



Texas Legislative Study Group

An Official Caucus of the Texas House of Representatives

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LSG Floor Report For POSTPONED BUSINESS UNTIL 9:00 AM – Thursday, April 20, 2023

<p>HB 797 By: Button Cook Bell, Keith</p>	<p>Relating to education requirements for an applicant to take the uniform CPA examination.</p>	<p>Licensing & Administrative Procedures 7 Ayes, 0 Nays, 0 PNV, 4 Absent</p>	<p>HB 797 aims to increase the number of CPAs in Texas by removing obstacles for CPA-seeking students and allowing them to sit for their exams sooner. According to the Texas Society of Certified Public Accountants, there is a need for more CPAs in Texas to support the increase in population and the number of new businesses moving to the state. However, excessive exam and certificate requirements lead many students to take the CPA exam in other states and not return to the Texas workforce.</p> <p>HB 797 would allow prospective CPAs to sit for the exam after completing 120 semester hours rather than 150. It would also permit prospective CPAs to have 24 semester hours of accounting-specific courses rather than an accounting concentration at the time of the test. CPA-seeking students will still be required to complete the current requirements of 150 semester hours and accounting concentration or equivalent courses to receive the certificate/licensure. HB 797 would also remove the eligibility requirement that a person has at least two years of work experience under the supervision of a certified public accountant to receive a certificate.</p>	<p><u>Favorable</u></p>
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LSG Floor Report For POSTPONED BUSINESS UNTIL 10:00 AM – Thursday, April 20, 2023

<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><u>Favorable</u></p>
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<p>HB 1024</p> <p>By: Thompson, Senfronia Kuempel Hernandez Darby Allen</p>	<p>Relating to the value of residential dwelling offered or awarded as a prize at a charitable raffle.</p>	<p>Licensing & Administrative Procedures</p> <p>8 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Charitable organizations like St. Jude Hospital work to help families throughout the U.S. without charging for care. To fund its operations, St. Jude’s hosts various raffles to raise money. One of the events they host is the annual St. Jude’s Dream Home giveaway, where they offer a home as a raffle prize. Current law restricts the maximum value of a home awarded as a prize through a charity raffle to \$250,000. This monetary cap has not increased since 2005 to keep up with inflation and current home prices.</p> <p>HB 1024 would increase the statutory cap of a residential dwelling that can be offered or awarded as a prize at an organization’s charitable auction from \$250,000 to \$1 million.</p>	<p><u>Favorable</u></p>
<p>LSG Floor Report For Major State Calendar – Thursday, April 20, 2023</p>				
<p>HB 12</p> <p>By: Rose Thompson, Senfronia Walle Thierry Howard</p>	<p>Relating to the duration of services provided under Medicaid to women following a pregnancy.</p>	<p>Health Care Reform, Select</p> <p>10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The U.S. maternal mortality rate is double the rate of any other developed nation. Furthermore, Texas is the worst state regarding access to prenatal and maternal health care. Medicaid provides healthcare coverage for low-income individuals, including pregnant women and new mothers. Although the House backed 12 months of post-pregnancy Medicaid coverage during the 87th Legislature, the Senate only agreed to six months, leading to the federal government’s denial of the required waiver. As a result, when the Public Health Emergency (PHE) ends in May, Texas women will revert to receiving just 60 days of post-pregnancy Medicaid coverage. The Texas Maternal Mortality & Morbidity Review Committee has recommended extending postpartum coverage to 12 months.</p> <p>HB 12 would extend the duration of medical assistance provided to eligible women under Medicaid after pregnancy to 12 months. This timespan begins on the last day of the woman’s pregnancy and ends on the last day of the month in which the 12-month period concludes. Focusing on populations already eligible for coverage, HB 12 does not constitute a Medicaid expansion. If passed, HB 12 would align Texas with other states that have enhanced healthcare access and outcomes for pregnant women and new mothers, promoting better mental health, reduced mortality rates, and increased success in future pregnancies. To implement the changes outlined in HB 12, the Health and Human Services Commission (HHSC) executive commissioner must seek an</p>	<p><u>Favorable</u></p>

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			<p>amendment to the state's Medicaid plan from the relevant federal agency. The bill allows HHSC to delay its implementation until the state plan amendment is approved.</p> <p>By extending Medicaid coverage to 12 months, HB 12 aims to address the maternal mortality crisis in Texas, providing extended support to new mothers and protecting Texas families.</p>	
LSG Floor Report For Constitutional Amendments Calendar – Thursday, April 20, 2023				
<p>HJR 144</p> <p>By: Canales Goldman Cain Lozano Hunter</p>	<p>Proposing a constitutional amendment authorizing the use of money in the state highway fund for roadways for seaports, airports, spaceports, land ports of entry, and international bridges.</p>	<p>Transportation</p> <p>11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Texas has one of the largest transportation industries in the United States and recently led all states in gross domestic product growth. The state's economy is heavily dependent on its vital transportation infrastructure, which is among the busiest by volume in the country. Seaports, airports, land ports of entry, and international bridges are all critical components of Texas' transportation network. Although these components play vital roles in facilitating the movement of goods and people, only public roadways are financed by the state highway fund, which is made up of vehicle registration fees and most fuel and lubricant taxes.</p> <p>HJR 144 seeks to expand the usage of the state highway fund beyond its current limitations. The state can only use the fund to acquire rights-of-way, construction, maintenance, and traffic safety enforcement for public roadways. Under HJR 144, these funds could be used for seaports, airports, spaceports, land ports of entry, and international bridges for the same purposes as public roadways.</p> <p>If passed, HJR 144 would be submitted to Texas voters as a ballot proposition on November 7, 2023.</p>	<u>Favorable</u>
LSG Floor Report For General State Calendar – Thursday, April 20, 2023				
<p>HB 467</p> <p>By: Craddick</p>	<p>Relating to the limitations period for certain criminal offenses based on assaultive conduct.</p>	<p>Criminal Jurisprudence</p> <p>6 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Currently, the statute of limitations for misdemeanor aggravated assault is generally two years, while for felony aggravated assault, it is generally three years. These brief reporting periods can be challenging for abuse victims, many of whom struggle to come forward within the required timeframe out of fear for their safety. Prosecutors and law enforcement require adequate time to build a case and collaborate with the victim, which can exacerbate this problem.</p> <p>HB 467 seeks to remedy this by extending the statute of limitations for misdemeanor aggravated assault to three years and felony aggravated assault to five years. These provisions would only apply to cases in which the defendant and the victim had a familial or personal relationship.</p> <p>HB 467 may give victims of interpersonal violence the time to understand their experience, seek safety, and move forward with a criminal case. As 70% of interpersonal violence survivors don't report, it is vital that Texas continues to carve out ways in which victims feel safe to come forward.</p>	<u>Favorable</u>

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<p>HB 2620 By: Geren Herrero</p>	<p>Relating to the confinement in a county jail of a person pending a transfer to the Texas Department of Criminal Justice and to compensation to a county for certain costs of confinement.</p>	<p>Corrections 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The Texas Department of Criminal Justice (TDCJ) timeline to review documents and accept individuals into their care is 45 days. This practice needs to specify the timeline for TDCJ to review and certify documents required to transfer individuals from county jails to state correctional facilities. Without a timeline, county jails frequently house individuals more than 45 days post-conviction at significant costs to county taxpayers and burden to county staff. HB 2620 streamlines this post-conviction transfer process and offers a reimbursement mechanism to county jails for the costs associated with delayed processing.</p> <p>HB 2620 requires TDCJ to review and certify required transfer documents within three days of receiving them from the applicable county. TDCJ would then be required to accept the justice-involved individuals within 45 days of the documents being certified. HB 2620 requires TDCJ to take custody of justice-involved individuals convicted of felonies within 45 days. If TDCJ cannot take custody of a person within 45 days, HB 2620 requires TDCJ to compensate counties for 125% of the cost of confinement for each day past the 45-day deadline. Additionally, TDCJ would compensate counties' for the confinement and healthcare costs incurred each day after TDCJ receives transfer documents. HB 2620 outlines the cost of confinement as the average daily cost of the county jail as determined by the county commissioners court.</p> <p>HB 2620 provides clear guidance to TDCJ regarding the timeline to receive individuals and compensation to county jails when TDCJ is unable to do so in the statutorily prescribed time. While the provisions of HB 2620 clearly benefit county jails, they also benefit justice-involved individuals who cannot begin to engage state-mandated rehabilitative programming until in TDCJ care.</p>	<p><u>Favorable</u></p>
<p>HB 2877 By: King, Tracy</p>	<p>Relating to crime victims' compensation.</p>	<p>Youth Health and Safety 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The tragedies in Uvalde and Sante Fe, Texas, made clear the gaps in the coverage provided by the Crime Victims Compensation (CVC) program. The CVC provides families victimized by a crime with financial assistance related to their recovery, such as safe housing and mental health care. However, following Uvalde, some families could not access this assistance because they didn't meet the program's eligibility requirements. This left grieving families struggling to pay for funeral travel, mental healthcare, and more.</p> <p>HB 2877 seeks to remedy this coverage gap by expanding the eligibility for compensation under the CVC. This expansion will include enrolled students of public or private primary or secondary schools affected by a crime-related disaster as declared by the Governor. Children and families who were not present at the time of the crime will be eligible for compensation under HB 2877, but coverage would be limited to mental health care, and funeral travel expenses for the family and members of the victim's household. For an immediate family or household member of a deceased victim, HB 2877 removes the work day cap on bereavement leave in relation to determining the monetary loss and the \$1,000 cap on the amount that a household member may receive in lost wages.</p>	<p><u>Favorable</u></p>

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			<p>Concerning compensation that may be awarded regarding rental assistance or relocation expenses for a victim of sexual assault or a child who is a victim of a murder attempt, HB 2877 removes the requirement that the crime had to have occurred at the victim’s residence. Additionally, for the aforementioned offenses, as well as victims of stalking, family violence, and human trafficking, HB 2877 repeals the limit on the amount of one-time assistance payments a victim may receive for housing purposes.</p> <p>HB 2877 adjusts the process for emergency compensation under the CVC by allowing the attorney general (AG) to establish a process for emergency awards, removing the condition that a final award must “appear likely” to grant an emergency award, and repeals the \$1,500 cap on such an award.</p> <p>Lastly, HB 2877 removes the name of a victim awarded compensation for healthcare services or pecuniary loss from publicly available information.</p> <p>Horrific events like the mass shootings in Uvalde and Sante Fe shift the fabric of a community, forever changing how individuals connect, interact, and care for one another. As these communities grieve, it is essential that the State support that process as much as possible. HB 2877 makes changes that will allow communities to receive that support.</p>	
<p>HB 837 By: Raymond</p>	<p>Relating to the use of appropriated money by the Texas State Guard for recruiting and retention purposes.</p>	<p>Defense & Veterans’ Affairs 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Volunteer military positions rely heavily on recruitment to attract potential candidates. The Texas State Guard are volunteer service members in the Texas Military Forces, Texas Army, and Texas Air National Guard that assist during declared state emergencies. Army and Air National Guard are federally funded and allotted funds for recruiting. Currently, Texas law restricts state agencies from using appropriated funds for publicity. As it stands, it is unclear whether the Texas State Guard may use state funds for recruitment. This can make it difficult to attract prospects and retain current service members, which could lead to a decline in enlistment rates.</p> <p>HB 837 provides clarification by permitting funds from the Texas Military Department (TMD) allocated to the Texas State Guard to be used for the purpose of recruiting or retaining service members, employees, or other personnel.</p> <p>HB 837 would not request additional funds appropriated for the purpose of publicity, but simply to utilize already appropriated state funds for the Texas State Guard.</p>	<p><u>Favorable</u></p>

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<p>HB 1227 By: Metcalf Herrero</p>	<p>Relating to changing the eligibility for community supervision of a person convicted of possession or promotion of child pornography.</p>	<p>Corrections 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Currently, the possession or promotion of child pornography is not included in the list of aggravated offenses for which defendants are ineligible to receive judge-ordered community supervision. Because of this, these individuals remain eligible for judge-ordered community supervision and can serve less mandatory time before parole eligibility. HB 1227 addresses this by adding possession or promotion of child pornography to the list of aggravated offenses, making it ineligible for judge-ordered community supervision. Additionally, those incarcerated for this offense must serve one-half of their sentence or serve 30 years, whichever is sooner, before being considered eligible for parole. Eligibility for parole would not be impacted by good conduct time. The provisions of HB 1227 are not retroactive and, therefore, apply to an offense committed on or after the bill's effective date on September 1, 2023.</p>	<p><u>Favorable</u></p>
<p>HB 251 By: Murr</p>	<p>Relating to the payment of certain costs associated with certain assignments of a statutory probate court judge.</p>	<p>Judiciary & Civil Jurisprudence 8 Ayes, 1 Nays, 0 PNV, 0 Absent</p>	<p>Smaller counties with limited populations and tax bases face financial risks when a statutory probate judge is assigned to a case within the county. They cannot be reimbursed for expenses incurred by the judge, such as travel, meals, and lodging. A disputed probate case about a claimed oral gift of land in Kimble County illustrated this problem. Despite being on the docket for years and having two appeals, the current statute prevented the county from being reimbursed for the probate judge's expenses.</p> <p>HB 251 addresses the issue of reimbursement for counties without a designated probate court. It requires the assigned statutory probate judge to order reimbursement, to the extent possible, from the estate and parties involved in the case for any compensation and expenses the county pays. The judge must also determine a fair distribution of these costs among the estate and the parties.</p> <p>HB 251 would help mitigate financial risks for smaller Texas counties by ensuring reimbursement for the county's expenses in disputed probate cases.</p>	<p><u>Favorable</u></p>
<p>HB 1285 By: Shine</p>	<p>Relating to the training and duties of a taxpayer liaison officer for an appraisal district.</p>	<p>Ways & Means 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Many property taxpayers across the state have expressed concerns regarding their ability to address grievances with their appraisal district unrelated to their appraisal value. In 2021, HB 988 sought to remedy these issues with formal processes for addressing grievances, such as filing protests. However, individuals may feel intimidated navigating the process or when appearing before the appraisal district to protest their property values.</p> <p>HB 1285 will expand the duties of a taxpayer liaison officer (TLO) offices to assist individuals in filing a complaint with the appraisal district or the appraisal review board to find a resolution. TLOs are existing positions within appraisal offices and already have experience assisting taxpayers with the property tax process. HB 1285 also authorizes the board of directors of an appraisal district to appoint one or more deputy taxpayer liaison officers to assist the TLO.</p> <p>HB 1285 also requires the Comptroller to publish a description of the functions of a TLO with certain contact information of the TLO posted on an appraisal district's website. The bill would also establish a training program for TLOs with a certificate of completion provided to the appraisal district board of directors.</p>	<p><u>Favorable</u></p>

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<p>HB 965</p> <p>By: Allen Jones, Venton Garcia</p>	<p>Relating to post-release housing for inmates released on parole or to mandatory supervision.</p>	<p>Corrections</p> <p>7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>HB 1285 aims to better support taxpayers by requiring more assistance in the grievance process.</p> <p>Over 30,000 Texans were paroled in 2021, many of whom either did not have appropriate housing upon parole or required a specific residential setting as a condition of their parole. Currently, there are eight residential correctional facilities contracted by the Texas Department of Criminal Justice (TDCJ) for the express purpose of housing parolees. However, the capacity of these facilities is only around 2,000 combined. The limited capacity of these facilities delays parolees' release, requiring the state to pay the contracted costs to operators of privately-owned housing facilities and the cost of housing parolees in correctional facilities past their release date. Through a two-prong approach, HB 965 seeks to address the scarcity of post-release housing and improve housing options available to individuals who have served their time by establishing a Reentry Housing Task Force to facilitate.</p> <p>The Reentry Housing Task Force is tasked with evaluating strategies to improve post-release housing options, determining the feasibility of expanding post-release housing vouchers, and developing post-release housing standards that meet or exceed national standards for recovery housing. HB 965 specifies the executive director of TDCJ is responsible for appointing one task force member from the Texas Department of Housing and Community Affairs, the Texas Veterans Commission, a nonprofit organization dedicated to recovery housing, a nonprofit organization that advocates for individuals required to register for sexual offenses, a nonprofit organization serving families of justice-involved individuals, and continuum of care nonprofit funded by HUD. The task force is required to submit its findings to the Legislature by December 2024 and would be abolished September 2025.</p> <p>HB 965 authorizes TDCJ to issue temporary post-release housing payments for eligible individuals regardless of whether TDCJ operates or contracts with a facility in the home county of the released individual; enables multifamily residences or motels built after June 1, 2009 to serve as temporary post-release housing; and mandates temporary post-release housing meet or exceed standards developed by the task force.</p> <p>HB 965 requires TDCJ to actively pursue grants to expand temporary post-release payments, or vouchers, to reduce the average number of days individuals spend in a residential correctional facility. Additionally, HB 965 mandates TDCJ implement a planning procedure for post-release housing that includes early identification of individuals without a post-release housing plan. In implementing the planning procedure, HB 965 requires TDCJ to develop an assessment that identifies low-risk individuals who would benefit from temporary post-release housing vouchers and higher-risk individuals who need a greater level of support with post-release housing.</p> <p>Research shows that justice-involved individuals who are housed quickly, comfortably, and close to support networks have better outcomes. Additionally, Texas pays private prison corporations \$35 million biennially to</p>	<p><u>Favorable</u></p>
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			operate residential reentry centers in addition to the costs associated with housing individuals at TDCJ past their release date. This cost is particularly high considering the state could be investing this money in monthly stipends, or similar programs, to provide housing for more individuals. HB 965 provides a pathway to increase and improve housing options available to individuals upon their release while streamlining the cost to the State.	
HB 2196 By: Smithee	Relating to trusts.	Judiciary & Civil Jurisprudence 8 Ayes, 0 Nays, 0 PNV, 1 Absent	<p>Attorneys have noted ambiguities in trust law that require revision to avoid unnecessary litigation. For example, there is a difference in language between Property Codes and Tax Codes for a revocable trust to qualify as a homestead. Additionally, a previous revision of the rule against perpetuities has led some to believe each additional trust created by the original trust gets an extra 300 years, essentially nullifying the rule against perpetuities. There is also uncertainty regarding new trusts formed through decanting and inconsistencies in court requirements for appointing a guardian ad litem compared to an attorney ad litem in trust proceedings.</p> <p>HB 2196 seeks to establish clearer rules and guidelines for creating, administering, and terminating trusts in Texas. The bill amends several sections of the Property Code, as outlined below.</p> <p>Definition of Qualifying Trust HB 2196 refines the "qualifying trust" definition by specifying conditions under which a settlor or beneficiary has the right to revoke the trust, exercise an inter vivos general power of appointment, or use and occupy the residential property as their principal residence.</p> <p>Beneficiary as Settlor HB 2196 clarifies that a beneficiary or their estate is not deemed a settlor if they hold or exercise certain testamentary powers of appointment.</p> <p>Trust Effective Date and Vesting Period HB 2196 modifies the effective date and vesting period of a trust to ensure trust interests vest within 300 years of the trust's effective date or within 21 years of a life in being at the time of the effective date, depending on when the trust was created.</p> <p>Creation of Second Trust HB 2196 allows a second trust to retain the first trust's name and tax identification number without retitling the property.</p> <p>Attorney Ad Litem Representation HB 2196 permits the court to appoint an attorney ad litem to represent any interest deemed necessary in a trust proceeding, such as a minor or adjudicated incompetent beneficiary.</p>	<u>Favorable</u>

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			HB 2196 makes several changes to the regulation of trusts in Texas to improve clarity and reduce unnecessary litigation.	
HB 2304 By: Kuempel	Relating to the authority of the Nixon Hospital District of Gonzales and Wilson Counties, Texas, to borrow money.	County Affairs 7 Ayes, 2 Nay, 0 PNV, 0 Absent	The Nixon Hospital District of Gonzales and Wilson Counties, Texas, has expressed a need for funding for facility maintenance and expansion. While current statutes imply the district can borrow money, district leadership seeks clearer authorization in applying for a USDA grant for new construction. HB 2304 would explicitly authorize the Nixon Hospital District board of directors to incur debt or borrow money for district purposes, either on the district's credit or secured by district hospital and hospital system revenues.	<u>Favorable</u>
HB 1900 By: Smithee Perez Hull	Relating to notice of nonrenewal of a property and casualty insurance policy.	Insurance 9 Ayes, 0 Nays, 0 PNV, 0 Absent	HB 1900 is a biennial recommendation from the Texas Department of Insurance (TDI). Currently, insurers are required to give 30 days notice for nonrenewal of personal auto, residential, and policies issued to governmental entities. HB 1900 would extend notice to 60 days for nonrenewal of personal automobile policies; homeowners, ranch, and farm owners insurance policies; standard fire insurance policies for a single family dwelling, duplex, or the content inside a single family dwelling, duplex, or apartment; and property as well as casualty policies for government entities. HB 1900 increases the time consumers have to obtain coverage from a different insurer and could reduce the likelihood of lapsed coverage.	<u>Favorable</u>
HB 836 By: Raymond	Relating to retired members of the Texas State Guard.	Defense & Veterans' Affairs 9 Ayes, 0 Nays, 0 PNV, 0 Absent	Members of the Texas State Guard are classified under the term "Honorary Reserve" once they retire. This classification may lead others to believe the term is for those in the Texas Guard reserve forces. HB 836 intends to rectify this confusion and revise the requirements to retire from the Texas State Guard to improve recruitment. HB 836 replaces the "Honorary Reserve" classification with "Retired Status." HB 836 extends the authorization to the commander of the State Guard, under the governor's authority and direction, to place certain officers or enlisted service members on retired status upon separation from the Texas State Guard. HB 836 eliminates the minimum age requirement to receive retired status. HB 836 specifies for a service member to be retired for a physical disability, it must have been related to service. Lastly, HB 836 requires that out of the 20-year service minimum, at least 5 be served in the Texas State Guard. Under HB 836, the Texas State Guard Commander must issue identification cards for officers or service members on retirement status.	<u>Favorable</u>

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<p>HB 3171 By: King, Ken Cook Bernal</p>	<p>Relating to the sampling or tasting of distilled spirits by the manufacturer to a consumer at a temporary event.</p>	<p>Licensing & Administrative Procedures 9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Current law prohibits Texas distillers from bringing their own products to give away as tasting samples at festivals throughout the state. Instead, distillers must purchase their product from the festival organizer at cost or marked up. There is no such requirement for wineries.</p> <p>HB 3171 allows Texas distillers to give their own manufactured products as tastings or samplings at a civic or distilled spirits festival, farmers' market, celebration, or similar events. Under HB 3171, samples would be limited to one-half ounce, and any person who receives a sample cannot leave the event premises with it. HB 3171 allows a Texas distiller to transport their products. HB 3171 also requires the Texas Alcohol Beverage Commission (TABC) to establish and implement procedures to verify sampling locations' wet or dry status, outline specific situations allowing Texas distillers to temporarily sample distilled spirits, and require distillers to provide any other information that TABC deems necessary.</p> <p>HB 3171 brings distilleries to parity with wineries that may give away samples of their manufactured product without going through a third party. The bill aims to improve marketing for Texas distillers, a growing industry in Texas.</p>	<p><u>Favorable</u></p>
<p>HB 3607 By: Cole</p>	<p>Relating to the processing of United States passport applications by a district court clerk; authorizing fees.</p>	<p>County Affairs 7 Ayes, 1 Nay, 0 PNV, 0 Absent</p>	<p>In Texas, district clerks can process passport applications. The passport must be paid for in the form of a personal check or money order. Often, people come to the district clerk to begin the process but neglect to bring either forms of accepted payment.</p> <p>HB 3607 seeks to make the passport application process faster and more convenient by allowing district clerks to issue money orders. This bill would expand the duties a district clerk may perform to include issuing of money orders to passport applicants for payment purposes, and authorize a reasonable fee for this service.</p>	<p><u>Favorable</u></p>
<p>HB 4797 By: Romero Jr.</p>	<p>Relating to training on the treatment of toll project roadways during inclement weather.</p>	<p>Transportation 12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>During Winter Storm Uri, in February of 2021, a tragic accident occurred on I-35 W near Fort Worth involving 130 vehicles and resulting in six fatalities and 36 individuals being transported to hospitals. The National Transportation Safety Board (NTSB) investigation found that the North Texas Expressway Authority, a contracted agency responsible for managing toll roads, did not adequately monitor and respond to icy road conditions during the storm. In response, the NTSB recommended that Texas develop comprehensive winter weather training programs for employees of toll project entities to enhance safety measures.</p> <p>HB 4797 requires that toll project entities mandate training for their employees and contractors who treat roads during inclement weather in the same manner that TxDOT employees are trained. The bill helps ensure effective monitoring and treatment of tolled roadways during icy or snowy weather.</p>	<p><u>Favorable</u></p>

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<p>HB 1442</p> <p>By: Johnson, Ann Plesa</p>	<p>Relating to the prosecution of certain criminal conduct involving a reckless driving exhibition and to the forfeiture of contraband as a result of a reckless driving exhibition.</p>	<p>Criminal Jurisprudence</p> <p>7 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>In 2021, the 87th Legislature took steps to address a growing concern regarding street racing and street takeovers by passing SB 1495. This bill created reckless driving exhibition provisions, but the enforcement mechanism was left unclear. The issue of street racing and street takeovers has persisted, resulting in increased death by motor vehicles and a risk to both involved parties and the general public. Often during the act of such an offense, individuals will use their cars to barricade officers from intervening.</p> <p>HB1442 seeks to address this issue by clarifying the language regarding driving exhibition provisions and their enforcement. HB1442 expands current statute to include obstructing a highway or passageway through reckless driving with the intent of participating in a criminal group, earning profits, or as a member of a gang in conduct that constitutes the charge of organized criminal activity. Additionally, HB1442 allows for the seizure of property that is used in commission of the aforementioned offense.</p> <p>HB1442 will aid in ensuring that Texas streets are safe, and that law enforcement has the tools to enforce current law.</p>	<p><u>Favorable</u></p>
<p>HB 1631</p> <p>By: Paul</p>	<p>Relating to hours of service by an election watcher.</p>	<p>Elections</p> <p>7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Poll watchers serve their communities during elections and help ensure a smooth electoral process. Current law only allows poll watchers who have served for a continuous five hours (with breaks to use wireless devices outside the polling location) the opportunity to choose the hours they serve and to come and go from the precinct polling place as necessary.</p> <p>HB 1631 removes the requirement that a poll watcher must serve for a continuous five hours before leaving and returning to the precinct polling place. This only applies on Election Day and not during early voting, or other instances. Under HB 1631, a poll watcher would be able to choose the hours they work, except when a ballot count is ongoing, in which case they are required to stay until the ballot counting has ended.</p> <p>HB 1631 allows Texas poll watchers more flexibility and the ability to take breaks throughout their scheduled hours to rest, eat, or simply use the restroom.</p>	<p><u>Favorable</u></p>
<p>HB 2639</p> <p>By: Clardy Kuempel Ashby Cook Isaac</p>	<p>Relating to the creation of a new university in Nacogdoches, Texas, within The University of Texas System and the allocation of the annual constitutional appropriation to</p>	<p>Higher Education</p> <p>10 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>In the fall of 2022, after much deliberation and community input, Stephen F. Austin’s (SFA) Board of Regents voted to join the University of Texas (UT) System. HB 2639 establishes SFA as part of the UT system.</p> <p>In establishing SFA as part of the UT system, HB 2639 grants governance of SFA to the UT System’s board of regents, allowing them to oversee the organization, administration, and location of the university; courses and degrees offered; physical facilities, solicitation or acceptance of gifts and grants; and joint faculty appointments. The board may adopt any rules and regulations necessary to manage SFA as a university of the first class. The transition to the UT system will not impact tenured faculty members' status or the admission and transfer of credits for students. Similarly, employee benefits shall transfer accordingly.</p>	<p><u>Favorable</u></p>

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	certain agencies and institutions of higher education; abolishing Stephen F. Austin State University.		<p>Additionally, by joining the UT system, SFA will transition out of the Higher Education Fund (HEF), and become eligible for the Permanent University Fund (PUF). SFA’s previous HEF funding will be distributed to other HEF institution systems.</p> <p>HB 2639 keeps the community’s input and requests in mind by ensuring the mascot, colors, and name of Stephen F. Austin remain. This decision was vital to the Stephen F. Austin students, faculty, and alumni as the namesake and traditions are central to the university and Nacogdoches, Texas.</p>	
HB 2636 By: Murr	Relating to liability of a recreational vehicle park or campground entity for injuries arising from certain activities.	Judiciary & Civil Jurisprudence 9 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>Recreational vehicle (RV) park and campground owners are liable for any injuries that occur as a result of the inherent risks of camping that are beyond the control of the property owner. As a result, RV parks and campgrounds are subject to frivolous lawsuits that are often settled by insurance companies, resulting in higher insurance premiums. Higher premiums may result in higher fees for park or campground visitors.</p> <p>HB 2636 exempts RV parks and campgrounds from liability for any injuries or damages that occur as a result of the person’s conduct or participation in recreational activity if a warning is posted at the time of the injury. The warning must include specific language and be posted and maintained on a sign in a clearly visible location on or near the RV park or campground. HB 2636 does not limit liability for injuries caused by negligence, potentially dangerous conditions in the land, facilities, or equipment which the RV park or campground knew or should have known about, the failure of the RV park or campground to train an employee properly, and any intentional harm caused by the RV park or campground.</p> <p>HB 2636 protects RV parks and campgrounds from frivolous lawsuits by reducing liability if injuries are a result of the person’s own conduct or participation in a recreational activity.</p>	<u>Favorable</u>
HB 2691 By: Button	Relating to the authority of the comptroller of public accounts to issue certain payments to persons who are indebted or delinquent in taxes owed to the state and to state agency reporting requirements regarding such persons.	Ways & Means 11 Ayes, 0 Nays, 0 PNV, 0 Absent	<p>Currently, state agencies report to the comptroller when a person or business owes outstanding debts or delinquent taxes to the state. When a person or business owes money, current law requires the comptroller to hold payments to the debtor until either the debt is paid in full, the agency owed money agrees to the release of the payments, or, after 30 days, any warrants over the amount of the debt can be released to the payee. This creates a problem where a vendor’s payments are withheld by the state, despite being owed more than what they are indebted for.</p> <p>HB 2691 resolves this issue by authorizing the comptroller to withhold the amount owed by the debtor but release anything above the outstanding debt. This would allow vendors who provide goods and services to multiple state agencies to receive payments in a timely manner without putting state agencies at risk of not recovering their outstanding debts. The bill also requires agencies to notify debtors payments from the state will be withheld due to outstanding debts reported.</p> <p>HB 2691 will help vendors know of debt before their payments are actually held, allowing debtors to get paid for providing services and contributing towards their debt, and the state to get the money it’s owed.</p>	<u>Favorable</u>

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<p>HB 1772</p> <p>By: Ashby VanDeaver Bailes Harris, Cody Hefner</p>	<p>Relating to the documentation required for the purchase of certain timber products; creating a criminal offense.</p>	<p>Agriculture & Livestock</p> <p>6 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>In recent years there has been an increase in the arrest of individuals for stealing timber. They often do so by falsifying bill of sale documents to obtain or sell timber illegally.</p> <p>HB 1772 revises the information requirements for the bill of sale for trees, timber, logs, pulpwood, or in-wood chips to include identifying information for the tract of land. HB 1772 also increases the period a purchaser must retain the bill of sale following the bill of sale’s execution date or the bill of sale’s expiration date, whichever is later, from two years to five years.</p> <p>HB 1772 requires pay-per-unit timber purchasers to provide documentation that verifies delivery to a mill, wood yard, transfer yard, or storage yard. HB 1772 outlines the required information for this documentation, which must be provided within 45 days of the product’s delivery.</p> <p>HB 1772 makes a timber purchaser who knowingly fails to comply with its provisions guilty of a misdemeanor and subject to a maximum fine of \$500 for each offense if convicted. HB 1772 provides the same offense and penalty for purchasers that knowingly provide false information in their documentation and for sellers or a representative acting on the seller’s behalf that provide false information on the bill of sale. The offense and penalty are enhanced if an offense under this bill’s provisions was committed to conceal or attempt to conceal harvesting timber without an owner’s permission or to divert money collected for the timber. The enhancements range from a state jail felony to a first-degree felony with increasing penalty amounts, depending on the monetary amount of the forest products. HB 1772 includes reference to the criminal offense in the sales or purchase notices posted by wood yards, transfer yards, mill sites, and storage yards.</p> <p>HB 1772 will assist investigators, deter theft, and support Texans, particularly small family forest owners, in their recovery from an incident of theft.</p>	<p><u>Favorable</u></p>
<p>HB 1743</p> <p>By: Leach Noble Jones, Venton</p>	<p>Relating to a memorandum of understanding between the Health and Human Services Commission and the Texas Department of Criminal Justice to assess the eligibility of certain inmates for supplemental nutrition assistance program benefits on</p>	<p>Corrections</p> <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The Supplemental Nutrition Assistance Program (SNAP) provides food assistance to individuals and families below the poverty line. Federal SNAP guidelines require states to process applications within 30 days of an individual submitting a request. Recent staffing shortages at the Health and Human Services Commission (HHSC) have increased the processing time of applications beyond 30 days. This backlog delays justice-involved individuals’ access to much needed assistance and undermines reentry efforts.</p> <p>HB 1743 addresses this issue by mandating HHSC to establish a memorandum of understanding (MOU) with the Texas Department of Criminal Justice (TDCJ) to review SNAP eligibility of incarcerated individuals upon discharge or release from confinement. The MOU must be tailored to ensure justice-involved individuals receive benefits at the time of release. The MOU must be tailored to ensure that justice-involved individuals receive benefits around the time they are released. The MOU must establish the procedure for HHSC to accept and process SNAP applications of incarcerated individuals and to define the roles and responsibilities of TDCJ</p>	<p><u>Favorable</u></p>

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	discharge or release from confinement.		and HHSC. HB 1743 provides for delayed implementation of its provisions if a federal waiver or authorization is required. SNAP assistance is critical to reentry for justice-involved individuals, providing them with assistance for basic nutritional needs as they rebuild their life upon release. For individuals without the means for groceries, HB 1743 is a measure that facilitates reentry and reduces financial hardship that can lead to rearrest and reincarceration.	
HB 1647 By: Harris, Cody	Relating to health benefit plan coverage of clinician-administered drugs.	Insurance 9 Ayes, 0 Nays, 0 PNV, 0 Absent	Whitebagging is the practice in which insurers or pharmacy benefit managers (PBM) require physicians and healthcare facilities to purchase drugs from select pharmacies that are then delivered to patient care sites. This practice is typically employed for infusion drugs used to treat chronic illnesses and leads to a questionable chain of custody processes, inconsistent drug formulation, and patient treatment delays. In fact, whitebagging and similar anticompetitive practices are so pervasive and detrimental to patients that PBMs are currently under investigation by the Federal Trade Commission (FTC). HB 1647 is narrowly tailored to curtail whitebagging of certain drugs in specific cases to help ensure the safety of patients and access to low-cost drugs. The provisions of HB 1647 allow patients to use a pharmacy of their choice, and it prohibits insurers and PBMs from forcing patients to select pharmacies and drugs that perpetuate anticompetitive healthcare practices. HB 1647 prohibits health plans intentionally switching drugs from being self-administered to clinician-administered at an increased out-of-pocket cost for patients, and prohibits insurers and PBMs from pressuring patients to use affiliated or preferred pharmacies by increasing copays, coinsurance, and other associated costs for drugs that are “whitebagged.” The prohibitions outlined in HB 1647 apply only to drugs that treat chronic life-threatening conditions or when a physician advises it for the following reasons: delayed care could cause disease progression, a dosage requirement only certain pharmacies can fulfill, or a preferred pharmacy could disrupt a patient's care plan. HB 1647 increases patient safety and continuity of care while reducing anticompetitive healthcare practices that delegate costs to the most vulnerable consumers.	<u>Favorable</u>
HB 1841 By: Walle Garcia	Relating to landlord and tenant dispute information reported by courts to the Texas Judicial Council and made accessible to the public.	Judiciary & Civil Jurisprudence 7 Ayes, 1 Nay, 0 PNV, 1 Absent	The Texas Judicial Council (TJC) reports eviction case data to the Office of Court Administration (OCA) under the landlord and tenant dispute category, making it difficult to access data about evictions in Texas. Additionally, there are often gaps in the data collected, as smaller cities and counties may not report eviction case data. HB 1841 seeks to provide statewide eviction data by requiring each court with jurisdiction over landlord and tenant disputes to report cases involving eviction suits, suits involving the disconnection of utilities, repair and remedy suits, suits involving security deposits, suits involving unlawful lockouts, suits involving the provision of security and safety devices, and any other category of suit involving a landlord or tenant as designated by the	<u>Favorable</u>

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			<p>TJC. OCA would be required to publish cases filed in justice courts related to landlord and tenant disputes to their website. Data on the court in which the case was filed, whether legal counsel was representing the defendant and the plaintiff, and the disposition of the case must be accessible on the website.</p> <p>HB 1841 aims to provide more transparency regarding Texas eviction cases, which is essential for creating policy solutions and reducing housing instability.</p>	
<p>HB 2024 By: Leach</p>	<p>Relating to statutes of limitation and repose for certain claims arising out of residential construction.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>8 Ayes, 1 Nay, 0 PNV, 0 Absent</p>	<p>Currently, Texans can bring lawsuits for damages against contractors who design, plan, or inspect the construction of real property or improvements no later than 10 years after completion. Builders have cited frivolous lawsuits that are costly and hurt their businesses. These lawsuits may increase the cost of homebuilding, as businesses have to account for any potential defects and lawsuits that may arise. However, homeowners may still have valid claims during this 10 year period, which protects homeowners from paying for damages that the construction company is responsible for.</p> <p>HB 2024 reduces the statute of repose from 10 to 8 years for homeowners to file a lawsuit for damages that come from the design, planning, or inspection of residential construction. The statute of repose would be lowered from 8 to 6 years after project completion for homebuilders who provide written warranties that provide coverage for a minimum of 1 year for workmanship and materials, 2 years for plumbing, electrical, heating and air-conditioning systems, and 6 years for major structural components. HB 2024 includes contractors as defined in Property Code and residences that are real property and improvements for one to two family dwellings or townhouses that meet certain requirements, excluding high rise condominiums.</p> <p>HB 2024 may incentivise homebuilders to provide good warranties to homeowners by reducing the time period they can be subject to lawsuits. However, warranties are usually provided anyway, at the homeowners expense, meaning that HB 2024 would cause the homeowner to pay, but still have less time to file a lawsuit for any damages that homebuilders are responsible for. Additionally, warranties may only cover limited claims. There have also been arguments that HB 2024 would reduce the cost of housing, as homebuilders would no longer have to account for as many lawsuits. However, this is not necessarily true, as lawsuits can still occur in the 6 to 8 year time period and the price of construction may not go down. Although other states have enacted similar provisions to shorten the statute of repose, a 6-year statute of repose would be one of the shortest time frames in the country, significantly limiting the time frame homeowners can file a lawsuit. The bill would be improved by increasing this time limit. Overall, HB 2024 helps protect homebuilders at the expense of homeowners by limiting the amount of time homeowners can file a lawsuit for construction defects.</p>	<p><u>Unfavorable</u></p>

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<p>HB 2473</p> <p>By: Bucy Lujan</p>	<p>Relating to improvements to the Texas Information and Referral Network.</p>	<p>Human Services</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Texas 211 is a 24/7 hotline funded through the Health and Human Services Commission (HHSC) which connects Texans to the Texas Information and Referral Network (TIRN). This network helps connect Texans to resources like food, housing, childcare, healthcare, and other non-emergency services. However, the current 211 system is outdated.</p> <p>HB 2473 seeks to modernize the 211 system through technological and communications enhancements. HB 2473 creates a one-way and two-way texting system that will help clients get the services they need in a more timely manner. Additionally, HB 2473 creates a publicly accessible internet-based database based on various demographic factors. HB 2473 creates a standard screening tool identifying nonmedical drivers of health for all clients, along with how to address those drivers. HB 2473 allows health care systems and managed care organizations to partner and enter into agreements with HHSC and other nationally accredited area information centers to share data using the 211 system. Under HB 2473, HHSC is to submit a biennial report summarizing TIRN's operations, its effectiveness, existing needs or gaps in certain communities, and recommendations for future improvements to be submitted to the Governor, Lieutenant Governor, and Speaker of the House. HB 2473 also seeks to make the website for 211 more user-friendly through regular updates. The implementation of this bill can be delayed if federal authorization is needed.</p> <p>HB 2473 aims to increase efficiency and accessibility for various services to meet the needs of all Texans.</p>	<p><u>Favorable</u></p>
<p>HB 4757</p> <p>By: Orr Ashby Harris, Cody Bonnen Burrows</p>	<p>Relating to the approval by the Parks and Wildlife Commission of the authorization for an appropriation of water from certain water bodies.</p>	<p>Culture, Recreation & Tourism</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>On February 13, 2023, the Texas Department of Parks and Wildlife received a 120-day vacate notice of Fairfield Lake State Park. Fairfield Lake Park is a state park leased from a private entity since its inception. The park has regularly seen more than 80,000 visitors annually. Millions of state funds have gone towards park buildings, roads, trails, and years of park management and studies.</p> <p>HB 4757 prohibits the Texas Commission on Environmental Quality (TCEQ) from approving an application for an amended or new water right authorizing an appropriation of water from Big Brown Creek or Fairfield Lake in the Trinity River basin in Freestone County, unless it is approved by the Parks and Wildlife Commission. The Parks and Wildlife Commission works to preserve historical public access and use and water levels of Fairfield Lake. This bill would apply to applications pending before TCEQ on the bill's effective date or applications filed on or after that date.</p> <p>Fairfield Lake connects with the watershed of Big Brown Creek in the Trinity River basin. Suppose a large portion of water is taken out all at once. In that case, it will impact water levels throughout surrounding bodies of water, impacting Texans and livestock whose water sources come from these bodies. In previous years the allocated amounts of water usage were specifically allocated for the power plant for the intended use of evaporated water from the cooling system, which was the original intent of the lake's creation. However, a proposed change in water rights could directly impact Freestone County residents, wildlife, water life, and livestock and potentially affect all of Texas indirectly.</p>	<p><u>Favorable</u></p>

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			HB 4757 ultimately aids in preserving Fairfield Lake and preventing possible water and wildlife crises from impacting Texans.	
HB 3331 By: Thimesch Leach Johnson, Julie Vasut Flores	Relating to a convicted felon serving as executor of a decedent's estate in certain circumstances.	Judiciary & Civil Jurisprudence 7 Ayes, 1 Nays, 0 PNV, 1 Absent	<p>People who have felony convictions are not allowed to be executors of a decedent's (deceased person's) estate unless they have been pardoned or had their civil rights restored. Very few people receive pardons in Texas, and the process for having an individual's civil rights restored is often unclear and extremely difficult. Often, people with felony convictions have built good lives and families and should not continue to be punished for past mistakes during times of grief.</p> <p>HB 3331 helps alleviate this problem by allowing people who have a prior felony conviction to serve as executor if they are named in the decedent's will, the person is otherwise qualified to serve as executor, and the court approves the person to serve in this role.</p> <p>HB 3331 helps Texas families and those with prior felony convictions carry out their loved one's wishes.</p>	<u>Favorable</u>
HB 1888 By: Lopez, Janie Raney Guillen Button	Relating to the route designation for the issuance of a permit for the movement of oversize and overweight vehicles in certain counties.	Transportation 11 Ayes, 0 Nays, 0 PNV, 2 Absent	<p>On the Mexican side of the Los Indios bridge, cartel activity has diverted cargo vehicles away from the Free Trade International Bridge. Truckers are now using alternative routes not designated for overweight vehicles, which could lead to time and efficiency losses for the trucking industry.</p> <p>Overweight corridors are designed highways equipped with the necessary infrastructure and resources to handle heavy loads and ensure the safe and efficient transport of goods. Port authorities issue permits for overweight trucks, and fees are collected from the cargo companies for highway maintenance and operations on designated overweight corridors.</p> <p>HB 1888 establishes two new corridors specifically for overweight trucks in consultation with The Harlingen Port Authority. It allows for additional routes to be added by the Texas Transportation Commission's rulemaking process. For permits issued by a port authority located in a county that borders Mexico, the Texas Transportation Commission must, with the consent of the port authority, designate the most direct route for overweight vehicles. This provision ensures that the designated overweight corridors are efficient and cost-effective for cargo companies.</p> <p>HB 1888 aims to increase designated overweight corridors, improve transport efficiency for cargo companies, and stimulate economic growth and development in Texas with these measures.</p>	<u>Favorable</u>

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<p>HB 2674 By: Kitzman</p>	<p>Relating to the application submitted to the comptroller for designation as a state depository.</p>	<p>Ways & Means 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The treasury operations division of the comptroller of public accounts (CPA) manages the flow of over 200,000 transactions daily of over 500 bank accounts. The comptroller's treasury operations division receives and processes deposits for all state agencies, pays all state disbursements, and accounts for all state agency cash and interest earnings while efficiently ensuring the safety and control of the state treasury's approximately \$30 billion pool of funds.</p> <p>In order to hold state assets, banks or financial institutions eligible to work with the comptroller's treasury operations division must apply to the comptroller to be designated as a state depository. Currently the comptroller must mail an eligibility letter to the financial institutions eligible to hold state assets on the first business day of June each odd numbered year. The financial institution is then given less than a month to complete and mail the application back to the comptroller.</p> <p>To improve efficiency, HB 2674 moves up the comptroller's notification date to May 1 of each odd numbered year, allowing eligible financial institution applicants more time to apply to be a state depository. The bill also allows electronic notifications and submissions and modernizes the application process for financial institutions. This will provide more time for the financial institutions to respond and allow more time for the treasury to process the applications.</p>	<p><u>Favorable</u></p>
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