Texas Legislative Study Group

An Official Caucus of the Texas House of Representatives

Part 1 of 2

LSG Floor Report For POSTPONED BUSINESS until 10 AM – Monday, May 22, 2023				
SB 1418 By: LaMantia Sponsor: Lopez, Janie | Raney | Guillen | Button	Relating to the route designation for the issuance of a permit for the movement of oversize and overweight vehicles in certain counties.	Transportation 12 Ayes, 0 Nays, 0 PNV, 1 Absent	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. 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. 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. 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.	**Favorable**
LSG Floor Report For Major State Calendar – Monday, May 22, 2023				
SB 29 By: Birdwell Sponsor: Lozano	Relating to prohibited governmental entity implementation or enforcement of a vaccine mandate, mask requirement, or private business or	State Affairs 9 Ayes, 3 Nays, 0 PNV, 1 Absent	Per a New York Time report, the completion rate for initial COVID-19 vaccines is 63%, whereas the rate for COVID-19 boosters is only 11%. While the COVID-19 pandemic global emergency has improved, data from March 2023 demonstrate that there were 731 new COVID-19 cases and 11 deaths daily. While the number of deaths from COVID-19 has decreased significantly, it remains in the hundreds. SB 29 would prohibit the state, a local governmental entity, an open-enrollment charter school, or an agency of the state or local governmental entity from implementing, ordering, or imposing particular mandates to prevent the spread of COVID-19. These entities could not have mandates to require a person to wear a mask or face	**Unfavorable**

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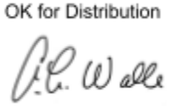

	school closure to prevent the spread of COVID-19.		covering, to be vaccinated against COVID-19 as permitted under applicable federal regulations, or require the closure of a private business, public or private school, or open-enrollment charter school. SB 29 provides an exemption from the prohibition of a mask mandate for: • state-supported living centers, whose limitations are subject to applicable rules or guidance prescribed by the Health and Human Services Commission; • facilities operated by the Texas Department of Criminal Justice or the Texas Juvenile Justice Department, municipal or county jails, whose limitations are subject to applicable rules or guidance prescribed by the Commission on Jail Standards; and • hospitals or other healthcare facilities owned by a governmental entity, including those owned by a higher education institution, whose limitations are subject to applicable orders, ordinances, or guidance prescribed by the governmental entity. A primary concern about SB 29 is the restriction of local control and flexibility in responding to an ongoing public health issue. Imposing restrictions on specific local COVID-19 safety measures hinders a local community's ability to respond to their unique needs and circumstances. Further, it applies a statewide blanket response to various communities that may still require these mandates. SB 29 hinders public health responses, widens health disparities, and curtails local control to restrict lifesaving responses implemented to protect the lives of Texans.	
SB 7 By: Schwertner | King Sponsor: Hunter	Relating to the reliability of the ERCOT power grid.	State Affairs 13 Ayes, 0 Nays, 0 PNV, 0 Absent	SB 7 includes two main components. First, it requires the PUC to develop a new ancillary service product, called the dispatchable reliability reserve service (DRRS). Second, it creates new constraints regarding the implementation of the Performance Credit Mechanism (PCM). ***DRRS*** Ancillary services are intended to increase reliability and support the transmission of electricity from generation sites to customer loads. Under SB 7, the PUC-would procure DRRS on a day-ahead and real-time basis to account for market uncertainty to meet operational needs on a given day. As such, ERCOT is charged with determining the necessary quantity of services based on past variations in generation availability, season, and targeted reliability standards. ERCOT also must develop participation criteria and plan to reduce reliability unit commitment by the amount of procured DRRS. SB 7 provides a deadline of December 2024 in which ERCOT must complete these provisions. Notably, the DRRS as proposed does not include the participation of all resources that can meet the reliability requirements such as storage and demand response. ***PCM Guardrails***	**<u>Unfavorable</u>**

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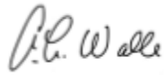

			Regarding the PCM, the Public Utility Commission (PUC), along with its consultant E3, evaluated the Electric Reliability Council of Texas (ERCOT) wholesale market design during the interim to enhance grid reliability after devastating issues illuminated by Winter Storm Uri. Upon review, PUC adopted the Performance Credit Mechanism (PCM), one of several options recommended by E3, to improve grid reliability during times of energy scarcity by incentivizing development of dispatchable energy resources such as natural gas, nuclear, and coal power plants, as well as batteries. Dispatchable energy is a significant aspect of the PCM. SB 7 attempts to provide guidance on the implementation of the PCM program. SB 7 mandates PUC to require ERCOT to meet several benchmarks before developing and implementing the PCM.The PCM would apply to electric power generation resources that enter into a signed generator interconnection agreement after January 1, 2026. It would be evaluated by the independent market monitor (IMM) and allow entities to meet performance requirements through on-site or off-site resources. Penalties and financial incentives would be established for compliance and non-compliance, respectively. Battery energy storage resources are exempted from the generation performance requirements. SB 7 provides an expedited timeline in which PUC and the IMM must implement these provisions. Under SB 7, before the PCM is implemented, ERCOT and the IMM must complete an updated assessment evaluating the cost and effects of the PCM. ERCOT must also begin the implementation of real-time co-optimization of energy and ancillary services in the ERCOT wholesale market. Furthermore, PUC is also prohibited from implementing the PCM without establishing essential features through rules informed by an updated implementation assessment. SB 7 specifies the requisite features as central procurement of credits, participation limited to dispatchable resources, limitations on credit amounts, requirements for real-time performance during intervals of low supply and high demand, penalty structures, investigation authority for market manipulation, cost allocation, collateral requirements, and removal of temporary market changes within one year of program implementation. Most notably, SB 7 mandates that PUC and ERCOT ensure the net cost of program credits offered through the PCM does not exceed $1 billion annually. This cost cap is a guard rail that is intended to keep the PCM's cost within a specified limit to prevent financial burdens on consumers and the market. However, the cost cap has the capacity to limit investment in new generation facilities because investors know there is a ceiling on their possible	

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			return on investment. Consequently, this provision could be counterproductive to the reliability and investment goals, irrevocably knee-capping the PCM program. Lastly, SB 7 requires the PUC to file a report with the legislature that includes the estimated annual costs incurred by dispatchable and non-dispatchable generation, the cost of interconnecting loads, and recommendations to the legislature to preserve existing dispatchable generation and incentivize the construction of new generation. ***Concerns*** There are serious concerns that SB 7's $1 billion hard cost cap, a major function of the bill, undermines the entire PCM market design and jeopardizes reliability. The PUC voted unanimously to implement the PCM. While implementing guardrails is reasonable, poison pills clothed as guardrails will make reliability impossible and the PCM useless. ERCOT's analysis shows that the cost cap guardrail under SB 7 would put us on a pathway of a loss of load event every single year. The industry standard goal is once every ten years. Lastly, by reducing revenues from the PCM, SB 7 may lead to the faster retirement of existing generation, which could mean fewer dispatchable resources when we need them most. SB 7's cost cap could effectively set the PCM redesign up for failure. There are also concerns with the cost allocation framework to firm the grid with DRRS. Like any ancillary service, DRRS is intended to firm up dispatchable energy when intermittent, renewable energy is not expected to perform (a typical solar or wind farm can only generate electricity when the sun shines or the wind blows). However, how it does so shifts the cost burden from industrial customers to residential and small commercial customers. Additionally, it is designed to be punitive towards renewable energy, which could cause renewable projects to stop building in Texas and drive up costs. This would also reduce resource diversity which is vital for lowering wholesale electricity costs and maintaining reliability. SB 7 should be technology neutral to allow for the participation of all energy sources. The cost of implementing DRRS is also concerning. A report by Bates White Economic Consulting priced the DRRS at $1.7 billion annually. However, the report did not account for the scarcity created in the market due to the additional procurement of 9.5 GW of ancillary products. IdeaSmiths LLC, retained by Consumer Fund of Texas, analyzed the overall cost and market implications of SB 7 and determined that the DRRS product would cost about $4 billion per year.	

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			Overall, SB 7 increases costs to consumers without a proportional benefit to grid reliability.	
SB 2627 By: Schwertner Sponsor: Hunter	Relating to funding mechanisms to support the construction and operation of electric facilities.	State Affairs 13 Ayes, 0 Nays, 0 PNV, 0 Absent	SB 2627, known as the Powering Texas Forward Act, creates a taxpayer-funded low-interest loan program for companies that pledge to build or upgrade dispatchable electric generation facilities, i.e. natural gas or coal plants. The bill also establishes a completion bonus for the new construction of dispatchable electric generation facilities SB 2627 is another measure that aims to further improve grid reliability in response to issues exposed by Winter Storm Uri in 2021. SB 2627 includes several key aspects aimed at supporting the construction and operation of dispatchable electric generation facilities in Texas. First, SB 2627 establishes the Texas Energy Fund, a dedicated fund separate from the general revenue fund administered by the Public Utility Commission and held by the Texas Treasury Safekeeping Trust Company ("The Trust Company"). It serves as a financial mechanism to provide loans and grants to upgrade and build dispatchable generation facilities within ERCOT. Dispatchable fuel resources include nuclear, coal, and natural gas. In contrast, a typical solar or wind farm can only generate electricity when the sun shines or the wind blows, and so are known as non-dispatchable or intermittent energy sources. SB 2627 outlines certain conditions that must be met to obtain a construction loan, such as the loan not exceeding 60% of the project's estimated cost and the facility generating at least 100 megawatts. Furthermore, PUC must evaluate loan applications based on an array of factors such as service quality, operational efficiency, creditworthiness, and others. Loans provided have a 20-year term with an interest rate of 2% and loan recipients must deposit 3% of the project cost in an escrow account, with withdrawal conditions tied to project completion timelines.The fund's resources consist of appropriations, dedicated revenues, investment earnings, and donations, ensuring a sustainable source of funding. Second, SB 2627 establishes completion bonus grants that can be awarded by PUC from the aforementioned fund for constructing dispatchable power generation facilities in the ERCOT region that provide a minimum of 100 megawatts within a specified timeframe. PUC must consider factors such as service quality and operational efficiency when evaluating grant applications. Additionally, SB 2627 caps each grant award to $100,000 per megawatt of provided capacity and ends the program in September 2029. Electric energy storage facilities would be ineligible for a completion bonus grant. Third, SB 2627 creates the Texas Energy Fund Advisory Committee composed of members of the legislature appointed by the Lieutenant Governor and Speaker of the House. The advisory committee is tasked with conducting public meetings, providing recommendations for fund usage, and performing biennial reviews of the fund's operations.	**<u>Unfavorable</u>**

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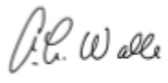

			Regarding the loans and grants, SB 2627 outlines specific guardrails and management provisions for disbursement and the entities charged with disbursing funding. Most notable is that facilities that primarily serve industrial or private networks are not eligible. In an effort to prevent oversubscription, if PUC has more than four pending loan applications at one time the total loan awarded cannot exceed 25% of the fund's current balance. Until the end of 2026, loans and grants can only use a maximum of 80% and 20% respectively, of the funds available as of December 2023. SB 2627 requires the Trust Company to consider liquidity needs of the fund and manage and invest the fund as such. Management expenses are paid out of the fund but the Trust must annually report the investment status to PUC and the advisory committee established under SB 2627. Finally, the bill outlines the procedure in case of a loan default which is critical considering the use of taxpayer funds to administer loans and grants. Finally, SB 2627 requires facilities receiving loans and grants under the bill's provisions be prioritized by PUC for interconnection approval within 90 days. PUC must also process and disburse all funds for approved applicants by December 2026. ***Concerns*** SB 2627 strives to provide a pathway to financially support expansion and reliability of electric infrastructure. However, there are serious concerns regarding the lack of technological neutrality, singular focus on dispatchable energy resources, and exclusion of energy efficiency initiatives. During Winter Storm Uri, every kind of power generation fell short, including natural gas and coal power plants. In fact, significantly more natural gas and coal went offline than renewables (since they were responsible for more production during the storm). Simply put, it does not make sense to pinpoint any one generation source for criticism, or conversely, as a fix all. SB 2627 looks to incentivize coal and natural gas over other energy sources. The main issue with SB 2627 is how incentivizing natural gas and coal plants distorts the free market. Critics of the bill argue that financing new plants is not a barrier to entry for dispatchable energy generation companies, the lack of revenue streams are; the oil and gas industry is no longer as profitable and financially stable as it long was. Renewable power is getting cheaper and more abundant, eating into fossil fuels' market share. Furthermore, there are concerns that taxpayers would be on the hook for any loans defaulted on by dispatchable energy generation companies. Lastly, more natural gas facilities does not necessarily mean more reliable electricity if pipes or wells freeze during a similar winter storm. There are no safeguards in SB 2627 to account for this.	

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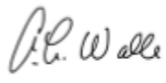

SB 18 By: Creighton | Campbell | Flores | King | Kolkhorst | Middleton | Parker | Paxton | Schwertner | Sparks | Springer Sponsor: Kuempel	Relating to the tenure and employment of faculty members at certain public institutions of higher education.	Higher Education 6 Ayes, 5 Nays, 0 PNV, 0 Absent	Last 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. 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. 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. 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.	**<u>Unfavorable</u>**

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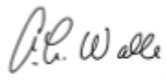

			Concerns SB 18 would harm Texas universities. Texas would lose talented faculty, both current and prospective, to universities outside the state that provide tenure and discourage conducting research that could be viewed as controversial, ultimately discouraging free speech. Tenure is the privilege of 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. 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. 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. 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.	
LSG Floor Report For Constitutional Amendments Calendar – Monday, May 22, 2023				
SJR 81 By: Birdwell | Creighton | Eckhardt |	Proposing a constitutional amendment providing for the creation of funds to	Higher Education 9 Ayes, 0 Nays,	Historically, the Texas State Technical College and the Lamar State Colleges in Port Arthur and Orange have faced a lack of sufficient funding, hindering both the strategic growth of the colleges and their ability to provide highly skilled workers to the Texas economy. SJR 81 seeks to address the growing skills gap in Texas and place more Texans in high-paying jobs by creating a reliable source of capital funding for these institutions to expand technical training.	**Favorable**

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Flores | King | LaMantia | Perry | Schwertner | Sparks Sponsor: Wilson | Kuempel | Manuel | DeAyala | VanDeaver	support the capital needs of educational programs offered by the Texas State Technical College System and certain component institutions of the Texas State University System and repealing the limitation on the allocation to the Texas State Technical College System and its campuses of the annual appropriation of certain constitutionally dedicated funding for public institutions of higher education.	0 PNV, 2 Absent	SJR 81 amends the Texas Constitution to create a permanent fund and an available fund for the instruction in manufacturing and technical workforce operations. The resolution appropriates $1.5 billion from the general revenue fund to the comptroller of public accounts by January 1, 2024 for the immediate deposit into the permanent fund. These funds would be specifically designated to provide dedicated funding for capital projects and equipment purchases related to educational programs offered by the Texas and the following entities within the Texas State University system: the Lamar Institution of Technology, and the Lamar State Colleges located in Orange and Port Arthur. An institution of higher education created as a part of or added to the system on or after January 1, 2024 may be added to the resolution's provisions by a majority vote of the legislature. The permanent fund consists of money appropriated by law, interest earnings from investments, and gifts, grants, or donations. The available fund consists of money distributed from the permanent fund, appropriated funds by law, interest or earnings from invested money, and gifts, grants, and donations. The comptroller of public accounts, the board of regents for the Texas State Technical System, or the board of regents for the Texas State University system have the authority to create accounts within the available fund for effective administration and payment of authorized projects. The comptroller of public accounts is responsible for the permanent fund. In managing the fund's assets, the comptroller has the authority to acquire, exchange, sell, supervise, and manage investments that align with the fund's purpose, terms, and distribution requirements. The investments are evaluated in the context of the entire fund, not individually. Any managerial expenses are covered by the fund itself. The comptroller of public accounts determines the annual distribution amount from the permanent fund to the available fund. This amount is calculated to ensure a stable and predictable stream of yearly distributions while preserving the purchasing power of the permanent fund over a 10-year period. The distribution amount cannot exceed 5.5 percent of the fair market value of the investment assets of the permanent fund, as determined by the comptroller. Upon request from the Texas State Technical College board of regents or the Texas State University system board of regents, the comptroller must distribute an amount from the permanent fund to the available fund, provided it does not exceed the determined available amount for that state fiscal year. SJR 81 allocates a 50% appropriation from the distribution of the permanent fund to the available fund for each of those two systems. This money may be used for the following purposes: acquiring land; constructing, equipping, or repairing buildings; acquiring capital equipment, including instructional, augmented reality, or heavy industrial equipment; vehicles; acquiring library material; payment of the principal and interest due on the bonds and notes issued by the respective board of regents to finance permanent improvements as authorized by other law; and any other purpose authorized by general law. The money allocated from the available fund cannot be used for buildings or other permanent improvements intended for intercollegiate athletics or auxiliary enterprises.	

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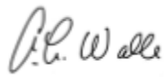

			SJR 81 establishes that funds in the permanent fund and available fund are considered constitutionally dedicated. Appropriations of state tax revenues for depositing into these funds are treated as appropriations of constitutionally dedicated revenues. In the event of a merger, dissolution, or elimination of a referenced board of regents, higher education system, institution of higher education, or state office, the rights, benefits, funding, duties, and obligations are transferred to its successor. SJR 81 repeals Section 17(d-1), Article VII, Texas Constitution, which caps the amount of the annual appropriation of constitutionally dedicated funding for not supported by the available university fund that may be allocated to the Texas State Technical College system and its campuses each fiscal year at 2.2 percent of the total appropriation. Establishing SJR 81 would give these institutions the needed funding for expansion and access to training facilities in order to produce the skilled workforce Texas needs.	
SJR 93 By: Schwertner Sponsor: Hunter	Proposing a constitutional amendment providing for the creation of the Texas energy fund to support the construction, maintenance, modernization, and operation of electric generating facilities.	State Affairs 13 Ayes, 0 Nays, 0 PNV, 0 Absent	SJR 93 establishes the Texas Energy Fund enabled by SB 2627. Texans will have the opportunity to approve or reject the constitutional amendment creating the Texas Energy Fund to incentivize the construction of dispatchable energy resources, i.e. natural gas and coal plants.	**Unfavorable**
LSG Floor Report For General State Calendar – Monday, May 22, 2023				
SB 1070 By: Hughes Sponsor: Jetton | Leo-Wilson | Allison | Murr	Relating to the interstate voter registration crosscheck program.	Elections 5 Ayes, 4 Nays, 0 PNV, 0 Absent	In a 2020 bipartisan effort, Texas became the 30th state to join the Electronic Registration Information Center (ERIC) to increase voter participation and improve the accuracy of voter rolls. ERIC is governed and managed by the member states and was formed in 2012 with assistance from The Pew Charitable Trusts. Participation in ERIC helps member states in identifying and conducting outreach to eligible but unregistered voters to encourage them to register to vote. The program also helps the state clean voter rolls by identifying voters who have moved within Texas, voters who have moved out of Texas, voters who have died, and voters with duplicate registrations in Texas. Since then, former President Donald Trump and conservative activists have sprouted unfounded claims and conspiracy theories accusing ERIC of pursuing a left-wing agenda and sharing personal data with unauthorized parties, urging states to withdraw from the compact. Five states have followed suit and left the compact since January 2022. SB 1070 allows the SOS to identify and contract with a third-party private company for the development of a voter registration crosscheck program with the cooperation of other states. The new system would collect and	**Unfavorable**

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			share data on voter address changes, registration status, and whether someone is deceased or not eligible to vote for some reason, including a felony conviction. The private company must demonstrate the ability to work with voter identification and matching systems. Additionally, the SOS is not allowed to provide any information to the private company that is not found in the voter roll and is not necessary for identifying voters. SB 1070 also requires the SOS to maintain records related to the new voter crosscheck system and submit quarterly reports to the Legislature regarding its operations. The initial cost to "begin operations" with the system is capped at $100,000, and the ongoing operational cost should not exceed one dollar for each identified voter. However, the fiscal note shows that the SOS receives $750,000 per year for participation in the ERIC program, and it is presumed that any enrollment in a potential successor system would have similar costs and could be accomplished with existing resources. SB 1070 aims to create a voter crosscheck system from scratch based on misinformation rather than continuing the use of a working system, ERIC. Withdrawing from the interstate program decreases available voter data and weakens the state's efforts to keep voter rolls clean and prevent illegal voting. Even with recent withdrawals of Republican-led states, Florida, Missouri, and West Virginia ERIC still has agreements with 31 states and Washington, D.C. Having as many states as possible in the compact is advantageous to prevent individuals from registering in multiple states. Creating an entirely new system that aims to do the same thing as the existing one but with less state cooperation is a waste of time and resources. Additionally, there are concerns about the lack of information or guardrails regarding vendor choice. For example, it may be prudent to require the SOS, when hiring a 3rd party company, to ensure that the company does not earn most of its income from partisan candidates and organizations involved in partisan campaigns. Lastly, SB 1070 insinuates the state's impending exit from the ERIC interstate voter program without explicitly mandating it without any reason for doing so. ERIC has been doing its job. ERIC data from June 2022 helped Texas identify 100,000 in-state duplicate voters and another 100,000 duplicates of people who moved in or out of state. Overall, SB 1070 would significantly undermine efforts to maintain clean voter rolls and reduce instances of illegal voting.	
SB 1750 By: Bettencourt Sponsor: Cain | Schofield | DeAyala | Swanson | Harless	Relating to abolishing the county elections administrator position in certain counties.	Elections 5 Ayes, 4 Nays, 0 PNV, 0 Absent	SB 1750 abolishes the Harris County election administrator and transfers all duties to the county tax assessor-collector. ***Abolishing the Harris County Elections Administrator*** Since the 1980's Texas law has allowed an elected county commissioners court to create the position of county elections administrator. SB 1750 abolishes a county elections administrator of a county with a population of more than 3.5 million — which only applies to Harris County — and transfers its powers and duties to the county tax assessor-collector and county clerk by September 1, 2023. The county tax assessor-collector shall serve as the voter registrar, and the duties and functions of the county clerk performed by the administrator revert to the county clerk. SB 1750 stipulates that only counties with less than 3.5 million may create the position of county elections administrator.	**<u>Unfavorable</u>**

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			Impact While it may work in smaller counties for the county tax-assessor collector to register voters and conduct elections, along with its other duties — including calculating and collecting property tax rates, issuing vehicle registration and licenses, and more — this may not work in large counties. Harris County, in particular, faces unique challenges, with over 2.5 million registered voters spread out across the 1778 mi² of the county, that may necessitate a professional elections administrator. Moreover, the elected county commissioners court has already determined that. Based on geography and population alone, major Harris County elections are among the most complex and logistically challenging to administer in the state and nationwide. As the third most populous county in the country, there are no other counties in Texas that compare to Harris County. Nor are there fully apt comparisons nationwide, the remaining top five most populated counties that also have sizable geographies— Los Angeles County (CA), Cook County (IL), Maricopa County (AZ), and San Diego County (CA)— are in states that also allow online voter registration, no-excuse vote by mail, and other modern election practices that facilitate the efficient and secure administration of voter-accessible elections. Other factors add to the challenges of running elections in Harris County, which routinely has one of the longest ballots in the country, administers elections in four languages, and must utilize the state's antiquated voter registration system. The compounding effects of these challenges have been evident for well over a decade. Under the leadership of both parties, Harris County has experienced equipment malfunctions, multiple lawsuits, late openings, long lines, delayed reporting, voter registration problems, and a failure to systematically modernize its election infrastructure until now. Harris County's transition to an Elections Administrator in 2021 began the process of modernizing and professionalizing its elections operations with limited resources, the existing challenges identified above, and new challenges after the implementation of SB 1, passed during the 87th Legislature's second called session. In Texas, county officials carry out the rubber-meets-the-road functions of running an election. An elected county commissioners court should have the option to, as it has since the 1980s, use the professional services of an elections administrator, especially in counties with large populations. The Harris County Elections Administrator's Office is making progress and improvements to Harris County elections procedures. Abolishing the role and transferring its responsibilities will not only impede this progress, SB 1750 offers no guarantee that this change will improve the quality of elections or accountability to voters. If anything, with increased duties and large populations, the tax assessor may inadvertently be less responsive and unable to perform essential duties.	
SB 1933	Relating to certain oversight procedures of the state over	Elections 5 Ayes,	Although the state and federal government have a role in administering elections, county officials typically conduct most of the election process. SB 1933 seeks to interfere and usurp county election administration.	**<u>Unfavorable</u>**

OK for Distribution

By: Bettencourt Sponsor: Oliverson	county elections.	4 Nays, 0 PNV, 0 Absent	***Administrative Oversight of Elections*** The bill authorizes the implementation of "administrative oversight" of a county election if an administrative complaint is filed with the SOS and the SOS, after conducting an investigation, has good cause to believe that there is a recurring pattern of problems with election administration or voter registration in the county, such as: ● malfunction of voting system equipment that prevents the casting of a vote; ● carelessness or misconduct in the distribution of election supplies; ● errors in tabulation of results that would have affected the outcome; ● violations of the requirement for timely delivery of the precinct election records to appropriate authorities, ● delays in reporting election returns; ● discovery of voted ballots not counted after a canvass of an election; and ● failure to conduct maintenance activities on the lists of registered voters as required under this code. ***Investigations by the SOS*** No later than 30 days after the SOS receives an election complaint, SB 1933 requires the SOS to provide notice to the applicable county election official with the specific allegations outlined. The county election official has 30 days to respond to the complaint. If the complaint is about an election for which in-person voting has begun and the final canvas has not been completed, the county election official must provide a response within 72 hours. If the SOS decides to conduct an investigation, they must notify the county beforehand and provide a report on the findings to the county election official and the person who filed the initial complaint. ***SOS Oversight of County Elections*** SB 1933 gives the SOS the authority to conduct in-person observations of election preparation, early voting, election day, and post-election day procedures. It also grants the SOS the power to approve and review any policies or procedures regarding the administration of elections issued by the county. If the SOS determines administrative oversight is necessary after a complaint investigation, the SOS must provide written notice to the county election official with authority over election administration or voter registration. The SOS must provide the county election commission and county attorney with a quarterly report on the activities of the administrative oversight personnel. Administrative oversight will continue until December 31 of the first even-numbered year following the initial complaint, or when the SOS determines the problems are remedies, whichever is earlier. After this, if the SOS determines the issues are not rectified, the SOS may file a petition to remove the applicable county officer with authority over election administration or voter registration, or enter a written order to the appropriate authority to terminate the county's elections administrator. ***Election Audits*** After the uniform election date in November of an even-numbered year, the Secretary of State (SOS) must	

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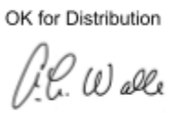

			conduct randomized audits of the elections held in four counties during the previous two years — two counties with populations less than 300,000 and two counties with 300,000 or more. SB 1933 requires the SOS to complete an additional audit on a random county less than 300,000 if the SOS completes the four audits currently required by law before the end of the two-year period. An additional audit for no apparent reason is unnecessary. Randomized audits are employed as an efficiency mechanism because the costs associated with auditing all 254 counties is not worth the benefit. SB 1933 will only further burden the SOS. ***Concerns*** SB 1933 undermines the autonomy of local communities and restricts the freedom of local officials to make decisions that best suit their areas, effectively promoting state control over local elections. The bill's threshold for administrative oversight is extremely low. Anyone, including persons outside the county, could make a complaint that could result in an investigation. The bill does not outline how the SOS determines administrative oversight is necessary, as terms like "good cause" or "recurring pattern" are left undefined. As a consequence, even minor issues such as a machine malfunction could lead to the SOS, a state appointed position, petitioning for the removal of an elected official. Additionally, SB 1933 grants to the SOS the power to impose a form of pre-clearance over county election changes. This means that a governor appointee would seemingly have the authority to veto any change to elections made by any agency or official in county government, including the commissioner's court. In summary, SB 1933 enables government interference in county elections and imposes a standardized approach to election administration, disregarding local variations and needs.	
SB 186 By: Miles Sponsor: Rose	Relating to the prohibited discharge of a patient to certain unlicensed or unpermitted group-centered facilities.	Human Services 6 Ayes, 0 Nays, 0 PNV, 3 Absent	Due to inadequate regulation, vulnerable Texans are often subjected to unregulated group homes and boarding facilities, some run by operators who exploit their position, leading to neglect, injury, and alleged sexual abuse. This issue is exacerbated as many hospitals directly discharge patients to these facilities. An estimated 140 unregulated facilities operate in Harris County alone, indicating a widespread problem. SB 186 seeks to address this issue by requiring hospitals or other healthcare facilities to release patients only to licensed or permitted group homes, boarding home facilities, or similar facilities. It provides exceptions, allowing patients to be discharged to unlicensed facilities when no licensed alternatives are available in the patient's county or if a patient voluntarily chooses such an option. In these instances, SB 186 shields discharging hospitals or health facilities from liability for any potential harm to the patient. The bill also prohibits local health authorities from issuing orders that conflict with its provisions.	**Favorable**

OK for Distribution

			SB 186 aims to safeguard vulnerable Texans from potential exploitation within group homes and boarding facilities.	
SB 189 By: Miles Sponsor: Rose	Relating to the creation of a criminal offense concerning the failure of certain persons to report abuse, neglect, or exploitation in boarding home facilities.	Human Services 6 Ayes, 0 Nays, 0 PNV, 3 Absent	There have been reports and investigations revealing abuse, neglect, exploitation and poor living conditions in boarding homes. These reports also revealed that the property owners of these boarding homes were aware of these situations and not did not report or resolve issues. SB 189 aims to hold these property owners accountable. SB 189 establishes that if a person owns a building and leases it to someone who operates a boarding home facility, they must report any knowledge or awareness of abuse, neglect, or exploitation of a resident within that facility to the Department of Family and Protective Services (DFPS). Failure to report such incidents will be considered a Class A misdemeanor. Property owners who accept the insufficient care, overcrowded accommodations, and unacceptable living conditions should be held liable and potentially face legal charges for their inaction. SB 189 aims to protect vulnerable Texans by ensuring neglectful property owners are held accountable.	**Favorable**
SB 643 By: Zaffrini Sponsor: Thompson, Senfronia	Relating to the conduct of charitable bingo.	Licensing & Administrative Procedures 7 Ayes, 3 Nays, 0 PNV, 1 Absent	SB 643 amends several provisions pertaining to bingo licensing and operations, developed in consultation with the Texas Lottery Commission (TLC): ***Temporary Licenses*** Under these new provisions, organizations with a commission-issued bingo license can now obtain up to 48 temporary licenses in a year, twice the previous limit. However, any unused temporary licenses will expire on the anniversary of their issuance. It is mandatory for license holders to inform the TLC about the precise details of the bingo occasion, including date, time, and location, before utilizing the temporary license. TLC must verify this notification, and the organization is required to keep a record of it. It's important to note that this notification requirement does not apply to temporary licenses issued to regular license holders. ***License Issuance and Renewal*** SB 643 establishes the criteria for issuing temporary or regular licenses and renewing licenses for bingo operations. These criteria include designating active members responsible for conducting bingo, complying with relevant regulations, showing progress in achieving organizational goals, and ensuring that individuals with gambling offenses or criminal fraud convictions are not involved. ***Notification and Record-Keeping*** Under SB 643, TLC is required to inform the governing body and law enforcement agency about the issuance of licenses. The governing body must receive copies of the licenses for central filing, and a written notice of license issuance should be provided to the police department or sheriff's office within ten days. The bill also outlines the process for renewing licenses after expiration, which involves submitting renewal applications and paying the required fees.	**Favorable**

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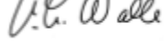

			Licensing Requirements and Restrictions SB 643 modifies several licensing requirements, renewal procedures, and restrictions on premises providers. It encompasses various aspects such as admission charges, the number of bingo occasions, prize limits, and value restrictions. A written notice is required for license issuance to law enforcement, an increase in the maximum aggregate prize values allowed from $2,500 to $5,000, and limitations on premises providers to licensed commercial lessors or temporary license holders. ***Reporting and Financial Obligations*** Licensed authorized organizations conducting bingo must deposit funds generated from bingo activities, excluding cash prizes, into a specific bingo account within three business days of the event. Members of a unit share joint and several liabilities for complying with commission rules and paying penalties. The bill emphasizes that organization income cannot be distributed to members, offices, or the governing body, except as reasonable compensation for their services. ***Fee Distribution*** Licensed organizations conducting bingo games must remit a portion of the collected prize fee to the commission and the remaining portion to the county or municipality hosting the game. The bill modifies the distribution of fees for locations where the prize fee was imposed before November 1, 2019, depending on whether the location is within a municipality that voted before that date or not. Delinquent fees can be collected within a three-year period. ***Security and Duties*** License holders are required to provide security to the commission as a guarantee for paying fees related to prizes. Acceptable forms of security include cash bonds, surety company bonds, and certificates of deposit. The commission is reducible for overseeing the administration, collection, enforcement, and operation of the prize fee, as well as reconciling any fees owed to counties or municipalities. ***Conclusion*** SB 643 enhances bingo licensing, reporting, and fee collection procedures while addressing the responsibilities of licensed organizations and TLC. This allows charities more opportunities to conduct bingo, therefore impacting the communities and interests that they serve overall.	

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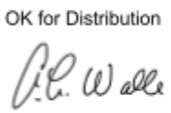

SB 2260 By: Blanco Sponsor: Rose	Relating to management review of certain investigations conducted by the Department of Family and Protective Services.	Human Services 6 Ayes, 0 Nays, 0 PNV, 3 Absent	Since 2005, there has been a requirement in place which mandates Adult Protective Services (APS) supervisors to review every repeat case referred to the agency; however, this requirement is no longer necessary due to the software, Risk of Recidivism Assessment (RORA), that has been in use since 2014. This software is used to track prior APS cases and determine whether individuals are at risk for future abuse or neglect. SB 2260 proposes the removal of the statutory requirement Access the Investigation in the Human Resources Code which mandates APS supervisors to review each repeat case received by the agency. The RORA software has taken care of this task for almost a decade, making SB 2260 a simple bill that streamlines the review process for efficiency within the agency.	**Favorable**
SB 187 By: Miles Sponsor: Reynolds	Relating to failure to report assault, neglect, or omission of care in certain group homes; creating a criminal offense.	Human Services 6 Ayes, 0 Nay, 0 PNV, 3 Absent	In Harris County, a boarding home was revealed to house almost 40 individuals in poor condition, with gaping wounds, apparent signs of neglect, and allegations of coerced sexual acts and prostitution. This launched an investigation exposing existing loopholes that allowed abuse and neglect. SB 187 aims to protect boarding home residents by creating a criminal offense for individuals who have reason to believe a group home resident sustained bodily injury due to assault, neglect, or omission in care and failed to report it. The bill defines "group home" as an establishment that provides, in one or more buildings, lodging to three or more residents who are unrelated by blood or marriage to the establishment's owner and that provides assistance but not personal care services as defined by the Assisted Living Facility Licensing Act. SB 187 establishes a jail felony offense for a person who has reasonable cause to believe that a resident of a group home has suffered bodily injury due to assault, neglect, or omission of care in certain group homes and fails to report it to law enforcement or the Department of Family and Protective Services (DFPS). SB 187 provides exemptions to this offense if the actor holds a certain care-related license, is exempt from licensing under certain provisions, or if the injury occurred in a location specified by the bill, like a hotel, retirement community, or a child-care facility. A concern about the bill is the severity of the offense due to its general applicability. The bill aims to reduce abuse or neglect in group homes by holding people responsible who fail to report these cases to DFPS, but there may be extenuating circumstances that deter them from reporting. If an amendment is introduced to lower the offense's severity to a Class A misdemeanor and specify the offense to actors who knew of the abuse or neglect, then SB 187 would be favorable.	**Favorable with Concerns**
SB 402 By: Whitmire Sponsor: Harless	Relating to the preference given by trial courts to hearings and trials for murder and capital murder offenses.	Criminal Jurisprudence 9 Ayes, 0 Nays, 0 PNV, 0 Absent	Recently, courts have been handling backlogs that delay hearings and trials for capital murder cases for years. These backlogs were exacerbated by the COVID-19 pandemic. In Harris County, 37% of their cases are over one year old. These delays can have dire consequences, including lost evidence, impaired prosecution, and lack of access to witnesses. SB 402 seeks to solve the issue of court backlogs by requiring courts to give preference to capital murder cases. SB 402 includes murder and capital murder among the offenses to which trial courts must give preference over	**Favorable**

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			other criminal actions when setting hearings and trials. This sort of preference is already authorized for other types of crimes, making SB 402 a simple expansion that is necessary to ensure the efficiency of the courts in these incredibly important cases.	
SB 386 By: Hall Sponsor: Harless | Cook	Relating to the prosecution of a capital murder committed against a peace officer or fireman.	Criminal Jurisprudence 8 Ayes, 0 Nays, 0 PNV, 1 Absent	Under current Texas law, there is no presumption in capital murder cases that the actor knew that a uniformed victim was performing their duties as a law enforcement officer when the murder occurred. This has led to situations in which an officer was murdered, and the actor held the defense that they were unaware that the victim was an officer and argued that there was not evidence to support a capital murder charge. SB 386 seeks to remedy this by establishing a presumption regarding uniformed officers under capital murder law. SB 386 establishes a presumption, for purposes of prosecuting capital murder cases, that an actor knows that the victim is a peace officer or fireman acting in line with their duties if they are wearing a badge or uniform. SB 386 will help to assist the prosecution in capital murder cases in which the victim was a uniformed officer.	**Favorable**
SB 338 By: Hinojosa Sponsor: Leach	Relating to the use of hypnotically induced statements in a criminal trial.	Criminal Jurisprudence 9 Ayes, 0 Nays, 0 PNV, 0 Absent	Beginning in the 1970's, Texas law enforcement has used investigative hypnosis to aid in investigations. This technique involves hypnotizing an individual in order to help them remember certain events. Concerns were eventually raised though, that this technique did not work and was likely to lead to law enforcement using false memories as evidence. Because of this, 27 states have banned the use of evidence derived from this practice in court. During the 87th legislature, Texas also moved toward making evidence gained by using this technique inadmissible in courts, but the bill was later vetoed by the Governor because it was too broad. SB 338 aims to exclude statements made during or after a hypnotic session from being used as evidence in criminal trials while addressing the Governor's concerns. SB 338 amends current code to exclude statements made during or after a hypnotic session, conducted by a law enforcement agency to enhance a person's memory of an event relevant to a criminal investigation, from being used as evidence in a criminal trial. This exclusion applies only to hypnotic sessions performed by law enforcement to investigate the specific offense being tried. The inadmissibility of these statements does not impact the admissibility of physical evidence or corroborating witness testimony. "Investigative hypnosis" refers to the law enforcement technique of using hypnosis to improve a witness's recall of legally relevant details, such as descriptions of individuals, conversations, and the environment. SB 338 will help ensure the fairness and accuracy of our justice system by ensuring that all evidence is reliable.	**Favorable**

OK for Distribution

SB 785 By: Birdwell Sponsor: Darby | Guerra | Morales, Eddie | Anchía	Relating to the ownership of and certain insurance policy provisions regarding the geothermal energy and associated resources below the surface of land.	Energy Resources 8 Ayes, 0 Nays, 0 PNV, 3 Absent	The current state statute does not sufficiently clarify the ownership of geothermal energy and its related resources. SB 785 aims to clarify that unless a specific binding agreement states otherwise, the geothermal energy and associated resources found beneath the surface of a piece of land are considered the landowner's property. If the surface rights and mineral rights of the land have been separated, then the surface rights owner holds ownership of the geothermal energy and associated resources. SB 785 establishes that, unless specified otherwise in legal documents, the landowner or the owner of surface rights (if separated from mineral rights) is considered the owner of geothermal energy and associated resources beneath the land's surface. These owners and their lessees, heirs, or assignees have the right to drill and extract these resources. SB 785 does not apply to minerals dissolved in groundwater or alter existing laws on oil, gas, mineral extraction, rights of dominant and servient estates, or groundwater ownership and use. In addition, SB 785 excludes what is considered a "by-product," including certain minerals, oil, gas, or a product of oil or gas as defined in specific state statutes. SB 785 exempts geothermal energy and associated resources from coverage in title insurance policies, similar to the exemption for a mineral estate. By providing legal clarity and promoting responsible development, SB 785 encourages investment in geothermal energy, fostering renewable energy growth and contributing to sustainable resource utilization.	**Favorable**
SB 694 By: Hughes Sponsor: Leach	Relating to liability of a religious organization or an employee or volunteer of a religious organization for security services provided to the organization.	Judiciary & Civil Jurisprudence 5 Ayes, 1 Nays, 0 PNV, 3 Absent	Currently, volunteers of charitable organizations have civil liability immunity. SB 694 aims to expand this immunity to security employees or volunteers of religious organizations to protect them from civil liability. SB 694 makes a religious organization or security personnel of a religious organization immune from civil liability for any act or omission by the security personnel resulting in death, damage, or injury if they were acting in the course and scope of the security personnel's employment or volunteer duties or functions, as applicable, to provide security services to the organization including an intentional act and an act involving possession or use of a firearm. SB 694 defines "religious organization" as a charitable organization that's primary purpose and function is religious and that does not engage in activities that would disqualify it from tax exemption status as a 501(c)(3). SB 694 "defines security personnel" as an individual that a religious organization hires to provide security services to the organization as an employee or who is a volunteer of a religious organization whose duties or functions include providing security services to the organization. SB 694 is concerning because it allows any hired or voluntary security personnel to be immune from civil liability when performing an intentional act that involves the use of the firearm. These security personnel may not be required to have any training or clearance to work or volunteer for a religious organization, which can potentially allow harm to those they are supposed to protect and could result in leaving a victim unable to file a lawsuit for death, damages, or injuries that occur as a result.	**Unfavorable**

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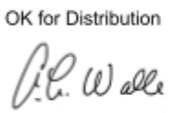

SB 477 By: Zaffirini Sponsor: Bucy	Relating to accommodating voters with a disability.	Elections 7 Ayes, 0 Nays, 0 PNV, 2 Absent	Over the past few sessions, Legislators have met with stakeholder groups such as the Coalition of Texans with Disabilities, Disability Rights Texas, and the Texas Council for Developmental Disabilities to discuss accessibility at the polls for voters with disabilities. SB 477 creates provisions related to the priority given to individuals with mobility problems that substantially impair their ability to move around when voting at polling places. SB 477 mandates an election officer to accept a person with a mobility problem that substantially impairs his or her ability to ambulate and who is offering to vote before accepting others who arrived before them. The bill requires a notice of the priority given to persons with mobility problems at each entrance to a polling place, on the secretary of state's website, the county clerk's website, and on each county website regarding elections. If a voter is physically unable to enter the early voting polling place without personal assistance or if entering the polling place would likely harm the voter's health, the clerk is required to deliver the balloting materials to the voter at the entrance or curb of the polling place. Under SB 477, each polling place must reserve an area for parking for voters that have a mobility disability that is at least the size of two parking spaces and it must be clearly marked with a sign indicating that it is for voters who are unable to enter the polling place. Additionally, the sign should display a telephone number in large, readable font that voters can call or text to request assistance from an election officer at the polling place.The polling place also has the option of providing the voter with a button or intercom that they can use to request assistance from an election officer instead of displaying the phone number. SB 477 also requires the early voting clerk to post the official application form for an early voting ballot on their website. The form should be in a format that allows individuals to easily complete the application directly on the website before printing. The early voting clerk also has the option to use either the application form provided by the secretary of state or their own application form. The secretary of state is responsible for maintaining a supply of official application forms for mail-in ballots. These forms must be furnished in reasonable quantities, free of charge, to individuals or organizations upon request for distribution to voters. The secretary of state must also provide a printable application for a mail-in ballot in a format that complies with the present statute to the early voting clerk for their use. SB 477 provides disabled individuals with convenient and necessary options to vote which, in turn, could mean more Texans are able to show up at the polls. There are thousands of Texans with disabilities and SB 477 could ensure they have the opportunity to vote without worry of accessibility or difficulty.	**<u>Favorable</u>**

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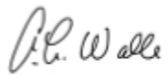

SB 987 By: Kolkhorst Sponsor: Gerdes	Relating to the reporting of certain information regarding the payment of state money to certain vendors and counties.	State Affairs 11 Ayes, 0 Nays, 0 PNV, 2 Absent	SB 987 revises the audit and reporting responsibilities of the Texas Comptroller of Public Accounts and the Department of State Health Services (DSHS). As such, the goal of SB 987 is to reduce the burden on the Comptroller's office, streamline reporting processes, and improve the timeliness and relevance of the information provided to lawmakers and stakeholders. SP 987 changes the frequency of the Comptroller's audit reports from biennial to annual, although reports are only required when a recovery audit has been completed in the preceding fiscal year. Additionally, the report recipients are expanded to include the Legislature, the Governor, the State Auditor's Office, and the Legislative Budget Board. Moreover, DSHS will now directly request information from counties about the taxable value and tax revenue to determine eligibility for state assistance under the Indigent Health Care and Treatment Act, a task previously performed by the Comptroller. SB 987 increases government efficiency, freeing up resources for other public services and accelerating the eligibility determination process for state assistance.	**Favorable**
SB 991 By: Hinojosa Sponsor: Leach	Relating to the establishment of a crime laboratory portal by the Department of Public Safety of the State of Texas and to disciplinary proceedings applicable to a crime laboratory or license holder investigated by the Texas Forensic Science Commission.	Homeland Security & Public Safety 8 Ayes, 0 Nay, 0 PNV, 0 Absent	Crime laboratory records are managed independently through a customized Laboratory Information Management System (LIMS) and other management systems. Prosecutors and defense attorneys access these records through the outdated paper-based discovery process. This system causes delays in court cases and increases the risk of human error when transferring information and evidence, potentially leading to acquittals, impeachment, or weakened evidence used in court. To address this issue, SB 991 proposes the creation of a central computerized laboratory portal by the Department of Public Safety (DPS) to streamline the request and transmission process. SB 991 requires DPS to establish and maintain a central computerized portal to facilitate the requesting and transfer of crime laboratory records for attorneys representing the state and for authorized parties to access records for discovery purposes. However, SB 991 may not be used as a central repository for crime laboratory records. Crime laboratories involved in forensic analysis for criminal cases must use the portal according to DPS's rules. Laboratories located outside of Texas or with insufficient forensic analyses for Texas criminal cases are exempt from participating in the portal. If a laboratory violates the requirements, the Texas Forensic Science Commission (FSC) may take disciplinary actions similar to those for accreditation violations. The bill also requires the state's attorney in a criminal case to ensure that the defendant or their attorney can access and request crime records from the laboratory portal. Furthermore, SB 991 expands the disciplinary actions that the FSC can take for accreditation violations, including professional negligence and the code of professional responsibility violations. The FSC can revoke, suspend, refuse to renew accreditation or reprimand the crime laboratory. Crime laboratories or license holders can submit a written request to the Judicial Branch Certification Commission (JBCC) for a hearing to contest any	**Favorable**

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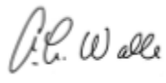

			findings of negligence, misconduct, violations, or disciplinary actions imposed on them. The JBCC is responsible for conducting appeals of its decisions regarding disciplinary action. SB 991 creates a centralized laboratory portal for digital access to records used in discovery, reducing the potential consequences of human error in the delivery process. In addition, the bill clean-ups language and includes a crime laboratory in their code of criminal procedures in disciplinary action that the Texas Forensic Science Commission can take against them.	
SB 1015 By: King Sponsor: Spiller	Relating to periodic rate adjustments by electric utilities.	State Affairs 12 Ayes, 1 Nays, 0 PNV, 0 Absent	In Texas, electric companies can adjust rates once per year via a mechanism called a Distributed Cost Recovery Factor (DCRF). This allows them to change prices to account for investments in their distribution network. A similar process exists for costs related to the transmission services process called the Transmission Cost of Service (TCOS) which may occur twice a year, including during a full rate review. SB 1015 seeks to align the DCRF process with TCOS for more efficient cost recovery without excluding interested parties from participating, such as municipalities. SB 1015 increases the maximum number of yearly periodic rate adjustments a utility can request from one to two. Under SB 1015, the Public Utility Commission (PUC) would approve tariffs or rate schedules and authorize electric utilities to apply for rate adjustments based on changes in distribution-related investments at any time except within 185 days of initiating a base rate proceeding. The bill requires PUC to issue a final order on a rate adjustment request within 60 days with a possible extension of 15 days. Overall, SB 1015 allows electric utilities to adjust rates more frequently based on changes in costs, customer numbers, energy consumption, and demand; this streamlines the regulatory process, enabling more efficient and flexible rate adjustments, and potentially encouraging investment infrastructure. There are concerns that SB 1015 removes the authority of municipal bodies to approve rate schedules and advocate for lower rates for their constituencies. Still, the measure does provide for participation by "affected parties" which engages municipalities despite vesting final authority with PUC. SB 1015 will enable Texas utilities to increase investments in the grid and increase electric reliability.	**<u>Favorable</u>**
SB 1402 By: Senator Zaffirini | Paxton Sponsor: House Howard |	Relating to the composition, continuation, and duties of the Sexual Assault Survivors' Task Force, compensation for task force members and certain other	Homeland Security & Public Safety 6 Ayes, 1 Nay, 1 PNV, 1 Absent	The Sexual Assault Survivors' Task Force (SASTF) in the Officer of the Governor is responsible for policy recommendations to improve responses to sexual violence with a particular focus on survivor-centered and trauma-informed approaches. Since its creation, it has worked with stakeholders across the state to transform sexual assault policy in Texas. The Law Enforcement Working Group, under SASTF, is to provide recommendations for officer training, resource availability, and investigation of sexual assault and other sex offenses. A recommendation from SASTF, approved by the working group, is to add instruction on a trauma-informed approach to child sexual abuse and adult sexual assault investigations for the basic peace officer course.	**<u>Favorable</u>**

OK for Distribution

Guillen | Neave Criado | Garcia | Harless	task force participants, and establishment of a mandatory training program for peace officers on responding to reports of child sexual abuse and adult sexual assault.		SB 1402 changes the composition of SASTF by including a representative of the Department of Family and Protective Services, an adult survivor of child sexual abuse or a parent or guardian of a survivor of child sexual abuse, and a survivor of adult sexual assault in its membership. SB 1402 would also remove having the president of the Texas Society of Pathologists or their designee as a member of SASTF. In addition, SB 1402 makes SASTF permanent by removing the provision of SASTF's expiration on September 1, 2023. The bill will also make provisions governing state agency advisory committees inapplicable to the composition of SASTF or the designation of SASTF's presiding officer. SB 1402 requires the Texas Commission on Law Enforcement (TCOLE), in consultation with SASTF, to establish an education and training program on responding to reports of child sexual abuse and adult sexual assault, including best practices and trauma-informed response techniques to recognize, investigate, and document these cases. The program must contain a minimum of eight instructional hours. In addition, TCOLE must include completing the education and training program as a part of the minimum curriculum requirements for officers unless the officer has completed an equivalent to the program as determined by TCOLE. An officer would be required to complete this program by the end of their first full continuing education period after being licensed unless they completed the program during their basic training course. The Texas State Auditor's Office reported that from 2014 to 2018, as of March 2020, only 42% of sexual assault cases resulted in convictions, while 36% were dismissed. As law enforcement serves a critical role in investigating these offenses, they must be appropriately trained to meet where sexual abuse or sexual assault survivors are. Additionally, a trauma-informed approach while conducting investigations will aid in mitigating the retraumatization of this population.	
SB 2220 By: Menéndez Sponsor: Gervin-Hawkins	Relating to the authority of certain municipalities and local government corporations to use certain tax revenue for certain qualified projects.	Ways & Means 8 Ayes, 2 Nays, 0 PNV, 1 Absent	In 2013, the Legislature allowed certain municipalities to designate three-mile project financing zones (PFZs) centered around convention centers or arenas. These PFZs encompass certain hotels that generate revenue and that get rebated to the municipality for 30-year periods to pay for improvements to the project in a PFZ. SB 2220 aims to allow the City of San Antonio to take advantage of PFZs to make improvements similar to the ones in Dallas and Fort Worth. SB 2220 adds venues and any related infrastructure to count as a qualified project. Additionally, it expands these projects to allow municipalities that contain more than 70% of the population of a county with a population of 1.5 million or more to participate. SB 2220 also specifies that local government corporations can act as a municipality and are considered to be one for the purposes of this bill. SB 2220 enables the City of San Antonio to designate a PFZ to bring in additional revenue to renovate the Henry B. Gonzalez Convention Center and Alamodome which are important tourist destinations for Texas.	**<u>Favorable</u>**

OK for Distribution

SB 1252 By: Bettencourt Sponsor: Button	Relating to the wording of ballot propositions for bond elections.	Ways & Means 10 Ayes, 0 Nays, 0 PNV, 1 Absent	The 86th Legislature passed HB 3 which required the phrase “THIS IS A PROPERTY TAX INCREASE” to be added to all school district bond election ballots. This requirement resulted in a decrease in the amount of bond propositions that passed for school districts. SB 1252 seeks to expand this requirement to the issuance of debt obligations by a municipality, county, school district, or special taxing district. SB 1252 mandates that a proposition seeking approval for the issuance of debt obligations by a municipality, county, school district, or special taxing district must state the amount of or maximum tax rate associated with the tax or tax increase being sought. SB 1252 also requires the proposition to be printed in mixed-case typewritten letters, with the exception of the statement "THIS IS A TAX INCREASE," which must be written in capital letters of the same font size as the rest of the proposition. These requirements only apply to elections ordered on or after the effective date. There are concerns that simply telling voters that these propositions increase their taxes is not enough information to make a truly informed decision on the costs and benefits of the bonds. However, explaining that bonds do increase their taxes may help people understand that these bonds may cost them money.	**Will of the House**
SB 2474 By: Hinojosa Sponsor: Jetton	Relating to civil and administrative penalties assessed for violations of statutes or rules governing chemical dependency treatment facilities.	Public Health 6 Ayes, 1 Nay, 0 PNV, 4 Absent	During the 87th Regular Session, the Texas legislature passed SB 2013, mandating a Health and Human Services Commission (HHSC) study on the impact of repealing parts of the Texas Administrative Code and changes in regulatory oversight for substance use disorder providers. This study also examined the economic implications of these changes and the fairness of equating substance use disorder providers with chemical dependency treatment facilities. SB 2474, in response to findings from the HHSC study, seeks to fine-tune civil and administrative penalties for chemical dependency treatment facilities. The bill proposes that penalties reflect the facility's ability to pay without jeopardizing its ability to provide critical services post-penalty. The bill also expands the factors the court should consider when determining penalties. Along with the severity of the violation, past infractions, and public health implications, SB 2474 proposes including the culpability of the person or facility in causing the violation. SB 2474 mandates that HHSC post current administrative penalty schedules on their website. These schedules should consider the economic impact of a penalty on the licensed person or facility, along with the factors that influence the penalty amount. SB 2474 aims to establish a just and balanced enforcement framework for Texas's chemical dependency treatment facilities, ensuring the uninterrupted delivery of vital services to Texans dealing with substance use disorders and chemical dependency.	**Favorable**

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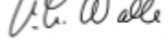

SB 2315 By: Hughes Sponsor: Clardy	Relating to the creation of a task force to develop a plan for the consolidation of the functions of workforce development programs administered by the Texas Workforce Commission and social services programs administered by the Health and Human Services Commission.	International Relations & Economic Development 5 Ayes, 0 Nays, 0 PNV, 4 Absent	SB 2315 intends to prepare Texas for the consolidation of federally funded social services and workforce development programs in anticipation of a shift in federal regulations. Currently, these programs are separately administered due to federal law, which some argue reduces cost-effectiveness and efficiency. However, critics argue that no active federal deliberations are currently underway to allow such consolidation, and the future provisions remain uncertain. This could lead to a misalignment between the task force's proposals and eventual federal guidelines. SB 2315 proposes the creation of a task force responsible for developing a strategy to integrate Texas Workforce Commission (TWC) workforce development programs and Health and Human Services Commission (HHSC) social services programs. This task force will include nine members, three appointed by the governor, three by the lieutenant governor, and three by the speaker of the House of Representatives, and will serve without compensation or reimbursement. SB 2315 directs the task force to conduct a comprehensive assessment of state resources, identifying potential cost savings, streamlining operations, and enhancing service delivery through a single case manager for all services. This strategic and regulatory plan must also highlight necessary changes to federal laws to enable the proposed consolidation. SB 2315 directs TWC and HHSC to provide the necessary staff and administrative support to enable the task force to perform its duties effectively. The task force must present a comprehensive report to the legislature summarizing their activities, the developed plan, and their recommendations. Following its mission's completion, the task force is set to disband, and the legislative chapter will expire. SB 2315 proposes a task force to consider restructuring and streamlining the delivery of social services and workforce development programs in Texas, preparing for possible changes in federal regulations. However, some have concerns that SB 2315 lacks explicit criteria for task force members' qualifications and fails to ensure representation from individuals directly involved or benefiting from the relevant programs; and that the sole power of appointing task force members rests with the governor, lieutenant governor, and speaker. Additionally, Texas is already grappling with high workforce attrition due to noncompetitive wages and benefits. SB 2315 raises additional concerns about the potential negative impact on delivering critical public services to low-wage workers and other vulnerable Texans. Lastly, creating a plan that may not be implemented at all would consume state resources that can be used to support the existing programs. Further, via the sunset process, Texas already provides an avenue to address inefficiency and provide recommendations to improve the performance of programs and agencies.	**<u>Unfavorable</u>**

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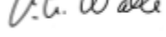

SB 2325 By: Zaffirini Sponsor: Flores	Relating to the eligibility of certain events for funding under the Major Events Reimbursement Program	Culture, Recreation & Tourism 7 Ayes, 0 Nays, 0 PNV, 2 Absent	Tourism has been essential in creating revenue and jobs that stimulate economic growth throughout Texas. Texas created the Major Events Reimbursement Program (MERP) to continue the development and growth of tourism in Texas by creating these incentives for various events to be held in Texas. Currently, MERP includes funding for a Formula One race. However, the current language is unclear and could prevent the Circuit of the Americas from accessing funds. SB 2325 aims to rectify this by clarifying that the eligible race for funding is the Formula One United States Grand Prix. Additionally, SB 2325 grants the national governing body of a sport recognized by any successor to Formula One Management Limited to be considered an eligible site selection organization. SB 2325 adds clarity to qualified organizations and events for reimbursement that ultimately provide a beneficial economic impact and increasing entertainment opportunities for all Texans.	**Favorable**
SB 924 By: Springer Sponsor: Hayes	Relating to the contribution of certain election precincts.	Elections 5 Ayes, 2 Nays, 0 PNV, 2 Absent	Currently, precincts have a statutory limit of 5,000 registered voters per polling location, but may combine precincts if the number of registered voters is less than 500. In a general or special election, SB 924 allows counties with a population of less than 1.2 million, on recommendation by the county election board, to combine county election precincts if the commissioners court cannot secure a suitable location and the location of the combined polling place adequately serves the voters of the combined precinct. Currently, combined precincts cannot have more than 5,000 registered voters. SB 924 raises the cap to 10,000 registered voters. SB 924 aims to combine precincts in smaller Texas counties. However, this would result in a reduction in polling places available to rural Texas voters, forcing many to drive longer distances to cast a ballot. SB 924 could make it so 92 Texas counties, at least, with populations below 10,000, precincts could be combined to one polling location per county. Texas has already closed at least 750 polling places since 2012. We do not need a bill that would work to close more polling places across the state.	**Unfavorable**

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