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LSG Floor Report For POSTPONED BUSINESS UNTIL 10 AM – Thursday, May 18, 2023

<p>SB 1045</p> <p>By: Huffman</p> <p>Sponsor: Murr Burrows Schofield Vasut Landgraf</p>	<p>Relating to the creation of the Fifteenth Court of Appeals with jurisdiction over certain civil cases, the compensation of the justices of that court, and the jurisdiction of the courts of appeals in this state.</p>	<p>Judiciary & Civil Jurisprudence</p> <p>5 Ayes, 4 Nays, 0 PNV, 0 Absent</p>	<p>There are 14 intermediate appellate courts that handle intermediate appeals from trial courts in their respective regions in Texas. These Courts of Appeals (COA) handle a wide range of legal cases, including complex business cases, in their regions. The justices of the COA are selected in district level partisan elections. The elected justices serve six-year terms. The 3rd COA generally handles cases brought by and against the state due to its proximity to the Capitol and state agency headquarters.</p> <p>Statewide Jurisdiction SB 1045 establishes a 15th COA with statewide jurisdiction (instead of regional jurisdiction like the other COAs). The 15th COA will be held in the City of Austin, which is already covered by the 3rd COA, and is allowed to transact business in any county in the district as the court determines is necessary and convenient. SB 1045 specifies that the 15th COA will consist of a chief justice and of four justices.</p> <p>Cases SB 1045 gives exclusive intermediate jurisdiction to the 15th COA over matters arising out of or related to civil cases brought by or against the state, including an institution of higher education, a board, commission, department, office, or other agency in the executive branch of the state government. If HB 19 passes and creates specialty business courts in Texas, the 15th COA would have exclusive jurisdiction over appeals from an order or judgment of a business court.</p> <p>The 15th COA would also have jurisdiction over matters in which a party to the proceeding files a petition, motion, or other pleading challenging the constitutionality or validity of a state statute or rule with the attorney general being a party to the case. SB 1045 grants the 15th COA the jurisdiction on any other matter as provided by law. SB 1045 also specifies that only writs that arise out of matters over which the court has exclusive intermediate appellate jurisdiction can be issued.</p> <p>Typically, the Supreme Court reviews caseloads for the 14 appeals courts, and if a court is overburdened, it shifts some cases to another court. This would not be the case with the established 15th COA. SB 1045 prohibits the Texas Supreme Court from equalizing the dockets of the COA by transferring any case or proceeding filed in the</p>	<p><u>Unfavorable</u></p>
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15th COA to another COA. The Texas Supreme Court has been able to equalize the dockets of COA for a long time and that process has been effective, and changing this system may cause issues.

Judges

If SB 1045 passes and the 15th COA is created, the initial vacancies in the offices of chief justice and justices of the court shall be filled by appointment. SB 1045 establishes justices will have a base salary of \$5,000 less than 120% of the state base salary of a district judge set in the General Appropriations Act. Additionally, SB 1045 specifies that the appellate judicial system fund is established for every COA except the 15th COA.

SB 1045 allows a request to transfer an action for Travis County district court to the 15th COA instead of the 3rd COA for certain instances. These include if a declaratory judgments about the validity or applicability of a rule adopted by a state agency that is found by the district court that public interest requires a prompt, authoritative determination of the validity or applicability of the rule and the case would ordinarily be appealed and judicial review of a state agency decision in a contested case where the district court finds that public interest requires prompt, authoritative determination of the legal issues in the case and the case would ordinarily be appealed. Additionally, SB 1045 removes the duties for the 3rd COA on judicial review of final orders, rules, decisions or other actions of the board of the Texas Department of Motor Vehicles relating to the sale or lease of vehicles or manufacturer license plates to the 15th COA. This bill also changes the judicial review of rules for fair competition among electricity providers under the Public Utility Commission of Texas from the 3rd COA to the 15th COA.

SB 1045 also lays out the process for transferring cases on September 1, 2024 that were filed on or after September 1, 2023. SB 1045 gives the Texas Supreme Court exclusive and original jurisdiction over challenges to the constitutionality of the provisions in this bill.

Concerns

A 15th COA is unnecessary and unconstitutional. There are concerns that SB 1045 may violate the Texas Constitution, which states that Texas be divided into courts of appeals districts and operate within the limits of their respective districts. The court would be allowed to conduct business anywhere in Texas, potentially impeding the business of other established COAs. SB 1045 would also transfer civil appeals involving statewide issues away from other courts of appeals, primarily the 3rd COA in Austin. The existing COAs can handle their caseloads as well as complex legal cases that relate to their districts. Additionally, the Texas Supreme Court equalizes COA dockets and caseloads by transferring cases to other courts, enabling cases to be heard in a timely manner. A 15th COA would take cases away from established courts of appeals where the commission of the action related to the suit occurred, juries from the district are present, and judges were elected in the district.

Given that a Democrat has not been elected statewide since 1994, some contend that this bill serves a wholly political purpose to establish a bench of judges favorable to the current dominant majority in the Legislature.

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			Additionally, the bill tracks closely with HB 19, which creates specialty business courts in Texas with judges appointed by the governor. SB 1045 goes against the Texas Constitution and gives extra powers to one COA to the detriment of Texans.	
LSG Floor Report For Major State Calendar – Thursday, May 18, 2023				
<p>SB 1445</p> <p>By: Senator Paxton Johnson Schwertner Springer</p> <p>Sponsor: House Goldman</p>	<p>Relating to the continuation and functions of the Texas Commission on Law Enforcement; authorizing a fee.</p>	<p>Homeland Security & Public Safety</p> <p>8 Ayes 1 Nay, 0 PNV, 1 Absent</p>	<p>The 87th Legislature did not pass the sunset bill, HB 1550, for the Texas Commission on Law Enforcement (TCOLE). However, the Legislature extended TCOLE for an additional two years, allowing the Sunset Advisory Commission to conduct a limited-scope review of TCOLE during the 2022-2023 biennium. The Sunset Commission identified gaps and areas for improvement and provided recommendations for TCOLE to enhance standards, procedures, and regulations. The goal is to improve the efficiency and effectiveness of Texas law enforcement agencies, including over 2700 agencies under TCOLE's oversight. Despite the possibility of abolition on September 1, 2023, SB 1445 seeks to extend TCOLE's operation until 2031 with several statutory modifications to address recommendations from the Sunset Commission.</p> <p>Advisory Committee SB 1445 grants TCOLE the authority to create an advisory committee responsible for adopting rules and recommendations based on TCOLE's programs, rules, and policies. TCOLE is responsible for establishing various aspects of the committee, like the committee's purpose, role, goals, and duration, the qualifications and training requirements for the membership, and the periodic review process to establish if the committee is still needed.</p> <p>Minimum Standards for Law Enforcement Agencies TCOLE, in consultation with the advisory committee, must adopt rules to establish minimum standards for the creation or continued operation of a law enforcement agency. The standards must be based on the agency's jurisdiction, function, and size. These minimum standards include determining the public benefit of creating the agency, sustainable funding, availability of physical resources for officers, physical facilities, active shooters, barricaded subjects, and establishing specific policies for the agency. The resources for officers include standard firearms, at least one less-lethal force weapon, effective communication equipment, uniforms, patrol vehicles, and protective equipment.</p> <p>Policies Regarding Fit for Service Examination SB 1445 requires TCOLE, in consultation with the advisory committee, to develop a model policy that outlines the standards and procedures for the medical and psychological examination of a TCOLE license holder or a person seeking a TCOLE license to ensure these individuals can perform their duties under their licensure. SB 1445 outlines who must receive these examinations, including individuals applying for a TCOLE license or individuals ordered by an agency, and requires failed examinations to be reported to TCOLE unless the individual completes a treatment program within a period established by TCOLE. SB 1445 provides a deadline for law enforcement agencies to establish their policies based on the model, and the agencies must submit their policies to TCOLE.</p>	<p><u>Favorable with Concerns</u></p>

SB 1445 establishes that notifying TCOLE about a license holder’s refusal to submit an examination does not prevent the agency from taking disciplinary action against the license holder, including termination. SB 1445 also stipulates that TCOLE must suspend the license of a license holder if their examination results do not meet the established standards of the policy. If a license holder refuses to submit an examination, TCOLE must notify the license holder to request a hearing to show cause for the refusal. SB 1445 provides how the notice must be provided, how the hearing will be conducted, what TCOLE can do following the hearing, and an appeals process for the TCOLE order. The bill ensures that a record of the entire process is created, and any information obtained from the examination, resulting in TCOLE issuing an order, is exempt from disclosure.

Databases & Employer Procedures

SB 1445 requires TCOLE to create a licensing status database that holds specific information for each TCOLE-licensed peace or reserve law enforcement officer. The database will have an officer’s licensing status, including any record of action taken against the officer by TCOLE and personnel files submitted by the holder’s employing law enforcement agency. Employing law enforcement agencies must have access to the database for their hiring and pre-employment procedures, and officers must have free access to their information relating to a misconduct investigation. Additionally, TCOLE must designate one or more national law enforcement databases for agencies to use to complete their required pre-employment background checks. Further, TCOLE must select a national database to serve as a registry for officer license revocations and to submit the necessary information to create a record with that database. This submission is to occur as a part of a TCOLE disciplinary action, a felony conviction, or a barratry conviction.

Before issuing a license for an applicant holding or previously having an out-of-state license, TCOLE must request the holder’s licensing authority to provide TCOLE with the individual’s personnel file and any other relevant record on the applicant. An applicant cannot be denied a license solely because the authority did not provide the records requested by TCOLE. SB 1445 prohibits a person from being an officer and prohibits TCOLE from issuing a license to a person if the person’s out-of-state license or authorization was revoked or suspended for a reason that would be grounds for TCOLE to revoke or suspend the license in Texas.

SB 1445 requires each law enforcement agency or governmental entity to review the licensing status database, the designated national database, and a person’s out-of-state personnel file, if applicable, before hiring. Before hiring, law enforcement agencies must submit to TCOLE that they obtained and reviewed all information provided by these sources to the best of their ability.

Standards of Conduct

SB 1445 requires TCOLE to adopt a model policy outlining the minimum standards of conduct for peace and reserve law enforcement officers. These specified policies shall include standards in arrest and control tactics,

execution of high-risk warrants, suspect pursuit, conducting traffic stops, and uniform standards for stops that only result in fines. In addition, the model policy should include procedures for investigating alleged misconduct and hiring processes. For SB 1445, "misconduct" is a violation of a law enforcement agency's policy that allows the agency to suspend, demote, or terminate a licensed holder's employment or an allegation of untruthfulness against a license holder. The bill stipulates that a law enforcement agency must report an employed officer to TCOLE if they have engaged in misconduct. Reporting misconduct to TCOLE does not prevent the agency from taking disciplinary action. The bill authorizes TCOLE to take disciplinary actions against officers, per state law, if misconduct has been reported to TCOLE, which maintains a record of each report.

Personal Service Reports & Personnel File

SB 1445 requires TCOLE to create a public database that contains personal service reports of each licensed peace and reserve law enforcement officer. The report must be in a readily available format and include the following: the date the officer completed basic training, if the officer complies with continuing education requirements and if these courses are completed, the total hours of completed training, and the date the officer's license was issued. Undercover officers or officers in active, sensitive operations may be exempted from this due to the potential safety risk. TCOLE must require individuals who use this database to register as a user and track the user's activity, including which reports a user accesses. Collected user information is to remain confidential and exempt from disclosure under state public information law, except when required by court order.

SB 1445 requires TCOLE to create a model policy for license-holder personnel files. A law enforcement agency's head, or their designee, must maintain a personnel file on each license holder employed by the agency. The file is to include documentation relating to congratulations or honors bestowed on the license holder, any misconduct by the license holder if the conduct resulted in disciplinary action, and periodic evaluations of the holder by a supervisor. If there is documentation relating to misconduct that resulted in disciplinary action placed into a file, the agency's head must notify the license holder within 30 days of its inclusion, and the impacted officer may submit a written letter in response to the included documentation. SB 1445 requires each agency to adopt the model policy or a policy substantively similar and requires TCOLE to establish a date on which these policies must be adopted.

Misconduct Investigation and Hiring Procedures

SB 1445 requires TCOLE to adopt a model policy to establish procedures for law enforcement agencies when they conduct alleged misconduct investigations for employed license holders or applicants. SB 1445 outlines the required actions that are to be taken by law enforcement agencies for the investigation process and specifies an investigation may not be terminated following the resignation, retirement, termination, death, or separation of the license holder's employment. SB 1445 clarifies that licensed holders are entitled to any due process procedures provided by the agency, which can be contested, and include a provision for a timeline.

<p><i>Disciplinary Actions, Emergency Suspension, and Complaints</i> SB 1445 grants TCOLE the authority to revoke or suspend a law enforcement agency's license to employ a license holder, impose probation on an agency's authority to employ a suspended license, or reprimand an agency for certain violations outlined in the bill. The bill also requires TCOLE to adopt rules for specific circumstances to issue an emergency order, without a hearing, to suspend a license holder's license for a maximum of 90 days if TCOLE determines an imminent threat to public health, safety, or welfare. Despite the emergency suspension, the license holder is still entitled to a hearing, which will be conducted by the State Office of Administrative Hearings (SOAH). The bill instructs TCOLE to establish procedures for determination and the appeals process for decisions made by SOAH. Under SB 1445, a license holder is permitted to obtain information regarding a complaint made against them, and TCOLE is not required to disclose the identity of any non-testing complainant.</p> <p><i>Repeals and Other Changes</i> SB 1445 eliminates deadlines for peace officers and reserve law enforcement officers to complete various parts of the minimum curriculum requirements. Instead, TCOLE must adopt rules to establish deadlines for completing any minimum curriculum requirements not covered in their basic training course. SB 1445 repeals the section pertaining to the category on the termination report indicating whether a person was discharged generally, honorably, or with a dishonorable discharge. Further, SB 1445 eliminates the provision for a petition or hearing to correct a termination report. SB 1445 repeals the current statute for license suspensions of dishonorably discharged officers.</p> <p>SB 1445 authorizes TCOLE to issue subpoenas to produce or copy certain records entitled to TCOLE by law or required for routine audits of law enforcement officers if the record is relevant for an investigation of an alleged violation of state law. Additionally, SB 1445 allows TCOLE to use a subpoena with the attorney general's assistance to initiate legal action and resolve issues in Travis County district court or any other county where TCOLE can hold hearings. It must enforce compliance if the court finds valid grounds for issuing the subpoena. SB 1445 amends TCOLE's member training requirement with new courses recommended by the Sunset Advisory Committee, establishing a new requirement for members serving before the bill's effective date.</p> <p><i>Impact</i> SB 1445 provides the recommendations of the Sunset Advisory Board that were brought forward during the 87th legislative session, with additional changes. SB 1445 will standardize professional conduct standards with corresponding disciplinary procedures aligned with other licensed professionals. The public database will allow transparency. TCOLE's accountability and standards for all Texas law enforcement agencies are crucial for the pre-employment hiring and procedures for investigation.</p> <p>Interested parties are concerned about removing the honorable, general, and dishonorable separation categories from the F-5 form. While TCOLE and the Sunset Advisory Commission identified flaws in the form and process,</p>

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			<p>SB 1445 would repeal these provisions without providing a new structure or attempting to make changes to retain it. Without the inclusion of this information on the form, this will increase the risk of retaining problematic officers, allows for their potential rehiring, and hinders the trust and transparency between law enforcement agencies and the communities they serve. Further, removing these separation categories eliminates an avenue for officer appeals and contradicts the internal due process. An amendment that rectifies this concern would make the bill favorable. Failure to pass SB 1445 jeopardizes law enforcement training and a uniform state standard.</p>	
<p>SB 2040</p> <p>By: Springer Flores Johnson Paxton Schwertner</p> <p>Sponsor: Clardy Holland Canales Goldman Bell, Keith</p>	<p>Relating to the continuation and transfer of the regulation of willed body programs to the Texas Funeral Service Commission, the regulation of willed body programs, non-transplant anatomical donation organizations, and anatomical facilities, and the creation of the State Anatomical Advisory Committee; requiring registration; authorizing fees; authorizing an administrative penalty.</p>	<p>Public Health</p> <p>8 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>SB 2040 is the sunset bill for the Anatomical Board of the State of Texas (SAB). SB 2014 abolishes SAB as a stand-alone board, reconstitutes it as an advisory committee, and transfers its regulatory and administrative functions to the Texas Funeral Service Commission (TFSC).</p> <p>Texas adults can donate their bodies after death to support medical research, education, and training, providing affordable cadavers and specimens for various institutions. The Anatomical Board of the State of Texas (SAB) manages the distribution of these donations to 13 Willed Body Programs (WBPs), forensic science institutions, and search and rescue training organizations. Texas law allows for the transfer of donated bodies and specimens to other approved facilities, such as bioskills training centers, medical device companies, and educational institutions lacking WBPs. However, outdated language does not address the emergence of commercial non-transplant anatomical donation organizations (NADOs), which operate similarly to traditional higher education body donation programs, limiting the state's ability to effectively oversee these entities.</p> <p><i>Dissolution of Anatomical Board and Transfer of Duties</i></p> <p>SB 2040 dissolves the SAB and transfers its duties to the TFSC to streamline and improve oversight of body donations for medical research and education. The bill establishes a seven-member advisory committee within the TFSC, comprising representatives from higher education institutions, NADOs, anatomical facilities, and the public. SAB's existence is extended until September 1, 2024 to allow for a smooth transfer of its duties, funds, and obligations to the TFSC. TFSC must prepare and submit quarterly reports on the progress of the transfer for state fiscal year 2024.</p> <p>SB 2040 includes provisions for consulting with relevant state entities to ensure completion of the transfer by September 1, 2024; continuing existing anatomical board rules as TFSC rules until superseded; maintaining authorizations issued by the anatomical board; preserving the status of authorizations, complaints, investigations, or proceedings pending on the bill's effective date; and transferring all unexpended and unobligated funds under the board's management to the general revenue fund for the TFSC's administration of the transferred duties.</p> <p>Furthermore, SB 2040 instructs the TFSC to utilize tag, transfer, and inspection fees to fund operations. It exempts NADOs from fees associated with body and anatomical specimen receipt and distribution.</p>	<p><u>Favorable</u></p>

Registration and Approval

SB 2040 mandates that WBPs and NADOs register with the TFSC, adhere to informed donor consent, and maintain accurate tracking and records. NADOs must acquire accreditation from the American Association of Tissue Banks (AATB) under their Standards for Non-Transplant Anatomical Donation, although conditional registrations may be granted by the commission. The TFSC can restrict members and licensees from owning NADOs.

The TFSC will conduct inspections and potentially grant approval to WBPs and anatomical facilities that process donated bodies and specimens. The commission is responsible for verifying NADO compliance with AATB standards, which may involve inspections that do not duplicate the accreditation process and occur no more frequently than once every five years. Registered NADOs must promptly inform the commission if they lose AATB accreditation within the specified timeframe established by commission rules.

Administration and Enforcement

SB 2040 defines a "willed body program" in Texas as a Texas higher education institution scheme that permits living individuals to donate their bodies or anatomical specimens for research or education. The program must oversee the specimen from intake to final disposition. The bill also defines a "Non-transplant anatomical donation organization" as an accredited entity involved in the recovery, receipt, screening, testing, processing, storage, or distribution of tissue or human remains for purposes other than transplantation into a living individual in the state. SB 2040 enables WBPs and NADOs to receive, distribute, and transfer bodies or anatomical specimens from within or outside the state.

SB 2040 updates the notification requirements for complaints related to body or anatomical specimen donations, switching from quarterly to periodic updates. It also requires the TFSC to develop an online document informing individuals about authorized donation options under state law. Additionally, the TFSC is directed to adopt rules ensuring proper transportation, including the affixing of labels on containers indicating they contain human tissue.

Under SB 2040, TFSC must establish rules, procedures, and forms necessary for administration and enforcement, encompassing registration and inspection requirements. They are empowered to issue reprimands, assess administrative penalties, impose other penalties, and revoke, suspend, or probate registrations or authorizations for violations, following appropriate guidelines.

SB 2040 eliminates the SAB as a separate entity and transforms it into an advisory committee, transferring its regulatory and administrative responsibilities to the TFSC. The bill introduces definitions and regulations to enhance clarity and broaden choices for individuals in Texas who wish to donate their bodies for scientific purposes after death.

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<p>SB 18</p> <p>By: Creighton Campbell Flores King Kolkhorst Middleton Parker Paxton Schwertner Sparks Springer</p> <p>Sponsor: Kuempel</p>	<p>Relating to the tenure and employment of faculty members at certain public institutions of higher education.</p>	<p>Higher Education</p> <p>6 Ayes, 5 Nays, 0 PNV, 0 Absent</p>	<p>Last year, Lt. Gov Dan Patrick announced he wanted to ban tenure for new hires at public universities in Texas and revoke tenure for faculty who teach critical race theory. He has cited the University of Texas as an example, which had previously passed a nonbinding resolution to affirm its academic freedom to teach about race, gender justice, and critical race theory. Academic tenure is an indefinite appointment for university professors and researchers that may be terminated under exceptional circumstances, such as program discontinuation or severe financial constraints.</p> <p>Under SB 18, the governing board of a public educational institution may only grant tenure with the explicit recommendation of the institution's chief executive officer and the university system's chancellor.</p> <p>SB 18 requires each higher institution's governing board to adopt policies and procedures regarding tenure. SB 18 defines tenure as the entitlement of a faculty member of an institution of higher education to continue in the faculty member's academic position unless dismissed by the institution for good cause in accordance with the policies and procedures adopted by the institution. The policies and procedures must address the granting of tenure, provide for periodic comprehensive performance evaluation of tenured faculty, and allow for the dismissal of tenure faculty through due process if it is determined that the faculty member exhibits the following: professional incompetence; consistent failure to fulfill responsibilities; inability to complete post-tenure review programs; engaging in unethical conduct that hampers institutional performance; violation of relevant laws or policies; conviction of a crime affecting their ability to teach, research, or administer; unprofessional conduct adversely affecting their performance; or falsification of academic credentials. Tenure may also be revoked due to financial constraints, the elimination of the institution's program, or other good cause outlined in the institution's policies. The evaluation process in the adopted policies must include a short-term development plan with performance benchmarks for faculty members who receive an unsatisfactory rating to regain satisfactory status. The bill authorizes the governing board to design tenure policies and procedures tailored to their educational mission, traditions, and various school characteristics.</p> <p>SB 18 authorizes the summary dismissal of tenured faculty at any time after providing the faculty member with appropriate due process if found that the faculty member is guilty of serious misconduct, as defined by the institution's policies. The policies and procedures for summary dismissal must ensure that the institution provides the faculty member with appropriate due process. Before the summary dismissal of the faculty member, written notice of the allegations with an explanation of the evidence supporting the dismissal and the opportunity for the faculty member to respond to the allegations in a hearing with a designated administrator must be provided. The designated administrator must consider the faculty member's response to the allegation and make a written determination regarding proceeding with the summary dismissal. The faculty member must be provided with the designated administrator's determination which must clearly indicate whether or not the faculty member will be subject to summary dismissal and either include the effective date with the opportunity for post-dismissal appeal or state the denial of summary dismissal by the designated administrator.</p>	<p><u>Unfavorable</u></p>
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			<p>Concerns SB 18 would harm Texas universities. Texas would lose talented faculty, both current and prospective, to universities outside the state that provide tenure and discourage conducting research that could be viewed as controversial, ultimately discouraging free speech.</p> <p>Tenure is the privilege of continuing to work as a faculty member without periodic reappointment. It is not a license to be lackadaisical, cease being evaluated, or have free reign to do as one pleases. It is the privilege to pursue research without being subjected to political pressure, designed to protect unpopular viewpoints, both “liberal” and “conservative.” The elimination of tenure would create difficulty in recruiting and retaining top-quality faculty to Texas and serve as a mechanism to silence the voices that bring innovation, ingenuity, and inspiration.</p> <p>Tenured employment is crucial in upholding the standards of teaching and research within this state. The provision of academic freedom serves as a significant motivator for attracting international faculty and safeguarding against the suppression of valuable research due to biased or self-serving influences. The value of tenure cannot be overstated in the ongoing operation of Texas higher education- as the state continues to grow, attaining a well-educated populace remains vital for political and economic success.</p> <p>The abolition of tenure would result in a decline in the Carnegie Classifications of Texas public universities across all categories. This move could potentially jeopardize the recent attainment of R1 status by several universities, resulting in a struggle to meet the institutional standards required for federal research funding. Without the assurance of academic freedom, highly qualified academic candidates are unlikely to seek employment here in Texas, which would give universities in other states, such as California, a competitive advantage in recruiting top faculty.</p> <p>Statewide elimination of tenure raises the risk of losing institutional status, rankings, federal funding, student enrollment, and renowned faculty members with international recognition in key cities and counties. Universities also serve as a driving force for growth in Texas. Eliminating tenure is unnecessary, financially irresponsible, and a direct threat to the knowledge-based economy in the state.</p>	
<p>SB 3 By: Bettencourt Alvarado Birdwell Blanco </p>	<p>Relating to providing property tax relief through the public school finance system, exemptions, limitations on appraisals and taxes,</p>	<p>Ways & Means 9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Because Texas does not have an income tax, the state heavily relies on sales and property taxes to fund government services, including schools. Texas property taxes have grown more than 20% from 2017 to 2021. Constituents have cited issues with the unaffordability and unpredictability of rising taxes. The current homestead exemption is \$40,000, with an additional \$10,000 exemption for those who are disabled or over 65. Local school district tax rate compression is currently based on property value growth, meaning that as property values rise, tax rates decrease, and an equity band is in place to ensure fairness in compression. Additionally, appraisals are capped at 10% for homesteads, which prevents taxes from rising too quickly. Finally, escrow</p>	<p><u>Will of the House</u></p>

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<p>Campbell Creighton Eckhardt Flores Gutierrez Hall Hancock Hinojosa Huffman Hughes Johnson King Kolkhorst LaMantia Menéndez Middleton Miles Nichols Parker Paxton Perry Schwertner Sparks Springer West Whitmire Zaffirini</p> <p>Sponsor: Meyer</p>	<p>and property tax administration.</p>		<p>accounts are currently optional and can be provided at the discretion of tax assessors.</p> <p>SB 3 includes \$16.3 billion dollars for property tax relief. There are significant concerns that after the next two bienniums, the state will not have enough funding to sustain this level of property tax relief. This means that the Legislature will have to cut into funding for essential services to fund property tax relief.</p> <p>There are four main provisions of SB 3 including the homestead exemption, rate compression, appraisal caps, and escrow requirements. SJR 3 is the constitutional amendment for this legislation.</p> <p>Increasing the Homestead Exemption SB 3 would increase the general school district residence homestead property tax exemption from \$40,000 to \$100,000 starting at the beginning of this year. The version of SB 3 that passed the Senate increased the homestead exemption to from \$40,000 to \$70,000. SB 3 also allows those who have disabilities or who are ages 65 and over to automatically benefit from any homestead exemption increases and omits the specific provision that these individuals receive an additional \$10,000 exemption. Homestead exemptions are an effective way to provide property tax relief equitably to all homeowners in Texas.</p> <p>Expediting Rate Compression SB 3 reduces the maximum compressed rate by an additional \$0.15 cents. Tax rate compression shifts the burden of funding schools from local taxpayers to the state. The district's maximum compressed tax rate will be the value at which that rate would be equal to 90 percent of the other district's maximum compressed tax rate if a district's maximum compressed tax rate after the reduction would be less than 90 percent of another district's maximum compressed tax rate. Decreased tax rates will result in less revenue collected, reducing the number of school districts that pay into recapture. Taxpayers will also pay less property taxes. Because tax rates are based on a percentage of the appraised value, property owners with the highest valued homes gain the most benefit. SB 3's rate compression does not hurt or help schools; they still receive their entitlements and come out revenue-neutral as the state is required to pay the difference for lost revenue.</p> <p>Reducing the Appraisal Cap Appraisal caps limit how much a property's taxable value can increase in a year. Currently, appraisals are capped at 10% for homesteads. SB 3 reduces the annual appraisal cap to 5% per year and expands it to all real property, including land, improvements, mines or quarries, minerals in place, standing timber, or an estate or interest in a property. The appraisal cap would take effect January 1st of the tax year after the tax year the property was purchased, making it so that the rate cannot go up more than 5%, even if the market value goes up.</p> <p>Appraisal caps may create more predictability in property taxes for owners whose property values are expected to skyrocket. However, this does not necessarily mean a tax reduction. By limiting the growth of taxable value, an</p>	
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		<p>appraisal cap requires taxing units to adopt higher tax rates to raise the same amount of revenue for essential services. This undermines the intentions of the major school finance and property tax bills of the 86th Legislature, HB 3 and SB 2.</p> <p>A reduced cap would widen the gap between market and appraised value as property values increase, leading to inconsistent taxable values on properties worth roughly the same amount. Because an appraisal resets to reflect the full market value when a property is sold, newer homeowners will pay higher property taxes closer to the market value of their home compared to their neighbor in a similarly valued home, but purchased years earlier.</p> <p>This is especially troubling for businesses, such as hotels or apartment complexes, that may have to charge significantly different fees or rent for people staying in similarly valued properties. Additionally, depending on when they purchased the property, new business with commercial real estate may struggle to compete with businesses tenured into lower property tax rates, discouraging competition. Large established corporations will benefit the most.</p> <p>A reduced appraisal cap will also negatively impact renters and may increase the baseline for what properties charge for rent. New rental housing units will have to set higher rates than long-standing competitors to make a profit. The longstanding apartment complex will then be able to justify increasing their rates to increase profits, at the detriment of renters. Rent increases will set a new baseline for what properties can charge.</p> <p>Another negative consequence of appraisals resetting to market value when a property is sold is the “lock-in effect.” This is when individuals are disincentivized to move because they will have to pick up a larger property bill in their next home or business location. The negative effects of appraisal caps are evident, and California’s Proposition 13 is a well-known example of appraisal caps hurting the real estate market. Setting the appraisal cap to 5% for all real properties will have devastating impacts on all Texans, including commercial property owners, homeowners, renters, and businesses.</p> <p>Escrow Account Requirements Lastly, SB 3 requires tax assessors to provide escrow accounts at the request of property owners. These accounts will be maintained by the collector and used to hold onto property tax payments for property owners so they can make tax payments throughout the year. Mandating the provision of escrow accounts by request will help property tax owners budget for property taxes.</p> <p>Logistical Issues SB 3 may cause significant logistical issues during implementation. SB 3 introduces transitional tax year provisions that require the chief appraiser to prepare supplemental appraisal records to account for the changes made by SB 3 in 2023, before SJR 3 is voted on in the November 2023 election. This means that the chief</p>	
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			<p>appraiser will be preparing additional provisional tax bills based on if SJR 3 passes for October 2023. SB 3 specifically requires a separate statement to indicate that the original tax bill is provisional and include what the property taxpayers bill would have been had the Legislature not passed SB 3 and how much the taxpayer saved as a result. Additionally, the statement will indicate that this new tax bill is contingent upon the passage of SJR 3 in the November 2023 election. SB 3 gives very little time for appraisal districts to adequately prepare for the changes made in SB 3, requiring them to prepare two different tax bills for every taxpayer. This could coerce voters into approving SJR 3 and potentially upset taxpayers if SJR 3 does not pass in the November 2023 election, as the chief appraiser will be required to send out a new tax bill to these homeowners by December 1, 2023.</p> <p>No Relief for Renters Homestead exemptions only benefit a shrinking demographic of Texans fortunate enough to own homes. According to the most recent Census data, 62.4% of Texans live in “owner-occupied housing” or homes they own and live in as their primary residence. SB 3 does nothing to directly provide tax relief to renters, and landlords are not required to reduce rents after benefitting from property tax relief.</p> <p>Conclusion SB 3 attempts to reduce property taxes for homeowners and business owners. Implementing an increased homestead exemption, rate compression, and allowing escrow accounts will benefit all homeowners. However, there are a host of issues with appraisal caps; they primarily benefit current homeowners in areas where property rates are skyrocketing rapidly, leave out new families and first-time home buyers, negatively impact renters, and reduce competition for businesses. Additionally, there are significant logistical issues for appraisal districts to implement the provisions of SB 3. Lastly, SB 3 does not provide any tax relief to renters. SB 3 includes some helpful provisions, including the homestead exemption, rate compression and escrow accounts, but should not reduce appraisal caps to the detriment of taxpayers and the economy.</p>	
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LSG Floor Report For Constitutional Amendments Calendar – Thursday, May 18, 2023

<p>SJR 64 By: West Sponsor: Talarico</p>	<p>Proposing a constitutional amendment authorizing a local option exemption from ad valorem taxation by a county or municipality of all or part of the appraised value of</p>	<p>Ways & Means 9 Ayes, 1 Nays, 0 PNV, 1 Absent</p>	<p>SJR 64 is the constitutional amendment for SB 1145, which passed out of the House on May 16th.</p> <p>SJR 64 allows the governing body of a county or municipality to exempt all or part of the appraised value of real property used to operate a child-care facility from ad valorem taxation. This exemption can be adopted as a percentage, which cannot be less than 50% of the appraised value of real property. SJR 64 also allows the Legislature to define “child-care facility” and provide additional eligibility requirements for this exemption.</p> <p>SJR 64 will allow the voters to decide if they want to provide property tax relief to Texas child-care providers. Money childcare providers save from this relief can be reallocated to staff wages, operational costs, or facility improvements, leading to better childcare services for Texas communities.</p>	<p><u>Favorable</u></p>
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	real property used to operate a child-care facility.			
<p>SJR 3</p> <p>By: Bettencourt Alvarado Birdwell Blanco Campbell Creighton Eckhardt Flores Gutierrez Hall Hancock Hinojosa Huffman Hughes Johnson King Kolkhorst LaMantia Menéndez Middleton Miles Nichols Parker Paxton Perry Schwertner Sparks Springer West Whitmire Zaffirini</p> <p>Sponsor: Meyer</p>	<p>Proposing a constitutional amendment to authorize the legislature to limit the maximum appraised value of real property for ad valorem tax purposes, to increase the amount of an exemption from ad valorem taxation by a school district applicable to residence homesteads, to adjust the amount of the limitation on school district ad valorem taxes imposed on the residence homesteads of the elderly or disabled to reflect increases in certain exemption amounts, and to except certain appropriations to pay for ad valorem tax relief from the constitutional limitation on the rate of growth of appropriations.</p>	<p>Ways & Means</p> <p>9 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>SJR 3 is the enabling legislation for SB 3.</p> <p>SJR 3 allows voters to decide whether or not they want to decrease the appraisal cap to 5% and expand the application of the appraisal cap to all real property. If approved, this joint resolution will take effect in the tax year following the first tax year in which the person owns the property on January 1st.</p> <p>SJR 3 also allows the voter to decide if they want the homestead exemption increased from \$40,000 to \$100,000 and if they want those who are elderly and disabled to automatically benefit from any homestead exemption increases and receive the adjustments to the tax ceiling. If approved, this would take effect for the beginning of this tax year. If voters vote against this joint resolution, the 5% appraisal cap and expansion to all real property in SB 3 and homestead exemption changes will not take effect. This leaves the rate compression and escrow account provisions of SB 3 intact.</p> <p>SJR 3 also establishes that certain appropriations made to pay for property tax relief do not count toward the limit on the growth of appropriations under the Constitutional tax spending limit.</p>	<p><u>Will of the House</u></p>

LSG Floor Report For General State Calendar – Thursday, May 18, 2023

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<p>SB 1717 By: Zaffrini Sponsor: Moody</p>	<p>Relating to the prosecution of the offense of stalking.</p>	<p>Criminal Jurisprudence 9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	<p>Current provisions regarding the offense of stalking in Texas have raised concerns from prosecutors, who have expressed that they are not adequate and leave many victims without protections. SB 1717 seeks to ensure that victims of stalking are protected by law and able to pursue justice.</p> <p>SB 1717 expands the circumstances that constitute threatening behavior, fear, and emotions related to the offense of stalking. The bill dictates that regarding existing provisions that make the feeling of threat of bodily injury or death part of the offense, the threat of any offense being committed against the victim, their family or household member, or their dating partner should be included. The bill also recognizes feeling terrified or intimidated as among the emotions that may be experienced to constitute the offense. Additionally, it limits the condition of a reasonable person's fear to similar circumstances as the victim's, including the fear of an offense being committed against a family or household member or someone in a dating relationship.</p> <p>SB 1717 will help ensure that victims of stalking are able pursue justice and move forward safely.</p>	<p><u>Favorable</u></p>
<p>SB 2601 By: Hinojosa Sponsor: Canales</p>	<p>Relating to payment of costs related to the relocation of certain utility facilities for state highway projects.</p>	<p>Transportation 11 Ayes, 0 Nays, 0 PNV, 2 Absent</p>	<p>Current Texas law allows the Texas Department of Transportation to financially assist with utility relocations for highway improvements, but only if the utilities are owned or operated by political subdivisions. This excludes water supply and sewer service corporations (WSCs) - nonprofit entities serving areas without existing municipal or private water companies. With over 800 WSCs in Texas, some are experiencing rapid urban growth and the burden of relocating infrastructure due to new roads. This hampers their capacity-building efforts. SB 2601 allows WSCs operating under the Water Code to apply for utility relocation funds.</p> <p>SB 2601 amends the state Water Code to enable water supply or sewer service corporations governed by the Water Code provisions to be eligible for state-funded relocation of their facilities for highway projects. The Texas Transportation Commission would assess eligibility based on two factors: the corporation's financial condition, which should impede their ability to fully or partially cover relocation costs and adversely affect their operations or essential services, and their inability to obtain financing through a state infrastructure bank loan or other means for the relocation expenses.</p> <p>SB 2601 provides financial support and flexibility to WSCs, enabling them to handle the costs associated with utility relocations more effectively, maintain operations, and continue providing essential water and sewer services to their customers.</p>	<p><u>Favorable</u></p>
<p>SB 1677 By: Perry Sponsor:</p>	<p>Relating to the establishment and administration of Health and Human Services Commission</p>	<p>Corrections 6 Ayes, 0 Nays, 0 PNV,</p>	<p>SB 1677 aims to address Texas' acute shortage of hospital beds for mental health patients, exacerbated by understaffing in the state psychiatric system. As such, SB 1677 allows counties with less than 250,000 residents to apply for assistance from the Health and Human Services Commission (HHSC) for jail-based competency restoration, jail diversion, mental health services, and adolescent behavioral health services. If additional funding is provided for certain mental health grant programs, the bill mandates that HHSC accepts applications from new</p>	<p><u>Favorable</u></p>

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Price	programs providing mental health services to certain individuals in this state.	3 Absent	<p>entities that were not selected as grant recipients in the previous fiscal year or that require additional funding. The State Auditor's Office is tasked with auditing the forensic waitlist for competency restoration. Furthermore, SB 1677 requires HHSC to establish procedures to assist community collaboratives from smaller counties in seeking grants to reduce recidivism and the wait time for forensic commitment. HHSC is also mandated to contract with nonprofit organizations to establish or expand behavioral health centers or jail diversion centers in rural areas.</p> <p>Overall SB 1677 offers an ambitious plan to expand mental health services in Texas by allowing smaller, rural counties to apply for assistance and creating new funding opportunities.</p>	
<p>SB 261</p> <p>By: Springer</p> <p>Sponsor: Ashby</p>	Relating to titling and registration of assembled trailers.	<p>Transportation</p> <p>10 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>The 86th Legislature passed HB 1755, which required the Texas Department of Motor Vehicles to establish rules for registering assembled vehicles. This was a positive move for auto hobbyists and owners of such vehicles, allowing them to register and get a title for their creations. However, this unintentionally changed the exemptions for custom agricultural trailers, affecting farmers and ranchers who used them to transport livestock, timber, or farm products. Previously, lighter trailers didn't need registration, while slightly heavier ones could obtain a farm trailer license. SB 261 seeks to fix this issue by allowing hobbyists to title and register their assembled trailers for personal use, similar to other assembled vehicles.</p> <p>SB 261 establishes that an assembled trailer, such as a farm trailer, is categorized as a trailer, semitrailer, or travel trailer for titling and registration purposes under applicable law. SB 261 requires the assembled trailer's owner to apply for registration within 30 days of completing construction. The trailer must be registered for each year it is used or meant to be used on a public highway. If the trailer is unregistered for the year and is being used or intended to be used on public roadways, it must be registered for the remainder of the year. SB 261 changes definitions to the Certificate of Title Act to include definitions of "assembled trailer," "first sale," and "hobbyist" so that assembled trailers may be registered accurately. In addition, SB 261 repeals a section of the state Transportation Code with the previous definition of "assembled trailer."</p> <p>SB 261 serves to rectify an unintended removal of a titling and registration exemption for agricultural trailers in place for decades. By addressing this oversight, SB 261 helps benefit those who utilize trailers for agricultural purposes.</p>	<u>Favorable</u>
<p>SB 796</p> <p>By: Middleton</p> <p>Sponsor:</p>	Relating to arbitration provisions in surplus lines insurance contracts.	<p>Insurance</p> <p>9 Ayes, 0 Nays, 0 PNV, 0 Absent</p>	Surplus lines insurance covers unique risks that standard insurers typically avoid. Currently, the Texas Department of Insurance (TDI) approves which surplus lines insurers can operate in the state, but does not directly license surplus lines insurers. As a result, many surplus lines policies are subject to laws and arbitration outside of Texas, often in New York.	<u>Favorable</u>

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Johnson, Ann			<p>To address this, SB 796 mandates arbitration for surplus lines insurance policies related to risks solely in Texas be conducted in Texas and subject to Texas law. This would help ensure the policyholder is offered the same protections outlined in state law.</p> <p>SB 796 enhances consumer protections and increases accessibility to the arbitration process.</p>	
<p>SB 221</p> <p>By: Bettencourt</p> <p>Sponsor: Paul</p>	<p>Relating to requirements for certain petitions requesting an election and ballot propositions.</p>	<p>Elections</p> <p>5 Ayes, 4 Nays, 0 PNV, 0 Absent</p>	<p>SB 221 seeks to exert authority over home-rule cities in Texas regarding local proposition elections. Home-rule authority means the jurisdiction may establish any law or ordinance it wants to unless it is expressly forbidden by state or federal law. Home-rule cities are cities with populations over 5,000 that operate under their own city charters. In contrast, general-law cities are generally smaller and most often under 5,000 in population and may only exercise the authority given by state or federal law.</p> <p>SB 221 revises requirements relating to local ballot propositions and petitions.</p> <p>Local Ballot Propositions</p> <p>SB 221 allows the Secretary of State (SOS) to review a local ballot proposition and determine if the proposition language is misleading, inaccurate, or prejudicial. Any registered voter can request a review of a local proposition no later than 7 days after the proposition language is published in the election order or by other means. From there, the SOS must make a determination within 7 days of receiving the request for review. If the SOS determines the proposition language is misleading, inaccurate, or prejudicial, the city must draft a corrected proposition to submit to the SOS for review and provide notice of the changes. If the city's third attempt is still deemed defective, SB 221 requires the SOS to draft the ballot proposition.</p> <p>If a court orders a new election, SB 221 allows individuals to seek a writ of mandamus action to compel the city's governing body to comply with the ballot proposition language requirements.</p> <p>Local Petitions</p> <p>If a petition calls for a city proposition election, SB 221 requires a city secretary to determine the petition's validity, including verifying its signatures, within 30 days of receiving the petition. Additionally, the city cannot restrict who may collect petition signatures. SB 221 states that an illegible signature, alone, is not enough to invalidate a signature if the accompanying information demonstrates the signer's eligibility and the timely signing of the petition.</p> <p>If a petition supports an election for a city charter amendment, SB 221 makes it so registered, rather than qualified, voter signatures are counted towards the signature requirement. The number of registered voters is determined by the date of the most recent municipal election.</p>	<p>Unfavorable</p>

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			<p>Currently, corporations and labor organizations cannot make a political contribution to recall elections, including the circulation and submission of petitions. SB 221 stipulates that religious organizations are exempt from this prohibition. SB 221 also modifies the notice requirements for a city charter amendment election in the local newspaper. In addition to containing the proposed amendment language and the anticipated fiscal impact, SB 221 adds a requirement to have the amendment language sought to be deleted and added stricken through the underlined, respectively.</p> <p>The SOS must prescribe an official form, content, and procedure for petitions, but individuals and cities are not obligated to use it. However, any alternative form must include the essential elements required by the official form.</p> <p>Concerns Currently, the courts hear challenges to ballot proposition language; however, SB 221 would allow an unelected executive official to rule over municipal election matters, even going so far as to determine the language in a local ballot proposition, with no recourse for a city. Additionally, there are serious concerns that a resident from another city could challenge a ballot proposition when they have no stake in the outcome because they do not live in the city where it's being voted on.</p>	
<p>SB 247 By: Alvarado Sponsor: Perez</p>	<p>Relating to specialty license plates issued for honorary consuls.</p>	<p>Transportation 10 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Honorary consuls in the United States, authorized by the Office of Foreign Missions (OFM) of the U.S. Department of State, represent foreign governments but have limited privileges compared to consular officers. In Texas, honorary consuls can get special license plates from the Texas Department of Motor Vehicles (TxDMV). However, the OFM suggests that state authorities should stop issuing these plates to honorary consuls due to abuse and fraud, such as incidents of honorary consuls claiming diplomatic immunity during traffic stops with police. SB 247 aims to remove the requirement for TxDMV to provide specialty license plates to authorized honorary consuls performing consular duties.</p> <p>SB 247 repeals the requirement for TxDMV to issue specialty license plates to individuals authorized as honorary consuls by the United States for consular duties.</p> <p>SB 247 conforms with guidance from a federal department encouraging all fifty states to repeal similar statutes and coordinates with current operations by TxDMV.</p>	<p><u>Favorable</u></p>
<p>SB 629 By: Menéndez Sponsor: Talarico</p>	<p>Relating to the maintenance, administration, and disposal of opioid antagonists on public and private school campuses and to the</p>	<p>Public Education 8 Ayes, 0 Nays, 0 PNV, 5 Absent</p>	<p>The fentanyl overdose crisis in Texas is a growing epidemic. Teens may be especially susceptible to overdosing – they may unknowingly take an Adderall-like drug laced with fentanyl, or even mistake brightly colored fentanyl-laced pills for candy. HB 2411 will require every school district to adopt a policy for the maintenance, administration, and disposal of opioid antagonists for students grade 6-12. The Policy would be optional for elementary, charter, and private schools. Under HB 2411, the policy would mandate that schools have at least one personnel or volunteer trained in the usage of an opioid antagonist, like naloxone, present during school hours. That person would be authorized to administer an opioid antagonist to a person experiencing an opioid-related</p>	<p><u>Favorable</u></p>

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<p>Oliverson Leo-Wilson Howard Zwiener</p>	<p>permissible uses of money appropriated to a state agency from the opioid abatement account.</p>		<p>drug overdose. The policy would also establish the number of an opioid antagonist(s) available at each campus and require they be securely stored and quickly accessible to the trained administrator.</p> <p>HB 2411 directs the executive commissioner of the Health and Human Services (HHSC) committee to work with the commissioner of education on rules regarding opioid antagonist inventory and necessary training for the personnel or volunteers authorized to administer the opioid antagonist. This training must include instruction on recognizing signs and symptoms of opioid-related overdose and the administration and proper disposal of an opioid antagonist.</p> <p>Reporting of Opioid-Antagonist Administration Reporting of opioid antagonist administration must include the age of the person receiving the opioid antagonist, the person's affiliation with the school, the location of the administration, the number of doses given, and the title of the person who administered the opioid antagonist. The report shall be submitted to the school district, the medical personnel who prescribed the opioid antagonist, and the commissioner of state health services no later than 10 days after the antagonist was administered.</p> <p>Prescription of Opioid Antagonist Any person with the authority to prescribe may prescribe opioid antagonists in the name of the school district. They must provide the school with signed instructions related to the administration of the opioid antagonist. Supervision by the prescribing authority entails periodic reviews of the order and telecommunication accessibility. Orders issued must include the name and signature of the prescribing authority, the name of the school district, how much opioid antagonist is given, and the date of the issue.</p> <p>Immunity from Liability A person acting in good faith cannot be held liable for their action or inaction in the event of any administration of opioid antagonists, including the administration, storage, and disposal of opioid antagonists. It is important to note that the administration of naloxone has no effect on someone who does not have opioids in their system.</p> <p>Conclusion It is important that the State uses every tool at its disposal to prevent students overdosing on opioids. Naloxone is a safe and effective drug that has saved thousands of lives. Protecting Texas children is paramount, and HB2411 is one step toward ensuring their safety.</p>	
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<p>SB 323</p> <p>By: Huffman Kolkhorst</p> <p>Sponsor: Kitzman</p>	<p>Relating to the enforcement of commercial motor vehicle safety standards in certain counties.</p>	<p>Transportation</p> <p>10 Ayes, 0 Nays, 0 PNV, 3 Absent</p>	<p>Waller County contains one of the busiest transportation corridors in the Texas highway system. However, Waller County lacks the authority to enforce safety regulations for commercial motor vehicles despite neighboring counties having this power under the law. SB 323 aims to grant county law enforcement the ability to maintain compliance with these safety regulations.</p> <p>SB 323 allows a sheriff or deputy sheriff from a county with a population between 50,000 and 90,000 adjacent to a county with a population over 4,000,000 to apply for certification to enforce commercial motor vehicle safety standards.</p> <p>SB 323 will allow the proper enforcement of safety standards along a major transportation corridor. SB 323 specifically applies to Waller County.</p>	<p><u>Favorable</u></p>
<p>SB 1418</p> <p>By: LaMantia</p> <p>Sponsor: Lopez, Janie Raney Guillen Button</p>	<p>Relating to the route designation for the issuance of a permit for the movement of oversize and overweight vehicles in certain counties.</p>	<p>Transportation</p> <p>12 Ayes, 0 Nays, 0 PNV, 1 Absent</p>	<p>On the Mexican side of the Los Indios bridge, cartel activity has diverted cargo vehicles away from the Free Trade International Bridge. Truckers are now using alternative routes not designated for overweight vehicles, which could lead to time and efficiency losses for the trucking industry.</p> <p>Overweight corridors are designed highways equipped with the necessary infrastructure and resources to handle heavy loads and ensure goods' safe and efficient transport. Port authorities issue permits for overweight trucks, and fees are collected from the cargo companies for highway maintenance and operations on designated overweight corridors.</p> <p>HB 1888 establishes two new corridors specifically for overweight trucks in consultation with The Harlingen Port Authority. It allows for additional routes to be added by the Texas Transportation Commission's rulemaking process. For permits issued by a port authority located in a county that borders Mexico, the Texas Transportation Commission must, with the consent of the port authority, designate the most direct route for overweight vehicles. This provision helps ensure that the designated overweight corridors are efficient and cost-effective for cargo companies.</p> <p>HB 1888 aims to increase designated overweight corridors, improve transport efficiency for cargo companies, and stimulate economic growth and development in Texas with these measures.</p>	<p><u>Favorable</u></p>
<p>SB 1471</p> <p>By: Bettencourt</p> <p>Sponsor: Noble </p>	<p>Relating to access by the Texas Education Agency and private schools to certain criminal history records.</p>	<p>Public Education</p> <p>8 Ayes, 0 Nays, 0 PNV, 5 Absent</p>	<p>The Texas Education Agency mandates fingerprinting background checks for all employees and contractors in public schools, in order to obtain national criminal history record information. Private schools lack the same access to such criminal history record information. SB 1471 grants eligibility to specific private schools for accessing criminal background information for employees or job applicants.</p> <p>The bill authorizes a qualified private school to obtain state criminal history record information that relates to an employee or an applicant for employment. Qualified private schools must offer instruction from prekindergarten</p>	<p><u>Favorable</u></p>

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<p>Walle Wilson</p>			<p>to grade 12, be accredited by an organization recognized by the Texas Education Agency or the Texas Private School Accreditation Commission, and be determined eligible by the DPS under the National Child Protection Act of 1993. Any criminal history record information obtained by a qualified private school, whether in its original or subsequent form, cannot be disclosed to anyone except the individual who is the subject of the information. Additionally, it is not subject to disclosure under state public information law and the school is required to destroy the information once it has been utilized for its authorized purpose. The bill authorizes qualified private schools to obtain criminal history record information from the FBI identification division, following relevant statutory provisions and explicitly prohibits the information to be released or disclosed, unless mandated by a court order.</p> <p>A qualified private school may require employees or job applicants to agree to a national criminal history record information review before employment. Before or immediately after hiring the person, the school may submit or require the person to submit the necessary information to DPS for obtaining national criminal history record information. Once the information is received, DPS must obtain the person’s national criminal history record information and report the results through the criminal history clearinghouse. The school is authorized to charge the person for any fees incurred throughout this process.</p> <p>If a school requires a person to agree to a national criminal history record information review, the school must give the name of the person and the information submitted to DPS to the Texas Education Agency (TEA), which TEA must then use to facilitate the submission of the information to DPS in order to grant the school access to the person’s criminal history record information. By granting access to employee or applicant criminal background information, SB 1471 would promote the safety of private schools students.</p>	
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