



Texas Legislative Study Group

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LSG Floor Report For POSTPONED BUSINESS UNTIL 10:00 AM – Wednesday, May 17, 2023

<p>SB 786</p> <p>By: Birdwell</p> <p>Sponsor: Darby Anchía Morales, Eddie Guerra</p>	<p>Relating to the regulation by the Railroad Commission of Texas of closed-loop geothermal injection wells.</p>	<p>Energy Resources</p> <p>8 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>The Railroad Commission of Texas (RRC) oversees geothermal energy activities to protect the environment and the rights of all parties involved. There's a dispute with the Texas Commission on Environmental Quality (TCEQ) over who regulates closed-loop geothermal (Class V injection) wells. SB 786 favors the RRC for jurisdiction over these wells in line with their role in managing geothermal energy development.</p> <p>SB 786 grants RRC sole jurisdiction over closed-loop geothermal injection wells used in geothermal energy production and authorizes the RRC to issue permits for drilling these wells. SB 786 requires individuals to hold valid RRC-issued permits before drilling such wells. SB 786 classifies closed-loop geothermal injection wells as Class V wells under the RRC's underground injection control program. The RRC must also adopt rules to enforce the bill's provisions and regulate closed-loop geothermal injection wells.</p> <p>SB 786 transfers all functions and activities related to regulating closed-loop geothermal injection wells under the Injection Well Act from the TCEQ to the RRC. Additionally, SB 786 would transfer all rules, standards, or forms adopted by TCEQ related to the regulation of closed-loop geothermal wells to RRC. SB 786 would transfer all proceedings involving TCEQ about the regulation of closed-loop geothermal wells without a change in status to RRC. Lastly, all money, contracts, leases, rights, obligations, and property, including records, related to closed-loop geothermal wells, are transferred to RRC. Any money appropriated to the TCEQ for regulating closed-loop geothermal injection wells is also transferred to the RRC.</p> <p>SB 786 states that all permits issued by TCEQ for closed-loop geothermal injection wells before the bill's effective date will remain valid, but the RRC must issue substitute permits to people who hold TCEQ-issued permits. Moreover, TCEQ must transfer all pending applications for closed-loop geothermal injection wells to the RRC within 90 days of the bill's effective date.</p> <p>SB 786 clarifies and consolidates regulatory oversight of closed-loop geothermal injection wells used in geothermal energy production under the RRC's jurisdiction. SB 786 streamlines the regulatory process and helps ensure that geothermal energy production is conducted safely and efficiently while preserving natural resources and protecting correlative rights.</p>	<p><u>Favorable</u></p>
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<p>SB 1245</p> <p>By: Huffman</p> <p>Sponsor: Bonnen</p>	<p>Relating to contributions to, benefits from, and the administration of the Judicial Retirement System of Texas Plan Two.</p>	<p>Pensions, Investments, & Financial Services</p> <p>7 Ayes, 1 Nay, 0 PNV, 0 Absent</p>	<p>The Judicial Retirement System of Texas Plan Two (JRS-2) is managed by the Employee Retirement System of Texas (ERS) and serves over 1,000 active and retired district and appellate judges in Texas. The Legislative Budget Board (LBB) projected that JRS-2 would be depleted by 2069, with an unfunded liability of \$89 million. SB 1245 aims to enhance the stability of JRS-2 and shorten its funding period by establishing a cash balance benefit retirement plan for new judges assuming office on or after September 1, 2024.</p> <p>SB 1245 establishes a new cash balance benefit plan within JRS-2, which applies solely to JRS-2 members who become members on or after September 1, 2024, and are not members on the date they assume office. The bill also includes provisions regarding the resumption of full-time judicial service by certain retirees under the existing plan.</p> <p>Eligibility SB 1245 grants JRS-2 applicants the ability to apply for the cash balance annuity by submitting an application to the ERS board of trustees no earlier than 90 days before the desired retirement date. Members are eligible for retirement and to receive a cash balance annuity if they are at least 60 years old with a minimum of eight years of service credit in JRS-2, or if they are at least 50 years old with a minimum of 12 years of service credit in JRS-2.</p> <p>Cash Balance Benefits SB 1245 establishes the state match for the standard cash balance benefit as the amount calculated by multiplying the member's accumulated account balance by 150 percent. The bill specifies the formula and requires consideration of the member's life expectancy and other factors adopted by the ERS board of trustees. "Accumulated account balance" is defined as the total of amounts in a member's individual account in JRS-2, including deductions from the member's compensation, other required member deposits, and interest credited to the account.</p> <p>Alternatives to the Standard Cash Balance Benefits SB 1245 allows retired JRS-2 members to choose the optional cash balance annuity as an alternative to the standard benefit. If a member selects an optional lifetime cash balance annuity with a beneficiary provision, they must make the selection before the annuity's effective date. The bill outlines provisions for when a member selects the optional cash balance annuity to be paid to one or more beneficiaries within a specific time period. SB 1245 provides five payment options for those electing the optional cash balance annuity. If the beneficiary of an optional lifetime annuity dies before the retiree, the annuity will increase to the standard cash balance annuity the retiree would have received if the optional lifetime annuity had not been chosen. Retirees can change their selection from an optional lifetime cash balance annuity to a standard cash balance annuity if certain conditions related to divorce are met.</p> <p>SB 1245 permits JRS-2 members eligible for the cash balance annuity to choose a standard or optional annuity</p>	<p><u>Favorable</u></p>
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along with a partial lump-sum distribution. The bill includes provisions regarding distribution, but the lump-sum option does not apply to disability retirement annuities.

Under the bill's provisions, the ERS board of trustees is authorized to enter into contracts to provide additional death and disability benefits.

Contribution

SB 1245 sets the contribution rate for JRS-2 members who choose the cash balance benefit option at six percent. The state department or agency must deduct this contribution from the member's compensation each payroll period. If a member has served in the military, their state contribution rate differs. The bill mandates that the state contribute an amount in the same ratio as the member's contribution, which will come from the fund.

Interest rates accumulate in the pension. SB 1245 establishes a requirement for an annual interest adjustment each fiscal year, depositing an amount equal to four percent of the member's accumulated account balance into their individual JRS-2 account. The bill includes the method for calculating the gain sharing interest rate for JRS-2's investments in cash and securities, as well as directions for computing gain sharing interest adjustments. The gain sharing interest rate adjustment cannot be less than zero or more than three percent. This adjustment applies only to retirees or annuitants receiving a standard or optional cash balance annuity, including alternate payees under qualified domestic relations orders.

SB 1245 permits the ERS board of trustees to adopt rules necessary for implementing the bill's cash balance benefit provisions, including a rule that may prevail in case of a conflict of laws.

Other Provisions Regarding Cash Balance Group Members

SB 1245 includes provisions that govern JRS-2 but may not apply to cash balance group members, such as an increase in benefits or an application for service or disability retirement.

Under the bill, a JRS-2 retiree who returns to service as a visiting judge in an administrative judicial region can rejoin the retirement system as a member and receive service credit by resuming their service as a judicial officer. However, this can only occur if they have been separated from their judicial service for at least 12 consecutive full months before taking the oath of office. There are additional provisions and procedures for calculating annuity before resuming service. The conditions outlined in this bill will be implemented if the system is actuarially sound based on an actuarial valuation prepared on or after September 1, 2023. The provision for resumption of service must take place no later than the 30th day after the actuarial valuation date. This will determine if the contribution amount of JRS-2 is sufficient to cover normal costs and amortize unfunded actuarial liability within 30 years. There are strict implementation requirements for the bill's provisions on the resumption of service by returning judicial officers.

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			<p>SB 1245 amends the current statute to make JRS-2 cash balance group members eligible to participate in the state employees group benefits under the Texas Employees Group Benefits Act. Additionally, the bill removes the requirement that a member can contribute based on the annuitant's amount of eligible service credit. The bill takes effect immediately if it receives a 2/3 vote in each chamber or on September 1.</p> <p>Impact SB 1245 creates a new cash balance retirement plan for new state district and appellate judges after September 1, 2023, lowering the fund period and stabilizing the fund long-term.</p>	
<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>

LSG Floor Report For Major State Calendar – Wednesday, May 17, 2023			
<p>SB 15</p> <p>By: Middleton Bettencourt Campbell Creighton Flores Hall Hancock Huffman Hughes King Kolkhorst Nichols Parker Paxton Perry Schwertner Sparks Springer</p> <p>Sponsor: Swanson</p>	<p>Relating to requiring public institution of higher education students who compete in intercollegiate athletic competitions to compete based on biological sex.</p>	<p>Higher Education</p> <p>6 Ayes, 3 Nays, 0 PNV, 2 Absent</p>	<p>Triumphs from Leah Thomas, a transgender female swimmer who won the Women’s NCAA Division I Championship in the women’s 500-yard freestyle, have prompted legislation addressing claims that are fueled by ignorance and fear that this is a prevalent and rampant problem. However, reality affirms the opposite: she became the first openly transgender athlete to win an NCAA Division I National Championship in any sport since the NCAA established the Transgender Policy in 2010. Yet, still, SB 15 perpetuates this fear and ignorance by requiring universities to force transgender female athletes to participate in competition with their biological sex.</p> <p>SB 15 prohibits higher education institutions from allowing a student to compete on an intercollegiate athletic team designated for the biological sex opposite to the student’s biological sex or for a male student to compete on an institution’s mixed-sex athletics in a position designated for female students. An athletic team may allow a female student to participate in a competition designated for male students if a corresponding competition designated for female students is not offered or available. A student’s biological sex is defined as what is indicated on their official birth certificate. If the official birth certificate is unavailable, any other government record that states the biological sex is acceptable if the biological sex was entered at or near the time of birth or modified to correct any errors upon entry. A person may bring a civil action for injunctive relief against an institution or athletic team in violation of SB 15, and no retaliations may be made against the person reporting the violation.</p> <p>SB 15 is a discriminatory piece of legislation under the guise of “protecting” women's sports when in reality, it perpetuates the marginalization and erasure of transgender females in sports. It is abundantly clear this is an attack on one specific identity, the transgender female athlete, as there are no restrictions in the bill prohibiting transgender men from competing as men in male sports. This bill also denigrates a woman's athletic abilities, making clear the belief that simply because one is biologically male, they must always be physically superior. Factors outside of biological sex determine physical superiority. Those in support of this bill claim it is a measure to protect female athletes and make it “safe” for them to play, as playing against a biological man could create a dangerous playing environment due to the height and mass of the male body. If that were the case, then restrictions for eligibility for the sake of safety should be implemented based on the height and weight of the athlete, as opposed to sole restrictions on biological sex, as some female athletes tower over not just their opponents, but also biological men.</p> <p>Advocates of SB15 often present performance data contrasting cisgender males and cisgender females, yet they neglect to discuss performance studies involving transgender athletes. In November 2022, the CCES published a scientific review titled "Transgender Women Athletes and Elite Sport: A Scientific Review." Among its key findings was, "Based on the available evidence, it is evident that trans women who have undergone testosterone suppression do not possess distinct biological advantages over cis women in elite sport."</p>

Unfavorable

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			SB 15 is nothing more than government overreach into instances already addressed by policy and regulation implemented by the NCAA. The intentions behind SB 15 stem from transphobic, hateful rhetoric that targets one community in the name of fear, ignorance, and hatred.	
LSG Floor Report For Constitutional Amendments Calendar – Wednesday, May 17, 2023				
SJR 87 By: Huffman Sponsor: Bonnen	Proposing a constitutional amendment to authorize the legislature to exempt from ad valorem taxation equipment or inventory held by a manufacturer of medical or biomedical products to protect the Texas healthcare network and strengthen our medical supply chain.	Ways & Means 10 Ayes, 0 Nays, 0 PNV, 1 Absent	SJR 87 is the enabling legislation for SB 2289. SJR 87 allows the voters to decide if they want the legislature to exempt tangible personal property held by a manufacturer of medical or biomedical products as a finished good or used in the manufacturing or processing of medical or biomedical products from ad valorem taxation. SJR 87 would be on the ballot on November 7, 2023.	<u>Favorable</u>
LSG Floor Report For General State Calendar – Wednesday, May 17, 2023				
SB 2289 By: Huffman Sponsor: Bonnen	Relating to the exemption from ad valorem taxation of equipment or inventory held by a manufacturer of medical or biomedical products to protect the Texas healthcare network and strengthen our medical supply chain.	Ways & Means 10 Ayes, 0 Nays, 0 PNV, 1 Absent	Currently, medical and biomedical manufacturers are taxed on their inventories, discouraging capital investment and expansion, along with keeping inventory in stock in Texas. SB 2289 seeks to solve this issue by exempting this equipment from property taxes. SB 2289 exempts medical or biomedical property that a person owns or leases located in a medical or biomedical manufacturing facility from being taxed as tangible personal property. SB 2289 defines medical or biomedical property as tangible personal property that is stored, used, or consumed in the manufacturing or processing of medical or biomedical products by a medical or biomedical manufacturer or intended for use in the diagnosis, cure, mitigation, treatment or prevention of a condition or disease in medical or biomedical research. This includes the invention, development, and dissemination of materials, tools, technologies, processes, and similar ways to understand and apply medical and scientific research to advance public health. Specifically, SB 2289 outlines that devices, therapeutics, pharmaceuticals, personal protective equipment (PPE), tools or similar component parts, specific property used in manufacturing, and manufacturing inventories are exempt if used for the outlined purposes. SB 2289 defines a medical or biomedical manufacturing facility as a facility where manufacturing or processing of medical or biomedical products for the purpose of development and commercialization of products to advance public health. SB 2289 specifies that governing bodies of taxing units should not provide for the taxation of the exempted property in this bill.	<u>Favorable</u>

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			<p>SB 2289 would encourage Texas manufacturers to keep medical and biomedical inventory in stock, allowing medical providers access to essential medical and biomedical equipment.</p> <p>SB 2289 requires a constitutional amendment, SJR 87.</p>	
<p>SB 1361</p> <p>By: Huffman</p> <p>Sponsor: Burrows</p>	<p>Relating to the unlawful production or distribution of sexually explicit videos using deep fake technology; creating a criminal offense.</p>	<p>Criminal Jurisprudence</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>In recent technology, artificial intelligence (AI) can be used to apply an individual's likeness to existing intimate visual material or create entirely new intimate visual material using their likeness, even though they weren't participants. This can be called "deep fake" pornography and can cause incredible harm to its victims. SB 1361 addresses this issue by creating a criminal offense for this behavior.</p> <p>SB 1361 creates a Class A Misdemeanor for producing or distributing sexually explicit videos when the actor knowingly creates or shares deep fake videos electronically, falsely depicting a person with their intimate parts exposed or engaged in sexual conduct without the person's consent.</p> <p>SB 1361 is a step towards ensuring that the legislature is adapting along with new technology and keeping the public safe.</p>	<p><u>Favorable</u></p>
<p>SB 538</p> <p>By: Senator King</p> <p>Sponsor: Raymond Morales, Eddie Lopez, Janie</p>	<p>Relating to the use of appropriated money by the Texas State Guard for recruiting and retention purposes.</p>	<p>Defense & Veterans' Affairs</p> <p>8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Volunteer military positions rely heavily on recruitment to attract potential candidates. The Texas State Guard are volunteer service members in the Texas Military Forces, Texas Army, and Texas Air National Guard that assist during declared state emergencies. Army and Air National Guard are federally funded and allotted funds for recruiting. Currently, Texas law restricts state agencies from using appropriated funds for publicity. As it stands, it is unclear whether the Texas State Guard may use state funds for recruitment. This can make it difficult to attract prospects and retain current service members, which could lead to a decline in enlistment rates.</p> <p>HB 837 clarifies by permitting funds from the Texas Military Department (TMD) allocated to the Texas State Guard to recruit or retain service members, employees, or other personnel.</p> <p>HB 837 would not request additional funds appropriated for the purpose of publicity but simply to utilize already appropriated state funds for the Texas State Guard.</p>	<p><u>Favorable</u></p>
<p>SB 246</p> <p>By: Alvarado</p> <p>Sponsor: Goldman</p>	<p>Relating to the regulation of motor fuel metering devices and motor fuel quality.</p>	<p>Licensing & Administrative Procedures</p> <p>9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>SB 246 aims to update the current statutes to reflect changes in industry terminology, remove inapplicable standards, and introduce changes to the regulation of motor fuel metering and quality.</p> <p>SB 246 removes the Texas Department of Licensing and Regulation's (TDLR) ability to contract with Department of Agriculture licensed service companies or service technicians for TDLR motor fuel metering duties. In addition, SB 246 removes an exemption for these license holders from certain licensing requirements. SB 246 will remove weight as a measure of motor fuel and make conforming changes to reflect this. Further, compressed natural gas and liquified natural gas must be sold at a gallon equivalent. SB 246 clarifies that motor fuel metering and quality provisions do not apply to devices measuring liquified petroleum gas.</p>	<p><u>Favorable</u></p>

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		<p>Under SB 246, TDLR may inspect a motor fuel metering device and the records relating to its use to determine whether a device complies with motor fuel and quality provisions if TDLR suspects the device is being used to facilitate fraud. SB 246 removes the specification the records TDLR may inspect are the records of the device's owner, operator, or user, and it repeals a provision relating to the circumstances under which TDLR can believe a motor fuel metering device is being used for a commercial transaction. SB 246 establishes the criteria of an alternate metrology laboratory that TDLR may use to inspect and correct motor fuel standards used by TDLR or to perform device maintenance activities.</p> <p>SB 246 expands the reasons that TDLR may issue a stop-sale order for motor fuel by including violations of motor fuel metering and quality rule. The bill will shift the recipient of the order from the owner or custodian of the fuel to the dealer or operator of the retail facility. SB 246 provides the requirements of TDLR or their representative when implementing a stop-sale order. SB 246 modifies the procedure of challenging a stop-sale order by making the State Office of Administrative Hearings (SOAH) the receiving authority for the challenge. Further, the bill specifies that those subject to a stop-sale order may not sell or offer to sell motor fuel until TDLR finds the entity is in compliance or the entity successfully appeals the stop-sale order.</p> <p>SB 246 removes references to the regulation of "jobbers," updating the terminology and potentially reflecting changes in the industry. It modifies the individuals to whom inspection notices must be provided, enhancing communication. The bill expands the individuals required to retain certain documents related to motor fuel ratings, ensuring transparency and accountability. Finally, it prohibits wholesalers from delivering motor fuel with ratings lower than those certified to dealers, safeguarding the quality of fuel sold.</p> <p>SB 246 redefines several key terms to align them with industry standards and regulatory needs. These definitions include automotive fuel rating, distributor, supplier, dealer, measuring device, motor fuel metering device, operator/user, and wholesaler. By providing clear and updated definitions, the bill enhances consistency and understanding within the regulatory framework. The bill includes provisions for pending proceedings and ensures the continuation of existing law for offenses or violations before its effective date, promoting fairness and consistency in enforcement.</p> <p>SB 246 addresses redundancies and potentially unnecessary regulations related to TDLR's liquid petroleum gas regulation oversight. These revisions seek to streamline the regulatory framework and remove any excessive or duplicative requirements that may currently exist, ensuring a more efficient and effective system for governing liquid petroleum gas.</p>	
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<p>SB 614 By: Perry Sponsor: Frank</p>	<p>Relating to certain procedures relating to children placed under a parental child safety placement.</p>	<p>Human Services 8 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Parental child safety placement (PCSP) agreements were initially designed to ensure a child's safety during abuse or neglect investigations while minimizing trauma from temporary removal. The Department of Family and Protective Services (DFPS) may ask parents to voluntarily place their child with a trusted individual if there is a potential safety risk or if the investigation cannot quickly assess the risk level. These PCSP agreements are an alternative to formal foster care. However, in some cases, they have shifted toward coercion, with families surrendering their children temporarily to avoid legal issues with the state. The agreements often lack clarity on duration and conditions, causing confusion. SB 614 aims to fix these issues by limiting the time a child can be away from home, mandating data reporting on placements, and ensuring parents and guardians are aware of their legal rights.</p> <p>Under SB 614, an initial PCSP agreement automatically terminates within 30 days of either the agreement's signing or the child's placement with the caregiver. DFPS can extend the agreement twice for valid reasons, with each extension lasting 30 days. When extending an agreement, DFPS must reevaluate the original terms and notify the parents of their rights. A child cannot be placed outside their home for over 90 days under these agreements unless the parent and their attorney both sign on or a court order is issued. This rule does not impact other agreements between the department and the parent. Before a PCSP agreement is signed, DFPS must inform parents of their right to consult with an attorney. SB 614 also requires specific language in PCSP agreements that inform involved parties of the voluntary nature of the agreement and duration limits.</p> <p>SB 614 directs DFPS to include children placed with a caregiver under a PCSP agreement in any reports, such as those submitted to the U.S. Department of Health and Human Services or other federal agencies, requiring the reporting of children removed from their homes within the child protective services system. This information must be reported separately from data on children removed under a filed suit.</p> <p>SB 614 offers more transparency and clarity for parents and guardians navigating PCSP agreements in Texas.</p>	<p><u>Favorable</u></p>
<p>SB 48 By: Zaffirini Sponsor: Leach</p>	<p>Relating to standardized forms and materials for the issuance of protective orders, magistrate's orders for emergency protection, and temporary ex parte orders.</p>	<p>Judiciary & Civil Jurisprudence 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>The National Instant Criminal Background Check System (NICS) is a national system run by the FBI that checks available records on individuals, such as criminal history or domestic violence, to determine whether a person can legally buy or own a firearm. The Department of Public Safety (DPS) may be delayed in updating information in this database due to form variations on protective orders, emergency protection orders, and temporary ex parte orders. These delays can result in abusers passing background checks, receiving firearms, and causing harm to people under protective orders. SB 48 aims to address these delays by requiring standardized forms for these orders.</p> <p>SB 48 standardizes protective order application forms, temporary ex parte order forms, and magistrate emergency protection order forms. SB 48 also adds a disclaimer that a court's failure to use these standardized forms does not affect the validity or enforceability of the order issues. SB 48 also requires that the forms and materials include the prohibitions and requirements imposed on the respondent, the duration of the order, the</p>	<p><u>Favorable</u></p>

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			<p>potential consequences of violating the order, and any other admonishments or warnings required by law. The materials must also include a procedure to ensure that a copy of the order is transmitted to all necessary parties and all information is entered into the DPS statewide law enforcement information system to update NICS.</p> <p>SB 48 requires that the Office of Court Administration (OCA) develop all applications, forms, and materials with the collaboration of individuals, organizations, and state agencies, including the Texas Council on Family Violence; DPS; nonprofit organizations advocating for survivors of sexual assault or family violence; those that provide training to judges, prosecutors, and law enforcement offices; judges or justices of varying jurisdictions; law enforcement agencies; prosecutors; and an organization that receives federal funding under the legal assistance for victims grant program with expertise in related issues. OCA must also give consideration to promoting uniformity of law among states that enact the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act. SB 48 would require these forms to be implemented and published on the website no later than June 1, 2024.</p> <p>SB 48 standardizes the forms and materials for protective orders, emergency protection orders, and temporary ex parte orders, ensuring that DPS can quickly and efficiently enter information into the NICS database to protect survivors.</p>	
<p>SB 1340 By: Zaffirini Sponsor: Meyer</p>	<p>Relating to the local development agreement database maintained by the comptroller of public accounts.</p>	<p>Ways & Means 10 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>Last session, the Legislature passed HB 2404, which required the comptroller to establish and maintain the Chapter 380 and 381 Agreement database. This database was created to provide the public information on local development agreements entered under Chapter 380 and Chapter 381. Currently, this database is limited in scope, difficult to navigate, and does not include other types of local agreements in the database. SB 1340 seeks to make improvements to database searchability, accessibility, and transparency.</p> <p>SB 1340 adds local government agreements under the Property Redevelopment and Tax Abatement Act to this database and renames the Chapter 380 and 381 Agreement Database to the Local Development Agreement Database. SB 1340 also ensures that this database is consolidated and searchable.</p> <p>SB 1340 requires the contact information, including the business address and any assumed names, of the entity or the entity’s agent that entered into the agreement with the local government to be included in the Local Agreement Database. Additionally, the terms on which the agreement expires must also be included. SB 1340 adds the total monetary value of the agreement and the source of the money used or type of tax implicated by the agreement must be included in the database. SB 1340 allows the comptroller to order the form and manner in which a local government must submit the required information for the database.</p> <p>SB 1340 specifies that taxing units who maintain a website and that execute a tax abatement agreement must provide a direct link to the location of the agreement information published on the comptroller’s website, improving public access to this information.</p>	<p><u>Favorable</u></p>

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			SB 1340 improves the transparency, accessibility, and accountability of local development agreements. SB 1340 empowers Texas voters to research where their tax dollars are going and use this information to hold local governments accountable.	
SB 1089 By: Parker Sponsor: Capriglione	Relating to repealing the ability to declare certain unopposed candidates for office as elected.	Elections 6 Ayes, 1 Nay, 0 PNV, 2 Absent	Currently, uncontested candidates may be declared elected if they are unopposed in an election. However, supporters of SB 1089 argue it is important for every candidate to appear on the ballot for transparency and fairness. SB 1089 repeals the authority for a state or county officer to declare an unopposed candidate elected, and instead requires their name be placed on the ballot.	<u>Favorable</u>
SB 1932 By: Creighton Sponsor: King, Ken	Relating to authorizing secondary wine sales; authorizing an administrative penalty.	Licensing & Administrative Procedures 6 Ayes, 3 Nays, 0 PNV, 2 Absent	Texas wine collectors have acquired unique and aged wines that continue to mature for decades if stored properly. However, when collectors have excess wine or limited storage space, these high-quality wines are unable to reach local restaurants in Texas for consumption. As a result, these exceptional wines often end up in restaurants in other states, depriving Texas residents and tourists of the opportunity to enjoy them locally. SB 1932 amends the Alcoholic Beverage Code to allow wine collection sellers to sell wine to certain restaurants with a permit and a food and beverage certificate. In addition, for wines to be eligible for sale, they must be at least 20 years old and remain in their original sealed packaging. These wines can vary in rarity, either being hard to find or collectible due to their origin or specific year of production. SB 1932 exempts these wine sales from taxes because the wines have already been subject to taxes when they were initially sold by the manufacturer or when they were brought into the state. However, taxes are still required to be paid by the consumer at the point of sale. This exemption specifically applies to the "first sale" of alcoholic beverages after manufacture, as outlined in the Alcoholic Beverage Code. Under SB 1932, a permitted restaurant may purchase wine from a wine collection seller and sell it to customers for on-premises consumption. The restaurant must keep records of each purchase for at least two years, including the seller's name, address, and phone number, a description of the wine, details of the transaction, and any documents supporting the wine's provenance. These records must be made available to customers upon request, and the commission may impose a penalty of \$500 for each violation. SB 1932 aims to support the Texas wine market by enabling certain restaurants to purchase aged wine from wine collection sellers while maintaining records and imposing penalties for non-compliance, as regulated by the Texas Alcoholic Beverage Commission.	<u>Favorable</u>

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<p>SB 2010</p> <p>By: Schwertner King</p> <p>Sponsor: Slawson</p>	<p>Relating to required reporting by the wholesale electric market monitor for the ERCOT power region.</p>	<p>State Affairs</p> <p>13 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Currently, legislators lack insight into the number and nature of potential market manipulation cases under investigation by the independent market monitor (IMM) and reported to the Public Utility Commission (PUC). SB 2010 aims to increase transparency in the wholesale electric market by providing the legislature with more information about potential market manipulations.</p> <p>To address this, SB 2010 mandates two significant actions: 1) the IMM must include all, rather than selected, potential market manipulations and violations of PUC rules or rules of the independent organization in its existing report to the PUC; and 2) PUC must annually report to the legislature the number of potential market violations and commission rules violated and the number of instances that warranted a formal investigation or enforcement action. Notably, SB 2010 mandates PUC report on investigations but not investigation outcomes.</p> <p>By mandating more detailed and broadly distributed reports, SB 2010 could shed light on potential market violations thus enabling PUC and lawmakers to hold violators accountable more effectively and swiftly. Additionally, the annual reporting requirement encourages proactive enforcement of regulations, ultimately increasing transparency and accountability that bolsters Texans’ trust in the wholesale electric market.</p>	<p><u>Favorable</u></p>
<p>SB 1599</p> <p>By: Hughes</p> <p>Sponsor: Bucy</p>	<p>Relating to ballots voted by mail.</p>	<p>Elections</p> <p>7 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>SB 1599 standardizes and updates mail-in ballot election procedures.</p> <p><i>Online Mail-in Ballot Application and Mail-in Ballot Tracking Tool</i> SB 1599 expands the purpose of the mail-in ballot application and mail-in ballot tracking tools to allow a voter to track their application for a mail-in ballot, notify voters of defects, and, if possible, correct any application or mail-in ballot defects.</p> <p><i>Correcting Applications for Mail-in Ballots</i> SB 1599 requires early voting clerks to inform applicants within two days if any defects are found in their application that, if not corrected, would result in its rejection. If the clerk determines the voter can return the application by the deadline by mail, the clerk must either return the application or mail a new application form. If not, they may call or email the voter to correct the defect in person. The bill also allows a voter to be notified and, if possible, correct an application defect through the online tool.</p> <p><i>Correcting Mail-in Ballots</i> SB 1599 requires early voting clerks to inform applicants within two days if any defects are found in their mail-in ballot. If the signature verification committee or early voting ballot board determines the voter can return the mail-in ballot by the deadline, the committee or ballot board must mail the voter a notice of the defect and a corrective action form developed by the secretary of state. The notice must include a brief explanation of the defect and a notice that the voter can either cancel their application to vote-by-mail or correct the defect by submitting a corrective action form by mail or in person. If the committee or board determines that it would not</p>	<p><u>Favorable</u></p>

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			<p>be possible for the voter to receive the notice within a reasonable time, they may call or email the voter to come to correct the defect in person. Lastly, the committee or board must, if possible, allow the voter to correct a defect using the online tool.</p> <p>Other Provisions SB 1599 requires election officers to maintain a register of persons returning their mail-in ballot to the polling place to cancel their application to vote by mail. The bill outlines procedures and forms for completing this requirement. Additionally, SB 1599 requires the jacket envelopes containing mail-in ballots to be delivered to an early voting ballot board no later than the ninth day before Election Day. After this deadline, they must be submitted to the presiding judge of the early voting ballot board until the polls close on Election Day or as specified by the presiding judge.</p> <p>Impact SB 1599 expands opportunities for voters to cure any defects in an application or ballot to vote by mail. It also standardizes and outlines processes to provide voters and election officials clarity and reassurance that their votes will be counted.</p>	
<p>SB 1364</p> <p>By: Alvarado</p> <p>Sponsor: Lujan Lopez, Janie</p>	<p>Relating to weight limitations for certain natural gas or electric vehicles.</p>	<p>Transportation</p> <p>11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Per federal law, vehicles running on natural gas or electric batteries can exceed the weight limit on the power unit by 2,000 lbs, up to a maximum weight of 82,000 lbs, on the U.S. Interstate Highway System. Texas allows this exemption for natural gas vehicles but does not extend it to electric trucks. SB 1364 grants the 2,000 lb weight exemption to electric vehicles.</p> <p>SB 1364 establishes that vehicles powered by natural gas or an electric battery may exceed the gross weight limit of up to 2,000 lbs with a maximum weight of 82,000 lbs. SB 1394 repeals the former weight exemption equal to the difference between the weight of the vehicle attributed to the diesel tank and fueling system and the weight of a comparable diesel tank and fueling system. SB 1394 also removes reference to the exemption applying to a combination of vehicles.</p> <p>By aligning state code with federal law, SB 1364 helps ensure consistency on Texas roads and allows electric trucks to travel from Texas public roads and ports of entry onto U.S. interstate highways without weight restriction. The weight exemption provided by SB 1364 will support the growth of electric trucking fleets in Texas, facilitating freight transport and encouraging the transition from combustion engines to electric vehicles in the trucking industry.</p>	<p><u>Favorable</u></p>