

# ROBERT NICHOLS

## A MESSAGE FROM SENATOR NICHOLS

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**ROBERT L. NICHOLS**  
STATE SENATOR

*Dear friends,*

*The 87th Legislative Session has come and gone, and again I am proud to continue to represent you in the Texas Senate. I believe it is important you hear directly from me about how we are working for you, so I am sending you this newsletter. Inside you will find an update on what the Legislature accomplished.*

*Some things you may be most interested in reading include:*

- ★ *how the Legislature sought to reform ERCOT and the PUC after Winter Storm Uri*
- ★ *what the State did to expand broadband internet access in rural and underserved areas*
- ★ *how the State is making your privacy a priority*
- ★ *how the Legislature is protecting your freedom to worship*

*Of course one document cannot answer every question or address every concern. If there is something you want to know from me, please do not hesitate to call the Capitol office or the district office closest to you. As a resident of Senate District 3, these offices belong to you and my staff and I are here to help.*

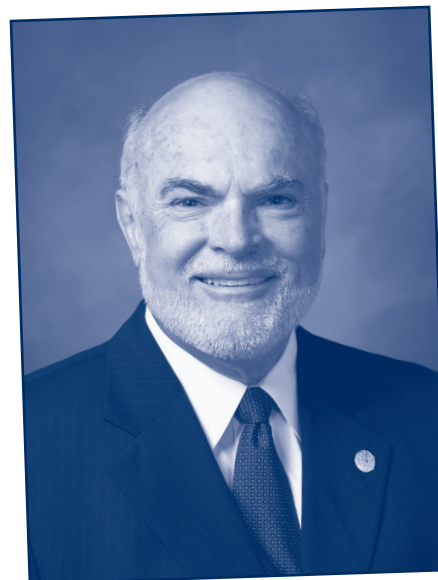
*It has and continues to be one of the greatest honors of my life to represent you in the Texas Senate.*

*Sincerely,*

A handwritten signature in black ink that reads "Rob Lee Nichols".

*Robert L. Nichols*  
*State Senator*

*P.S. Inside you will also find information on how to get a summary of the proposed amendments to the Texas Constitution. As a voter, you will have the opportunity to approve or reject these proposed amendments during the November 2nd election.*



# LEGISLATIVE OVERVIEW OF THE 87TH SESSION

## ★ ERCOT/PUC REFORMS

After Winter Storm Uri rocked the state in February leaving millions without power or water for days, reforming the Electric Reliability Council of Texas (ERCOT) and the Public Utility Commission (PUC) became a priority for the 87th Legislature. The Senate Business and Commerce Committee heard hours of testimony from industry stakeholders and the agencies themselves. That testimony highlighted the lack of oversight of the agencies, the breakdown of communication, and major failures in coordination within and between Texas' regulatory agencies.

To address all of these issues, the legislature passed a number of bills including Senate Bill 2 and Senate Bill 3. Senate Bill 2 overhauled ERCOT's governance structure and the board. During the crisis, it became apparent that a number of ERCOT board members did not live in Texas. Moreover, the legislature lacked oversight in the selection of the board. SB 2 changed that by reducing the number of board members from 16 to 11 and giving the governor, lieutenant governor, and the speaker of the House more oversight of appointees. SB 3 primarily addressed the power grid's stability. This bill requires weatherization of critical power generation, natural gas, and transmission facilities. It also creates the Texas Electricity Supply Chain Security and Mapping Committee that will map the electricity supply chain and identify critical infrastructure sources. It directs the PUC to establish an emergency pricing program so Texans don't face outrageous costs during a pricing surge that lasts more than 12 hours out of 24 hours. It also establishes the energy emergency alert system to ensure Texans are properly notified when power demand may exceed supply.



*Sen. Nichols, vice-chair, asks questions during a Senate Business and Commerce Committee hearing about the state response to Winter Storm Uri.*



*Sen. Nichols with Governor Greg Abbott, Rep. Trent Ashby, and staff members Tina O'Jibway and Judd Messer at the bill signing ceremony for House Bill 5, the Broadband Bill.*

## ★ BROADBAND ACCESSIBILITY

I am happy to report that House Bill 5, the Broadband Accessibility bill that I authored with Rep. Trent Ashby, passed both chambers and was signed by the Governor. Primarily, this bill creates the Broadband Development Office within the Office of the Comptroller. This office will serve as a clearinghouse for information about federal programs and barriers to digital connectivity, as well as engage in outreach for expansion, adoption, and affordability of broadband. Moreover, the Broadband Development Office will produce an accurate map of where broadband is accessible in the state and to what extent it is available. The map will include upload and download speeds and the number of service providers in each area. Those areas will then be classified by eligibility for federal and state grants, so that funds are spent efficiently across the state. Those grants will be released through the Broadband Development Program established in the bill. The program will provide grants, low-interest loans, and other financial incentives to applicants to expand access to broadband in eligible areas identified by the map. Lastly, the office will develop, publish, and maintain a state broadband plan. The plan will establish long-term goals for adoption, affordability, and access to broadband statewide.

## ★ DATA PRIVACY

In recent years, Texans have received an influx of unsolicited phone calls and mail, often about a car warranty set to expire or another kind of spam call. It came to my attention that part of the reason some of these companies have that kind of personal information is because the state was selling it to them. In essence, the state could sell your personal data including your driver's license information, photo, date of birth, email address, phone numbers, your driving record, how much your car cost, where you bought it, and much more. That's why I filed Senate Bill 15, also known as the Texas Consumer Privacy Act Part One, which would stop certain agencies from selling that information. This bill prohibits

# LEGISLATIVE OVERVIEW OF THE 87TH SESSION

the Texas Department of Public Safety, the Texas Department of Motor Vehicles, and the Department of Transportation from selling this data to marketing companies or other large data clearinghouses. Texans deserve to know who has their data and how it's being used. Rep. Phil King was the House sponsor of the bill. Your privacy is important to all of us, which is why I was proud this legislation passed both chambers unanimously.

## ★ CONSTITUTIONAL SPENDING LIMIT

Currently, our constitutional spending limit is only applied to state tax revenue that is not explicitly dedicated by the Constitution. This is not a true representation of our state spending, as it excludes a large portion of our budget. That's why this session the Legislature passed Senate Bill 1336. SB 1336 creates a consolidated general revenue appropriations spending limit that applies to all revenue types, including dedicated general revenue and general revenue-related funds. The limit would adjust with the rate of population growth and inflation. There are exceptions for tax relief purposes and disaster relief expenses. To exceed this limit, it would require a three-fifths vote of the legislature. Keeping government spending under control is always one of our biggest priorities during the budget process. This spending limit ensures that your tax dollars aren't wasted.

commercial vehicle crashes can seek justice while curbing unnecessary lawsuits. The bill creates a new process for how commercial vehicle owners or operators can be sued. First, the driver of the vehicle would have to be proven liable in court. Then, if they are proven liable, a case could be brought against their employer. This two-step process will allow claimants to pursue their case, while disincentivizing illegitimate lawsuits.



Sen. Nichols meets with FFA students from Senate District 3 at the Capitol.

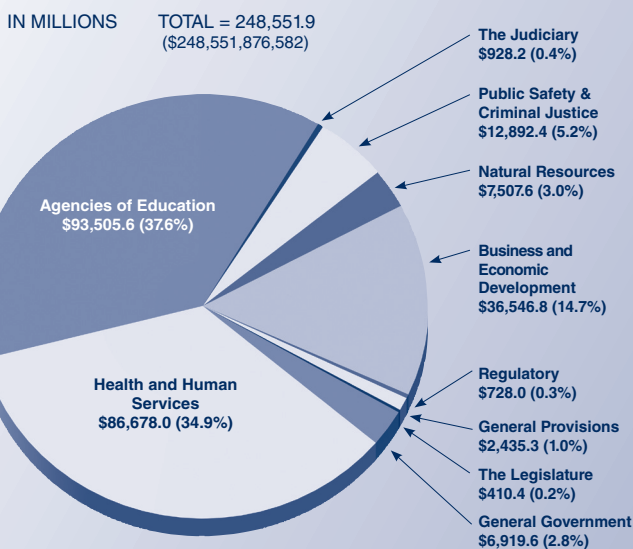
## ★ BUSINESS PANDEMIC LIABILITY PROTECTION

The economic crisis caused by the COVID-19 pandemic rocked the business world and caused many small businesses to close. At the beginning of session, Governor Abbott called on the Legislature to pass protections for businesses that remained open during the pandemic. That's why the Legislature passed Senate Bill 6, also known as the Pandemic Liability Protection Act. This bill protects businesses from frivolous lawsuits by limiting the civil liability of certain businesses, healthcare workers, first responders, schools, and churches for injury, death, or property damage related to COVID-19. Protecting small businesses from costly litigation is essential to our economic recovery from the pandemic.

## ★ FREEDOM TO WORSHIP ACT

During the pandemic, measures were put in place to prevent the spread of COVID-19. Some of those measures included closing churches and places of worship. When the legislature convened in January, House Bill 1239 was filed to ensure that churches will never have to close their doors to parishioners again. The Freedom to Worship Act ensures that no government mandate can force houses of worship to close for any reason, including pandemics. Church provides essential spiritual, mental, emotional, and physical support to millions of Texans, especially in times of crisis. Closing churches violated religious freedoms guaranteed by the First Amendment and prevented Texans from

### FUNDING BY ARTICLE, ALL FUNDS 2022-23 BIENNIUM



Please note: Special sessions may affect listed budget numbers. These numbers are based on if the veto of the Legislature's funding is restored.

## ★ TRUCKING LITIGATION REFORM

In recent years, frivolous and abusive lawsuits have plagued commercial vehicle operators and businesses. In just the past decade, the number of lawsuits stemming from motor vehicle crashes has increased 118 percent while the number of crashes have remained steady. That's why the Legislature passed House Bill 19, which will ensure that Texans injured in

# LEGISLATIVE OVERVIEW OF THE 87TH SESSION

accessing essential ministries. Thankfully, the Freedom to Worship Act passed with bipartisan support in both chambers.

## ★ PREVENT DEFUNDING OF POLICE

In the last few years, some major metropolitan cities have taken the stance that, in the name of public safety and social justice, it is necessary to defund their police departments. The villainization of police officers and the work they do on behalf of the public is reckless. The legislature passed two major bills addressing this issue. House Bill 1900 and Senate Bill 23 both protect police departments from budget cuts.

House Bill 1900 allows the state to deduct money from a municipality's sales tax and ban the city from increasing property taxes or utility fees if they reduce their law enforcement budget. That only applies to large cities of over 250,000 people. Further, it would allow areas of the city that were annexed in the last 30 years to vote to de-annex from the city and the city would not be allowed to annex any further areas.

Senate Bill 23 requires counties to hold an election before reducing or reallocating their law enforcement budgets. Counties that do so without voter approval would have their property tax revenue frozen. This bill only applies to counties with a population of 1 million or more.



*Sen. Nichols chairing a Senate Transportation Committee hearing on Senate Bill 15, the Texas Consumer Privacy Act: Part One.*

## ★ HEALTH CARE PRICE TRANSPARENCY

Receiving health care from a hospital can often lead to anxiety about the true cost of health care. Last session, the legislature worked to eliminate surprise, out-of-network billing. This session, we focused on price transparency in health care. In November of 2019, the Centers for Medicare and Medicaid Services made a rule change that would require hospitals to make standard charges for certain procedures public. The CMS rule is designed to increase market competition and lower health care costs by providing standard pricing information

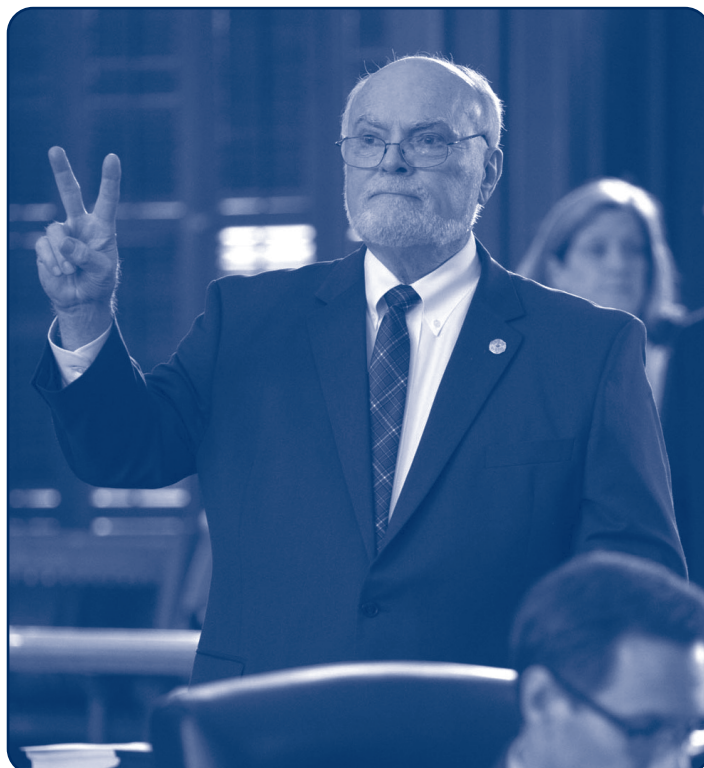


*Sen. Nichols with Opal Lee, who is known as the Grandmother of Juneteenth. She visited the floor of the Senate where she was honored for her work to make Juneteenth a federal holiday.*

to the public and patients. Senate Bill 1137 codified this rule in state law, ensuring that Texans will have access to pricing information for health care even if that rule is repealed or changed at the federal level. Price transparency and consumer empowerment are essential to lowering health care costs in the state.

## ★ CAP ON MONTHLY INSULIN CO-PAY

A diabetes diagnosis comes with another, often costly expense: insulin. Approximately 2.8 million Texans have diabetes and, in the last 25 years, the price of insulin has increased 1000 percent. That dramatic increase makes this life-saving medicine difficult for many to afford. Some Texans were paying anywhere from \$300 to \$1,000 a month for their insulin. That's why the legislature passed Senate Bill 827 which places a \$25 cap on co-pays for a month's supply of insulin. Setting a reasonable cap on insulin ensures that no one will have to ration their insulin or go without it.



*Sen. Nichols voting 'no' on the Senate floor.*

## SENATOR ROBERT NICHOLS, SENATE DISTRICT 3

First elected to the Texas Senate in 2007, Robert Nichols represents 19 counties including the greater part of East Texas and Montgomery County.

In the Texas Senate, Nichols currently serves as Chairman of the Senate Transportation Committee and Vice Chairman of the Senate Business and Commerce Committee. Senator Nichols also serves on the Finance, Criminal Justice, Local Government, and Select Redistricting Committees. He is a member of the Texas Judicial Selection Commission, the Legislative Audit Committee, and a former Vice-Chair of the Sunset Advisory Commission.

During his eight regular sessions as a state senator, Nichols authored and passed legislation to protect landowners' rights, increase educational opportunities in East Texas and reform transportation policies. He has also worked to reduce Medicaid fraud and promote free-market principles. He was designated as a Top Legislator by Texas Insider, a Champion of Free Enterprise by the Texas Association of



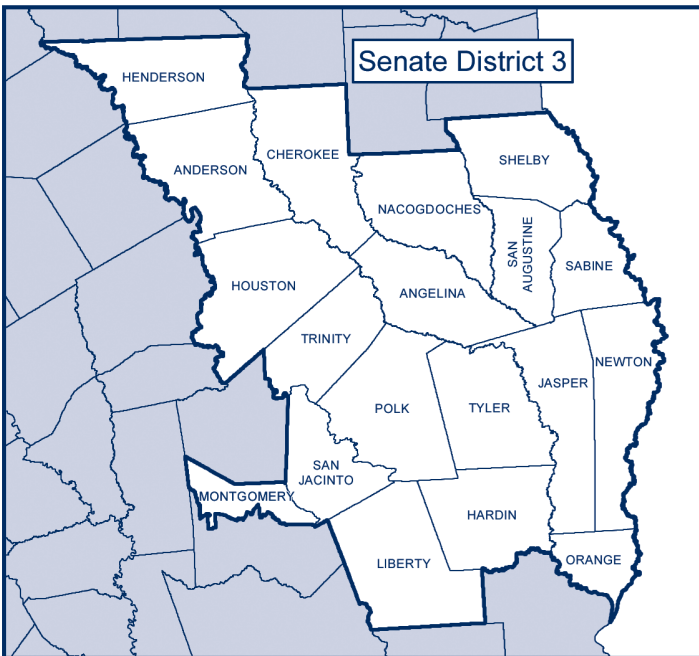
*Sen. Nichols with Sen. Schwertner on the Senate floor.*

Business, a Courageous Conservative by the Texas Conservative Coalition, and a Top 10 Best Legislator for the 85th Legislative Session by Texas Monthly Magazine.

Before running for Senate, Nichols served as transportation commissioner for eight years where he established a reputation for increasing efficiency without compromising quality.

Nichols is a businessman from Jacksonville, Texas. In his hometown, he served on city council, was elected mayor, built four successful manufacturing facilities, earned 32 U.S. patents and 128 foreign patents, as well as creating more than 900 jobs for East Texas families.

Working his way through college by selling fireworks and ironing clothes for other students, Nichols earned a bachelor's degree from Lamar University in 1968. He married his high school sweetheart, Donna, and they are the proud parents of three children: Brittney, Joshua, and Collynn'rae. He is a member of the First United Methodist Church in Jacksonville.



## Texas Constitutional Election

This fall, Texas will have the opportunity to vote on 8 amendments to the Texas Constitution. The last day to register to vote in this election is October 4, 2021. Early voting begins October 18 and continues through October 29. Election Day is November 2, 2021.

To view a summary of these amendments please visit:

<https://bit.ly/2021Amendments>. To ensure you are registered to vote you can visit [www.votetexas.gov](http://www.votetexas.gov).

Copies of the summary will also be available in all of Sen. Nichols' district offices. Or, if you prefer, you may contact any of his offices listed on this document and staff will gladly send you a copy.

# SENATOR ROBERT NICHOLS

## DISTRICT 3 OFFICES

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<b>MONTGOMERY</b>	15260 Hwy. 105 W. Suite 230-H, Box 5 Montgomery, Texas 77356 (936) 588-7391 FAX: (936) 588-1713
<b>NACOGDOCHES</b>	202 E. Pilar St. Suite 309 Nacogdoches, Texas 75961 (936) 564-4252 FAX: (936) 564-4276
<b>LUFKIN</b>	2915 Atkinson Dr. Lufkin, Texas 75901 (936) 699-4988 FAX: (936) 699-4991
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