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LSG Floor Report For Major State Calendar – Thursday, April 13, 2023

<p>HB 2</p> <p>By: Meyer Bonnen Burrows Thierry Raymond</p>	<p>Relating to providing property tax relief through the public school finance system and property tax appraisal and administration.</p>	<p>Ways & Means</p> <p>10 Ayes, 1 Nay, 0 PNV, 0 Absent</p>	<p>Because Texas does not have an income tax, the state heavily relies on sales and property taxes to fund government services, including schools. Texas property taxes have grown more than 20% from 2017 to 2021. Constituents have cited issues with the unaffordability and unpredictability of rising taxes. Local school district tax rate compression is currently based on property value growth, meaning that as property values rise, tax rates decrease, and an equity band is in place to ensure fairness in compression. Additionally, appraisals are capped at 10% for homesteads, which prevents taxes from rising too quickly. Finally, escrow accounts are currently optional and can be provided at the discretion of tax assessors.</p> <p>There are three main provisions of HB 2, rate compression, appraisal caps, and escrow requirements.</p> <p>Expediting Rate Compression HB 2 reduces the maximum compressed rate by an additional \$0.15 cents. Tax rate compression shifts the burden of funding schools from local taxpayers to the state. Decreased tax rates will result in less revenue collected, reducing the number of school districts that pay into recapture. Taxpayers will also pay less property taxes. Because tax rates are based on a percentage of the appraised value, property owners with the highest valued homes gain the most benefit. Rate compression is one of the better ways to provide taxpayers with property tax relief besides a flat-dollar homestead exemption. HB 2's rate compression does not hurt or help schools; they still receive their entitlements and come out revenue-neutral.</p> <p>Reducing the Appraisal Cap Appraisal caps limit how much a property's taxable value can increase in a year. Currently, appraisals are capped at 10% for homesteads. HB 2 reduces the annual appraisal cap to 5% per year and expands it to all real property, including land, improvements, mines or quarries, minerals in place, standing timber, or an estate or interest in a property. The appraisal cap would take effect January 1st of the tax year after the tax</p>	<p>Will of the House</p> <p>Evaluated by: Drew Tonjes (512) 672-8406 Drew@texaslsg.org</p>
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year the property was purchased, making it so that the rate cannot go up more than 5%, even if the market value goes up.

Appraisal caps may create more predictability in property taxes for owners whose property values are expected to skyrocket. However, this does not necessarily mean a tax reduction. By limiting the growth of taxable value, an appraisal cap requires taxing units to adopt higher tax rates to raise the same amount of revenue for essential services. This undermines the intentions of the major school finance and property tax bills of the 86th Legislature, HB 3 and SB 2.

A reduced cap would widen the gap between market and appraised value as property values increase, leading to inconsistent taxable values on properties worth roughly the same amount. Because an appraisal resets to reflect the full market value when a property is sold, newer homeowners will pay higher property taxes closer to the market value of their home compared to their neighbor in a similarly valued home, but purchased years earlier.

This is especially troubling for businesses, such as hotels or apartment complexes, that may have to charge significantly different fees or rent for people staying in similarly valued properties. Additionally, depending on when they purchased the property, new business with commercial real estate may struggle to compete with businesses tenured into lower property tax rates, discouraging competition. Large established corporations will benefit the most.

A reduced appraisal cap will also negatively impact renters and may increase the baseline for what properties charge for rent. New rental housing units will have to set higher rates than long-standing competitors to make a profit. The longstanding apartment complex will then be able to justify increasing their rates to increase profits, at the detriment of renters. Rent increases will set a new baseline for what properties can charge.

Another negative consequence of appraisals resetting to market value when a property is sold is the “lock-in effect.” This is when individuals are disincentized to move because they will have to pick up a larger property bill in their next home or business location. The negative effects of appraisal caps are evident, and California’s Proposition 13 is a well-known example of appraisal caps hurting the real estate market. Setting the appraisal cap to 5% for all real properties will have devastating impacts on all Texans, including commercial property owners, homeowners, renters, and businesses.

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			<p>Escrow Account Requirements</p> <p>Lastly, HB 2 requires tax assessors to provide escrow accounts at the request of property owners. These accounts will be maintained by the collector and used to hold onto property tax payments for property owners so they can make tax payments throughout the year.</p> <p>Overall, HB 2 attempts to reduce property tax rates for all real property owners. Rate compression can be beneficial for property owners, as it reduces the percentage of tax paid equally across property owners. Appraisal caps will cause logistical issues for appraisers and primarily benefit current homeowners in areas where property rates are skyrocketing rapidly, leaving out new families and first-time home buyers, negatively impacting renters, and reducing competition for businesses. Mandating the provision of escrow accounts by request will help property tax owners budget for property taxes. HB 2 includes some helpful provisions but should not set lower appraisal caps to the detriment of taxpayers and the economy.</p> <p>Appraisal caps will negatively impact taxpayers across Texas, including homeowners and businesses</p>	
<p>HB 1550</p> <p>By: Goldman</p>	<p>Relating to the continuation and functions of the Office of State-Federal Relations.</p>	<p>International Relations & Economic Development</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>HB 1550 is the Office of State and Federal Relations’ (OSFR) sunset bill. The OSFR coordinates state and federal programs, informs the governor and the legislature about federal programs that could affect state affairs, and provides federal agencies and the U.S. Congress with information on state policies and conditions relevant to the federal government. During the review of the OSFR, the Sunset Advisory Commission found that having a state liaison in Washington, D.C. benefits Texas through coordinating with its partners, tracking policy proposals, and facilitating connections. Because of these benefits, the commission suggested that the OSFR should continue for the next 12 years.</p> <p>The commission also recommended that the OSFR repeal old and unnecessary rules about managing federal funds. Additionally, it suggested that the office update its annual report to remove outdated information. Lastly, the commission suggested that the OSFR explore ways to improve the distribution of its weekly updates.</p> <p>HB 1550 aims to extend the Office of State-Federal Relations until September 1, 2035, and update state law to reflect the activities and capabilities of the office. Additionally, HB 1550 requires the office to post its annual report detailing its operations, goals, and plans on its publicly accessible website.</p>	<p>Favorable</p> <p>Evaluated By: Brian Dusablon 281-789-8955 Brian@texaslsg.org</p>
<p>HB 1515</p> <p>By: Clardy Holland Canales </p>	<p>Relating to the continuation and functions of the Texas Economic Development and</p>	<p>International Relations & Economic Development</p>	<p>HB 1515 is the Texas Economic Development and Tourism Office’s (EDT) sunset bill. The EDT is a government organization whose mission is to market and promote Texas as a premier business location and travel destination. The Sunset Advisory Commission reviewed EDT and determined that the Texas economy benefits from a state-level economic development function and recommended continuing the office for 12 years, with some changes to its programs.</p>	<p>Favorable</p> <p>Evaluated By: Brian Dusablon 281-789-8955 Brian@texaslsg.org</p>

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Goldman Bell, Keith	Tourism Office.	7 Ayes, 0 Nays, 0 PNV, 2 Absent	<p>The commission found that the Product Development and Small Business Incubator Program (PDSBI) and the Original Capital Access Program (OCAP) were underperforming and recommended that they be abolished. Any remaining investment earnings from PDSBI will be deposited into the Texas Economic Development Bank Fund and can be used for bond redemption or any costs associated with debt service or bond redemption. If a program is abolished, a member of that advisory committee may be reappointed to serve on a new advisory committee. HB 1515 would also change some of the rules for lending programs and require EDT to gather stakeholder input. The commission also suggested that EDT improve its communication and rules for lending programs, focus on supporting tourism in local communities, and use its resources more efficiently.</p> <p>HB 1515 also seeks to change reporting requirements for EDT, making it easier for the Office of Small Business Assistance Advisory Task Force to operate. Under HB 1515, the governor must make appointments to any advisory committee related to the aerospace and aviation industry.</p> <p>HB 1515 aims to continue EDT, improve or abolish some of its programs, and increase efficiency by reallocating resources toward more community-focused tourism development.</p>	
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LSG Floor Report For Constitutional Amendments Calendar – Thursday, April 13, 2023

<p>HJR 1</p> <p>By: Meyer Bonnen Burrows Thierry Raymond</p>	<p>Proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of real property for ad valorem tax purposes and to except certain appropriations to pay for ad valorem tax relief from the constitutional limitation on the rate of growth of appropriations.</p>	<p>Ways & Means</p> <p>10 Ayes, 1 Nay, 0 PNV, 0 Absent</p>	<p>HJR 1 is the enabling legislation for HB 2. HJR 1 allows voters to decide whether or not they want to decrease the appraisal cap to 5% and expand the application of the appraisal cap to all real property. If voters vote against this joint resolution, the 5% appraisal cap and expansion to all real property in HB 2 will not take effect.</p> <p>HJR 1 also establishes that certain appropriations made to pay for property tax relief do not count toward the limit on the growth of appropriations under the Constitutional tax spending limit.</p>	<p><u>Will of the House</u></p> <p>Evaluated by: Drew Tonjes (512) 672-8406 Drew@texaslsg.org</p>
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LSG Floor Report For General State Calendar – Thursday, April 13, 2023				
<p>HB 513</p> <p>By: Metcalf Cook Johnson, Ann Canales Vasut</p>	<p>Relating to the manufacture or delivery of a controlled substance or marihuana causing death or serious bodily injury; creating a criminal offense; increasing a criminal penalty.</p>	<p>Criminal Jurisprudence</p> <p>9 Ayes 0 Nays 0 PNV 0 Absent</p>	<p>Under current law, there is no standalone offense for delivering or manufacturing a controlled substance that results in an overdose. Currently, these offenses are based on the weight of the drug recovered, which can make it difficult for prosecutors and investigators, as the drugs have often been removed or used. Overdose has become an increasing issue in recent years, reaching a peak of over 100,000 deaths in 2022.</p> <p>HB 513 seeks to address this issue by creating a standalone offense for delivery or manufacture of a controlled substance, including marijuana, that results in death or serious bodily injury. This offense holds no weight requirement and would be: a third-degree felony for serious bodily injury, a second-degree felony for death, and a first-degree felony if a minor is harmed or dies due to the controlled substance. These offenses apply regardless of if the controlled substance was used by itself or with another substance.</p> <p>HB 513 intends to address the overdose crisis sweeping across Texas. However, there are some concerns that enhancing penalties may make it more likely that if someone overdoses in the presence of the person who delivered the drugs, that person would flee to avoid arrest instead of calling the authorities or staying to assist the person in distress.</p>	<p><u>Favorable with Concerns</u></p> <p>Evaluated By: Samantha Ruelas Sam@texaslsg.org</p>
<p>HB 1910</p> <p>By: Anchia</p>	<p>Relating to the prosecution of the offense of forgery.</p>	<p>Criminal Jurisprudence</p> <p>5 Ayes 0 Nays 0 PNV 4 Absent</p>	<p>Currently, Texas law uses the “value ladder” when determining the penalty for an offense of forgery writing. This includes forged or counterfeit money. This ladder outlines a specific penalty for each amount used when the defendant obtained or attempted to obtain a good or service. Concerns have been raised that this ladder does not allow for a court's discretion and does not take into account the total monetary amount of forged money the defendant may have had in their possession but did not use during the transaction. Under the current interpretation of this law, a prosecutor may not charge the defendant in proportion to the monetary amount of counterfeit money seized at the time of the arrest, only the amount used during the transaction. This issue primarily affects small businesses that may not have the time or resources to catch all counterfeit bills, which costs them money over repeated instances.</p> <p>HB 1910 seeks to address this issue by creating a presumption that the defendant in a forgery case intended to use all forged writings in their possession at the time of the arrest. This will clarify that forgery charges are based on the amount of forged writings in the defendant's possession at the time of the offense, not just what was used during the transaction.</p> <p>HB1910 allows for more discretion in Texas' court system by allowing the prosecution to consider the total amount of forged writings in the defendant's possession and helps to ensure that Texas businesses do not have to contend with forged writings.</p>	<p><u>Favorable</u></p> <p>Evaluated By: Savannah Lee Savannah@texaslsg.org</p>

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<p>HB 2484 By: Guillen Thompson, Ed</p>	<p>Relating to the safety of a referee, judge, or other official at a public school extracurricular activity and prohibiting certain conduct by a spectator related to those officials' safety.</p>	<p>Public Education 10 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Currently, there are no explicit required protections for referees or other officiators from violent treatment by spectators at a public school athletic event. There is also a lack of consistent regulation when a violent incident occurs.</p> <p>HB 2484 creates a policy barring the future attendance of a spectator that intentionally, knowingly, or recklessly causes bodily harm to a referee in their official capacity. The Education Commissioner would determine appeals to decisions made regarding the determination of violent conduct. The bill does not reference an expiration on the ban. The bill requires the presence of a peace officer, school resource officer, administrator, or security personnel at every school sporting event until the referee departs school property to further ensure the safety of referees.</p> <p>HB 2484 provides explicit and consistent consequences for unwarranted violence on referees.</p>	<p>Favorable Evaluated by: Stefanie Page (512)-766-8477 Stefanie@texaslsg.org</p>
<p>HB 861 By: Lozano Orr</p>	<p>Relating to the processing and sale of kratom and kratom products; providing civil penalties; creating a criminal offense.</p>	<p>Public Health 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Kratom is a plant-based substance that some people use to manage pain, depression, and addiction. It's become more popular in the US, especially for managing symptoms of opioid withdrawal. Although the Food and Drug Administration approved kratom for sale as an herbal supplement, it is not approved for medical use. Doctors and lawmakers are worried that people don't know enough about kratom and that it's not regulated.</p> <p>HB 861, Texas Kratom Consumer Health and Safety Protection Act, seeks to regulate how kratom is processed, labeled, and sold in Texas. HB 861 defines key terms such as "kratom," "kratom processor," "kratom product," and "kratom retailer."</p> <p>Under HB 861, kratom processors must label their products with usage directions that ensure safe use by consumers, including recommended serving sizes. Retailers will only be allowed to sell kratom products that are properly labeled. HB 861 also prohibits kratom processors and retailers from preparing, distributing, selling, or offering to sell a kratom product that is adulterated with a harmful substance, including any controlled substance.</p> <p>HB 861 creates civil penalties for processors or retailers who violate its provisions and a Class C misdemeanor offense for selling to anyone under 18 years old. The bill authorizes the attorney general or an applicable district, county, or municipal attorney to file a suit to recover a civil penalty.</p> <p>Finally, HB 861 authorizes the Health and Human Services Commission (HHSC) executive commissioner to adopt rules to ensure the safe consumption and distribution of kratom and kratom products in Texas.</p> <p>Along with prohibiting the sale of Kratom to minors, HB 861 establishes standards for retailers and aims to ensure that vendors follow safe manufacturer standards and label their products to protect Texans.</p>	<p>Favorable Evaluated By: Brian Dusablon 281-789-8955 Brian@texaslsg.org</p>

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<p>HB 591 By: Capriglione</p>	<p>Relating to an exemption from the severance tax for gas produced from certain wells that is consumed on site and would otherwise have been lawfully vented or flared.</p>	<p>Ways & Means 9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Oil and gas companies are currently exempt from paying severance taxes for lawful venting and flaring gas. However, when flared gas is used for productive purposes, like Bitcoin mining, it is unclear if this gas is subject to a severance tax, making it more economical to flare or vent gas without using it for other purposes. HB 591 exempts qualifying wells that would have otherwise been lawfully vented or flared from severance taxes when used for productive purposes.</p> <p>HB 591 would require the well and pipeline operator to apply to the Railroad Commission (RRC) to certify that their well qualifies for the exemption. Certificates expire one year after issuance. To qualify for tax exemption, the individual responsible for paying the tax must apply to the comptroller and provide any requested information. The RRC, well operator, or pipeline operator must notify the comptroller immediately in writing if a well no longer qualifies, and the RRC and comptroller can adopt any rules necessary to implement and administer this section.</p> <p>Using this gas for productive purposes is better than wasting it. Providing a tax incentive to productively use this natural resource may offset the potential negative consequences of this bill.</p>	<p>Favorable Evaluated by: Drew Tonjes (512)672-8406 Drew@texaslsg.org</p>
<p>HB 53 By: Thompson, Ed Shine Ashby</p>	<p>Relating to the exemption from registration fees of certain vehicles used by nonprofit disaster relief organizations.</p>	<p>Transportation 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Nonprofit disaster relief organizations have raised concerns about the vague language in the transportation code for “emergency response” to receive an exemption from vehicle registration fees.</p> <p>HB 53 strikes the phrase “used exclusively for emergencies” and instead provides the following list of appropriate emergency response vehicle uses: “emergencies, training, equipment maintenance, transportation of disaster relief supplies, or other activities related to disaster relief.” HB 53 requires a statement signed by an officer of the nonprofit in a vehicle registration application that describes the vehicle’s usage.</p>	<p>Favorable Evaluated By: Carl Schwartz (512) 777-1391 Carl@texalsg.org</p>
<p>HB 540 By: Longoria</p>	<p>Relating to the award of library construction grants by the Texas State Library and Archives Commission.</p>	<p>Culture, Recreation, and Tourism 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Funding for new libraries along the Texas border was appropriated by the 86th Legislature. However, the current statute prohibits using state grants to construct public libraries. Additionally, the current statute complicates state matches for current and potential federal funding opportunities.</p> <p>HB 540 strikes the language that prohibits the use of state grants to fund library construction. The bill also authorizes TSCLA to use state, federal, and other funds to award grants for new library construction, and for renovation and rehabilitation of existing libraries. Libraries are a vital resource for Texas communities and should be properly supported.</p>	<p>Favorable Evaluated By: LaTicia Jeffers (740) 621- 4226 laticia@texaslsg.org</p>
<p>HB 2037 By: Johnson, Ann</p>	<p>Relating to certain proceedings in juvenile court for children with mental illness and intellectual</p>	<p>Juvenile Justice and Family Issues 9 Ayes 0 Nays</p>	<p>Chapter 55 of the Family Code, which outlines juvenile proceedings concerning children with mental illnesses or intellectual disabilities, was originally created by pulling language from the penal and health and safety codes that applied to adults. As the State’s knowledge of childhood development has progressed, this code has become increasingly outdated and difficult to navigate. The last time that Chapter 55 was updated was in 1999, and it has fallen far behind what is necessary to ensure the care of vulnerable children. This spurred the creation of the Chapter 55 Advisory Committee, which convened in December of</p>	<p>Favorable Evaluated By: Savannah Lee 281-900-4980 Savannah@texaslsg.org</p>

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	<p>disabilities.</p>	<p>o PNV o Absent</p>	<p>2021 to evaluate Chapter 55 with the goal of proposing changes to the code. HB 2037 implements those changes, with a focus on streamlining the proceedings processes, keeping vulnerable children close to home, and providing specifically tailored care for children with nuanced needs.</p> <p>Language Adjustment HB 2037 removes outdated language that refers to “mental retardation” or “mental retardation authority” from the Juvenile Justice Code and replaces these terms with “intellectual disability” and “local intellectual and developmental disability authority.”</p> <p>Examinations of Children with Mental Illness or Intellectual Disability Under HB 2037, if a court determines that a child is presenting with mental illness or is unfit to participate in juvenile court proceedings, or is not responsible for the conduct for which they are being tried due to an intellectual disability or mental illness, then the court may have a forensic mental evaluation completed. The purpose of this evaluation is to determine if the child meets the criteria for mental health or intellectual disability court-ordered services and delineate which criteria were met. HB 2037 outlines the specific licensing requirements of who is permitted to conduct this evaluation, including specialized educational requirements. The court does have the discretion to select another specialized individual that does not meet the outlined criteria.</p> <p>Inpatient and Outpatient Services HB 2037 authorizes juvenile courts to order children within their jurisdiction to inpatient or outpatient mental health services. HB 2037 provides the necessary criteria for these services to be ordered. For example, a court may order inpatient services for a child that is proven to be a serious risk to themselves or others. Another example is that a court may order outpatient services for a child that lives with a severe and persistent mental illness. Whatever the justification used, there must be clear and convincing evidence to support it. The court does have the discretion to extend the participation of these services if it is determined the reported conditions will continue for more than 90 days and if the child has already received those services for 60 consecutive days in the past year. For outpatient services specifically, the court may extend those services if the child was participating in inpatient services for 60 consecutive days.</p> <p>Residential Services for Children with Intellectual Disabilities HB 2037 prohibits a child from receiving court-ordered residential services. HB 2037 provides the exception that a child can be ordered for such services if the child:</p> <ul style="list-style-type: none"> • has an intellectual disability (ID), • cannot receive treatment in a less restrictive setting, • the residential facility is the appropriate level of care for the child, • an interdisciplinary team recommends the child for residential placement, 	
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			<ul style="list-style-type: none"> and, there is evidence that a child is at risk of harming themselves or others due to the ID. <p><i>Mental Illness Determination</i> HB 2037 includes provisions that require information obtained from a forensic examination to include a determination by the expert as to whether or not the child meets the criteria for court-ordered mental health services. HB 2037 changes the commitment criteria for court-ordered mental health services from the Texas Mental Health Code to outlined services established by the bill under which a juvenile court ascertains that the child has a mental illness. Provisions are included for an event in which the court will need to dissolve a stay because it has been determined that the evidence does not support a finding that the child meets the criteria for having a mental illness. In this case, the court may continue with proceedings as planned.</p> <p><i>Standards of Care</i> HB2307 includes an outline of the standards of care regarding children who receive court-ordered mental health services. This treatment must focus on the stabilization of the child’s mental illness and meeting the child’s psychiatric needs in the “least restrictive and appropriate setting,” which is defined within the bill. The intention is to ensure that the child is receiving the most appropriate level of care for their mental health needs without needlessly removing the child from their home or restricting their physical or social liberties.</p> <p><i>Criminal Court Transfers</i> HB 2037 adjusts current provisions regarding the transfer of care of a child who has been ordered to participate in inpatient care from a juvenile court to a criminal court upon their 18th birthday. Juvenile courts are authorized to waive their jurisdiction over the child, and juvenile courts are authorized to transfer the child’s pending court proceedings to criminal court. The jurisdiction waiver or discretionary transfer to criminal court can occur on or after the child’s 18th birthday. A court must notify the facility in which the child is placed regarding the waiver or transfer to criminal court.</p> <p><i>Unfit to Proceed or Lack of Responsibility</i> HB 2037 requires a court to determine during a forensic mental health evaluation whether or not the child is unfit to proceed as a result of their mental illness or ID. Any report based on the examination must consider;</p> <ul style="list-style-type: none"> if the child has a mental illness or ID (this determination must take into account the child’s current state as well as their past behavior) the capacity of the child to understand the nature of the legal process, the roles of the participants, the allegations being levied against them, as well as how to behave in a courtroom 	
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		<ul style="list-style-type: none"> the degree of impairment caused or exacerbated by the child’s mental illness or ID, as well as it’s impact on the ability of the child to engage with counsel and the proceeding <p>If a child is found unfit to proceed or not responsible because of their mental illness or ID, then the child can be placed into inpatient mental health services or residential intellectual disability services per the bill’s provisions. If a child does not meet such criteria, the bill dictates that the court may require the child to receive treatment services in an outpatient alternative setting. The State or affiliated political subdivision may pay for these services, and a juvenile probation department may provide restoration services in collaboration with the alternative services.</p> <p><i>Proceedings for Mental Health or Intellectual Disability Services</i> H.B. 2037 makes provisions relating to juvenile court referral and proceedings for a child with mental illness and for a child found unfit to proceed or who lacks responsibility for conduct due to mental illness or an intellectual disability, including::</p> <ul style="list-style-type: none"> before the date of the hearing, the local mental health authority must file a recommendation for the child’s treatment; the person responsible for outpatient mental health services must be identified at least three days before the date set for a hearing that may result in the child being ordered to receive outpatient mental health services; the least restrictive appropriate setting for the child’s treatment be considered; and the parent or guardian’s availability and interest in participating in the child’s treatment services be considered <p>Additionally, if a juvenile court initiates proceedings for a child who lacks responsibility due to an ID or is found unfit, a prosecuting attorney may request for a report and recommendation outlining that the child is in need of long-term placement in a residential care facility. It is specified that the court is required to send to the applicable court all documentation in relation to the child’s mental illness or intellectual disability, the child’s unfitness to proceed, or the child’s lack of responsibility due to a mental illness or an ID. The court must conduct a detention hearing if they find that the child requires further detention. If the child is currently detained in a juvenile facility, HB 2037 requires that the court orders that the child be released to an appropriate place, detained, or transferred to a more appropriate facility that is not a juvenile detention facility, or conducts a detention hearing. If the child is found to require further detention, the child may remain in the juvenile detention facility.</p> <p><i>Additional Provision Changes</i></p>	
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<p>HB 279 By: Jetton</p>	<p>Relating to the prosecution and punishment of the offense of trafficking of persons.</p>	<p>Criminal Jurisprudence</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>In Texas, the burden of proof for cases of sex trafficking is high, requiring a demonstration of force, fraud, or coercion. This burden is challenging for law enforcement agencies, especially considering the complexities of victims' mindsets around their perceived victimhood and inability to talk about their repeated trauma. This burden is especially difficult to reach when the victim has a disability, as those with certain disabilities may have an increased risk of being trafficked and may be more susceptible to coercion.</p> <p>HB 279 seeks to address this issue by subjecting the charge of sex trafficking of an individual with a disability to the same conditions as the prosecution for sex trafficking of a child. These conditions do not require proof of fraud, force, or coercion. Under HB 279, a person with a disability would be defined as someone "older than 13 years of age who by reason of age, physical or mental disease, defect, or injury is substantially unable to protect the person's self from harm or to provide food, shelter, or medical care for the person's self." This offense constitutes a first-degree felony regardless of if the trafficker knows that the individual has a disability.</p> <p>By aligning the conditions for sex trafficking of a person with a disability with the conditions of sex trafficking of a child, HB 279 protects some of Texas' most vulnerable citizens in a way that addresses the nuanced issue of sex trafficking.</p>	<p>Favorable Evaluated By: Savannah Lee 281-900-4980 savannah@texaslsg.org</p>
<p>HB 113 By: Ortega Klick Allison</p>	<p>Relating to the use of community health workers in Medicaid managed care.</p>	<p>Human Services</p> <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Community health workers play a vital role in improving health care access and outcomes. Specifically, they are highly impactful in maternal health. Currently, any costs associated with community health workers are considered administrative expenses that are capped at a certain amount, limiting the additional hiring of community health workers.</p> <p>HB 113 requires the Health and Human Services Commission (HHSC) to allow Medicaid managed care organizations providing health care services under the STAR program (which covers low-income children, pregnant women and families) to categorize community health workers' services as a quality improvement cost. This will allow more providers to hire additional community health workers to better serve patients.</p>	<p>Favorable Evaluated by: La'Dereka Christian Ladereka@texaslsg.org (512) 710-5627</p>

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<p>HB 3013 By: Slawson</p>	<p>Relating to exempting certain contracts from procurement notice requirements.</p>	<p>State Affairs 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>The 87th Legislature passed SB 799 to reduce inefficiencies in the vendor-services procurement process for state agencies. However, SB 799 had the unintended consequence of making the procurement process more arduous by requiring state agencies to post a procurement notice two months before advertising solicitation for contracts over \$20 million. This hampers state agencies' ability to adeptly and rapidly respond to the needs of Texans during natural disaster emergencies, particularly the Disaster Recovery division of the General Land Office (GLO). Currently, the Comptroller is not required to follow the 2-month notice procurement requirement for vendor contracts over \$20 million. HB 3013 extends that exemption to all state agencies if the contracts are for natural disaster response efforts.</p> <p>HB 3031 will expedite the GLO's and other state agencies' ability to respond to emergencies quickly and efficiently. Although the bill may decrease transparency around vendor applicants, it is a small cost to pay to get people in disaster areas services sooner.</p>	<p>Favorable Evaluated by: Nzingha Williams-Eugene (214) 631-9720 Nzingha@texaslsg.org</p>
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