



# My five cents...

A weekly column from Sen. Robert Nichols  
by Sen. Robert Nichols, Senate District 3

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This week, I had the honor of recognizing Smokey the Bear on the Senate floor for his 75th anniversary of service. The Smokey the Bear program is the longest-running public service advertising campaign in U.S. History.

Wildfire prevention is one of the most critical issues affecting our country, with 9 out of 10 wildfires caused by people. Smokey's message is as relevant and urgent today as it was in 1944, "Only You Can Prevent Wildfires."

Here are five things happening at your Capitol this week:

## 1. Teacher Retirement System

The Texas Senate has unanimously passed Senate Bill 12, which will shore up the state's Teacher Retirement System (TRS) pension system. Under current state law, the legislature is not able to approve an increase in the monthly payments retired teachers receive, unless TRS is 'actuarially sound' or financially healthy and able to pay off its debts in less than 31 years. This bill will increase the amount the state, school districts and current teachers contribute to the pension fund over the next six years to help the pension system become financially sound. Senate Bill 12 will also provide retirees with a one-time "13th check" beyond the monthly allocation they currently receive. This bill will now head to the House floor.

## 2. Preventing a "Walking Quorum"

Earlier this year, the Texas Court of Criminal Appeals struck down a provision in the Texas Open Meetings Act which made it a crime for public officials to meet in a "walking quorum", or to deliberate privately in small groups without a quorum present. Senator Kirk Watson and Representative Dade Phelan have filed Senate Bill 1640 and House Bill 3402, which would restore this provision and prohibit members of any public boards from meeting secretly in small groups to discuss board business. The bill lays out specifics for the prohibition and requires the boards to continue to post for a public meeting, establish a quorum, and then be able to discuss the business of the board publicly. This is the way boards in Texas have operated for years, and should continue to do so to ensure transparency and accountability to the public they serve.

### **3. Legalizing Lemonade Stands**

Many kids grow up earning spending money by selling lemonade or other beverages in their neighborhoods. However, did you know that it is actually illegal for them to be doing this, as homemade drinks are banned under the Texas Food Establishment Rules because of health concerns? House Bill 234 was recently passed off the House floor which would legalize temporary lemonade stands or stands selling other nonalcoholic beverages run by anyone under the age of 18 on private property or in public parks. Property owners associations would be prevented from adopting rules, or requiring permits or fees to prevent children from running a stand. This bill will still need to go through the Senate to become law, but hopefully this summer you will be able to enjoy a legal cool glass of lemonade from your young neighbors.

### **4. 'Texas Born-Alive Infant Protection Act'**

Two bills have been filed this session, Senate Bill 23 by Senator Lois Kolkhorst and House Bill 16 by Representative Jeff Leach, which would impose a \$100,000 third-degree felony on abortion providers if they do not care for a baby that is born alive during an abortion procedure. Current Texas law establishes the rights of a living child after an abortion or premature birth, but there is no criminal enforcement if this right is violated.

The legislation, known as the 'Texas Born-Alive Infant Protection Act', allows the Texas Attorney General to take legal action against an abortion provider who does not provide care for an infant that is born alive during an abortion in the same manner they would care for an infant born at a similar stage of development in a regular pregnancy. The Senate version has passed out of the Health and Human Services committee, and the House version was recently heard in the House Judiciary meeting.

### **5. Women's Suffrage**

This week in 1918, Governor William P. Hobby signed into law the Primary Suffrage Bill. This bill allowed all women to vote in all primary elections and nominating conventions in Texas for the first time. It was not until June of 1919 that Texas became the ninth state and the first southern state to ratify the Nineteenth Amendment to the U.S. Constitution, which allowed women to vote in all elections.

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