



# My five cents...

A weekly column from Sen. Robert Nichols

by Sen. Robert Nichols, Senate District 3

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I hope you all had a very Merry Christmas and a safe and happy New Year. The new year brings a new legislative session, so I'll be spending time in Austin working on your behalf over the next 140 days.

Here are five things happening around your state:

## **1. Legislature convenes for 88th Legislative Session**

The Texas Legislature is officially back in session! Both the Texas Senate and Texas House of Representatives gaveled their respective chambers into session on Tuesday, January 10, opening the 88th Legislative session. The entirety of all the House and Senate members were sworn in on opening day, as every member was elected in November following redistricting. Work now begins on a multitude of issues ranging from the state's budget, education, transportation, and more.

## **2. Senators draw lots for term lengths following redistricting**

On the second day of session, each senator took part in a once-a-decade event. Every ten years, the US Census is released and states go through redistricting. As such, every member of the Senate must run for re-election regardless of when their four year term would end. When members are elected and sworn in, the Texas Constitution dictates that senators are divided by lot into two classes. Half the members will be given a two year term and the other half will serve a normal four year term. The members who have two year terms will, upon re-election, serve four year terms. This is to ensure that only half the senate membership is up for re-election in any given election year. I'm happy to report that I drew a four year term and am honored to continue to serve the people of East and Southeast Texas.

## **3. Comptroller Hegar releases Biennial Revenue Estimate**

Texas Comptroller Hegar released the Biennial Revenue Estimate earlier this month, which is a projection of how much money the state has to spend over the next two years. He said the state has \$188.2 billion available to spend for the 2024-2025 biennium. The estimate includes a \$32.7 billion surplus from the last two years, which is credited to economic growth, gas prices, inflation, and other economic elements. This is the largest budget projection legislators have ever received.

However, the Legislature will only spend what is necessary after careful consideration. It is also more than the Texas Constitution will legally allow legislators to appropriate without bypassing the spending cap. Last session, we passed Senate Bill 1336 which limits increases of state expenditures by tying the cap to population growth and inflation. The legislature can only exceed the spending cap by adopting a resolution that identifies an emergency and is passed by 3/5th of the members. Texas' budget surplus comes at the same time that other states are battling severe budget deficits. California is facing a \$22.5 billion deficit and will be forced to make cuts in the coming year.

#### **4. New laws took effect January 1**

Starting January 1 of this year, several new laws that were passed during the 2021 legislative sessions took effect, including laws on property tax reform and reforms to the judicial branch, among others. The property tax bill, Senate Bill 12 authored by Sen. Bettencourt, provides school district tax rate reduction for homesteads owned by elderly or disabled persons. Texans statewide received a similar reduction after the 86th Legislature, but that effort inadvertently left out elderly or disabled homesteads.

Another provision going into effect creates 10 district courts, five statutory county courts, one statutory probate court, and one criminal magistrate court. It revises jurisdiction of certain courts and the duties of other courts. Additionally, the law, House Bill 3774 authored by Rep. Jeff Leach, makes revisions to the Forensic Science Commission, specialty court programs, and the protective order registry.

#### **5. Legislature to take up redistricting again to ensure constitutionality**

As you may recall, the Legislature passed newly drawn district maps during a special session in 2021 based on the Census. However, the Texas Constitution states in Article 3 Section 28 that "the Legislature shall, at its first regular session after the publication of the each United States' decennial census, apportion the state into senatorial and representative districts." The Census was released later than usual in 2021 due to COVID-19. Therefore, the 88th legislative session is technically the first regular session after the publication of the census. So, out of an abundance of caution, the Senate has voted to take up redistricting once more to ensure the Legislature has met its constitutional requirements.

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