autism Speaks estimates the lifetime societal cost for each child resulting from individual’s inability to receive appropriate treatment is \$3.2 million per year.</p> <p><b>SB 1484 ensures continued treatment beyond age 10 by eliminating the age restriction if the child was diagnosed with autism before age 10.</b> The bill also specifies that insurers are not required to cover costs exceeding \$36,000 per year for applied behavior analysis for enrollees 10 or older. Applied behavioral analysis (ABA) emphasizes techniques and principles that help individuals with autism spectrum disorder develop techniques and make positive behavior changes to enhance their day-to-day interactions.</p> <p>Autism spectrum disorder services generally include:</p> <ul style="list-style-type: none"> <li>➤ Evaluation and assessment services</li> <li>➤ Applied behavior analysis</li> <li>➤ Behavior training and behavior management</li> <li>➤ Speech therapy</li> <li>➤ Occupational therapy</li> <li>➤ Physical therapy</li> <li>➤ Medications or nutritional supplements used to address symptoms of autism spectrum disorder.</li> </ul> <p>Autism spectrum disorder is a neurobiological disorder, or nervous system disorder, that is caused by genetic, metabolic, or other biological factors, which includes autism, Asperger's syndrome, or Pervasive Development Disorder-Not Otherwise Specified. Communication impairment is an inherent aspect of this disorder, setting it apart from other neurobiological disorders, such as bipolar disorder, obsessive-compulsive disorder, and schizophrenia.</p> <p>According to the Center for Disease Control, one in 88 children nationwide is diagnosed with the disorder. In Texas there are 32,987 individuals between ages 3-21 who have been diagnosed, and make up 7.44 percent of the special education student population in Texas. Individuals living with the disorder spend an average of \$4,000-\$6,000 more per year on medical expenses than those without. These costs are in addition to the \$40,000-\$60,000 spent per year on necessary behavioral intervention services.</p> <p><b>SB 1484 will not impose a cost to the state.</b> The bill only applies to group health benefit plans, which will create overlap with the small group coverage that will be implemented by the Affordable Care Act (ACA). To ensure there is no resulting cost to the state, the bill clarifies that insurers do not have to provide coverage beyond the essential health benefits (EHB) established by the ACA. EHB are a core set of benefits, which must include certain services, established by the insurer under guidelines set by the Health &amp; Human Services (HHS) Secretary.</p> <p>In addition, passage of this legislation is anticipated to reduce monthly costs for insured individuals. Under current statute, the Texas Department of Insurance (TDI) anticipates the small group health insurance per member per month cost, for the autism mandate, will be \$1.15 in 2014 and \$1.23 in 2015. <b>Missouri has passed legislation similar to SB 1484- the per member per month cost for continued autism coverage is 38 cents.</b></p>	<p><b>Favorable</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>
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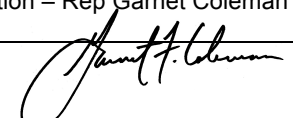
<p><b>SB 1871</b> By Sen. Estes (Rep. Kuempel)</p>	<p>Relating to the state cemetery.</p>	<p>Culture Recreation &amp; Tourism</p>	<p>SB 1871 allows The State Cemetery Committee to remove the dedication of property by a majority vote to be used for cemetery purposes. The bill decreases from 12 to 10 the number of years that a former or present state official who has been appointed by the governor and confirmed by the Senate is eligible for burial in the state cemetery.</p>	<p><b>Favorable</b> Evaluated by: Kelle' Martin 512-763-0031 Kelle@texaslsg.org</p>
<p><b>SB 7</b> By Sen. Nelson, et al. (Rep. Raymond)</p>	<p>Relating to improving the delivery and quality of certain health and human services, including the delivery and quality of Medicaid acute care services and long-term services and supports.</p>	<p>Human Services</p>	<p>Please see attached document.</p>	<p><b>Favorable</b> Evaluated by: Katherine Little 512-763-0031 Katherine@Texaslsg.org</p>
<p><b>SB 1623</b> By Sen. Hinojosa (Rep. Guerra)</p>	<p>Relating to the creation and operations of health care funding districts in certain counties located on the Texas-Mexico border.</p>	<p>County Affairs</p>	<p>SB 1623 allows local control over funding that only pertains to three counties on the Texas-Mexico Border --Hidalgo, Cameron and Webb County. Currently, these counties do not have a local hospital district which serves as a disadvantage to draw down federal funds under the 1115 waiver. SB 1623 allows each of the County Commissioners Court in these border counties to vote and set up a fund to draw down federal funds to help pay for uncompensated care.</p>	<p><b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p><b>SB 1169</b> By Sen. Hegar (Rep. Bonnen, Dennis)</p>	<p>Relating to water conservation.</p>	<p>Natural Resources</p>	<p>SB 1169 seeks to curb water loss in retail water utilities as part of the state's water conservation efforts. SB 1169 requires a retail public utility receiving financial assistance from the Water Development Board to use a portion of that assistance to mitigate the utility's system water loss if the loss meets or exceeds the threshold established by board rule. The bill requires the board to adopt rules for each category of retail public utility for the amount of system water loss that requires a utility to take action, and the use of financial assistance from the board to mitigate system water loss. SB 1169 clarifies a person or entity required to develop a drought contingency plan immediately implement their drought response plan upon the Governor's declaration of a drought disaster in their area. The bill expands what the board considers for the passing of financial assistance for a water supply project application to include whether the political subdivision has implemented its drought contingency plan when required. SB 1169 requires the Water Conservation Advisory Council's biennial report to the governor, lieutenant governor, and the speaker of the House of Representatives to include specific statutory, budgetary, and policy recommendations to improve water conservation and management. The council is subject to Sunset review in 2023.</p>	<p><b>Favorable</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p><b>SB 1185</b> By Sen. Huffman (Rep. Thompson, Senfronia)</p>	<p>Relating to the creation of a mental health jail diversion pilot program</p>	<p>Corrections</p>	<p>SB 1185 creates a Mental Health Jail Diversion Pilot Program for Harris County, which is set to expire September 2017. The goal of the program is to reduce recidivism amongst mentally ill individuals by providing evidence-based mental health services during the first few weeks of release, including case management, residential services, integrated health, and chemical dependency services. The program is established and implemented through the Department of State Health Services (DSHS) and the county judge. The judge establishes the type of intervention that will be used, and it must address the basic needs of each participant, such as housing, mental health services, and welfare benefits. The judge also ensures that the proper mental health jail diversion resources are available and must serve at least 500 individuals per year. This bill is dependent upon the cooperation of the Harris County Commissioners Court who must match the state's funding. <i>(cont'd on next page)</i></p>	<p><b>Favorable</b> Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>

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			<p>However, they are allowed to lobby for competitive grants and contributions to gain this funding. Additionally, DSHS is allowed to review the program to ensure efficient use of funding, and a report of the findings must be submitted to the Legislature in December of 2016.</p> <p>Although this bill has a fiscal note, this program potentially saves a significant amount taxpayer dollars, because hundreds of inmates who are currently cycled in and out of jail would receive proper treatment and in turn become contributing citizens within their community. Harris County Jail has been identified as the largest mental health care provider in Texas with nearly 18,000 incarcerated individuals who have identified as mentally ill in Harris County alone.</p>	
<p><b>SB 268</b> By Sen. Seliger (Rep. Smithee)</p>	<p>Relating to the application of the professional prosecutors law to the district attorney for the 287th Judicial District and the county attorney of Oldham County</p>	<p>Judiciary &amp; Civil Jurisprudence</p>	<p>SB 268 would add the district attorney for the 287<sup>th</sup> Judicial District and the county attorney the list of jurisdictions covered by the Professional Prosecutors Act. The 287<sup>th</sup> Judicial District covers Oldham County.</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@Texaslsg.org</p>
<p><b>SB 1727</b> by Sen. Deuell (Rep. Issac, et al.)</p>	<p>Relating to the use of Texas emissions reduction plan fund.</p>	<p>Environmental Regulation</p>	<p>SB 1727 revises laws relating to the Texas Emissions Reduction Plan fund (TERP) by requiring the TCEQ to establish and administer new programs. All programs must address three goals: reduction of emissions of nitrogen oxides, reduction of emissions from drilling equipment, and replacement, repower, or retrofit of certain vehicles.</p> <p>The bill creates an incentive program under TERP to provide rebate-type funding for the replacement of pre-2007 model year drayage trucks with a 2010 or new model year trucks. The bill outlines incentive guidelines established by the TCEQ. The bill makes changes to current purchase or lease incentives programs to create a \$2,500 incentive for the purchase of vehicles that are powered by compressed natural gas, liquefied petroleum gas, or electric drives. The bill lays out certain compliance requirements under the purchase or lease incentives program. The bill also authorizes TCEQ to establish and administer other programs under the plan to be effective in fulfilling its duties and achieving its objectives relating to the plan.</p> <p>SB 1727 transfers the administration and authoritative power of the Energy Efficiency grant program from the PUC to the TCEQ. Additionally the bill establishes a 3 percent allocation for the New Technology Implementation Grant program; \$1 million would be set aside for energy storage projects.</p> <p>The bill additionally makes changes to the Texas Clean Fleet program, the Texas Natural Gas Vehicle program, the Clean Transportation Triangle program, and the Alternative Fueling Facilities program, and it would revise various TERP-related reporting requirements.</p>	<p><b>Favorable</b> Evaluated by: Amanda Williams 512-763-0031 amanda.williams@texaslsg.org</p>
<p><b>SB 1189</b> By Sen. Huffman (Rep. Fletcher)</p>	<p>Relating to the disposition of certain firearms seized by a law enforcement agency</p>	<p>Homeland Security &amp; Public Safety</p>	<p>SB 1189 establishes procedures for the disposition of firearms seized from certain persons with mental illness. The bill requires a law enforcement officer who seizes a firearm from a person taken into custody under specified circumstances to immediately provide the person a written copy of the receipt for the firearm and a written notice of the procedure for the return of a firearm. The bill also lays out the time restrictions and criteria for the law enforcement agencies, clerks of the court, and persons in custody regarding the disposition of the seized firearms.</p> <p>SB 1189 stipulates if a person who received written notice and does not submit a written request within 121 days to the agency for the return of the firearm, the agency may sell the firearm and proceeds from the sale will be given to the owner of the seized firearm. An unclaimed firearm that was seized may not be destroyed or forfeited to the state.</p>	<p><b>Favorable</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>

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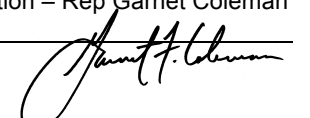
<p><b>SB 1795</b> By Sen. Watson (Rep. Guillen)</p>	<p>Relating to the regulation of navigators for health benefit exchanges.</p>	<p>Insurance</p>	<p>Under the Patient Protection and Affordable Care Act (PPACA), health insurance exchanges will become operational in 2014. These exchanges will serve as 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>SB 1795 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. 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 improve the standards and guidelines provided by the federal regulations. The bill also declares that persons are ineligible to be a navigator if they have a suspended or revoked professional license, received disciplinary action from a financial or insurance regulator, or have been found guilty of a felony. 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, SB 1795 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. <i>(cont'd on next page)</i></p> <p>SB 1795 ensures that navigators cannot break the law by receiving prohibited compensation from Health Insurance Companies. 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</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@Texaslsg.org</p>
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			and services outside of the exchange that are consistent with their mission.	
<p><b>SB 1234</b> By Sen. Whitmire (Rep. Price)</p>	<p>Relating to the prevention of truancy and the offense of failure to attend school</p>	<p>Corrections</p>	<p>SB 1234 requires school districts, courts, and juvenile probation to provide a case manager for juvenile offenders or truant students prior to charging them with failure to attend school. A school district is exempt from this requirement if they have a truancy prevention facilitator. A district is also allowed to implement truancy prevention measures, such as letters, behavioral improvement plans, and school-based community service to inform parents and students about truancy consequences. This bill states that certain truant students can be charged with a Class C misdemeanor and can fine the student up to \$500. However, a school is only able to file a complaint against a student or parent for truancy if evidence is presented that both the student and parent contributed to the child’s truancy.</p> <p>This bill allows charges to be dismissed against an individual who was charged with failure to attend school if they provide proof to the court that they have obtained a high school diploma or its equivalent.</p> <p>This bill does not allow a school district to revoke a student’s enrollment if they are physically present. Additionally, an individual who returns to school after their 18<sup>th</sup> birthday can no longer be excused by a teacher, principal or superintendent for an absence.</p> <p>While the intent of this bill is laudable and provides families with needed services, there are several unintended consequences. The bill is aimed at deterring students from skipping school by charging them with Class C misdemeanors and providing fiscal penalty. Parents may also be unable to pay the designated fine and evidence shows that fees are not a deterrent to children. Data also indicates that this law disproportionately affects Hispanic, African American, intellectually disabled, and low-income students. Additionally, students are often kept out of school for longer periods of time due to activities associated with receiving a charge, such as court. Moreover, charging a child with a misdemeanor presents significant hardship for the youth, at the time of the conviction and as an adult. This could also affect their ability to gain employment or housing as adults because of background checks. The engrossed Senate version of this bill addresses many of the concerns stated above by diminishing the fee to maximum of \$100 and requiring, rather than allowing, a school district to implement truancy prevention measures prior to taking action against a student. <b>LSG prefers the engrossed Senate version of this bill over the House committee substitute version that is being presented today.</b></p>	<p><b>Favorable with Concerns</b> Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>
<p><b>SB 492</b> By Sen. Lucio (Rep. Sheffield, J.D.)</p>	<p>Relating to the licensing and regulation of prescribed pediatric extended care centers; providing penalties; imposing fees.</p>	<p>Public Health</p>	<p>SB 492 establishes guidelines and standards for Prescribed Pediatric Extended Care Centers (PPECC) that provide nonresidential services to medically fragile children with complex needs to ensure appropriate care of this vulnerable population. PPPECC offers alternative services to parents that include personal care, nursing services, and developmental therapies to medically complex children under the age of 21.</p> <p>SB 492 establishes admission criteria to include medically dependent children, physician’s referral, or the consent of a parent. This bill creates licensing requirements for PPECC that includes a letter of credit demonstrating financial credibility along with other specified documentation. PPECCs are prohibited from providing care extending over 12 hours within a 24-hour period. The Department of Aging and Disability Services (DADS) is allowed to perform inspections of these facilities to ensure compliance. This bill specifies administrative penalties and authorizes the Commissioner to determine and enforce them.</p>	<p><b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>



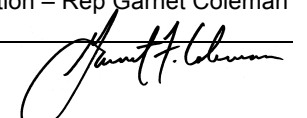
<p><b>SB 126</b> By Sen. Nelson, et al. (Rep. Davis, John)</p>	<p>Relating to the creation of a mental health and substance abuse public reporting system.</p>	<p>Public Health</p>	<p>SB 126 provides transparency and increases public knowledge by requiring the Department of State Health Services (DSHS) to establish a public reporting system for mental health and substance abuse. DSHS is required to post information on their website relating to performance and outcome measures on mental health programs.</p>	<p><b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p><b>SB 1292</b> Sen. Ellis, et al. (Rep. Turner, Sylvester)</p>	<p>Relating to DNA testing of biological evidence in certain capital cases.</p>	<p>Criminal Jurisprudence</p>	<p>Under SB 1292, before a defendant is tried for a capital offense in which the state is seeking the death penalty, DPS must perform DNA testing within their capabilities or have it tested by an accredited lab. All biological evidence must be tested that was collected as a part of that investigation, and the lab performing the test must pay for all testing performed. After a defendant is charged, the court must order the state and the defendant to meet and confer about which biological materials constitute as evidence. When agreed upon, the materials will be tested. However, if it is not agreed upon, the state or the defendant may request the court to hold a hearing to determine the issue. The court must then provide written notice of the hearing to both parties. The request by the defendant to test the material is prima facie evidence (raises a presumption of fact), that the material constitutes as biological evidence and is required to be tested. If an item is destroyed as a result of testing, the lab must provide the defendant documentation of the results. A defendant is not entitled to a new trial based solely on a violation of the bill's provisions. A defendant may have another accredited lab perform additional testing at their own expense. DNA testing is a crucial aspect of capital cases and can be a defining factor in regards to a defendant's innocence. This legislation ensures the accountability of our criminal justice system by requiring DNA testing in all capital cases.</p>	<p><b>Favorable</b> Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>
<p><b>SB 1475</b> By Sen. Duncan (Rep. Zerwas)</p>	<p>Relating to a jail-based restoration of competency pilot program.</p>	<p>Corrections</p>	<p>SB 1475 establishes a Jail Based Restoration of Competency Pilot Program in any one or two counties that choose to participate if funds are appropriated by the state, to offenders inside of the jail who are in need of behavioral health services. The Department of State Health Services (DSHS) is required to work with the counties to develop and establish this program by November 2013. The commissioner will establish a stakeholder workgroup who will help develop the program. Mental health providers will contract with the state and must meet certain requirements, including previous experience providing jail based services, certification by a nationwide non-profit that accredits health care organizations, and a history of successful jail-based competency restoration. If this program is implemented, a report must be submitted to the Legislature regarding findings and recommendations of the program no later than December 1, 2016. The program expires September 1, 2017. Although many offenders are in need of behavioral health treatment, a jail setting is punitive and chaotic. In order for mental health services to be provided in an effective and evidence based manner, a therapeutic setting must be present. Offenders should receive treatment in a state hospital or therapeutic residential facility.</p>	<p><b>Will of the House</b> Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>
<p><b>SB 1643</b> By Sen. Williams, et al. (Rep. Alvarado)</p>	<p>Relating to the monitoring of prescriptions for certain controlled substances; providing penalties</p>	<p>Public Health</p>	<p>SB 1643 seeks to prevent abuse or overdose of prescription medication by strengthening the system used to track and monitor these controlled substances. This bill provides a definition for a Health Information Exchange as an organization that assists in the secure transmission of health-related information among entities such as hospitals, physician organizations, or health care collaboratives. The pharmacist is required include information on the official prescription form regarding method of payment for medication. This bill expands access to the Health Information Exchange for other licensed medical professionals to increase efficacy in tracking these medications. SB 1643 creates an Interagency Prescription Monitoring Work Group to identify effectiveness of this tracking system and submit a report on findings to the Legislature.</p>	<p><b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>
<p><b>SB 1672</b> By Sen. Taylor (Rep. Eiland)</p>	<p>Relating to the business of travel insurance; authorizing penalties</p>	<p>Insurance</p>	<p>SB 1672 seeks to ensure consumer protection by establishing licensing and regulatory framework for travel retailers that sell travel insurance. A travel retailer that works on behalf a licensed entity does not need to hold a travel insurance license. However, the bill would allow the commissioner of insurance the discretion to issue a specialty license (<i>cont'd on next page</i>)</p>	<p><b>Favorable</b> Evaluated by: Yvonne Okonkwo</p>

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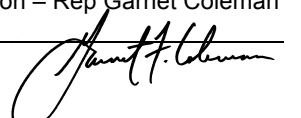
			<p>to a travel retailer. The bill specifies that the travel retailer has the authority to sell and disseminate travel insurance that is available for the consumers trip including, but not limited to, health and accidental travel insurance, accidental death or disbursement for medical expenses resulting from a sickness, accident, coverage for expenses incurred from a trip, loss or damage to personal belongings, etc.</p> <p>The bill authorizes a supervising entity designated by an insurer that provides travel insurance to authorize a travel retailer to offer and disseminate a travel insurance policy on behalf of the supervising entity by establishing a retailer registry to be maintained and updated on an ongoing basis in a form prescribed by commissioner rule. The bill requires that the supervising entity must be in compliance with federal interstate business commerce regulatory standards. Essentially, the supervising entity is responsible for the travel retailer that works under them. This retail traveler must offer the terms and agreements of the policies in brochures and written materials; however, they are not authorized to offer answers to technical and specific questions. Moreover, SB 1672 prohibits travel retailers from falsely advertising to consumers that they are licensed insurance holders or and insurance experts.</p>	<p>512-763-0031 Yvonne@Texaslsg.org</p>
<p><b>SB 347</b> by Sen. Seliger (Rep. Lewis)</p>	<p>Relating to funding for the operations of the Texas Low-Level Radioactive Waste Disposal Compact Commission.</p>	<p>Environmental Regulation</p>	<p>The bill requires the TCEQ to deposit a portion of the party state compact waste disposal fee into the perpetual care account, instead of the LLRWDC. Additionally the bill requires the comptroller to transfer funds equal to the amount appropriated for that state fiscal year from the low-level radioactive waste fund to the LLRWDC account on the first day of each fiscal year. SB 347 also requires the comptroller to transfer unexpended and unencumbered money from the previous fiscal year in the LLRWDC to the low-level radioactive waste fund.</p>	<p><b>Favorable</b> Evaluated by: Amanda Williams 512-763-0031 amanda.williams@texaslsg.org</p>
<p><b>SB 549</b> Sen. Williams, et al. (Rep. Carter)</p>	<p>Relating to penalties for engaging in organized criminal activity.</p>	<p>Criminal Jurisprudence</p>	<p>SB 549 requires a court to provide a jury with information regarding parole eligibility and good conduct time in the trial of a defendant that is guilty of engaging in organized crime and street gangs. An inmate serving a sentence for this crime is ineligible for release on parole until their calendar time is served, without consideration of good conduct, and equals one half of the sentence or 30 years, whichever is less, but not less than 2 years. If an inmate is charged with a first degree felony for organized crime or street gang activity, they are not eligible for mandatory supervision.</p> <p>A first degree felony offense for <i>organized criminal activity</i> is life imprisonment of not more than 99 years or less than 15 if the most serious offense is a first degree felony. The punishment for directing activities of <i>criminal street gangs</i> is life imprisonment not more than 99 years or less than 25. This bill redefines the conduct that constitutes criminal street gang activity to knowingly finance, direct or supervise the commission of one or more felony offenses by members of a street gang. Enhancing prison sentences is costly and may not deter criminal behavior.</p>	<p><b>Will of the House</b> Evaluated by: Muna Javaid 512-763-0031 muna@texaslsg.org</p>
<p><b>SB 646</b> By Sen. Deuell (Rep. Naishtat)</p>	<p>Relating to court-ordered outpatient mental health services.</p>	<p>Public Health</p>	<p>SB 646 increases effectiveness of care for patients in court-ordered outpatient mental health services. In a court order that directs a patient to outpatient mental health services, the judge must designate a person who must be a facility administrator or an individual involved in providing these services. The person responsible must submit to the court a general program of treatment that must include components of care coordination and other treatments or available resources to assist the patient. This bill specifies that failure of a patient to comply with the court-ordered program is not grounds for punishment or contempt of court.</p> <p>For temporary detention order, SB 646 requires an evaluation by a physician as soon as possible within 24 hours to determine if the patient presents substantial risk of harm to self or others. If it is determined that the patient does not pose serious risk or harm, the patient must be released along with notification to the person designated by the judge that provides outpatient mental health services.</p>	<p><b>Favorable</b> Evaluated by: Han Bui 512-763-0031 Han@texaslsg.org</p>

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<p><b>SB 736</b> By Sen. Watson (Rep. Smithee)</p>	<p>Relating to insurance rating and underwriting practices and declinations based on certain consumer inquiries.</p>	<p>Insurance</p>	<p>SB 736 expands consumer protection against increased insurance rates. Insurers providing homeowners insurance, farm or ranch owners insurance, or fire insurance are prohibited basing rates, premiums, or deductibles exclusively on previous consumer inquiries made.</p> <p>Currently, insurers are prohibited from using previous consumer inquiries to deny coverage, but statute leaves the further use of that information up to the discretion of the insurer. This can result in discriminatory rate setting.</p>	<p><b>Favorable</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>
<p><b>SB 987</b> by Sen. Hegar, et al. (Rep. Harless)</p>	<p>Relating to allowing the attorney general to obtain an injunction against a municipality or county that adopts prohibited regulations regarding firearms, ammunition, or firearms supplies.</p>	<p>State Affairs</p>	<p>SB 987 is a permissive bill that allows the Attorney General to obtain an injunction against a municipality or county that adopts prohibited regulations regarding firearms, ammunition, firearm supplies, or the discharge of a firearm at a shooting range.</p>	<p><b>Unfavorable</b> Evaluated by: Amanda Williams 512-763-0031 amanda.williams@texaslsg.org</p>
<p><b>SB 993</b> By Sen. Deuell (Rep. King, Susan)</p>	<p>Relating to the creation of the Texas Nonprofit Council to assist with faith-based and community-based initiatives.</p>	<p>Human Services</p>	<p>SB 993 establishes the Texas Nonprofit Council to improve relationships between state agencies and community and faith based initiatives. By improving relationships between state agencies and faith and community based organizations, the Texas Nonprofit Council can identify any duplication of services, gaps in services, and best practices to increase cooperation between these agencies. HHSC is authorized to appoint members of the council who can serve three year terms with a maximum of two consecutive terms. The council is required to submit a biennial report to the House Committee on Human Services, House Committee on Public Health, and the Senate Committee on Health and Human Services. The Texas Nonprofit Council is subject to the Texas Sunset Act but cannot be abolished under the act.</p>	<p><b>Favorable</b> Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org</p>
<p><b>SB 1705</b> By Sen. Campbell (Rep. Parker)</p>	<p>Relating to the administration of certain examinations required to obtain a driver's license.</p>	<p>Homeland Security &amp; Public Safety</p>	<p>SB 1705 allows DPS to authorize specified entities and appropriate organizations, including a driver education school, to administer the driving tests required for a driver's license. Currently, only DPS is permitted to administer driving tests.</p>	<p><b>Favorable</b> Evaluated by: Amanda Foster 512-763-0031 Amanda.foster@texaslsg.org</p>
<p><b>SB 1003</b> By Sen. Carona (Rep. Guillen)</p>	<p>Relating to a review of and report regarding the use of adult and juvenile administrative segregation in facilities in this state.</p>	<p>Corrections</p>	<p>SB 1003 creates an independent third party to review the confinement conditions, including administrative segregation, within the adult and juvenile justice systems. Administrative segregation is solitary confinement of an offender for 23 hours out of the day. This bill seeks to ensure that offenders are receiving effective treatment by gaining information about common practices within both systems. Areas investigated include the number of mentally ill in isolation, recidivism rates among this population, and access to rehabilitative resources. Additionally, they will provide a report regarding their findings and recommendations to the Legislature by December 2014. This bill has no fiscal impact on the state and will provide valuable information so that both systems can incorporate evidence based practice.</p>	<p><b>Favorable</b> Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>
<p><b>SB 1044</b> By Sen. Rodriguez (Rep. Walle)</p>	<p>Relating to access to criminal history record information by certain entities, including certain local government corporations, public</p>	<p>Criminal Jurisprudence</p>	<p>This bill exempts certain public defender's offices and the office of capital writs from paying a fee to DPS for criminal history records. Currently public defenders only have access to criminal history records within their county, but they are in need of all the background information in order to properly represent their client. This information can be released if requested without a fee to certain governmental agencies that represent the client, unless there is a court order against the release.</p>	<p><b>Favorable</b> Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>

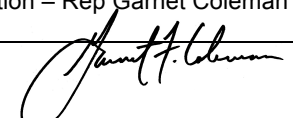
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	defender's offices, and the office of capital writs, and to an exemption for those offices from fees imposed for processing inquiries for that information.			
<b>SB 1173</b> Sen. West (Rep. White)	Relating to procedures for the sentencing and placement on community supervision of defendants charged with the commission of a state jail felony.	Criminal Jurisprudence	SB 1173 requires a presentence investigation report to be made by a supervision officer to a judge in regards to a defendant charged with a state jail felony. This report will contain recommendations for conditions of the community supervision by the supervision and corrections department advisable based on the offense. Other than a specified controlled substances related felony, a judge is authorized to order supervision immediately upon release of the defendant. A judge is required to order a whole sentence if the jury does not recommend community supervision.  This bill ensures that community supervision programs are effective on an individual basis and are being utilized efficiently.	<b>Favorable</b> Evaluated by: Muna Javid 512-763-0031 muna@texaslsg.org
<b>SB 1216</b> By Sen. Eltife (Rep. Davis, Sarah)	Relating to the creation of a standard request form for prior authorization of medical care or health care services.	Insurance	SB 1216 implements the same provisions outlined in SB 644 (Sen. Huffman/Rep. Zerwas) and seeks to streamline the authorization process and improve access to health care services. The bill defines health benefit plan issuers and requires the Texas Department of Insurance (TDI) to develop one standard authorization form by January 1, 2015. TDI must create a committee to develop the details of the form and the provisions for its implementation.  In addition, TDI must require an insurer to use the form and make it available electronically on the department's website, the insurers website, and the agent of the insurer's website. Electronic exchange of prior authorization requests must be fully implemented within two years of the implementation of the national standards for electronic prior authorization. Failure to comply will result in penalties established by TDI.	<b>Favorable</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org
<b>SB 1296</b> By Sen. Taylor (Rep. Kuempel)	Relating to the regulation of real estate inspectors; changing fees	Licensing & Administrative Procedures	SB 1296 expands requirements for licensed real estate inspectors who are regulated by the Texas Real Estate Commission (TREC) to be more consistent with other TREC licensee specifications. Real estate inspector license applicants must complete a criminal history background check with fingerprinting. This bill increases pre-licensing classroom hours as well as additional continuing education for licensing and renewals. Licensed real estate inspectors must also maintain a Risk Retention Liability insurance policy with specified minimum limits.  Since inspectors will be required to maintain an errors and omissions liability policy, the real estate inspection recovery fund becomes redundant and is no longer necessary. The recovery fund will therefore be phased out.	<b>Favorable</b> Evaluated by: Yvonne Okonkwo 512-763-0031 Yvonne@Texaslsg.org
<b>SB 1368</b> By Sen. Davis (Rep. Alvarado)	Relating to contracts by certain state governmental entities that involve the exchange or creation of public information.	Transparency in State Agency Operations, select	SB 1368 makes records of third party private vendors that contract with state governmental agencies to provide goods or services available to the public and subject to the current public information act.	<b>Favorable</b> Evaluated by: Katherine Little 512-763-0031 Katherine@texaslsg.org
<b>SB 1388</b> By Sen. Carona (Rep. Bohac)	Relating to identity recovery services; imposing a fee.	Business & Industry	SB 1388 redefines "identity recovery service contracts" and requires service providers to report contracts quarterly to the Texas Department of Licensing and Regulation (TDLR) with a \$1 fee for each contract. The amended definition includes contracts for a specified term, those not expressly for identity recovery services, and those financed through a retail installment contract. Identity recovery is defined as a process through a limited power of attorney and the assistance of an identity recovery expert that returns the identity of an identity theft victim to pre-identity theft event status.	<b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org

<p><b>SB 107</b> Sen. West (Rep. Johnson)</p>	<p>Relating to the disclosure by a court of criminal history record information that is the subject of an order of nondisclosure.</p>	<p>Criminal Jurisprudence</p>	<p>SB 107 prohibits a court from disclosing any information to the public relating to records that are subject to an order of nondisclosure for a person placed on deferred adjudication community supervision who received a discharge and dismissal. This information may only be available to criminal justice agencies, certain specified noncriminal justice agencies, and the person subject to the order. Court records concerning the order must be sealed by the court clerk after all criminal history record information is sent to DPS. This bill allows individuals that have completed their deferred adjudication community supervision to reintegrate into society and reduces barriers to housing and jobs.</p>	<p><b>Favorable</b> Evaluated by: Muna Javid 512-763-0031 muna@texaslsg.org</p>
<p><b>SB 1567</b> By Sen. Davis (Rep. Eiland)</p>	<p>Relating to coverage of certain persons under an automobile policy.</p>	<p>Insurance</p>	<p>Currently, named driver vehicle insurance policies provide coverage to the enrolled individual and any individual living in the home who is named on the policy. SB 1567 simply requires insurers to verbally and orally disclose the provision that states that individuals who are not listed on the policy are not covered. The applicant must provide signed verification of receipt and both must take place prior to enrollment. This will ensure that individuals receiving coverage are aware of the extent of that coverage and it will protect all parties from the unintended consequences of individuals unknowingly driving with no insurance.</p>	<p><b>Favorable</b> Evaluated by: Laura Welch 512-763-0031 Laura@texaslsg.org</p>
<p><b>SB 1747</b> By Sen. Uresti, et al. (Rep. Keffer)</p>	<p>Relating to funding donations for county transportation projects, including projects of county energy transportation reinvestment zones.</p>	<p>Energy Resources</p>	<p>SB 1747 authorizes the establishment of county energy transportation reinvestment zones (CETRZ) and outlines funds for infrastructure projects in their boundaries. SB 1747 authorizes a county or counties jointly to designate by resolution, an area affected by oil and gas activity as a CETRZ in order to promote infrastructure projects. The designation would operate much like that of county transportation reinvestment zone (TRZ). The bill requires a commissioner’s court to hold a public hearing before an area receives the designation and outlines how captured appraised property in the zone to fund or apply for grants to fund these infrastructure projects. The bill sets criteria for an area’s eligibility for designation, items to be considered by the county in awarding funds, the application and review process, and reports to be filed on a county’s allocation of monies for projects in a CETRZ. SB 1747 also establishes a Transportation Infrastructure Fund (TIF) outside general revenue to collect federal and state funds – matching, appropriated and otherwise – gifts, grants, fees and investment earnings. The bill establishes a grant program to be developed and administered by TxDOT for projects in a CERTZ. To be eligible for grants, a county must create an advisory board to advise on the activities of a county regarding a CERTZ. The bill outlines who sits on the board – two public members and three oil and gas company representatives who are also local taxpayers. A grant award requires the county to match between 5 and 10 percent of the grant monies. The LBB estimates a \$2 million loss each biennium.</p>	<p><b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>
<p><b>SB 1769</b> By Sen. Rodriguez (Rep. White)</p>	<p>Relating to the creation of an advisory committee to examine the fingerprinting practices of juvenile probation departments</p>	<p>Corrections</p>	<p>SB 1769 requires the Texas Juvenile Justice Board to establish an advisory committee to examine the practice of fingerprinting children with low level offenses. The committee will develop best practices recommendations to guarantee that the rights of children are safeguarded. The committee will consist of certain qualified members, including probation officers, juvenile defense attorneys, and juvenile justice advocates. This bill excludes adolescents charged with a felony. Additionally, this bill has no fiscal impact, as the committee does not receive compensation and is abolished January 1, 2015. Currently, many children are being charged and fingerprinted for low-level misdemeanors and these records are often available to the public. This presents significant hardship for the youth, at the time of the conviction and as an adult. Children who have learned from their mistakes may get unwanted attention and be labeled as a troublemaker. This could also affect their ability to gain employment or housing as adults because of background checks.</p>	<p><b>Favorable</b> Evaluated by: Natalie R. Powell 512-763-0031 Natalie@texaslsg.org</p>
<p><b>SB 485</b> By Sen. Ellis (Rep. Parker)</p>	<p>Relating to the sales tax exemption period for clothing and footwear.</p>	<p>Ways &amp; Means</p>	<p>SB 485 moves the tax free weekend one week earlier to begin the Friday preceding the start of school by at least 15 days. The bill also clarifies that the tax free weekend is based on the uniform start date and not the minority of schools allowed to start on different weekends. Currently, the tax free weekend begins the Friday preceding the start of school by at least 8 days.</p>	<p><b>Favorable</b> Evaluated by: Kristen Macaluso 512-763-0031 Kristen@texaslsg.org</p>

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