



Texas Legislative Study Group

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LSG Floor Report For Major State Calendar – Tuesday, May 16, 2023

<p>SB 28</p> <p>By: Perry</p> <p>Sponsor: King, Tracy Troxclair</p>	<p>Relating to financial assistance provided and programs administered by the Texas Water Development Board.</p>	<p>Natural Resources</p> <p>7 Ayes, 0 Nays, 0 PNV, 4 Absent</p>	<p>SB 28 is the enabling legislation for SJR 75.</p> <p>The Texas House Natural Resources Committee Interim Report to the 88th Legislature stated that Texas is facing a water supply and wastewater infrastructure crisis. It is determined that the legislature should invest in large-scale water development to meet the projected increase in water demands due to population growth. However, Texas' existing water supplies are projected to decline, resulting in a potential water shortage of 6.9 million acre-feet per year in 2070. The Texas Section of the American Society of Civil Engineers gave the state low drinking water and wastewater infrastructure grades. A study found that Texas utilities lose at least 572,000 acre-feet of water annually. SB 28 aims to establish three new financial assistance components to help tackle the water challenges the state faces.</p> <p>SB 28 establishes the New Water Supply for Texas Fund, the Texas Water Fund, and the statewide water public awareness account to fund select Texas water supply projects. SB 28 changes the advisory committee of the State Water Implementation Fund for Texas (SWIFT) to include the chairs of each committee of the Senate and House with primary jurisdiction over water resources instead of members of each committee with such jurisdiction. In addition, SB 28 clarifies that obtaining and using financing from funds and accounts administered by the TWDB are authorized uses of the rural water assistance fund.</p> <p><i>New Water Supply for Texas Fund</i> SB 28 establishes the New Water Supply for Texas Fund (NWST) as a dedicated state treasury fund with multiple funding sources, including appropriations, transfers from the Texas Water Development Board, and donations. The fund will be exempt from statutory provisions regarding using dedicated revenue for treasury management.</p> <p>SB 28 mandates the TWDB to finance seven million acres of new water supplies by 2033 via the NWST fund. In addition, the NWST can provide financial aid to political subdivisions for eligible projects, like water acquisition from other states, desalination, and aquifer storage and recovery. SB 28 allows transfers from the NWST to other water-related accounts and for the acquisition or transfer of water from outside Texas. In addition, the TWDB will create usage criteria for the fund.</p>	<p><u>Favorable with Concerns</u></p>
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			<p>SB 28 allows the Texas Water Development Board (TWDB) to provide loans from the New Water Supply for Texas Fund with repayment terms of up to 30 years. The TWDB must establish rules to administer the fund, including application procedures, distribution, investment, and administration of financial assistance. When evaluating applications, the TWDB must consider the intended users of the water supply, the project's benefits, the expected water production, and repayment availability.</p> <p>The TWDB can approve an application for financial assistance if it is in the public interest and the political subdivision can repay the loan. SB 28 mandates that financial assistance applications follow water conservation plan requirements. Loans issued from the NWST fund must have their principal and interest repayments directed to the Texas Water Fund. SB 28 provides specific exemptions to this requirement, like loans that transfer money for an authorized water project or transferred to SWIFT or the Texas Water Development Fund (TWDF) II.</p> <p>Texas Water Fund SB 28 creates the Texas Water Fund as a special fund managed by the Texas Water Development Board (TWDB), with strict limitations on its use as defined in the bill. The TWDB is authorized to transfer money from the Texas Water Fund only to specific accounts, such as the NWST and SWIFT funds, and only for authorized purposes. The TWDB may only transfer money from the account when an application for an applicable project has been approved. The Texas Water Fund comprises several sources: money deposited or transferred to the fund as authorized by law, revenue dedicated by the legislature, gifts, grants, and donations. Any money returned from an authorized transfer is also part of the fund.</p> <p>SB 28 requires the money from the Texas Water Fund to be invested as determined by the TWDB. The TWDB, the Comptroller, or a corporate trustee acting on behalf of the TWDB may manage the money. If the comptroller is managing the money, then the funds can be invested with the state treasury pool. The TWDB is responsible for maintaining the fund and accounts, and any corporate trustee must adhere to the provisions of SB 28 and TWDB's rules. Regarding managing the fund's assets, the TWDB, the Comptroller, or a corporate trustee may acquire, exchange, sell, or retain any kind of investment if these actions reflect decisions made by an investor exercising reasonable care, skill, and caution.</p> <p>SB 28 mandates that the TWDB must allocate a part of the money transferred from the Texas Water Fund towards specific objectives such as infrastructure projects prioritized by risk or need for municipalities with a population of less than 150,000, and rural political subdivisions, projects with completed state or federal permitting, the statewide water public awareness program, and water conservation strategies. The fund's money can be used for these purposes by providing financial assistance according to criteria set by the TWDB and under the law. The TWDB can also use the fund to pay for reasonable expenses for administering the fund.</p>	
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SB 28 allows the TWDB to create rules that align with the bill's requirements for using the money in the fund. Recipients of financial assistance from the fund must submit a water conservation plan that meets statutory provisions. In addition, the SWIFT advisory committee must review the fund's operation and provide comments and recommendations to the TWDB regarding its use. The advisory committee can adopt rules and policies as needed, but it cannot suggest specific projects for financial aid.

Water Audits

SB 28 requires the TWDB to create a program to help retail public utilities that provide clean water. The program aims to provide technical assistance to these utilities by conducting water audits and applying for financial assistance from the TWDB to reduce water loss. The TWDB may work with other entities to carry out this program. SB 28 requires the TWDB to prioritize technical assistance based on the water loss audit submitted to the TWDB, the population served by the utility, and the system's integrity. In addition, the TWDB must post on its website a summary of required water audits, measures taken by utilities to reduce water loss, participating utilities, and details of financial assistance provided under the program.

Statewide Water Public Awareness Account and Program

SB 28 establishes the statewide water public awareness account in the general revenue fund, and it consists of various sources of money such as appropriations, transfers, gifts or grants, sale proceeds, and interest earned. The TWDB is authorized to invest and reinvest the money in the account as provided by state law, and the account is exempted from certain statutory provisions relating to the use of dedicated revenue for treasury fund management. SB 28 changes the statewide water conservation public awareness program's name to the statewide water public awareness program. The program aims to enhance and encourage local and regional water education and awareness programs. SB 28 permits the TWDB to use the statewide water public awareness account to manage, execute, and develop the statewide water public awareness program.

SB 28 makes financial advancements for producing the funding required for investing in state water infrastructure and helping ensure that Texas can meet the demand of a population growing at a record pace.

Concerns

The SWIFT funding program supports projects in the state water plan by providing low-interest loans. Creating a new water supply fund under SB 28 could incentivize water supply projects to develop outside of the SWIFT program. This is concerning because SWIFT has established environmental parameters for eligibility and program requirements, including one that explicitly requires adopting a water conservation and drought contingency plan for entities receiving more than \$500,000 in assistance. SB 28 has less strenuous guardrails in place. Further there is ambiguity on whether nonprofit water supply corporations are able to receive funding from the NWST - because funding may be transferred to SWIFT for applicable projects but there is no explicit permission for this funding to be provided to nonprofit water supply corporations.

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			<p>SB 28 intends to meet its goal of seven-million-acre feet of new water supply by 2033 by encouraging environmentally questionable projects. Marine and brackish desalination plants are known to use much more energy than standard water collection and treatment facilities. Desalination plants may harm marine wildlife during seawater intake. Additionally, they produce brine as a by-product, and improper release can damage the ecosystem. State and federal agencies have toxicity data for only a few hundred of the thousands of chemicals existing in the brine.</p> <p>SB 28 encourages the acquisition of water from other states. Diverting water can cause economic and environmental impacts because there are no return flows or reuse. SB 28 needs to prioritize environmental considerations better. The bill would benefit from a refocus toward water conservation, reclaimed wastewater, aquifer storage and recovery, and reducing loss in public supply systems rather than encouraging water supply projects which pose unnecessary risks to the health of Texans and our natural environment.</p>	
<p>SB 1397</p> <p>By: Schwertner Johnson Paxton Perry Springer</p> <p>Sponsor: Bell, Keith Holland Goldman Canales Clardy</p>	<p>Relating to the continuation and functions of the Texas Commission on Environmental Quality.</p>	<p>Environmental Regulation</p> <p>7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>The Texas Commission on Environmental Quality (TCEQ) is responsible for monitoring and permitting the release and disposal of harmful chemicals and pollution into the air, water, and soil. An evaluation conducted by the Sunset Advisory Commission concluded that TCEQ is doing a satisfactory job, but recommended enhancing transparency, public participation, and enforcement practices. SB 1397 seeks to extend TCEQ's tenure for 12 years as informed by the Sunset Advisory Commission's recommendations.</p> <p>SB 1397 amends the state Water Code and marks the next TCEQ sunset date for September 1, 2035. SB 1397 implements changes to comply with certain recommendations made by the Sunset Advisory Commission involving TCEQ member training requirements and the separation of TCEQ and staff responsibilities. SB 1397 outlines the transition process for TCEQ members who were appointed before the effective date of the bill to meet the new training requirements.</p> <p>TCEQ Permits</p> <p>SB 1397 requires any public notice released or issued by TCEQ or someone under their jurisdiction must contain the applicant's name, the permit type sought, and the location of the proposed or existing site covered by the permit. SB 1397 mandates TCEQ conduct outreach and provide education to the public on how to take part in the air, waste, and water permitting process within their jurisdiction.</p> <p>SB 1397 requires the TCEQ to post permit applications and any associated materials on its website upon administrative completion, as well as any subsequent revisions or amendments. Applicants for a permit, permit amendment, or permit renewal that requires publication notice must include the website address where the public can access the permit information. The TCEQ must consider accommodating residents in affected areas who lack internet access to access the application and materials.</p>	<p><u>Favorable</u></p>

SB 1397 provides general guidelines for permit applications for air, waste, or water programs under TCEQ jurisdiction. These include publishing permit application notices on the TCEQ website, providing assistance to residents who lack internet access, submitting a copy of the published notice and affidavit, providing security at public meetings, notifying state representatives and senators, and reporting annually for permit holders without regular reporting requirements. SB 1397 defines "permit" as any form of authorization required by law to perform an action.

SB 1397 requires the TCEQ to issue a standard permit that meets the requirements for a temporary concrete plant for public works projects. This permit allows the plant to operate for up to 180 consecutive days or to supply material for a single project, and it prohibits the plant from supporting projects not related to the public works project. SB 1397 requires the TCEQ to extend the public comment period and the period for requesting a contested case hearing for any permit application under the Texas Clean Air Act that has a consolidated notice for at least 36 hours after the public meeting for the application, if one is held.

Compliance History
TCEQ must create standards for categorizing repeat violators according to the number of major, moderate, and minor violations committed. The executive director of the TCEQ is allowed to assess, suspend, and potentially alter compliance history if there are urgent circumstances in accordance with TCEQ regulations.

TCEQ Administrative Penalties
SB 1397 raises the maximum daily administrative penalty from \$25,000 to \$40,000 for certain violations under TCEQ jurisdiction, which include a release of pollutants or unauthorized diversion or storage of state water. This applies only if the violator has committed a similar violation before and could have avoided the current violation. These changes only affect violations that occur after the effective date of the bill.

Enforcement Diversion Program for Small Businesses and Local Governments
SB 1397 mandates that the TCEQ establish an enforcement diversion program for small businesses and local governments, which will include on-site technical assistance and compliance assistance training. The TCEQ can enroll a small business or local government into the program before initiating an enforcement action for a violation, provided that federal law does not require an enforcement action. Small businesses or local governments cannot be subject to enforcement action after successfully completing the program. A small business or local government that has committed a major violation that poses an imminent threat to public health or was enrolled in the program in the past two years is not eligible for the program. A small business is defined as a legal entity formed for profit, independently owned and operated, and having fewer than 100 employees.

Environmental Flows for River Basins and Bay Systems

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			<p>SB 1397 mandates that the environmental flows advisory group reviews the environmental flow standards for each river basin and bay system periodically. They should consider various factors, including work plans developed by basin and bay area stakeholder committees, previous environmental flow recommendations and standards, and future monitoring, studies, and activities necessary to better understand environmental flows. The advisory group must validate or refine environmental flow recommendations and standards adopted by the TCEQ and strategies to achieve these standards. To ensure the efficient review of standards, the advisory group must develop a biennial statewide work plan that prioritizes and schedules the review of these standards and establishes a timeline for review. The first work plan must be delivered to the TCEQ by January 1, 2025.</p> <p>SB 1397 mandates that the TCEQ take into account the environmental flow standards reviewed by the advisory group when modifying environmental flow standards or set-asides. TCEQ must provide the advisory group with a biennial report that includes updates on the implementation of environmental flow standards, feedback from relevant departments, and suggestions for the biennial work plan. The first report must be submitted by January 1, 2024.</p> <p>SB 1397 repeals provisions that would have led to the disbandment of the environmental flows advisory group, the Texas Environmental Flows Science Advisory Committee, and each basin and bay area stakeholder committee and basin and bay expert science team.</p> <p>Notice Regarding the Proposed Creation of Certain Water Districts SB 1397 mandates TCEQ must inform every state senator and state representative whose area falls within the proposed district boundaries when an application for the establishment of a relevant water district has been declared complete.</p> <p>Conclusion After the sunset review of TCEQ, multiple stakeholders provided their inputs to build SB 1397 with the author’s office. Environmental advocates, in particular, pushed for more justice and equity considerations in this legislation. Despite some differences in perspectives, it is widely acknowledged that SB 1397 introduces essential changes to TCEQ. The legislature has addressed the requirements identified by the Sunset Advisory Commission, and SB 1397 marks a positive step forward for the agency.</p>	
<p>SB 1414 By: Johnson Paxton Perry Schwertner Springer</p>	<p>Relating to the temporary regulation of the practice of veterinary medicine by the Texas Department of Licensing and</p>	<p>Agriculture & Livestock 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>The Texas Board of Veterinary Medical Examiners (TBVME) has been subject to three sunset reviews that revealed significant data collection, reliability, analysis issues, and poor enforcement procedures in the last six years. A review conducted in November 2022 found that the TBVME improperly contracted with a new database and continues to struggle with the previously identified areas. As a result, the Sunset Advisory Commission recommended that the TBVME be temporarily attached to the Texas Department of Licensing and Regulation (TDLR) for the next four years so TDLR may provide policy-making and administrative oversight and support.</p>	<p>Favorable</p>

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<p>Sponsor: Holland Goldman Canales Bell, Keith Clardy</p>	<p>Regulation.</p>		<p>SB 1414 moves the next sunset review of TBVME from the 2028-2029 cycle to the 2026-2027 cycle. SB 1414 requires TDLR to assume the policy-making authority of the TBVME and administer the Veterinary Licensing Act. TDLR is authorized to contract as needed to administer the act. SB 1414 transfers applicable powers or duties from the TBVME to TDLR, TDLR’s executive director, or the Texas Commission of Licensing and Regulation (TCLR). TDLR must review each TBVME administrative rule and propose changes if TDLR determines a rule lacks sufficient reason or authority.</p> <p>TCLR must adopt all necessary rules to implement the Veterinary Licensing Act, excluding rules within the scope of veterinary medicine or a health-related standard of this practice. TBVME would retain the authority to adopt these rules, but they would be subject to review by TCLR. If TCLR determines the rule is an unauthorized rule or an unauthorized anticompetitive rule, then the rule cannot take effect or be enforced. In addition, TBVME would act as an advisory board for TDLR to provide advice and recommendations for relevant technical matters.</p> <p>The Department of Information Resources, in consultation with TDLR and TBVME, must assess the TBVME’s database needs and establish a plan to acquire a database that addresses the identified needs. TDLR must submit legislative recommendations to improve TBVME’s operations to the Sunset Advisory Commission and each standing legislative committee with primary jurisdiction over TBVME.</p> <p>Ultimately SB 1414 aims to address longstanding issues with data collection, reliability, analysis, and enforcement of the TBVME.</p>	
<p>SB 1424</p> <p>By: Perry Johnson Paxton Schwertner Springer</p> <p>Sponsor: Clardy Canales Goldman Holland Bell, Keith</p>	<p>Relating to the continuation and functions of the State Soil and Water Conservation Board and the Texas Invasive Species Coordinating Committee.</p>	<p>Agriculture & Livestock</p> <p>6 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>The State Soil and Water Conservation Board (TSSWCB) aids the 216 local soil and water conservation districts in Texas by providing state and federal grants. TSSWCB works with landowners to encourage voluntary natural resource conservation. Over the last decade, TSSWCB's responsibilities have expanded to address agricultural and forestry-related water pollution and to provide funding to maintain the flood control dams built in Texas.</p> <p>The Sunset Advisory Commission reviewed TSSWCB finding they effectively work with landowners on conservation. However, the commission suggested improvements to TSSWCB's grant administration and management practices related to the dam structural repair grant program.</p> <p>SB 1424 proposes to continue TSSWCB until 2035, with a limited-scope review in the 2026-2027 biennium focused on the dam structural repair grant program. SB 1424 aims to implement the sunset commission recommendations by making various statutory modifications. Additionally, SB 1424 seeks to update the Texas Invasive Species Coordinating Committee's governing statute to reflect its current needs and core function of interagency coordination.</p> <p>Overall, SB 1424 aims to continue the The State Soil and Water Conservation Board and seek to improve the agency's grant program for Texas dams, while continuing its mission until 2035.</p>	<p><u>Favorable</u></p>

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<p>SB 1659</p> <p>By: Schwertner</p> <p>Sponsor: Holland Bell, Keith Canales Clardy Goldman</p>	<p>Relating to the sunset review process and certain governmental entities subject to that process.</p>	<p>State Affairs</p> <p>11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>SB 1659 is the sunset schedule bill, filed each session, that adjusts the timeline of agencies scheduled for Sunset Review. The aim is to balance the workload of the sunset commission and provide sufficient time for review of each agency. Additionally, SB 1659 removes the Bandera County River Authority and Groundwater District from being subject to sunset review entirely.</p>	<p><u>Favorable</u></p>
<p>SB 1727</p> <p>By: Schwertner Johnson Paxton Perry Springer</p> <p>Sponsor: Canales Dutton</p>	<p>Relating to the continuation and functions of the Texas Juvenile Justice Department, the functions of the office of independent ombudsman for the Texas Juvenile Justice Department, and the powers and duties of the office of inspector general of the Texas Juvenile Justice Department.</p>	<p>Juvenile Justice and Family Issues</p> <p>7 Ayes 0 Nays 0 PNV 2 Absent</p>	<p>SB 1727 is the Texas Juvenile Justice Department (TJJD) sunset bill. The TJJD, formed in 2011 after a long string of abuse allegations and operational issues regarding the Texas Youth Commission, executes duties related to juvenile justice, including the care, custody, and rehabilitation of the youth assigned to them. Over the past few years, there have been similar accusations directed towards TJJD, alleging that children are compelled to spend as much as 23 hours a day confined to their cells, resorting to using bottles to urinate, and experiencing widespread incidents of sexual assault.</p> <p>In addition, turnover rates at TJJD have continually worsened, reaching as high as 70% in 2021. This turnover contributes to the agency's long-standing issues, weakening its ability to provide rehabilitation services and stable care to those under its supervision and risking further harm to an already vulnerable population. While the agency provides vital services, it is important to note that the legislature has continually chosen to focus on diversion and community based resources, as both of these options predict better outcomes for youth. After a review of the aforementioned concerns and priorities regarding TJJD, the Texas Sunset Commission has provided the legislature with recommendations for the continuance of TJJD, outlined in SB 1727. Some of these recommendations follow changes made during the interim that have improved conditions at TJJD, exemplified by the fact that TJJD has not had a lockdown since October 2021, and that youth are now spending 90% of their time in normal programming as opposed to 35% in previous years. These recommendations seek to ensure that TJJD has the resources needed to execute its mission.</p> <p>SB 1727 allows for the continuance of the Texas Juvenile Justice Department until September 1, 2029. This is an adjustment from the Senate version, which extended TJJD for 2 years.</p> <p><i>Board Membership, Training, Recusal, and Responsibilities</i></p>	<p><u>Favorable</u></p>

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SB 1727 decreases board membership from 13 to 11, and overall requires more board members to have experience working in juvenile justice. Additionally, the bill allows the Governor to appoint a mental health representative with experience in working with children, designated by the Health and Human Services Commission (HHSC) executive commissioner, instead of a licensed adolescent mental health treatment professional. These provisions are in order to address some inconsistencies and lack of leadership by the board as a whole.

SB 1727 establishes recusal provisions tailored to some juvenile justice professionals appointed to the board, requiring the avoidance of a conflict of interest regarding board votes and making changes for the type of matters recusal will be required for, such as officer discipline for a professional who is a chief juvenile probation officer. These provisions are aimed to ensure fairness across the board's leadership.

As there has been concern regarding task delegation among the board, SB 1727 adds provisions related to delegation to ensure efficiency. The bill grants the board authority to delegate tasks to the TJJD executive director, with the condition that the board gives clear instructions, performance measures, and reporting requirements for each delegation. The bill mandates the board to oversee the delegated responsibilities to ensure alignment with TJJD's mission and funding priorities. It also designates the TJJD executive director as a full-time employee of the board responsible for administrative functions and other duties directed or required by state law. All board member terms will expire on September 1, 2023, and the bill provides a process for continued appointments. SB 1727 modifies board member training requirements to include specific recommendations from the sunset commission. It also outlines the process for transitioning current board members to comply with the new training requirements.

Executive Director

SB 1727 sets specific qualifications for the TJJD executive director, including a minimum of five years of administrative experience in juvenile corrections or congregate care, or a combination of three years of administrative experience and a relevant graduate degree. The bill also mandates TJJD to monitor the executive director's actions outlined in the legislation and provide quarterly aggregated data to the board and the sunset commission. These actions include selecting children for conditional or home placements, waiving confinement requirements, approving early discharges, and addressing appeals related to facility access. The current ED of TJJD meets these qualifications.

Advisory Council and Committees

SB 1727 broadens the membership of the advisory council on juvenile services by including the commissioner of the Department of Family and Protective Services (DFPS) or their representative. The bill mandates the advisory council to assist TJJD in evaluating and suggesting improvements for information sharing among agencies that

serve children in both the juvenile justice and child welfare systems. As foster youth face a high risk of contact with TJJD, this adjustment lends more expertise regarding those children.

SB 1727 grants the board the authority to create advisory committees aimed at providing recommendations on programs, rules, and policies administered by the board. Additionally, SB 1727 eliminates the industries advisory committee and replaces it with a youth career and technical education advisory committee. This new committee's role is to support TJJD in supervising and coordinating vocational training for youth in TJJD custody, including partnerships with community colleges and other local entities. This focus on skill development will help to expand vocational opportunities, access to education, and reduce recidivism.

Risk Factors and Inspections
 SB 1727 mandates that TJJD consider various risk factors when assessing the overall risk level of facilities and entities inspected under the law. These risk factors include the type of entity, available programming, past standards violations, complaint volume and types, leadership changes, staff turnover, findings from the office of the independent ombudsman and the office of the inspector general, negative media attention, and the time elapsed since the last inspection by TJJD. The bill requires TJJD to develop risk assessment tools with clear and objective standards based on these risk factors. Different assessment tools may be created for different types of entities, and TJJD must regularly review these tools to ensure their continued relevance and effectiveness. Overall, these provisions are less prescriptive and allow for more nuance throughout the process. The bill also provides for an inspection process regarding such risk factors.

Regionalization
 SB 1727 expands options to keep children closer to home, as opposed to inside TJJD facilities. These provisions are meant to increase family involvement, lower recidivism rates, and help with the continuity of education and support systems. The bill mandates that the TJJD regionalization plan include information on compliance with regionalization requirements, analysis of commitment rates by region and county, and actionable steps to enhance regional capacity and coordination while ensuring public safety.

In developing the steps, TJJD must consider options to target or expand funding for community-based programs, utilize incentives for diversion and cooperation, create additional local capacity, and implement processes for downsizing state secure facilities. Overall, these steps aim to expand county-level capacity. The plan must be updated and submitted to relevant authorities biennially, with opportunities for public comment and board approval. The bill requires TJJD to consult various stakeholders, including the advisory council on juvenile services, juvenile probation departments, advocacy groups, parents/guardians, and individuals with prior system

involvement. Additionally, the bill authorizes the incorporation of relevant suggestions from the regionalization plan into future strategic plans, legislative appropriations, and supporting documents for implementation.

SB 1727 requires TJJD to partner with universities to map available resources for justice-involved youth. This should help the agency identify service gaps and allow for a more efficient process regarding community resources that can keep children closer to home. TJJD must consult with various stakeholders in determining what information is needed during this process.

SB 1727 enables TJJD to incentivize diversion from the juvenile justice system by incorporating incentives into the probation funding formula. TJJD can prioritize these factors and define them through established rules. During formula revisions, TJJD must consult with stakeholders such as the advisory council on juvenile services and the Legislative Budget Board (LBB). Moreover, the bill allows TJJD to incorporate incentives into discretionary grant funding to support programs addressing specific needs or projects of local juvenile boards. SB 1727 mandates that the board, in coordination with the advisory council on juvenile services, establish rules requiring a juvenile probation department to seek placement in a regional specialized program before a juvenile court commits a child to TJJD custody.

Employee Standards

SB 1727 eliminates specific education and experience requirements for juvenile probation officers, empowering TJJD to establish minimum standards. Input from the advisory council on juvenile services and other stakeholders will be considered to ensure certified officers are qualified to protect children and public safety, while minimizing barriers to entry into the profession. Furthermore, SB 1727 grants TJJD the authority to issue provisional certifications to employees of juvenile probation departments or private facilities, allowing them to work until they obtain proper certification. Rules will be implemented to govern eligibility and application procedures for provisional certifications.

Research and Dissemination

SB 1727 makes changes regarding the dissemination of juvenile justice information. The bill specifies that confidential and identifiable information, which includes a juvenile offender's name or personal identifiers, can be shared by TJJD for research and statistical purposes with authorized entities such as criminal justice agencies, the Texas Education Agency, HHSC-related agencies, and DFPS, as well as approved individuals or entities involved in research projects with specific agreements. The bill also mandates the granting of access to non-identifiable juvenile justice information to the same authorized agencies and universities, removing TJJD's discretion in this matter. Additionally, it requires TJJD to provide access to non-identifiable information for research or statistical purposes to individuals or entities working on approved projects, regardless of funding

			<p>source, without the need for a specific agreement with TJJD. This is in response to a recent change in TJJD’s interpretation of statute regarding dissemination, which led to a lack of clarity regarding information.</p> <p>Office of Independent Ombudsman SB 1727 makes a myriad of adjustments regarding the Office of Independent Ombudsman (OIO), including but not limited to a clarification of the OIO’s authority and duties regarding county-level, post-adjudicated youth, a requirement for TJJD and counties to notify OIO about private facilities in which they place post-adjudicated youth, as well as a requirement that the OIO adopt policies regarding prioritizing facility inspections based on risk. In addition, these provisions create parity between OIG peace officers according to Schedule C of the position classification salary schedule and other types of peace officers. This should aid the agency in its current retention struggles, and is funded by HB 1. The bill further aligns the statute with the OIG’s current practices as well as includes the OIG in provisions that apply to other law enforcement agencies.</p> <p>Office of the Inspector General SB 1727 expands the responsibilities of the TJJD office of inspector general, including detecting crimes committed by TJJD employees and at applicable facilities, investigating complaints of abuse and neglect, apprehending escapees, investigating gang-related activity, and performing security searches. The bill requires the office to operate the incident reporting center and share complaints received with the appropriate TJJD entity. It grants concurrent jurisdiction to conduct criminal investigations of abuse and neglect complaints. Administrative investigation findings must be reviewed for legal sufficiency before public disclosure. The bill revises the reporting requirements, allowing the report to be delivered to specified recipients and including the district or county attorney. Consolidated quarterly reports include information on disposition of complaints, and recipients must not disclose the information except as authorized by law.</p> <p>SB 1727 replaces peace officer positions with investigators and security officers in the office of inspector general and authorizes the appointment of inspectors general as peace officers. It establishes compensation guidelines and grants the office access to tracking equipment and communication records.</p> <p>Impact TJJD is set to sunset following a time of great struggle for the agency, making the comprehensive overhaul outlined in SB 1727 incredibly necessary. Overall, the bill increases accountability, transparency, and the ability of children to be diverted away from TJJD. While this is not the first time this agency or its predecessors have faced incredible challenges, SB 1727 makes a myriad of adjustments that seek to improve not just the agency itself, but lives of the children it cares for.</p>	
SB 2592	Relating to the Lavaca-Navidad	Natural Resources	The Lavaca-Navidad River Authority (LNRA) provides untreated water to municipalities and industries, oversees water quality, and manages parks and event venues near Lake Texana. The Sunset Advisory Commission	<u>Favorable</u>

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<p>By: Paxton Johnson Perry Schwertner Springer</p> <p>Sponsor: Clardy Holland Canales Goldman Bell, Keith</p>	<p>River Authority, following the recommendations of the Sunset Advisory Commission; altering terms of the board of directors; specifying grounds for the removal of a member of the board of directors.</p>	<p>10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>evaluated the LNRA and found it to be well-managed, specifically in water operations; the commission did suggest areas for improvement to ensure fair and effective administrative practices. SB 2592 aims to implement the commission's recommendations and schedule a future review of the LNRA.</p> <p>SB 2592 sets a date for the next review of the LNRA under the Texas Sunset Act during the 2034-2035 review cycle. SB 2592 includes several policy recommendations from the Sunset Advisory Commission, such as having the governor designate the presiding officer of the LNRA's board of directors, establishing specific grounds for removing board members, providing board member training, separating policy-making and management responsibilities, maintaining complaint information, and allowing for public testimony at board meetings. SB 2592 outlines the process for current board members to transition to the new training requirements.</p> <p>SB 2592 shortens board member terms from six to four years, changes member appointments from biennial to annual, and mandates the appointment of a general manager to the LNRA. SB 2592 validates and confirms certain LNRA actions taken before its effective date. SB 2592 repeals two provisions, in Acts of the 56th and the 61st Legislatures, to do the above.</p> <p>SB 2592 incorporates the recommendations made by the Sunset Advisory Commission to update LNRA's policies and procedures, enabling them to operate more effectively in a modern era with greater demand for their water resources.</p>	
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LSG Floor Report For Constitutional Amendments Calendar – Tuesday, May 16, 2023

<p>SJR 75</p> <p>By: Perry</p> <p>Sponsor: King, Tracy</p>	<p>Proposing a constitutional amendment creating the Texas water fund to assist in financing water projects in this state.</p>	<p>Natural Resources</p> <p>7 Ayes, 0 Nays, 0 PNV, 4 Absent</p>	<p>SJR 75's enabling legislation is SB 28.</p> <p>The Texas House Natural Resources Committee Interim Report to the 88th Legislature stated that Texas is facing a water supply and wastewater infrastructure crisis. It is determined that the legislature should invest in large-scale water development to meet the projected increase in water demands due to population growth. However, Texas' existing water supplies are projected to decline, resulting in a potential water shortage of 6.9 million acre-feet per year in 2070. The Texas Section of the American Society of Civil Engineers gave the state low drinking water and wastewater infrastructure grades. A study found that Texas utilities lose at least 572,000 acre-feet of water annually. SB 28 aims to establish three new financial assistance components to help tackle the water challenges the state faces.</p> <p>SJR 75 proposes a constitutional amendment to create the Texas Water Fund, a separate fund for water issues managed by the Texas Water Development Board (TWDB). SJR 75 enables the fund's administrator to transfer and restore money to other accounts managed by the TWDB without requiring legislative approval. The fund will consist of revenue from different sources, including legislative appropriations, investment earnings, and donations. The legislature will determine how the funds will be used, with specific limitations set in the</p>	<p><u>Favorable</u></p>
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			<p>resolution, and can allocate investment-related costs to be paid from the Texas Water Fund. SJR 75 mandates that on January 1, 2024, the comptroller of public accounts must transfer \$3 billion from the unencumbered balance of the general revenue fund to the Texas Water Fund.</p> <p>Although there are concerns about SB 28 and the potential use of the funds for environmentally questionable water projects, the financial advancements proposed by SJR 75 and SB 28 are crucial for providing the necessary funding for investing in Texas' water infrastructure. With a rapidly growing population, the state must have the resources to meet the increasing water demand.</p>	
LSG Floor Report For General State Calendar – Tuesday, May 16, 2023				
<p>SB 994</p> <p>By: Schwertner</p> <p>Sponsor: Burrows</p>	<p>Relating to the declaration of a candidate's ineligibility on the basis of failure to pay a filing fee or submit a petition in lieu of a filing fee.</p>	<p>Elections</p> <p>6 Ayes, 3 Nays, 0 PNV, 0 Absent</p>	<p>Candidates for state or county office must pay a filing fee or collect enough signatures to be eligible to be on the ballot. Currently, the party responsible for certifying the candidate on the general election ballot, or, in the case of an independent candidate, the authority in which the candidate's application was filed, can declare a candidate ineligible for unmet or false qualifications for office.</p> <p>SB 994 adds the Secretary of State (SOS) as an authority for declaring a candidate ineligible for failure to pay the filing fee or submit a petition in lieu of the fee. The SOS must do so at least 74 days preceding election day. SB 994 authorizes a political party or precinct's executive committee to select a replacement candidate, who must pay the required filing fee or petition in lieu of the fee.</p> <p>Although the state has a role in administering elections, state parties and county officials are responsible for candidate selection. The SOS is a political appointee and should not have the authority to unilaterally remove party candidates from the ballot. There are also concerns that this would make it more difficult for third party candidates to get on a ballot, as the current process for removing someone would involve a court proceeding.</p>	<u>Unfavorable</u>
<p>SB 1076</p> <p>By: King</p> <p>Sponsor: Geren</p>	<p>Relating to the deadline for approving a certificate of public convenience and necessity for certain transmission projects.</p>	<p>State Affairs</p> <p>13 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Currently, the Public Utility Commission (PUC) must process and issue an application for a certificate of convenience and necessity (CCN) within 365 days for new transmission projects. This 365-day timeline is reduced to 180 days for projects deemed critical to reliability. Given Texas's increased demand for electricity, the current 365-day timeline delays projects that would increase electric supply.</p> <p>SB 1076 reduces the PUC's turnaround time to approve or deny CCN applications to 180 days.</p> <p>SB 1076 supports the demand for reliability while increasing efficiency and balancing the thoughtful consideration of environmental impacts and stakeholder engagement.</p>	<u>Favorable</u>
<p>SB 2186</p> <p>By: Zaffirini</p>	<p>Relating to food allergen awareness in food service</p>	<p>Public Health</p> <p>11 Ayes,</p>	<p>In 2009, the Texas Anatomical Gift Act was repealed and replaced with the Revised Uniform Anatomical Gift Act. This replacement, along with amendments made to the repealed act, created confusion among practitioners. Further, attorneys note inconsistencies within the Revised Uniform Anatomical Gift Act's treatment of</p>	<u>Favorable</u>

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<p>Sponsor: Thompson, Senfronia</p>	<p>establishments, food handler and food manager certifications, and food service training or education programs.</p>	<p>0 Nays, 0 PNV, 0 Absent</p>	<p>individuals who cannot sign records physically. SB 2186 seeks to address these concerns by revising provisions associated with executing anatomical gift records, ensuring statutory alignment, and simplifying organ donation.</p> <p>SB 2186 repeals the Texas Anatomical Gift Act and authorizes donors to donate organs through an online registry, similar to the provisions in the repealed act. SB 2186 retains an existing provision relating to the online registration process, specifically that it does not require consent from others, witnesses, or a notary public's acknowledgment. Online registration is a legally binding document that remains valid after the donor's death.</p> <p>For individuals who are physically unable to sign records, SB 2186 offers an alternative solution by allowing the record to be acknowledged by a notary public instead of requiring the presence of two adult witnesses. This solution provides a more flexible approach and reduces barriers for those who want to participate in organ donation but are limited by their physical abilities.</p> <p>SB 2186 seeks to eliminate confusion and inconsistencies in the organ donation process. By streamlining the system and making it more inclusive and accessible, the bill ensures that every Texan has an opportunity to participate in organ donation, ultimately saving lives.</p>	
<p>SB 1133</p> <p>By: Blanco Flores Hinojosa Kolkhorst Perry Zaffirini</p> <p>Sponsor: King, Tracy O.</p>	<p>Relating to a program to compensate landowners for property damage caused by certain criminal activities.</p>	<p>State Affairs</p> <p>11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>SB 1133 establishes a grant program under the Office of the Attorney General (OAG) to compensate landowners who incur property damage on agricultural land due to “border crime,” such as smuggling, evading arrest, human and drug trafficking, and trespassing. SB 1133 also provides for damages sustained due to law enforcement’s response. The grant program is designed to serve as the final option for financial restitution for property damage.</p> <p>Under SB 1133, the OAG is responsible for developing and implementing the grant program specifically, outlining eligibility criteria, application procedures, evaluation and compensation criteria, and mechanisms to track the usage of the program. SB 1133 sets the maximum compensation per incident as \$75,000 and requires applicants to have written documentation by a law enforcement agency and be ineligible for reimbursement from another source, such as insurance or government programs to receive compensation. The OAG must determine the necessity of a compensation hearing on a case-by-case basis and notify involved parties at least ten days before. Hearing officers, appointed by the attorney general, may conduct hearings or prehearing conferences, which are typically open to the public unless privacy is in the best interest of the applicant. The attorney general must also submit an annual report to the governor and the legislature detailing the compensation program's activities. The provisions of SB 1133 expire two years after the date all funds for the grant program are expended.</p> <p>While SB 1133 is primarily concerned with compensating landowners for damages, it may indirectly contribute to negative perceptions of immigration by highlighting issues associated with border crimes. However, the primary objective is to provide last-resort financial relief to affected landowners, not to address broader immigration issues.</p>	<p><u>Favorable</u></p>

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<p>SB 2538</p> <p>By: Creighton</p> <p>Sponsor: Longoria Cole</p>	<p>Relating to limitations on the automatic admission of undergraduate students to general academic teaching institutions.</p>	<p>Higher Education</p> <p>9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>In Texas, a general academic teaching institution must admit an undergraduate applicant who graduated with a grade point average (GPA) in the top 10% of their high school class in one of the two school years prior to the academic year they are applying for admission. Currently, The University of Texas at Austin is not obligated to admit all applicants who meet the criteria for automatic admission beyond the number needed to occupy 75% of the university's capacity. This summer, the Supreme Court of the United States is expected to issue a ruling that may overturn affirmative action in the admissions process. If this happens, a provision in Texas law would be activated which would invalidate UT Austin's 75 percent cap on automatic admissions. UT Austin predicts that removing the 75 percent cap in automatic admissions could result in a yearly increase of 4,000 students, leading to a rise in the freshman class size from approximately 9,000 to 13,000. This would add a total of 16,000 students to the undergraduate class over four years and put a strain on institutional resources.</p> <p>SB 2538 seeks to take proactive measures in the event that the Supreme Court's decision is enacted and preserve UT Austin's current admissions system by repealing a statute that limits automatic admission of undergraduate students and allows the university to maintain the 75 percent enrollment cap.</p>	<p><u>Favorable</u></p>
<p>SB 621</p> <p>By: Parker</p> <p>Sponsor: Capriglione</p>	<p>Relating to the position of chief information security officer in the Department of Information Resources.</p>	<p>State Affairs</p> <p>11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Although the Department of Information Resources (DIR) currently employs a Chief Information Security Officer (CISO), the role is not defined in state statutes. SB 621 codifies the position in statute.</p> <p>SB 621 establishes the position of Chief Information Security Officer (CISO) and mandates the DIR to employ a CISO using existing funds to guide the state information security program. The CISO's role encompasses various responsibilities such as implementing cybersecurity measures, responding to data breach reports, developing statewide security policy frameworks, overseeing network security, and submitting the cybersecurity report.</p> <p>SB 621 emphasizes the importance of cybersecurity in a rapidly changing digital landscape and aims to increase coordination, preparedness, and accountability within the state's technology infrastructure.</p>	<p><u>Favorable</u></p>
<p>SB 1057</p> <p>By: Whitmire</p> <p>Sponsor: Harless Thierry</p>	<p>Relating to the authority of certain municipalities and local government corporations to use certain tax revenue for certain qualified projects.</p>	<p>Ways & Means</p> <p>10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>In 2013, the Legislature allowed the cities of Dallas and Fort Worth to use certain tax revenue to fund convention center facilities, multipurpose arenas or venues, and related infrastructure. SB 1057 proposes extending the existing tax revenue utilization authority to Houston and Houston First Corporation. By including Houston, the city would have the opportunity to expand its convention center and enhance its bid for hosting major events.</p> <p>SB 1057 permits certain municipalities to utilize revenue from municipal hotel occupancy taxes for funding qualified convention center facilities, multipurpose arenas, or sports and community venues. The bill also allows these municipalities to allocate revenue to meet their obligations and receive incremental growth in state sales and use taxes, state hotel occupancy taxes, and state mixed beverage taxes collected by hotels within the project financing zone. SB 1057 extends authorization to municipalities with a population of at least two million. Additionally, SB 1057 allows local government corporations to act as municipalities if it is authorized to collect a municipal hotel occupancy tax, located in a county with a population of 3.3 million or more, and operates a</p>	<p><u>Favorable</u></p>

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			<p>convention center facility situated within three miles of the municipal city hall of the facility's location.</p> <p>SB 1057 would allow the City of Houston to use certain tax revenue to fund convention center facilities, multipurpose arenas or venues, and related infrastructure to encourage large conventions to come to Houston.</p>	
<p>SB 2139</p> <p>By: Parker</p> <p>Sponsor: Longoria</p>	<p>Relating to the establishment of the Opportunity High School Diploma program.</p>	<p>Higher Education</p> <p>8 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Business leaders, employers, and education stakeholders in Texas have expressed concerns about the limited options available to individuals seeking basic education credentials for workforce preparedness, given the high rates of individuals in the state lacking adequate postsecondary credentials or a high school diploma. SB 2139 addresses these concerns by establishing the Opportunity High School Diploma Program.</p> <p>SB 4631 establishes the Opportunity High School Diploma Program to provide an alternative means by which adult students enrolled in a workforce education program at a public junior college may earn a high school diploma through concurrent enrollment in a competency-based education program. Competency-based education (CBE) measures learning achieved rather than time spent in classrooms. This approach benefits adult learners, who often have some prior education or experience in a field and are seeking to complete their degree. The public junior college may award a high school diploma to a student enrolled in the program offered by the college with satisfactory performance on assessments established by the THECB.</p> <p>The Texas Education Coordinating Board (THECB) would administer the program in consultation with the Texas Education Agency (TEA) and the Texas Workforce Commission (TWC). The THECB may only approve five colleges for participation. Approved public junior colleges may enter into an agreement with another college, school district, or nonprofit organization to offer the program, and the program may be located at any college campus or partnering entity.</p> <p>THECB and TWC must collaborate to identify funding available to public junior colleges and students. A participating public junior college is entitled to state appropriations under statutory provisions. THECB must submit a report on the program's effectiveness to the legislature by December 1, 2026. The report must include recommendations regarding the future of the program.</p> <p>SB 2139 provides additional avenues for adults to earn their high school diploma while pursuing workforce education, which is essential to a strong Texas economy.</p>	<p><u>Favorable</u></p>
<p>SB 1070</p> <p>By: Hughes</p> <p>Sponsor: Jetton Leo-Wilson</p>	<p>Relating to the interstate voter registration crosscheck program.</p>	<p>Elections</p> <p>5 Ayes, 4 Nays, 0 PNV, 0 Absent</p>	<p>In a 2020 bipartisan effort, Texas became the 30th state to join the Electronic Registration Information Center (ERIC) to increase voter participation and improve the accuracy of voter rolls. ERIC is governed and managed by the member states and was formed in 2012 with assistance from The Pew Charitable Trusts. Participation in ERIC helps member states in identifying and conducting outreach to eligible but unregistered voters to encourage them to register to vote. The program also helps the state clean voter rolls by identifying voters who have moved within Texas, voters who have moved out of Texas, voters who have died, and voters with duplicate registrations in Texas. Since then, former President Donald Trump and conservative activists have spouted</p>	<p><u>Unfavorable</u></p>

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<p> Allison Murr</p>		<p>unfounded claims and conspiracy theories accusing ERIC of pursuing a left-wing agenda and sharing personal data with unauthorized parties, urging states to withdraw from the compact. Five states have followed suit and left the compact since January 2022.</p> <p>SB 1070 allows the SOS to identify and contract with a third-party private company for the development of a voter registration crosscheck program with the cooperation of other states. The new system would collect and share data on voter address changes, registration status, and whether someone is deceased or not eligible to vote for some reason, including a felony conviction. The private company must demonstrate the ability to work with voter identification and matching systems. Additionally, the SOS is not allowed to provide any information to the private company that is not found in the voter roll and is not necessary for identifying voters. SB 1070 also requires the SOS to maintain records related to the new voter crosscheck system and submit quarterly reports to the Legislature regarding its operations.</p> <p>The initial cost to “begin operations” with the system is capped at \$100,000, and the ongoing operational cost should not exceed one dollar for each identified voter. However, the fiscal note shows that the SOS receives \$750,000 per year for participation in the ERIC program, and it is presumed that any enrollment in a potential successor system would have similar costs and could be accomplished with existing resources.</p> <p>SB 1070 aims to create a voter crosscheck system from scratch based on misinformation rather than continuing the use of a working system, ERIC. Withdrawing from the interstate program decreases available voter data and weakens the state’s efforts to keep voter rolls clean and prevent illegal voting. Even with recent withdrawals of Republican-led states, Florida, Missouri, and West Virginia ERIC still has agreements with 31 states and Washington, D.C. Having as many states as possible in the compact is advantageous to prevent individuals from registering in multiple states. Creating an entirely new system that aims to do the same thing as the existing one but with less state cooperation is a waste of time and resources. Additionally, there are concerns about the lack of information or guardrails regarding vendor choice. For example, it may be prudent to require the SOS, when hiring a 3rd party company, to ensure that the company does not earn most of its income from partisan candidates and organizations involved in partisan campaigns. Lastly, SB 1070 insinuates the state’s impending exit from the ERIC interstate voter program without explicitly mandating it without any reason for doing so. ERIC has been doing its job. ERIC data from June 2022 helped Texas identify 100,000 in-state duplicate voters and another 100,000 duplicates of people who moved in or out of state. Overall, SB 1070 would significantly undermine efforts to maintain clean voter rolls and reduce instances of illegal voting.</p>	
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<p>SB 849 By: Blanco Sponsor: Moody</p>	<p>Relating to continuation and operations of a healthcare provider participation program by the El Paso County Hospital District.</p>	<p>County Affairs 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>The El Paso County LPPF is set to expire on December 31, 2023. SB 849 extends El Paso County’s LPPF authority to December 31, 2027.</p> <p>In Texas, local hospitals can choose to implement a healthcare provider participation program (LPPF), through which a healthcare-related tax is implemented on a local level. LPPFs are administered by an existing unit of local government and are designed specifically to meet federal requirements regarding eligible local funds. SB 849 also permits the district to charge interest and penalties on late mandatory payments for the program. The amount cannot exceed the maximum amount the district is authorized to charge for other late payments.</p>	<p><u>Favorable</u></p>
<p>SB 643 By: Zaffrini Sponsor: Thompson, Senfronia</p>	<p>Relating to the conduct of charitable bingo.</p>	<p>Licensing & Administrative Procedures 7 Ayes, 3 Nays, 0 PNV, 1 Absent</p>	<p>SB 643 amends several provisions pertaining to bingo licensing and operations, developed in consultation with the Texas Lottery Commission (TLC):</p> <p>Temporary Licenses Under these new provisions, organizations with a commission-issued bingo license can now obtain up to 48 temporary licenses in a year, twice the previous limit. However, any unused temporary licenses will expire on the anniversary of their issuance. It is mandatory for license holders to inform the TLC about the precise details of the bingo occasion, including date, time, and location, before utilizing the temporary license. TLC must verify this notification, and the organization is required to keep a record of it. It’s important to note that this notification requirement does not apply to temporary licenses issued to regular license holders.</p> <p>License Issuance and Renewal SB 643 establishes the criteria for issuing temporary or regular licenses and renewing licenses for bingo operations. These criteria include designating active members responsible for conducting bingo, complying with relevant regulations, showing progress in achieving organizational goals, and ensuring that individuals with gambling offenses or criminal fraud convictions are not involved.</p> <p>Notification and Record-Keeping Under SB 643, TLC is required to inform the governing body and law enforcement agency about the issuance of licenses. The governing body must receive copies of the licenses for central filing, and a written notice of license issuance should be provided to the police department or sheriff’s office within ten days. The bill also outlines the process for renewing licenses after expiration, which involves submitting renewal applications and paying the required fees.</p> <p>Licensing Requirements and Restrictions SB 643 modifies several licensing requirements, renewal procedures, and restrictions on premises providers. It encompasses various aspects such as admission charges, the number of bingo occasions, prize limits, and value restrictions. A written notice is required for license issuance to law enforcement, an increase in the maximum aggregate prize values allowed from \$2,500 to \$5,000, and limitations on premises providers to licensed</p>	<p><u>Favorable</u></p>

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			<p>commercial lessors or temporary license holders.</p> <p>Reporting and Financial Obligations Licensed authorized organizations conducting bingo must deposit funds generated from bingo activities, excluding cash prizes, into a specific bingo account within three business days of the event. Members of a unit share joint and several liabilities for complying with commission rules and paying penalties. The bill emphasizes that organization income cannot be distributed to members, offices, or the governing body, except as reasonable compensation for their services.</p> <p>Fee Distribution Licensed organizations conducting bingo games must remit a portion of the collected prize fee to the commission and the remaining portion to the county or municipality hosting the game. The bill modifies the distribution of fees for locations where the prize fee was imposed before November 1, 2019, depending on whether the location is within a municipality that voted before that date or not. Delinquent fees can be collected within a three-year period.</p> <p>Security and Duties License holders are required to provide security to the commission as a guarantee for paying fees related to prizes. Acceptable forms of security include cash bonds, surety company bonds, and certificates of deposit. The commission is reducible for overseeing the administration, collection, enforcement, and operation of the prize fee, as well as reconciling any fees owed to counties or municipalities.</p> <p>Conclusion SB 643 enhances bingo licensing, reporting, and fee collection procedures while addressing the responsibilities of licensed organizations and TLC. This allows charities more opportunities to conduct bingo, therefore impacting the communities and interests that they serve overall.</p>	
<p>SB 599 By: Birdwell Sponsor: Anderson Orr Guillen Harris, Cody</p>	<p>Relating to the carrying or possession of a handgun by a district or county clerk and the issuance of a handgun license to a district or county clerk.</p>	<p>Community Safety - Select Ayes 7, Nays 4, PNV 0, Absent 2</p>	<p>Active judicial officers and attorneys with licenses to carry (LTC) are permitted to carry handguns in courthouses and other weapon-restricted places. However, this permission is not extended to district and county clerks. District and county clerks are responsible for filing restraining orders and collecting fees which require them to travel outside the courthouse and work outside of regular hours when security is gone. SB 599 seeks to permit district and county clerks to carry handguns in courthouses.</p> <p>SB 599 authorizes a district or county clerk to obtain a handgun license via the streamlined procedures for an active judicial office and requires the Department of Public Safety to waive any fee associated with issuing the original, duplicate, or renewal license for a district or county clerk. District and county clerks can verify handgun proficiency by obtaining a sworn statement from an approved handgun proficiency instructor that the person demonstrated to the instructor they were proficient in using handguns during the 12 months before applying for</p>	<p><u>Unfavorable</u></p>

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			<p>the handgun license. SB 599 exempts a district and county clerk carrying a handgun from being charged with unlawful carrying of a weapon and possessing or going with certain weapons in a place where weapons are prohibited.</p> <p>Concerns The primary concern of SB 599 is increasing the presence of weapons in a place often frequented by the public. There has been no demonstration that increasing the presence of weapons increases the safety of people from violence. Further, if the safety of courthouse personnel is the intention of this legislation, there should be a policy that has security remains while these individuals are still working or incorporate a policy in which district and county clerks are provided security while executing their duties outside of the courthouse. There are alternative, less drastic means of enhancing employee safety.</p> <p>Another concern is the streamlining of district and county clerks to be licensed to carry a handgun. Allowing a district or county clerk to receive a sworn statement as proof of handgun proficiency lets them bypass attending the in-person or online classroom instruction. If this legislation is to pass, these individuals should be expected to complete the same requirements to become licensed. District and county clerks do not require streamlined, expedited means of acquiring a handgun license.</p>	
<p>SB 61 By: Zaffirini Sponsor: Hefner</p>	<p>Relating to the methods by which the comptroller may provide certain notices relating to the revocation or suspension of a permit or license or the forfeiture of corporate privileges in this state.</p>	<p>Ways & Means 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Currently, the comptroller of public accounts is required to provide notification concerning the suspension or cancellation of a permit or license, as well as notification regarding the forfeiture of corporate privileges due to franchise tax delinquency. These notifications must be delivered either through mail or in person, and electronic delivery is not authorized. SB 61 aims to grant the comptroller the ability to deliver these notifications electronically if the permit or license holder or corporation indicates they want electronic notices.</p> <p>SB 61 grants the comptroller of public accounts the authority to electronically deliver notices regarding hearings or decisions regarding the revocation or suspension of permits or licenses. These notices apply to violations of state tax laws and comptroller rules, including sales tax permits. Permit or license holders can opt for electronic notice instead of personal or mail delivery. SB 61 states that when the comptroller sends the notice electronically using the contact information provided by the permit or license holder as recorded by the comptroller, the service is considered complete. SB 61 also establishes that service by mail is considered complete when the notice is deposited in a US Postal Service post office. Additionally, corporations can choose electronic notice for the forfeiture of corporate privileges under franchise tax provisions, with the requirement that the electronic notice is sent to the contact information on record with the comptroller for the corporation.</p> <p>SB 61 allows the comptroller to provide electronic notices regarding the suspension or revocation of a permit or license and notice regarding the forfeiture of corporate tax privileges for franchise tax delinquency.</p>	<p><u>Favorable</u></p>

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<p>SB 576 By: Menéndez Sponsor: Thierry</p>	<p>Relating to the reporting, investigation, and prosecution of the criminal offense of financial abuse of an elderly individual.</p>	<p>Human Services 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Under current law it is difficult to prove the exploitation of an elderly or disabled person in certain cases. Caregivers can claim that any money they received from the client was a loan and argue that the client consented to the loan before they lost the capacity to do so due to cognitive decline. SB 576 aims to solve this problem by creating a rebuttable presumption (presuming something to be true unless proven otherwise).</p> <p>SB 576 specifies that during an investigation into reported abuse, neglect, or exploitation of an elderly person or person with a disability by a caseworker of the department or other state agency, if there is cause to believe that the abuse, neglect, or exploitation constitutes a criminal offense, the case worker or supervisor must immediately notify an appropriate law enforcement agency unless the agency has already reported the alleged abuse, neglect, or exploitation to the department. The caseworker or supervisor must also provide the law enforcement agency with a copy of the investigation report in a timely manner.</p> <p>Under SB 576, if the department receives a report of alleged abuse and believes that it constitutes an offense, they must immediately notify an appropriate law enforcement agency. The bill requires the department to forward certain reports of criminal conduct to law enforcement when received. Also, SB 576 provides that any transfer, appropriation, or use of an elderly individual’s money or other property by a party, if it is shown at the trial of the offense that the party knew or should have known that, at the time of the offense, the elderly individual had been diagnosed with dementia, Alzheimer’s disease, or a related disorder, will be considered a rebuttable presumption .</p> <p>There are too many instances where people can easily exploit elderly and disabled people without consequences. It is important to protect vulnerable Texans who cannot defend themselves. It is also unfair to require the elderly or disabled party to defend their case and SB 576 places guardrails to protect them from any possible exploitation.</p>	<p><u>Favorable</u></p>
<p>HB 728 By: Huffman Sponsor: Leach</p>	<p>Relating to the reporting of mental health and intellectual disability information with respect to certain children for purposes of a federal firearm background check.</p>	<p>Community Safety-Select 9 Ayes, 2 Nay, 0 PNV, 2 Absent</p>	<p>In 2022, the Bipartisan Safer Communities Act was signed into federal law. It enhanced the mental health records review process for juveniles when a person initiates a firearm purchase from a federal firearm licensee. In addition, changes were made to the state reporting requirements for disqualifying mental health records in the FBI’s National Instant Criminal Background Check System (NCIS). The modifications now include mental health adjudication of juveniles who are 16 and older as disqualifying events. In Texas, the statewide database for mental health adjudication in juvenile cases is maintained and archived by each respective court’s clerk. To align with federal law, SB 728 requires court clerks to report specific information regarding juvenile cases involving individuals aged 16 or older with certain mental health or intellectual disability conditions to the Department of Public Safety (DPS). DPS holds the responsibility of reporting this information to NICS.</p> <p>SB 728 revises the requirement for court clerks to prepare and forward to DPS for use in federal firearms background checks specific information within 30 days of a court taking action relating to the person based on the person’s mental condition. Except for actions to appoint a guardian for an incapacitated adult, SB 728</p>	<p><u>Favorable</u></p>

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			<p>specifies information about actions already reported by clerks is to apply to individuals 16 or older. In addition, the bill requires the following information to be sent to DPS as well: juveniles aged 16 or older involved in adjudication cases that are found unfit to proceed, not responsible, receiving court-ordered mental health services, or admitted to a residential care facility due to intellectual disability or mental illness.</p> <p>Upon DPS request, SB 728 mandates court clerks to provide signed court documents containing federally prohibited person information for record audits to be submitted to the FBI's NICS. If DPS determines a record is incomplete or invalid, the clerk must be notified and provide the necessary information or records. While juvenile records are generally confidential, SB 728 exempts records related to a child for NICS purposes or those required to be forwarded to the DPS. This bill applies to records created before, on, or after its effective date.</p> <p>SB 728 aligns with the new federal law and does not restrict law-abiding citizens from purchasing firearms. However, background checks must contain essential and updated information about prospective firearm owners.</p>	
<p>SB 798</p> <p>By: Middleton</p> <p>Sponsor: Buckley</p>	<p>Relating to the certification requirements for a public school counselor.</p>	<p>Public Education</p> <p>10 Ayes, 2 Nays, 0 PNV, 4 Absent</p>	<p>Two years of teaching experience is required for school counselor certification. Counselors are tasked with supporting and assisting students in and out of the classroom. Teaching experience allows counselors to understand classroom dynamics and interact with parents. However, some believe the requirement is unnecessary and too burdensome for prospective school counselors.</p> <p>SB 798 prohibits the qualifications for certification as a school counselor from including experience as a classroom teacher.</p> <p>Teaching experience is not a barrier to becoming a counselor, it is a necessary and practical means of understanding students and classroom dynamics. The qualification speaks to the effectiveness of counselors and their ability to understand classroom behavior and empower students. It also gives counselors credibility when helping teachers, as they too have planned lessons, managed classroom behavior, and navigated supporting students with various needs and personalities. SB 798 negates real-life classroom experience and its benefits, waters down qualifications, and ultimately inhibits the effectiveness of school counselors, who are tasked with the immense responsibility of supporting Texas students.</p>	<p><u>Unfavorable</u></p>
<p>SB 821</p> <p>By: Nichols</p> <p>Sponsor: Bell, Keith</p>	<p>Relating to the review by the Sunset Advisory Commission of the sale of personal data by state agencies.</p>	<p>State Affairs</p> <p>11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>SB 821 is a directive to the Sunset Advisory Commission that builds upon SB 15, passed in the 87th Legislature, to address the selling of consumer data by state agencies without consent.</p> <p>SB 821 mandates the Sunset Advisory Commission to determine, as part of its review of a state agency, whether the agency sells personal data. If a state agency sells data, the commission must identify the entity purchasing the data, the reason the data was sold, the amount the agency received for the data, and the law that authorized the sale. Additionally, SB 821 requires the commission to recommend a prohibition on the sale of personal data by state agencies in its review unless the sale is justified by substantial state or public interest.</p>	<p><u>Favorable</u></p>

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			<p>SB 821 aims to ensure consumer privacy by regulating the sale of personal data by state agencies, establishing transparency about data sales, and protecting Texans from unauthorized use of information entrusted to the state.</p>	
<p>SB 975</p> <p>By: Menendez</p> <p>Sponsor: Dorazio Swanson Garcia Bucy</p>	<p>Relating to the procedures for the issuance of a personal identification certificate to a person whose driver’s license is surrendered.</p>	<p>Elections</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>When individuals surrender their Texas Driver’s License for a personal identification certificate as their official state-issued photo ID, they often fail to update their voter registration. This is particularly true for elderly Texans who have been active voters for a long time but can no longer drive.</p> <p>SB 975 mandates the Department of Public Safety (DPS) to ensure that individuals receiving a personal identification certificate are informed about the requirement to update their voter registration information. Additionally, individuals must be allowed to update their voter registration information while applying for the certificate, ensuring that the identification number of the newly issued certificate is included.</p> <p>SB 975 allows elderly Texans, who often vote by mail, easier access to updating their voting information and participate in the electoral process.</p>	<p><u>Favorable</u></p>
<p>SB 812</p> <p>By: Zaffirini</p> <p>Sponsor: Cortez Allison Campos Oliverson</p>	<p>Relating to food allergen awareness in food service establishments, food handler and food manager certifications, and food service training or education programs.</p>	<p>Public Health</p> <p>11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The number of Texans with food allergies has significantly increased, yet food service establishments are not required to train or remind employees about food allergies, potentially leading to severe or life-threatening consequences. In 2014, Sergio Alexander Lopez tragically died after unknowingly consuming peanut butter at a restaurant, despite inquiring about peanuts in the meal. SB 812 aims to improve food allergen awareness by introducing the Sergio Lopez Food Allergy Awareness Act, which requires food service establishments to display a food allergen awareness poster and incorporates food allergen awareness in education, training programs, and the food manager certification examination.</p> <p>SB 812 mandates that food service establishments display a food allergen awareness poster in an area regularly accessible to employees. The Department of State Health Services (DSHS) must collaborate with food allergy experts to determine the poster's form and content, post a sample on the DSHS website, and update it to ensure consistency of current information and FDA standards. The poster must include information about risks, symptoms, and prevention of allergic reactions, major food allergens defined by federal law and FDA regulations, and appropriate responses to assist individuals experiencing an allergic reaction.</p> <p>SB 812 also requires food allergen awareness information in food service education or training programs and basic food safety or food handler courses. In addition, food manager certification examinations must test applicants on food allergen awareness. SB 812 does not create a private cause of action or alter common law or statutory duty.</p> <p>SB 812 addresses a critical public health issue by raising food allergy awareness and improving safety standards</p>	<p><u>Favorable</u></p>

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			<p>in Texas's dining and food industry. SB 812 seeks to ensure that Texans can dine out confidently, knowing that food service establishments are equipped to handle food allergen concerns effectively and responsibly.</p>	
<p>SB 1179 By: Perry Sponsor: Herrero</p>	<p>Relating to sexually violent predators and the prosecution of certain offenses involving prohibited items at correctional or civil commitment facilities; creating a criminal offense.</p>	<p>Corrections 7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>SB 1179 overhauls administrative practices of the Texas Civil Commitment Office (TCCO) regarding treatment and supervision of clients civilly committed as “sexually violent predators.” Civil commitment, as it relates to sex offenders, is when a state retains custody of an individual, found by a judge or jury to be a dangerous and involuntarily commits the person to a secure mental health facility after the offender’s prison sentence is done. SB 1179 broadly includes provisions that adjust TCCO’s duties and administrative procedures for its programs and establishes criminal penalties for individuals convicted of sexual offenses.</p> <p><i>Criminal Offenses for Civilly Committed Individuals & TCCO Staff</i> SB 1179 enhances and creates new criminal offenses both for facility staff and civilly committed individuals. For civilly committed individuals, SB 1179 increases the misdemeanor punishment to a third-degree felony offense of public lewdness, which includes engaging in sexual acts in public places or where others may be offended or alarmed, if the actor is civilly committed. Furthermore, it enhances the offense of indecent exposure to a third-degree felony for civilly committed individuals who expose themselves for arousal or sexual gratification in contexts that may offend or alarm others. For facility staff, SB 1179 expands the conduct constituting a third degree felony offense of unlawful restraint to improperly or unnecessarily restraining civilly committed individuals. The bill also creates a third degree felony offense for improper sexual activity with a person committed to a civil commitment facility.</p> <p><i>Sex Offender Registry Program</i> SB 1179 requires the Department of Public Safety (DPS) to release all relevant information from the sex offender registration database, including non-public identifying or contact information, to an employee of TCCO upon request. TCCO is included among the entities that receive registration forms from DPS. Additionally, SB 1179 specifies that TCCO is responsible for registering civilly committed sexually violent predators with local law enforcement authorities. Individuals must verify their registration when authorized to reside outside the civil commitment center.</p> <p><i>Civil Commitment & Litigation Process</i> SB 1179 outlines a comprehensive process for civil commitment of sexually violent predators. It requires qualified experts, such as mental health professionals, to conduct evaluations of individuals to determine if they meet the criteria for civil commitment. These evaluations consider factors such as the person's mental condition, history of sexually violent offenses, and risk assessment. Determination hearings are conducted to assess the evidence and decide on civil commitment. Additionally, SB 1179 introduces provisions related to litigation by civilly committed individuals. It requires individuals to file affidavits or declarations stating their inability to pay costs associated with litigation. This provision aims to address situations where civilly committed individuals may face financial</p>	<p><u>Favorable with Concerns</u></p>

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			<p>challenges in pursuing legal actions. Furthermore, SB 1179 allows the court to dismiss claims deemed false, frivolous, or malicious and empowers the court to hold hearings to determine the validity of claims and ensure the integrity of the litigation process.</p> <p>Other Provisions SB 1179 establishes that first responders are not obligated to perform wellness checks but can refer such requests to the Texas Civil Commitment Office (TCCO). This provision exempts first responders from liability for damages resulting from their refusal to perform wellness checks. SB 1179 also establishes guidelines for administering psychoactive medication to civilly committed individuals.</p> <p>Impact Overall, SB 1179 introduces comprehensive changes to enhance the civil commitment process, provide legal safeguards, address the administration of medication, and establish criminal offenses and registration requirements specific to civilly committed individuals. These changes aim to ensure the effective management and treatment of sexually violent predators within civil commitment facilities while safeguarding public safety. However, there are concerns regarding the establishment or enhancement of criminal offenses regarding civilly committed individuals. Opponents of SB 1179 contend the measure unjustly increases penalties for offenses committed by individuals in civil commitment facilities solely because of their prior sex convictions. The behavior targeted by these offenses are misdemeanors and the penalty enhancement may impede equal treatment, deemphasizing proportionate punishment based on the specific offense committed and overemphasizing an individual's past convictions. As such, the criminal enhancements represent a means to indefinitely confine individuals rather than other alternatives that leave the possibility of rehabilitation and/or intense lifelong monitoring without confinement.</p>	
<p>SB 1080 By: Kolkhorst Sponsor: Gerdes</p>	<p>Relating to a mitigation program and fees for the Lost Pines Groundwater Conservation District.</p>	<p>Natural Resources 9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>The Texas Legislature created the Lost Pines Groundwater Conservation District to safeguard the groundwater supply in Bastrop and Lee Counties. To tackle the problem of excessive depletion of an aquifer or its subdivisions, where the water level is below the desired future condition or has led to nonproductive wells, the district needs to implement a mitigation program. SB 1080 aims to solve this issue by granting the district the authority to establish a program to address the drawdown and potentially offer reimbursement for the expenses associated with repairing or replacing specific wells to access groundwater below the aquifer's or subdivision's water level.</p> <p>SB 1080 authorizes the Lost Pines Groundwater Conservation District to establish a mitigation program for addressing the excessive drawdown of aquifers. The program can provide reimbursement for repairing or replacing wells to access groundwater below the desired level for wells used for domestic use or providing water for livestock or poultry. SB 1080 allows reciprocal agreements with adjacent groundwater conservation districts or districts located in Groundwater Management Area 12 to allow for groundwater rights transfer for production and use in another district or to support a jointly managed mitigation program. SB 1080 allows the district to</p>	<p><u>Favorable</u></p>

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			<p>fund the program through various revenue sources, including production fees, export fees, and any other available revenue for the district.</p> <p>SB 1080 modifies the district's authority to assess regulatory pumping fees by allowing the district to assess production fees based on permitted or actual water withdrawal from a well, as well as export fees for transferring groundwater outside the district's boundaries. Regarding the limitations on pumping fees, the bill narrows the scope of the prohibition by applying it only to production fees and removing the requirement for fees to be based on the amount of water withdrawn from a well. SB 1080 also eliminates the prohibition on combined regulatory pumping fees exceeding 17 cents per thousand gallons of water used. SB 1080 affirms the ratification, confirmation, and validation of mitigation payments and fees that were assessed before the bill's effective date.</p> <p>SB 1080 gives the Lost Pines Groundwater Conservation District a mitigation program to help fix the depletion of aquifers resulting in nonproductive wells, ensuring access to water in Bastrop and Lee counties.</p>	
<p>SB 1516</p> <p>By: King</p> <p>Sponsor: Cook</p>	<p>Relating to the procedures for an application for a writ of habeas corpus and the issuance of the writ.</p>	<p>Criminal Jurisprudence</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The current practice for filing habeas corpus applications is to file in the county where the person is charged or held. However, in some instances, individuals will file in a county outside where they are being charged or held. This has led to courts not transferring the application to the correct county and the ultimate decision by a Court of Appeals that a county cannot exercise jurisdiction outside its boundaries. SB 1516 aims to clarify that the court in the county where the crime occurred or where the defendant is held should generally hear and rule on habeas corpus applications.</p> <p>SB 1516 mandates the appropriate counties for a writ of habeas corpus, depending on the applicant's status. If the applicant has not been formally charged, the writ must be returnable to the county where they are being held or the county where they are accused of committing the crime. If the applicant has been charged but not convicted, the writ must be returnable to the county where the indictment or information is pending.</p> <p>SB 1516 makes revisions regarding writs to allow individuals accused of committing a crime but have not yet been convicted of it to apply for a writ where the indictment or information charging them is pending. If the judge in the county is not available, applicants or petitioners may seek relief from judges in adjoining counties. For a felony, the applicant may apply to any judge with felony jurisdiction in the county where the writ is returnable or in any adjoining county. For a misdemeanor, the applicant may apply to any county court judge with criminal jurisdiction in the county where the writ is returnable or in any adjoining county.</p> <p>SB 1516 clarifies the filing process for a writ of habeas corpus and will aid the justice system's efficiency.</p>	<p><u>Favorable</u></p>

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<p>SB 1849</p> <p>By: Kolkhorst</p> <p>Sponsor: Noble</p>	<p>Relating to an interagency reportable conduct search engine, standards for a person’s removal from the employee misconduct registry and eligibility for certification as certain Texas Juvenile Justice Department officers and employees, and the use of certain information by certain state agencies to conduct background checks.</p>	<p>Human Services</p> <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>SB 1849 establishes an interagency search engine that enables collaboration between the Department of Information Resources (DIR), the Department of Family and Protective Services (DFPS), the Health and Human Services Commission (HHSC), the Texas Education Agency (TEA), and the Texas Juvenile Justice Department (TJJJD). This search engine provides easily accessible and machine-readable results for authorized users to identify individuals who are ineligible for employment, contracts, certifications, or licenses due to reportable conduct, such as abuse, neglect, exploitation, or misconduct.</p> <p>Under SB 1849, each participating state agency will designate eligible employees or contractors who can access the search engine, and TEA will determine additional authorized users. These users may include controlling persons, hiring managers, or administrators from various entities such as long-term care providers, Medicaid waiver program providers, juvenile probation departments, public schools, private schools, and approved non-profit teacher organizations. The bill also requires DIR and participating state agencies to develop a process for issuing user credentials and revoking them based on changes in eligibility.</p> <p>The search engine will provide information on individuals involved in reportable conduct, including their full name, date of birth, or last four digits of their social security number. It will also include details relevant to determining their eligibility, the type or description of the conduct, dates of occurrence or final determination, and the agency maintaining the information. Individuals identified with reportable conduct will not be given notice or a hearing before their information is included in the search engine. Participating state agencies may share additional information on these individuals to supplement the search engine results.</p> <p>SB 1849 mandates that participating state agencies and designated users must conduct search queries using the search engine before employing, contracting, licensing, or certifying individuals who may have access to clients. Periodic queries will monitor the ongoing conduct of these individuals. TEA and other participating state agencies have the authority to establish criteria for employing or licensing individuals who have engaged in reportable conduct based on prescribed standards.</p> <p>Additionally, SB 1849 establishes the Office of Interagency Coordination on Reportable Conduct within DFPS to facilitate communication and coordination between DIR, participating state agencies, designated users, interested persons, and the public. DIR and each participating state agency are required to enter into a memorandum of understanding to govern the implementation and administration of the search engine, ensuring the confidentiality of the information contained in search engine results and shared between agencies.</p> <p>HHSC is authorized to establish criteria and processes for removing individuals from the employee misconduct registry. The bill also subjects individuals involved in misconduct with students to notice, investigation, and hearing requirements similar to those in the registry of persons not eligible for employment in public schools.</p>	<p><u>Favorable</u></p>
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			<p>SB 1849 mandates that DFPS utilizes information from TJJD and the interagency search engine for conducting background and criminal history checks related to regulated child-care facilities. TJJD has the authority to permanently designate certain individuals as ineligible for certification. It can convene a panel to assess their eligibility and temporarily designate them as ineligible pending an administrative hearing.</p> <p>The bill allows DIR to collaborate with participating state agencies to establish the search engine and develop an implementation plan, which may include a pilot phase. The commissioners of DFPS, HHSC, TEA, and the TJJD are all authorized to develop and implement rules in accordance with the outlined regulations.</p> <p>SB 1849 aims to prohibit individuals who have engaged in reportable conduct from obtaining employment in another setting working with vulnerable populations.</p>	
<p>SB 1794 By: Menéndez Sponsor: Cortez</p>	<p>Relating to conditions imposed on an emergency services district that includes territory in the extraterritorial jurisdiction of certain municipalities.</p>	<p>County Affairs 7 Ayes, 2 Nays, 0 PNV, 0 Absent</p>	<p>Some counties have created emergency service districts (ESD) to improve public safety. However, some of these districts face bureaucratic obstacles limiting their ability to protect the people reliant on them. An identified barrier relates to the negotiations between municipalities and counties to include a municipal extraterritorial jurisdiction in an ESD, specifically an ESD receiving permission from a municipality to incur certain debt. Should a municipality be unwilling to authorize this, this may prevent an ESD from obtaining the required equipment to protect individuals within their district. SB 1794 seeks to address this barrier by repealing the authorization of certain municipalities' governing bodies to negotiate with the commissioners court of certain counties conditions for the municipality to grant the inclusion of its consent to the inclusion of its extraterritorial jurisdiction in an emergency services district.</p> <p>S.B. 1794 repeals the provision that authorizes the governing body of a municipality with a population of more than one million to negotiate with the commissioners court of a county with a population of less than 1.8 million in which the majority of the county's territory must be inside the municipality's corporate boundaries for conditions on how the city's extraterritorial jurisdiction can be included in an ESD.</p> <p>SB 1794 replaces such a municipality with a municipality over one million, with the majority of the territory inside the municipality's corporate boundaries, inside a county with a population of less than 2.1 million. For submitted requests for inclusion in a proposed district of territory in the municipality's limits or extraterritorial jurisdiction, SB 1794 requires the request to include a copy of the district's petition and a description of the portion of the municipality and its extraterritorial jurisdiction that is included in the district's territory. SB 1794 also requires determining the compensatory amount for the territory's removal from a district that the municipality annexed if the municipality and the district entered into an agreement on or before September 1, 2019.</p> <p>SB 1794 is intended to remove the requirement for city consent on ESDs surpassing their debt cap and is bracketed to Bexar County.</p>	<p><u>Will of the House</u></p>

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<p>SB 1447 By: Miles Sponsor: Campos</p>	<p>Relating to a training program for persons investigating suspected child abuse or neglect.</p>	<p>Human Services 7 Ayes, 1 Nay, 0 PNV, 1 Absent</p>	<p>Families involved with investigations conducted by the Department of Family Protective Services (DFPS) have raised concerns about their cases. Following a review of these cases, it was determined that inconsistent investigator training has resulted in unnecessary child removals, traumatization of families, and insufficient evidence being presented to the courts, resulting in overturned cases. SB 1447 seeks to address the quality of investigator training and prescribe requirements for the training content.</p> <p>SB 1447 requires DFPS to develop a training program for persons who conduct investigations of suspected child abuse at the state or local levels and their supervisors. The program must address various topics, including the legal definitions of abuse and neglect, the required investigative notices and information, investigation standards, DFPS policies for placing children during investigations, and assessing proposed caregivers. The program also covers procedures for supporting youth aged 13 and older, as well as the constitutional rights of parents and community resources available to help the child.</p> <p>SB 1447 mandates that DFPS investigators receive advanced investigative techniques and protocol training to ensure they have the necessary skills and knowledge to conduct thorough investigations. This would include subjects like techniques for conducting interviews with alleged perpetrators of and witnesses to alleged child abuse or neglect, accurately scaling markings of suspected abuse or neglect, protocols for collecting and packaging evidence, and methods for analyzing and applying forensic evidence to applicable statutory definitions and possible signs of abuse and neglect.</p> <p>Under SB 1447, each DFPS investigator and investigative supervisor must pass an exam to demonstrate their knowledge and competency before being assigned to any case. This ensures they are fully prepared to handle suspected child abuse or neglect investigations. SB 1447 also allows DFPS to collaborate with other professionals, such as licensed attorneys, forensics medical professionals, law enforcement personnel, and other appropriate experts, to develop and implement the training program.</p> <p>SB 1447 aims to enhance the consistency of training received by investigators employed by DFPS. This consistency in training can lead to improved investigation practices and ultimately increase the accuracy of investigations overall.</p>	<p><u>Favorable</u></p>
<p>SB 627 By: Menéndez Sponsor: Allison</p>	<p>Relating to the entitlement of certain municipalities to certain tax revenue related to a hotel and convention center project.</p>	<p>Ways & Means 11 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Hotels and convention centers play a vital role in stimulating the local economy by attracting tourists, business travelers, and conventions. These convention centers lead to more spending and job creation, and generate tax revenue. The allocation of this tax revenue currently varies based on agreements between developers and local governments. In some cases, developers receive the entirety of the tax revenue, while in others, local governments negotiate to receive a portion of it. SB 627 aims to encourage the City of San Antonio to support hotel and convention center projects by granting the city a share of the tax revenue from qualifying establishments.</p>	<p><u>Favorable</u></p>

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			<p>SB 627 allows certain municipalities to receive specific tax revenue from a hotel and convention center project. It also grants these municipalities the authority to allocate a portion of the tax revenue to meet obligations related to the project. SB 627 does this by exempting a municipality that represents over 75% of the population in a county with a population of 1.5 million or more from the requirement of municipal ownership for an otherwise qualified hotel or convention center facility. Furthermore, SB 627 grants the municipality the right to receive sales and use tax, as well as mixed beverage tax revenue, generated by qualifying establishments such as restaurants, bars, spas, retail shops, swimming pools, and swimming facilities located near a qualified hotel or convention center facility within the municipality. To be eligible for this additional entitlement, the bill also qualifies establishments on land owned by a nonprofit corporation, including a public facility corporation (PFC), that acts on behalf of or is controlled by the municipality.</p> <p>SB 627 mandates that on the 20th anniversary of a qualified hotel's opening, the comptroller of public accounts determines the total state tax revenue received by the municipality from the project and any additional revenue from qualifying establishments. If the municipality received more than the state during the 10th to 20th anniversary period, the comptroller notifies the municipality to remit the difference. The municipality must make monthly payments to the comptroller until the amount is settled. These provisions apply to projects authorized by a municipality with a population of 175,000 or more before January 1, 2023, and commenced on or after January 1, 2027.</p> <p>SB 627 encourages investment in hotels and convention centers in the City of San Antonio with the goal of increasing state and local tax revenue, creating jobs, attracting capital investments, and improving tourism in this city.</p>	
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