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LEGISLATIVE REPORT

OF THE 85TH TEXAS LEGISLATURE

A Review of Legislative & Funding Accomplishments

Senator Juan "Chuy" Hinojosa proudly represents the counties of Nueces, Jim Wells, Brooks, and Hidalgo (part). Senator Hinojosa currently serves as Vice-Chairman of the Senate Committee on Finance, and serves on the Senate Committees on Natural Resources & Economic Development; Transportation; Agriculture, Water & Rural Affairs as well as the Sunset Advisory Commission.

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Administration

HB 822- Relating to designating April as Sexual Assault Awareness Month. (Kassandra)

H.B. 822 amends chapter 662 of the Government Code, adding section 662.111 to designate April as Sexual Assault Awareness Month to increase awareness and prevention of sexual assault and to authorize the regular observance of Sexual Assault Awareness Month through appropriate activities in public schools and other places to increase awareness and prevention of sexual assault.

Agriculture, Water & Rural Affairs

SB 1459 - Relating to incentives to encourage landowners to destroy, remove, or treat citrus trees located in a pest management zone. (Rudy)

Citrus Pests and diseases are threatening the livelihood of the Texas Citrus Industry as a whole. These concerns have led to the creation of a Pest Management Zone. The Pest Management Zone designation consists of Hidalgo, Cameron, and Willacy counties. Abandoned groves in the Pest Management Zone pose a great threat to commercial groves. There are many instances where landowners have agriculture tax exemption for citrus but do not properly manage, treat or care for their citrus trees. These unmanaged citrus trees can harbor pests which spread very serious disease to commercial and active groves, leading to devastating effects on the Texas Citrus Industry.

S.B. 1459 allows for the temporary cessation of agriculture use to manage the spread of certain diseases in the Pest Management Zone, without being subject to the provisions of the Tax Code for a departure from the current land use. The eligibility of land for appraisal under Chapter 23 of the Tax Code would not end because the land ceases to be devoted principally to agricultural use if the landowner executes an agreement with the Pest Management Corporation, the Texas Agriculture Commissioner, or the United State Department of Agriculture, to destroy, remove, or treat all the citrus trees located on the land that are or could become infested with pests. S.B. 1459 requires the owner of the land to notify the chief appraiser in writing that the agreement has been executed, and that the owner intends to destroy, remove, or treat the citrus trees located on the land under the terms of the agreement, and provide the chief appraiser with a copy of the agreement. If the owner of the land does not fully comply with the agreement, then change of use of land for is considered to have occurred on the day the agreement was executed.

HB 51 - Relating to regulation of the commercial oyster industry in this state; increasing criminal penalties authorizing a fee. (Rudy)

Oyster fisheries are an important part of Texas commercial fishing. Interested parties note that oysters play an important role in the estuary waters and economy of the state. In recent years, the overharvesting of oysters along the Texas Gulf Coast has nearly decimated the reefs, resulting in the need for urgent rehabilitation of the Gulf's most precious resource. Reef damage and overfishing prompted a prior legislature to issue a moratorium on new commercial oyster fishing licenses. The moratorium is still in effect, but many are concerned about the continued overfishing of oyster fisheries due to the over 700 licenses that are issued.

HB 51 would establish a voluntary license buyback program for commercial oyster fishing licenses similar to successful buyback programs in the shrimp, crab, and finfish industries. The buyback program would allow oyster fisheries to stabilize and rebound as licenses bought back would not be reissued without input from the moratorium review board concerning the viability of the oyster fishery. HB 51 holds bad actors accountable through increased enforcement practices by the Texas Department of Parks and Wildlife. The legislation also includes provisions to enhance vessel tracking and monitoring capabilities by the Texas Parks and Wildlife Department. HB 51 allows our Game Wardens to issue stiffer penalties to those individuals overharvesting our bays and estuaries. This legislation helps us protect and manage the oyster fisheries in Texas so that they can be used by responsible fishermen for the benefit of Texans.

***HB 544 - Relating to the use of the Rural Water Assistance Fund.
(Rudy)***

Many rural water utilities are intimidated by the regulatory hurdles involved in accessing funds from the rural water assistance fund. Additionally, many of these rural communities need assistance with the long-term planning necessary to access funding. H.B. 544 addresses this issue by expanding the scope of the Texas Water Development Board's (TWDB) authority to contract for assistance in connection with the fund.

H.B. 544 amends the Water Code for purposes of TWDB authority to use money in the rural water assistance fund to assist rural political subdivisions in obtaining and using financing from the fund. H.B. 544 adds planning assistance as such a type of assistance for which the TWDB may contract. This will allow for more flexibility for the Texas Water Development Board to reach out to our smaller, rural areas to assist them with accessing state, federal, and private funding, and to develop long-term water infrastructure plans to fit the needs of their communities.

HB 3781 - Relating to the uses of the lifetime license endowment account by the Parks and Wildlife Department. (Rudy)

The Texas Parks and Wildlife Department's Lifetime License Endowment Fund consists of revenues received from lifetime licenses, grants and donations, and interest earnings. Under statute, expenditures may only be made from interest earnings on the account. In addition, allowable expenses from interest earnings are limited to the acquisition of public hunting and fishing areas and the development, management and repair of public hunting and fishing areas.

House Bill 3781 amends the Parks and Wildlife Code by expanding the allowable uses of the Lifetime License Endowment Account to include capital expenditures related to fisheries and wildlife resources, and allows use of the principle of the fund, so long as the balance is maintained at \$20 million or more. House Bill 3781 allows uses of the Lifetime License Endowment Account to ensure the funds can only be used for specific purposes and the principal of the account can only be used to fund capital expenditures related to fisheries and wildlife resources.

HB 3987 - Relating to the authority of the Texas Water Development Board to use the state participation account of the water development fund to provide financial assistance for the development of certain facilities. (Rudy)

H.B. 3987 amends the Water Code to authorize the Texas Water Development Board (TWDB) to use the state participation account II, created by the bill, to provide financial assistance for the development of a desalination or aquifer storage and recovery facility to meet existing or projected future water needs by acquiring such a facility or an ownership interest in such a facility. The bill authorizes TWDB to act singly or in a joint venture in partnership with any person to the extent permitted by law. The bill authorizes TWDB to provide financial assistance for a facility without regard to any requirements provided by TWDB rules regarding the portion of the capacity of the facility that will serve an existing need or the portion of the cost of the facility that the applicant will finance from sources other than the state participation account II.

The bill prohibits TWDB from providing financial assistance for a facility unless the facility is included in the state water plan. The bill requires TWDB to establish a point system for prioritizing facilities for which financial assistance is sought from TWDB and requires the system to include a standard for TWDB to apply in determining whether a facility qualifies for financial assistance at the time the application for financial assistance is filed with TWDB. The bill prohibits TWDB from issuing more than \$200 million in water financial assistance bonds designated by TWDB as issued to provide financial assistance for desalination and aquifer storage and recovery facilities. The bill prohibits TWDB, if it does not provide financial assistance for a desalination or aquifer storage and recovery facility from the state participation account II before September 1, 2022, from providing financial assistance for any facility from that account after that date. The bill authorizes TWDB to assist an applicant with securing permits for a desalination or aquifer storage and recovery facility.

H.B. 3987 requires the comptroller of public accounts to establish a subaccount in the Texas Water Development Fund II state participation account to be known as the state participation account II. The bill authorizes TWDB to credit to the subaccount money in the state participation account allocated by TWDB for the purposes of the bill's provisions relating to applicable

authorized projects. The bill authorizes TWDB to transfer money from the subaccount to the state participation account if TWDB determines the money is needed for certain purposes.

H.B. 3987 amends current law relating to the authority of the Texas Water Development Board to use the state participation account of the water development fund to provide financial assistance for the development of certain facilities.

Governor's Veto Statement

House Bill 3987 would have created a new state account to provide taxpayer funding for the acquisition and development of certain water facilities. These facilities are already eligible for state funding under the Texas Water Development Fund II state participation account, provided that they cannot be adequately funded with local resources. The purpose of that requirement is to ensure that state resources are used in an efficient manner by denying funding for local projects that already have access to sufficient financial resources. House Bill 3987 exempts desalination and aquifer facility projects from meeting this financial requirement. Additionally, because current law already authorizes the Texas Water Development Board to provide funding for desalination and aquifer storage and recovery facilities, House Bill 3987 is largely unnecessary. The next Legislature should seek to promote desalination and aquifer projects more effectively.

HCR 105 - Encouraging Congress to pass legislation allowing the State of Texas to manage the Gulf of Mexico red snapper fishery out to 200 nautical miles. (Rudy)

In recent years, the Gulf of Mexico has contained the highest total allowable catch of red snapper in decades, but in 2016, anglers experienced the shortest recreational fishing season to date lasting less than two weeks with a bag limit of only 2 fish. The US government has neglected to use recent data to provide meaningful guidelines and requirements for a systematic reallocation of federal fisheries. Except for minor adjustments to account for errors in its own data collection system, the Gulf red snapper fishery allocation is based on highly suspect data from 1979-1986 and has remained unchanged since 1991.

The federal government is currently promoting a management strategy to privatize the Gulf red snapper fishery. Approximately 50 percent of the fishery is already held by private businesses, while another 20 percent has been designated to be sold. Shares of this public resource have also been given away for free, based on a commercial operator's past catch history. By creating a prohibitive environment for anglers and ethical issues among user groups and stakeholders, the U.S. government has proved itself incapable of properly managing red snapper fishing in the Gulf of Mexico.

All five states along the Gulf Coast have increasingly needed to implement regulations and seasons that are not consistent with the federal management plan. Numerous studies, including some funded by National Oceanic and Atmospheric Administration (NOAA) Fisheries, indicate that the greatest economic engine in the Gulf reef fishery is the recreational angling sector, and federal control should be relinquished to the Gulf state, which depend most on this vital public resource.

HCR 105 encourages Congress to pass legislation or adopt policies allowing Texas to manage the Gulf of Mexico red snapper fishery out to 200 nautical miles. This allows the Texas secretary of state to forward official copies of this resolution to the president of the United States, to the president of the Senate and to the speaker of the House of Representatives of the U.S. Congress, and to all the members of the Texas delegation of Congress with the request that this resolution be entered in the Congressional Record as a memorial to the U.S. Congress.

Criminal Justice

SB 297 - Relating to the compensatory time and overtime pay for commissioned officers of the Department of Public Safety. (Desiree)

Under current law, overtime for the Texas Department of Public Safety (DPS) officers is calculated on a weekly rather than daily basis. Officers must work in excess of 40 hours in a week to earn overtime, and authorized leave is not counted toward hours used to calculate overtime pay.

SB 297 amends Government Code 411.016 to allow DPS to calculate overtime for commissioned officers based upon working in excess of 8 hours in a 24-hour period. SB 297 would benefit officers because it would allow them to take sick leave or other types of leave without risking the loss of earned overtime.

SB 1124 - Relating to the administrative attachment of the Texas Forensic Science Commission to the Office of Court Administration of the Texas Judicial System. (Desiree)

Misapplication of forensic science is the second most common contributing factor to wrongful convictions, found in nearly half of all exoneration cases. The Texas Forensic Science Commission (“Commission”) is charged under Texas law with the critical task of improving the integrity and reliability of forensic science used in criminal courts.

The Commission was established in 2005 as a “special item” in Sam Houston State University’s (SHSU’s) budget, as a result of two factors: (1) SHSU’s acclaimed criminal justice program and experience supporting programs that provide direct service to the criminal justice community; and (2) to avoid creating a separate state agency when the Commission was still in its infancy.

Though the Commission is administratively attached to SHSU, it functions as an independent agency from both Sam Houston State University and the Texas State System as a whole. As a “special item” in higher education in SHSU's budget, concerns arose because special items are not intended for long-term initiatives.

SB 1124 administratively attaches the Commission to the Office of Court Administration (OCA) for stability. The Commission will remain independent from OCA in its investigative and rulemaking authority.

HB 322 - Relating to the expunction of arrest records and files for certain veterans and the waiver of fees and costs charged for the expunction. (Desiree)

The 81st Texas Legislature passed SB 1940, which authorized the creation of veterans courts. These courts hold former military members, who are charged with crimes, accountable through a stricter schedule of court appearances and treatment appointments.

Currently, once a person completes a veterans court pretrial diversion program, in some cases they may be eligible for an expunction. However, this requires the person to file a Petition for Expunction of Criminal Records to get their records expunged, a process which often involves hiring a lawyer and paying a fee.

HB 322 requires that once a person has successfully completed a veterans treatment court program that the veterans' court judge shall automatically order an expunction of the crime without a charge or fee for the expunctions. The bill clarifies that the prosecuting attorney and judge will both have a say at the completion of the veterans treatment court program on whether that veteran is eligible for the streamlined expunction.

HB 322 requires that defendants who are able to use the procedure must sign an affidavit to the court that they have not received an expunction under this section of the code before. This ensures that defendants are not repeatedly using the expunction process allowed under HB 322.

Furthermore, HB 322 allows human trafficking victims to petition a court to seal coerced drug and theft convictions that occurred during their trafficking. A judge may seal these records by issuing an order of nondisclosure if he or she determines that the offenses were coerced by the victim's human trafficker. This change prevents human trafficking victims criminal records from obstructing the pursuit of a decent job or education and allows the victim to start the healing process to move on in life.

HB 351 - Relating to the administrative, civil, and criminal consequences, including fines, fees, and costs, imposed on persons arrested for, charged with, or convicted of certain criminal offenses. (Desiree)

In 2015, fines in over 677,00 cases were satisfied through jail credit and over 230,000 Texas were unable to renew expired licenses until their fines and fees were paid off. Furthermore, judges resolved fine-only cases with community service just 1.3 percent of the time.

HB 351 includes comprehensive changes recommended by the Texas Judicial Council to provide judges with new tools and procedures to hold low-income Texans accountable without jail time when they cannot pay their fines and court costs in criminal cases.

HB 351 allows courts to ask about a defendant's ability to pay during the sentencing phase. After making that determination, courts would be allowed to reduce or waive fines and costs and offer community service as an alternative. HB 351 seeks to put the justice system's time and resources to more efficient use by holding people accountable while saving money and increasing public safety.

As a condition of community supervision, HB 351 also allows a judge to require participation in a pretrial diversion program. Furthermore, the bill extends the "Commission to Study Certain Penal Codes" to review criminal offenses outside the penal code and updates the threshold ladder for forgery crimes related to fake checks, money orders and other simple transactions to match the penalty ladder for the rest of Texas' theft offenses. Current law designates "fake checks" to be an automatic state jail felony. This would create consistency and keep non-violent offenders out of Texas state jails.

HB 1178 - Relating to the punishment for burglary and theft of controlled substances. (Jennifer)

Prescription drug abuse is a huge epidemic facing our country and our state claiming tens of thousands of lives every year. The opioid abuse crisis has fueled a significant increase in pharmacy burglaries and thefts.

In Texas there are no special penalty enhancements or offenses specifically dealing with pharmacies or other premises that typically store controlled substances. This means that a burglary of a pharmacy would be treated the same as the burglary of a convenience store without regard to the controlled substances that are stolen.

We must do more to protect our communities from the wave of property crime that is feeding the illegal opioid pipeline. The punishment is not appropriate to the harm that opioid abuse does to our society. HB 1178 addresses this issue by establishing penalties for a certain burglary or theft offense involving a controlled substance and will create a more effective deterrent.

HB 1178 establishes a penalty of third degree felony for burglary if the premises is a building in which a controlled substance is generally stored, including a pharmacy, clinic, hospital, or nursing facility.

HB 1178 also clarifies that the theft of a controlled substance will constitute a third degree felony as well, if stolen from a commercial building in which a controlled substance is generally stored, including a pharmacy, clinic, hospital, warehouse or nursing facility. The purpose of this provision is to target employee theft which is becoming a significant problem. These employees are not committing a burglary but are committing a theft of a controlled substance.

Also, wholesale distributors and trucks in transit containing controlled substances are included with the enhanced penalty of a third degree felony burglary and theft offense.

***HB 3051- Relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.
(Roxanne)***

Current Texas statute regarding collection of race and ethnicity data does not conform to national standards for reporting race and ethnicity when this data is exchanged, stored, retrieved or analyzed in electronic form.

HB 3051 amends existing Texas statutes to conform to nationally recognized standards for race and ethnicity reporting and driver licensing in use by other states, the National Law Enforcement Telecommunications System(NLETS) and Criminal Justice Information System(CJIS)

This will help ensure reporting accuracy and minimize confusion. It will also bring uniformity to race and ethnicity codes for reporting requirements.

Education

SB 1873 - Relating a report regarding certain health and safety information prepared by the Texas Education Agency. (Roxanne)

Physically active and educated children are more likely to thrive academically and socially. A well-rounded physical education program includes professional development for teachers, adequate resources and sufficient time and space for physical education and activities.

The American Heart Association recommends that children and adolescents participate in at least 60 minutes of moderate to vigorous physical activity every day.

The information collected through the School Health Survey is essential to determining the quality of physical education being offered in schools.

SB 1873 provides clearly defined questions to be included in the Survey on an annual basis so that there is consistency in the information collected.

HB 728 - Relating to the establishment by the State Board of Education of an advanced computer science program for high school students. (Roxanne)

Despite the importance of computer science in education and industry, current public school computer science courses often do not count toward a student's required coursework nor do they meet the entrance requirements for college.

HB 728 addresses this issue through the establishment of an advanced computer science program for high school students.

HB 728 amends the Education Code to require the State Board of Education, by rule, to develop and implement a program under which students in participating public school districts may comply with the foundation high school program curriculum requirements for an advanced mathematics credit or an advanced science credit by successfully completing an advanced computer science course.

Participating school districts would implement rigorous standards, developed by the State Board of Education, for advanced computer science courses that are focused on the creation and use of software and computing technologies.

HB 1553 - Relating to permitting a school district that has failed to satisfy performance standards to partner with an institution of higher education to improve district performance. (Roxanne)

Currently If a school district fails to meet accreditation criteria set by the TEA, the Texas Education Association Commissioner may enforce a range of initiatives to improve performance. One of these is a partnership between an institution of higher education and an school district. These relationships foster support, training and opportunities to students, teachers and administrators.

HB 1553 would add the option for the Texas Education Association Commissioner to initiate a partnership between a failing school district and an institution of higher education to improve district performance.

HB 1553 does not force school districts and higher education institutions into partnerships. Rather it gives the Education Commissioner an effective and proven tool to utilize to help failing school districts in Texas.

Finance

SB 298 - Relating to the creation and funding of the Texas Forensic Science Commission operating account. (Desiree)

The Forensic Science Commission was established in 2005 and is charged under Texas law with the critical task of improving the integrity and reliability of forensic science used in criminal courts.

The Commission is now widely recognized as the national leader in forensic science reform. The Commission is improving the science used in Texas courts by working with prosecutors, defense attorneys, lawyers, judges, scientists, law enforcement, and other stakeholders at all levels of the criminal justice system.

In 2015, the legislature required the Forensic Science Commission to establish a process for licensing forensic analysts. By Jan. 1, 2019 a person practicing in a forensic discipline subject to accreditation by Texas law may not act as a forensic analyst unless they hold a license.

It also required the Forensic Science Commission to set fees for the issuance and renewal of a license. The Commission's staff of 3 FTE's will be responsible for successfully licensing a minimum of 800 forensic analysts, supporting the licensing advisory board and ensuring the efficient implementation of the program.

The Commission has been able to support all planning phases of the licensing program with its current staff and budget. Additional funding received by the Commission would be invested exclusively in moving from planning to implementation as required by the statute.

SB 298 creates a General Revenue-Dedicated Account so that the licensing fee revenue generated by licensing forensic analysts, will go back to Forensic Science Commission for operating costs.

SB 1390 - Relating to taxes and fees imposed on cigarettes and other tobacco products, including an exemption to the cigarette tax, related administrative matters, and the elements. (Jennifer)

The Comptroller's office has identified several issues governing the sale of and reporting requirements for tobacco products and cigarettes. These concerns are an administrative burden to taxpayers and the Comptroller's office. SB 1390 is an omnibus tobacco tax clean-up bill that provides clarity to taxpayers and will improve efficiency for the Comptroller.

SB 1390 changes the effective date of the adjusted rate on cigarette and tobacco fees from January 1 to February 1. Information necessary to adjust the fee is not available until mid-January making it impossible for the Comptroller to determine the appropriate fee by January 1.

- The fee being imposed is on the sale, use, consumption, or distribution of non-settling manufacturer cigarettes and tobacco products. The Comptroller is required to recalculate this fee each year based on the actual total percentage change in the consumer Price Index for All Urban Consumers during the preceding calendar year.

SB 1390 clarifies that the 3% stamp allowance is available to all distributors; thereby codifying agency policy.

- The Tax Code provides a distributor of cigarettes with a 2.5% stamping allowance while the Health & Safety Code provides for a 3% stamping allowance for those distributors who are non-settling manufacturers. The Comptroller has interpreted statute to allow for the 3% stamp allowance for all distributors based on certain factors within both codes.

What is a stamp allowance?

It is the money that the state pays the distributor for affixing the stamp to the cigarette pack. The distributor deserves the discount because he has to buy the stamping machine and provides the service of affixing stamps to all cigarette packages.

Example: A distributor buys \$100,000 of cigarette stamps. They would pay \$98,000 for those stamps. That is a 2% stamping allowance (ie. discount).

SB 1390 exempts cigarettes used solely for research purposes from taxation.

- Cigarette package must be labeled "experimental use only" or similar wording.
- Cigarettes must be sold directly from a manufacturer to a research facility in Texas (laboratory, hospital, medical center, college or university).
- Cigarettes may not be resold by the research facility.

SB 1390 removes an administrative burden to taxpayers by aligning all due dates for cigarette and tobacco product distributors, so that all required reports are due on the 25th of each month.

SB 2242 - Relating to the resolution of disputes or errors involving the ad valorem taxation of the same property by multiple taxing units of the same type as a result of disputed, overlapping, or erroneously applied boundaries. (Jennifer)

SB 2242 solves a local problem specific to San Patricio and Nueces counties in South Texas. It seeks to resolve a boundary dispute and eliminate the double taxation of the same property due to jurisdictional disputes of like taxing units.

Since 1973 the boundaries between these two counties and other local taxing units have been in dispute. Since 2010, certain properties along the boundary have been taxed by both counties, creating a double taxation. Certain property owners have consistently paid these property taxes under protest to like taxing units.

SB 2242 seeks to resolve this boundary dispute by allowing a property owner to file suit in the Texas Supreme Court to resolve the boundary question and eliminate the taxing of the same property twice to the same property owner. The supreme court has original jurisdiction to hear the suit and shall enter a final order establishing the correct geographic boundary and determine the amount of taxes owed and the taxing unit or units to which the taxes are owed.

SB 2242 also allows for the like taxing units to enter into a written agreement to resolve the dispute or error themselves. Such an agreement must establish the correct geographic boundary between the taxing units.

Once the supreme court has entered a final order or the dispute is resolved by written agreement between the like taxing units, SB 2242 provides for appropriate refunds of payments made to multiple like taxing units, specific only to Nueces and San Patricio counties.

HB 217 - Relating to the authority of certain persons to defer or abate the collection of ad valorem taxes on a person's residence homestead. (Jennifer)

Currently, only individuals who are 65 years of age or older, or disabled are entitled to defer the collection of property taxes for their homestead, or abate a collections suit or foreclosure sale. HB 217 extends this entitlement to certain disabled veterans.

HB 217 allows a "disabled veteran" to get the same benefits the state currently offers for a "disabled person" with Social Security disability. HB 217 amends the Tax Code to give "disabled veterans" access to deferred collection of property taxes for their homestead.

There are only rare instances in which disabled veterans may not currently receive the benefits under this bill. This is because the definition of "disabled person" for Social Security is a total disability that prevents an individual from working, while the Veterans' Administration uses a different definition and is service-connected. Therefore, in rare instances, a veteran may be considered disabled for VA purposes but not for social security purposes. Even though rare, these instances are still important and critical for our veterans. No veteran should fall through the cracks after serving their country.

HB 217 provides help to those rare instances of disabled veterans not currently protected under the law. The bill amends Chapter 33 of the Tax Code, regarding property tax collections, to include "disabled veterans" who qualified for a residence homestead exemption to be permitted to defer collection of property taxes, abate a suit to collect a delinquent tax, or to abate a sale to foreclose a tax lien.

HB 3765 - Relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations. (Jennifer)

HB 3765 is the "Miscellaneous Claims Bill" required to be passed each session. At a particular point in time, the State of Texas may have outstanding claims and judgments against it. The claims include warrants voided by the statute of limitations, outstanding invoices to private vendors, and court judgments or settlements.

While the comptroller is authorized to pay claims from existing appropriations, the following types of claims are required to be approved by the legislature before any payments are made:

- Court judgments greater than \$250,000
- Claims greater than \$50,000 for which there is not otherwise an appropriation
- Claims older than 8 years

All of these claims are presented in the "Miscellaneous Claims Bill" and presented to the LBB at the start of the legislative session. The LBB and Legislative Council prepares the "Miscellaneous Claims Bill" for the Senate Finance Committee and the House Appropriations Committee. After the "Miscellaneous Claims Bill" has been approved by the legislature and signed by the governor, the comptroller begins paying claims in September of the new fiscal year.

Health and Human Services

SB 315 - Relating to the enforcement of subpoenas and the regulation of pain management clinics by the Texas Medical Board (Sunset Bill) (Jennifer)

SB 315 contains recommendations adopted by the Sunset Commission in its review of the Texas Medical Board to clarify the agency's authority to regulate pain management clinics.

SB 315 only contains the following provisions relating to the Medical Board's subpoena authority and enforcement of pain management clinic regulations, removing all other Sunset recommendations.

- Authorizes the board to seek court enforcement of its administrative subpoenas for pain management clinic records when a clinic refuses to comply — authority the Dental Board and the Department of Licensing and Regulation already have.
- Clarifies the Medical Board's existing authority to inspect unregistered pain management clinics.

Clarifies the definition of "inappropriate prescribing" to include nontherapeutic prescribing or other conduct as specified by board rule.

SB 316 - Amended to HB 2561 - Relating to powers and duties of certain prescribers and dispensers of controlled substances and the regulatory agencies that issue a license, certification, or registration to the prescriber or dispenser; following the recommendations of the Sunset Advisory Commission. (Jennifer)

Background

Prescription drug abuse is a huge epidemic facing our country and our state claiming tens of thousands of lives every year. Texas' Prescription Monitoring Program (PMP) is a database that collects statewide information on controlled substances dispensed in Texas.

The PMP allows prescribers, dispensers, and related regulatory agencies to check for information on a patient's controlled substance prescription history to ensure responsible prescribing and dispensing practices. Regulatory agencies can use the PMP database to investigate potentially improper prescribing and dispensing habits.

However, the PMP lacks basic tools needed to maximize its effectiveness and lags behind national best practices. SB 316 provides these tools to improve effectiveness of the PMP.

Key Provisions

- Requires regulatory agencies to search the PMP to identify potentially harmful prescribing and dispensing patterns. Applies to Dental, Medical, Nursing, Optometry, and Podiatry Boards.
- Requires mandatory PMP checks before prescribing or dispensing controlled substances (opioids, benzodiazepines, barbiturates, or carisoprodol) starting September 1, 2019.
 - Exemption = Exempts practitioners from searching the PMP before prescribing or dispensing controlled substances if the patient is diagnosed with cancer or if the patient is in a hospice setting. Must note this reason on the prescription.
- Requires pharmacists to enter dispensing information in PMP within one business day of dispensing controlled substances (current requirement is 7 days).

- Streamlines and mandates registration - Requires prescriber licensing boards to provide the pharmacy board with prescriber information to automatically register prescribers with the system.
- Requires the pharmacy board to provide information to each board when its licensees are included in electronic alerts notifying practitioners or potentially dangerous prescribing and dispensing patterns.
- Includes an interim study to be done by the Senate Health and Human Services Committee regarding the PMP to more fully study the extent of the opioid problem and effects of the changes to the PMP and overall effectiveness of the program.
- Exempts the prescribers from the requirement to check the PMP if the system crashes due to technical problems.

HB 2379 - Relating to the functions and administration of the Health and Human Services Commission and the commission's office of inspector general in relation to fraud, waste, and abuse and other investigations in health and human services. (Jennifer)

HB 2379 offers clarification from last session's OIG Sunset bill SB 207 (Hinojosa) by clarifying the performance of legal services, maintenance of confidentiality, use of technology to identify fraud, and receipt of recovered money from fraudulent payments for the Office of Inspector General (OIG).

Specifically, CSHB 2379:

- Clarifies which OIG functions are to be conducted independent of the Health and Human Services Commission (HHSC) executive commissioner and which legal services are to be provided by HHSC in the same manner as other parts of the system. This clarification was needed as a result of the HHSC consolidation last session and concerns over which legal functions were to be retained with the OIG, and which were to transfer to HHSC.
- Clarifies in statute that OIG's confidentiality applies to inspections, in addition to audits and investigations.
- Grants OIG flexibility in the type of technology it uses to identify fraud in the Medicaid program.
- Specifies that for all fraud recoveries identified by managed care organizations (MCOs) that are over \$100,000 that OIG and the managed care organization both receive half of the recovery regardless of which entity investigates and recovers the fraudulent payment. Currently, the MCOs keep 100% of what they recover. This will ensure the state will now receive 50% of these recoveries.

States that all payments recovered by the OIG go to General Revenue (GR).

HB 2950 - Relating to the continuation and functions of the Texas Board of Nursing and to the regulation of the practice of nursing. (Sunset Bill) (Jennifer)

The Texas Board of Nursing safeguards public health and safety by regulating nurses and nursing education programs in Texas. The board is subject to the Sunset Act and will be abolished on September 1, 2017, unless continued by the Legislature. The Sunset Commission found that the board performs well and recommends continuing the agency for 12 years.

Key Provisions

Establishes requirements for clinical competency programs, such as Excelsior College, to continue to operate in Texas.

- Continues the exception to initial licensure standards for graduates of certain out-of-state nursing programs, namely Excelsior College.
- Creates a process, similar to steps for an in-state program, for program improvement if a program's national exam passage rate falls below the board's standard for consecutive years.
- A program's failure to meet these standards would require its graduates to meet additional conditions for Texas licensure.
- Requires the board to develop a path to initial licensure for graduates of out-of-state programs that are not substantially equivalent to Texas standards.

Limits the use of subjective standards for licensure decisions by requiring the board to demonstrate a connection between a nurse's conduct and the practice of nursing.

Increases flexibility and oversight of the peer assistance program for impaired nurses.

- Requires the board's peer assistance program to develop and use flexible program requirements in line with nurses' needs and diagnoses.

- Requires the board to create a formal process to allow students an opportunity for re-evaluation of participation in peer assistance upon initial licensure.
- Requires the board to adequately measure the effectiveness of its peer assistance program.

Adopts the new Nurse Licensure Compact to ensure continued mobility for nurses.

Requires the board to remove a nurse's disciplinary action from the board's website in certain circumstances.

Prohibits the board from charging a nurse for the administrative costs of conducting an administrative hearing, as well as from changing a finding of fact or conclusion of law of an administrative law judge.

Continues the Texas Board of Nursing for 12 years.

HB 3292 - Relating to the continuation of medical assistance for certain individuals. (Jennifer)

Currently, individuals with intellectual and developmental disabilities (IDD) receiving services through a 1915c waiver, STAR+PLUS, or in an intermediate care facility have a variety of reasons for temporarily falling off Medicaid. Most often the cause is a temporary income discrepancy, a paperwork error, or a Social Security Income renewal error or delay.

Since Texas now has transitioned to managed care, these lapses also result in disenrollment from their managed care plan. This can have devastating consequences as these individuals are deprived of critical medical services during that gap.

HB 3292 ensures continuous eligibility for that individual with IDD if a recipient experiences a temporary increase in income for one month or less that would result in the recipient being ineligible for medical assistance. For example, if an individual has a part time job and gets overtime for a month and their income goes up, the individual would now still remain eligible for services.

HB 3675 - Relating to the provision of eye health care by certain professionals and institutions as providers in the Medicaid managed care program. (Jennifer)

Current statute already requires that MCOs allow their enrollees to seek care at a network ophthalmologist or optometrist, for non-surgical eye care, WITHOUT the requirement of a referral or prior authorization. This allows for timely care, improved patient outcomes and cost savings. However, there are many cases of MCOs requiring eye doctors to obtain prior authorization to provide these covered eye care services to their patients, circumventing the intent of the statute.

HB 3675 clarifies that patients covered by a Medicaid Managed Care Organization (MCO) have direct access to ophthalmologists and optometrists for non-surgical eye care services, without any need for the provider or the patient to obtain prior authorization.

When an eye care practice hires an eye doctor, due to market demands, the new associate doctor should be able to provide care to the patients of that practice, if he/she meets the credentialing requirements and agrees to the MCO's contract terms. This opportunity is available in the private insurance market, but not in the Medicaid Managed Care market. This is a hardship to many eye care practices and a barrier to care for enrollees.

HB 3675 clarifies that an ophthalmologist or an optometrist who joins an established practice may become a network provider for the MCOs that the practice already has a valid contract with.

Also, institutions of higher learning, with accredited ophthalmology or optometry training programs, commonly serve patients covered by MCOs. The faculty eye doctors should be allowed to care for these patients. When MCOs deny these institutions the ability to become network providers, patient care is compromised and clinical training for our future doctors is negatively affected.

HB 3675 allows institutions of higher learning with accredited ophthalmology or optometry training programs, to contract with MCOs as network providers.

Higher Education

SB 537- Relating to requiring the disclosure of special course fees at public institutions of higher education. (Kassandra)

This bill requires the disclosure of course fees in the course catalog by amending chapter 54 of the Education Code by adding section 54.0051. Each institution of higher education would be required to include in its online and paper course catalog, for each course listed in the catalog, "a description and amount of any special course fee, including an online access fee or lab fee, to be charged specifically for the course." Disclosing this information to students can help them prepare for costs arising from the courses they take.

HB 2994 - Relating to workforce continuing education offered by public junior colleges. (Luis)

Workforce continuing education (CE) courses are an important tool for preparing students for the workforce. These types of courses provide opportunities for high school students who may not be able to take advantage of traditional dual credit workforce offerings and they help students gain immediate employment while in high school and beyond graduation.

These programs often align with the endorsements found in HB 5 and have been used effectively as a dropout prevention tool. However, direction from the legislature is not clear as to what constitutes workforce continuing education courses or how the Texas Higher Education Coordinating Board should treat minors enrolled in these courses for the reimbursement of contact hours.

HB 2994 seeks to provide further direction with regard to workforce continuing education offered by public junior colleges.

HB 2994 is to provides clarity on which continuing education courses are eligible for state formula funding. The bill makes clear that CE courses delivered to high school students enrolled upon the completion of their sophomore year may be reported for fundable contact hours.

HB 2994 will also clarifies that courses delivered at zero tuition would be fundable under the formula, provided that all or a significant portion of the college's costs for facilities, instructor salaries, equipment, and other expenses for the course are covered by business, industry, or other local public or private entities.

It also makes clear that continuing education courses eligible for funding **do not** include frameworks courses, basic employability skills courses, or basic learning skills courses *unless* the community college uses local funds.

Further, the bill requires the Texas Higher Education Coordinating Board to adopt any rules the coordinating board considers necessary for the administration of the bill's provisions and, in adopting those rules, to use the procedures established by the Negotiated Rulemaking Act.

HB 3083 - Relating to repayment of certain mental health professional education loans. (Jennifer)

Texas suffers from a severe lack of mental health professionals, leaving millions of Texans without healthcare that they need. Currently, psychiatrists, psychologists, Licensed Clinical Social Workers, Licensed Professional Counselors, and advanced practice nurses certified in psychiatric or mental health nursing, are eligible to receive loan repayment assistance through this program if they commit to working with Medicaid patients or incarcerated individuals with mental health needs and they work in medically underserved areas.

However, the program is not available to those specifically trained in addiction. Licensed Chemical Dependency Counselors (LCDCs) receive in-depth education and training specific to addressing drug and alcohol addiction. During the interim, the Select Committee on Mental Health discussed addiction and how the opioid crisis is driving the need for more professionals with addiction training such as LCDCs.

HB 3083 makes two important changes to the Mental Health Loan Repayment Program:

1. Adds Licensed Chemical Dependency Counselors.
2. Requires a minimum of two years of service, rather than just one, in order to be eligible for loan forgiveness.

Also, under the current loan repayment program each profession can only use 30% of the total funds available. This ensures that no one profession could use up all of the funds. However, if one profession did not meet their 30% cap for the fiscal year, and another profession had applicants waiting for loan repayment but reached the cap, then the money could not be spent. HB 3083 will now allow the Coordinating Board to distribute leftover money to applicants waiting for assistance.

HB 3083 also requires the Texas Higher Education coordinating Board to administer the program to maximize any matching funds available through the National Health Service Corps program and requires the agency to apply annually for the funds.

Intergovernmental Relations

SB 295 - Relating to the issuance of certain capital appreciation bonds by political subdivisions. (Jennifer)

Capital Appreciation Bonds (CABs) are a type of municipal bond that delay principal and interest payments for 25-40 years. There are no installment payments to bring down the debt, so compound interest keeps piling on, causing the balance to balloon. In recent years, Texas school districts and local government entities have increasingly turned to CABs because our growing populations are demanding new facilities and capital development that far outpaces our local wealth and resources.

Last session, HB 114 (Flynn/Hinojosa) was passed to restrict the issuance of CABs by political subdivisions. The bill prohibits a political subdivision from issuing CABs that are secured by property taxes unless certain conditions are met, including conditions relating to the length of maturity of the bonds, receipt of a cost estimate, personal or financial relationships, and transparency.

The bill exempted refunding bonds and CABs issued for transportation project financing from such restrictions. However, a drafting error occurred which changed the legislative intent with regard to this exemption, and became problematic for various local government entities. As currently drafted, the exemption applies only to one particular subsection of section 1201.0245 of the bill, while it should have applied to the entire section 1201.0245.

SB 295 clarifies this language and states that refunding bonds and CABs issued for transportation project financing are exempt from the restrictions in all of Section 1201.0245.

SB 814 - Relating to the board of directors of the Agua Special Utility District. (Jennifer)

SB 814 is a local bill that relates to the board of directors and governing structure of the Agua Special Utility District (SUD) in the Rio Grande Valley. Changes are needed to the composition of the board of directors, as well as safeguards to protect taxpayers against conflicts of interest and to increase transparency and accountability.

Board Composition Changes

- The Agua SUD board of directors currently consists of 7 elected directors -- 1 from the City of Mission, 1 from the City of Palmview, 1 from the City of Penitas, and 1 from the City of Sullivan; as well as 3 at-large directors.
- SB 814 changes the composition of the Agua SUD board by removing 1 at-large member and replacing it with 1 director from the City of La Joya, also located within the district. This will ensure better representation from all cities within the special utility district.

Increase Transparency & Curb Conflicts of Interests

- SB 814 intends to increase transparency and curb conflicts of interests within the Agua SUD board. The public loses confidence in the integrity of a governmental entity if it perceives that the governing board is influenced by personal interests. Public servants must avoid creating even the appearance of impropriety.
- SB 814 states that if an Agua SUD director is an employee of another taxing entity within the district, the board may not hire an elected official of that other taxing entity to work within the utility district. The prohibition includes a person related to that elected official within the 3rd degree of consanguinity, as well as an employee who is a consultant or employed on a contract basis. (This is consistent with nepotism laws).

When taxpayer money is involved, elected officials must provide efficient processes, proper oversight, and transparency to the public. SB 814 is necessary to achieve these goals for the Agua Special Utility District.

SB 1462 - Relating to local health care provider participation programs in certain counties and municipalities. (Jennifer)

During the 83rd and 84th legislative sessions, the Legislature overwhelmingly passed legislation that granted 11 counties the ability to create Local Provider Participation Funds (LPPFs). As a result of the LPPFs, the private hospitals in these communities have received hundreds of millions of additional federal dollars in Medicaid payments. SB 1462 applies to all LPPFs statewide to increase local flexibility through the 3 following changes:

Notice of Hearing - Every year, each LPPF holds a public hearing on the amounts of any mandatory payments to be collected during the year and how the revenue derived from those payments is to be spent. SB 1462 amends the notice of hearing requirement from 10 days notice to 5 days notice. This provides local governments greater flexibility in scheduling annual hearings and the ability to meet short IGT deadlines, while maintaining openness and transparency.

Authorized Uses of Money - Under a new federal program, HHSC may direct managed care organizations (MCOs) in a service delivery area to provide a uniform percentage rate increase to all hospitals within a particular class of hospitals. To ensure that eligible hospitals benefit if this program is implemented, SB1462 amends the LPPFs' authorized use of funds to include intergovernmental transfers to the state to provide payments to Medicaid MCOs that are dedicated for hospital payments.

Assessment and Collection of Mandatory Payments - SB 1462 amends the existing LPPF assessment and collection process to allow the county, funding district, or city to contract for the assessment and collection of mandatory payments. SB 1462 is permissive and would not prohibit a county from continuing to use the county tax collector, but would provide greater flexibility to implement an assessment and collection process best suited to the individual LPPF.

SB 1462 also went to conference committee and added in the language from HB 4330 by Senator Birdwell. This language creates the Tarrant County LPPF to allow them to leverage federal dollars. It is the standard language for all LPPFs and is supported by Tarrant County Senators Birdwell, Hancock, and Nelson.

HB 3470 - Relating to acceptance of donations and bequests by a commissioners court. (Rudy)

Certain county commissioners courts have expressed interest in implementing a volunteer program for the county's offices and departments to provide valuable experience for volunteers as well as opportunities to perform civic, charitable, or humanitarian services while assisting in county operations. Nueces County is attempting to work with local educational institutions to develop internship programs. Because many of these positions are unpaid internships the labor is being construed as a "gift of labor" to the county. H.B. 3470 facilitates the implementation of such a program by authorizing a county commissioners court to accept donations of labor or services. House Bill 3470 benefits both our county government, and students in our educational institutions by giving them real work experience as they pursue their education.

Natural Resources and Economic Development

SB 1105 - Relating to the abolishment of the used oil recycling account, deposits of used oil recycling fees, and use of the water resource management account. (Desiree)

One of the most important accounts at the Texas Commission on Environmental Quality (TCEQ) is the Water Resources Management Account, which provides the vast majority of funding for the agency's water programs. In recent years, the account balance has been rapidly depleting due to expenditures exceeding revenues. This trend is expected to continue absent a fee increase or an appropriations reduction for TCEQ water programs.

Meanwhile, the Used Oil Recycling Account is a fund that collects approximately \$2 million a year, and only expends approximately \$500,000 of that amount. This expenditure is typically used for providing education and technical guidance to the general public on recycling used oil, so that it does not impact the environment and water sources. Currently, the account has an approximately \$18 million fund balance.

Transferring the existing Used Oil Recycling Account balance and future collections of the fee to the Water Resources Management Account would provide support to the water account balance and stabilize funding for TCEQ's water programs.

SB 1105 abolishes the Used Oil Recycling Account and transfers the balance to the Water Resources Management Account to protect water resources and to continue to support existing Used Oil programs (ex. public education to prevent pollution of water resources from the dumping of used oil).

SB 1136 - Relating to the use of municipal hotel occupancy tax revenue for sporting-related facilities in certain municipalities. (Jennifer)

The City of Edinburg is experiencing rapid growth and quickly becoming a tourist destination. Edinburg has just finished the construction of a 9,000 seat professional soccer arena. Surrounding the stadium are sports fields and facilities that include the professional soccer team's practice field.

The area around the professional soccer stadium has recently seen several new hotels built largely attributable to the soccer stadium attracting tourists and overnight guests.

SB 1136 will allow Edinburg to use the municipal hotel occupancy tax (HOT) revenue to pay for the construction, maintenance, and expansion of sporting-related facilities surrounding the soccer stadium.

SB 1136 amends the tax code to allow for the HOT revenue collection if certain criteria are met -
- if the municipality's sports facilities and fields have been used in the preceding year a combined total of 10 times for district, state, regional, or national sports tournaments.

Edinburg will spend the municipal HOT revenue for construction and expansion of the sporting related facilities. The city has 10 years to ensure the tax revenue on the sports facilities is less than the revenues of the area hotels attributable to sporting or other events held at the facility. If not, the city will reimburse the municipal HOT revenue fund from the city's general fund.

SB 1136 is bracketed only to the City of Edinburg.

SB 1748 - Relating to use of tax revenue by certain development corporations for job-related skills training. (Jennifer)

Under current law, an economic development corporation may spend tax revenue received under the Development Corporation Act for job training offered through a business enterprise only if certain criteria are met, which includes a commitment in writing to create new jobs and pay competitive wages. However, businesses in areas with high unemployment rates and a high percentage of citizens with limited skills are unlikely to spend funds to train someone lacking basic skills.

In 2013, HB 1967 [83R] authorized certain economic development corporations in an area with high unemployment rates to provide life skills training and job-related skills training to individuals. It allowed an economic development corporation to spend tax revenue on job training skills and authorized a corporation to contract with any person to provide the training authorized under this section. This is particularly important because it allows non-profits to provide this type of job training. However, HB 1967 applied only to corporations that border the Gulf Intracoastal Waterway.

SB 1748 amends current law to include a corporation that borders the Gulf of Mexico. This bracket captures only Hidalgo County in the Rio Grande Valley.

HB 88 - Relating to an unlawful employment practice by an employer whose leave policy does not permit an employee to use leave to care for the employee's foster child. (Desiree)

Under current law, if an employer administers a leave policy for their employee to care for their sick child, there is no requirement that the leave policy treat foster children in the same manner as biological or adopted minor children.

This has resulted in unequal treatment of employees who wish to use their leave policy in order to care for their foster children, even though they have the same obligations as biological or adoptive parents. The employee could be denied leave to care because the foster child is not the employee's biological or adopted child.

HB 88 amends the Labor Code to make it an unlawful employment practice by an employer whose leave policy does not permit an employee to use leave to care for the employee's foster child.

HB 1406 - Relating to the authority of the asset management division of the General Land Office to sell real property to a federally recognized Indian tribe. (Desiree)

Under current statute, when the Texas General Land Office sells property, it gives preference to certain political subdivisions, usually the City or County in which the property is located.

If no qualifying political subdivision buys the land, the General Land Office places the property up for auction to the general public. Federally recognized Indian tribes are not considered political subdivisions in this section, and are therefore not given preference in purchasing property from the General Land Office.

HB 1406 would give federally recognized Indian tribes the same preference as these political subdivisions. In Texas, there are 3 federally recognized Indian tribes: the Alabama-Coushatta Tribe of Texas, the Kickapoo Traditional Tribe of Texas and the Ysleta Del Sur Pueblo of Texas (also known as the Tiguas).

Governor's Veto Statement

Current law gives political subdivisions like cities and counties a preference over private buyers when the General Land Office sells land owned by the State. This practice might be justified in rare cases when there are compelling reasons to ensure that State land continues to benefit the public. In general, however, when selling land the State should seek the best financial terms for the taxpayers. Existing law's preference for political subdivisions is already questionable. House Bill 1406 sought to expand this questionable preference to Indian tribes, which are not political subdivisions of the State.

HB 1625 - Relating to the procedures for the enforcement by the General Land Office of the Oil Spill Prevention and Response Act of 1991. (Desiree)

Texas is experiencing a steady rise in the number of abandoned boats and structures left along the Gulf Coast and other state waterways. Some of these abandoned vessels are unmarked, unregistered, and unidentifiable –allowing their owners to circumvent basic disposal protocol without penalty. The General Land Office (GLO) is responsible for properly removing and disposing of these vessels, and is generally required to provide the owner with notice and the opportunity for a hearing before the vessel is removed.

At times, the GLO cannot identify the owner of an abandoned vessel that presents an imminent and significant threat to life or property; or, creates a significant navigation hazard. Under these circumstances, the GLO is currently bound by notice and hearing requirements that prevent the timely removal of the hazardous vessel.

HB 1625 amends the Natural Resources Code to eliminate the requirement for the GLO to provide notice and a hearing when an abandoned vessel or structure creates an imminent threat to life or property or causes a significant navigation hazard. The bill would also reduce the notification time from 20 days to 10 days for vessels having no visible numbers or markings to determine ownership of the vessel. The bill also states that the GLO can't remove a vessel under emergency situations if the owner is taking reasonable steps to remove it.

HB 2079 - Relating to the promotion of tourism related to the musical heritage of this state. (Desiree)

Texas communities value their links to music history and leverage that history for economic development purposes, from music museums and historic dancehalls to rodeo concerts and music events like Corpus Christi's vibrant, Selena inspired festival, Fiesta de la Flor.

HB 2097 requires the Texas Historical Commission to develop a Texas music history trail program to promote and preserve Texas music history. HB 2097 requires the program, at a minimum, to include designation of locations or organizations that are historically significant to Texas' musical heritage; adoption of an icon, symbol, or other identifying device to represent such a designation and to the extent funds are available, the development of itineraries and maps to guide tourists to the designated locations or organizations.

HB 2097 also requires the commission to adopt eligibility criteria for a designation and procedures to administer the program and authorizes the commission to enter into a memorandum of understanding, as necessary, with certain specified state entities to implement the bill's provisions.

State Affairs

SB 539 - Relating to the qualifications for an impartial third party in certain civil disputes. (Desiree)

Currently, mediators that handle child custody cases have no domestic violence training requirement. To qualify as an impartial third party, a person must complete a minimum of 40 hours of training in dispute resolution techniques and an additional 24 hours of training in the fields of family dynamics, child development, and family law. Other professionals involved in child custody cases such as parenting time coordinators and child custody evaluators must have 8 hours of training on domestic violence.

Adding domestic violence training for these mediators will increase safety for survivors and their children. Lawyers and advocates agree that mediators need the tools to identify abusive behavior in the mediation process. In 2015, five women were murdered during custody exchanges. Overall, eleven children witnessed their mothers murder, highlighting the need for better, safer custody solutions.

SB 539 requires mediators that handle child custody cases to complete 4 hours of domestic violence training.

SB 712 - Relating to the duration of certain protective orders against family violence. (Desiree)

In Texas, 158 women were killed by their intimate partner and 1 in 3 adult women are victims of family violence. The most dangerous time for victims are the weeks leading up to their escape and the weeks following.

Currently, a "permanent" protective order in Texas lasts up to two years. Courts may allow long-term protective orders, if there have been either two prior protective orders involving the same parties or if the offender has caused serious bodily injury to the victim.

However, these two options do not include lethal family violence felony offenses such as strangulation, continuous violence against the family, continuous violation of a protective order, or enhanced assault family violence, among other felonies.

SB 712 allows additional circumstances under which a judge may choose to enter a protective order in excess of 2 years: if the offender "commits an act(s) constituting felony-level family violence.

HB 791- Relating to allowing individuals appointed to state office to file required financial statements by certified mail. (Kassandra)

This bill amends section 572.0291 of the Government code, allowing individuals appointed to office and required to file a financial statement with the commission to file the financial statement by certified mail. The filing by mail must be in compliance with section 572.029

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017.

HB 1234 - Relating to filing fees imposed in civil cases in Hidalgo County and Cameron County. (Jennifer)

HB 1234 is a local bill that clarifies language from legislation passed last session specific to Hidalgo and Cameron counties. SB 1964 (84R, Hinojosa) allowed both counties to collect a civil courts filing fee similar to the one currently collected in Bexar, Hays, Dallas, Rockwall, and Travis counties and other courts to assist with the costs of renovating, improving, or constructing new courthouse facilities.

HB 1234 simply clarifies that the civil court filing fee may be used to pay for debt service for the financing of new courthouse facilities. It also extends the time period when this fee may be authorized from 2030 to 2045 in order to align the use of the fee with the typical term for a bond.

HB 3125 & HJR 100 - Relating to charitable raffles conducted by the charitable foundations of certain professional sports teams. (Jennifer)

Last session the legislature unanimously passed HB 975 and voters approved HJR 73, which together permitted certain professional sports team charitable foundations to conduct charitable raffles at home games under certain circumstances. This legislation created the Professional Sports Team Charitable Foundation Raffle Enabling Act.

HJR 100 and its enabling legislation HB 3125 seeks to include minor league charitable foundations. These charitable foundations conduct raffles to fund programs aimed at disadvantaged youth. They provide scholarships to financially eligible families so kids can participate in community youth basketball leagues, programs, trainings and tournaments. All qualifying sports team charitable foundations are approved by the IRS as 501(c)(3) nonprofit organizations.

HB 3125 would add the following entities to the definition of "professional sports team" under the Professional Sports Team Charitable Foundation Raffle Enabling Act:

- American Hockey League
- East Coast Hockey League
- American Association of Independent Professional Baseball
- Atlantic League of Professional Baseball
- Minor League Baseball
- National Basketball Association Development League
- National Women's Soccer League
- Major Arena Soccer League
- United Soccer League
- A motorsports racing team event sanctioned by NASCAR, INDYCar, or a nationally recognized racing association at venue in Texas with seating for at least 75,000 attendees
- An organization hosting a Professional Golf Association (PGA) event

HB 3125 would also make a debit card an acceptable form of payment for purchasing a raffle ticket for a charitable raffle conducted under the act.

The bill would take effect September 1, 2017, but only if the constitutional amendment is approved by voters.

HB 3649 - Relating to the confidential communications of victims of certain family violence offenses. (Desiree)

Thirty-nine states have some form of enhanced state-level victim information privacy protections for victims of domestic violence. However, Texas lacks strong legal protections for private conversations between domestic violence victims and their family violence advocates.

Currently, batterers or others who seek this information can obtain these private conversations with a court subpoena. As a result, advocates document little information in victim files, significantly reducing their usefulness.

Disclosure of the intimate details of abuse in court re-traumatizes victims of domestic violence and jeopardizes victim safety. Victims of family violence need safe spaces to share details of the abuse.

HB 3649 shields information family violence survivors share with victim advocates from disclosure, ensuring they can seek assistance without fear that their story will be used against them. Over 70,000 Texans seek services every year and each of them deserves to have their private information respected. Enhanced privacy and confidentiality stand as critical elements of fostering a therapeutic and effective environment for victims to seek help.

Transportation

SB 1129 - Relating to franchises granted by navigation districts. (Roxanne)

SB 1129 amends sections 31.164 (b) and (d) of the Water Code. The bill increases the maximum term of a district's franchise from 30 to 50 years to be commensurate with the maximum lease term that a district may grant without bidding.

Additionally, current law requires notice of a franchise to be published once a week for three consecutive weeks and also requires that commissioners affirmatively vote to grant a franchise at three separate meetings. This bill clarifies that the third vote of the commission may not take place before the third publication of notice.

SB 1129 clarifies that the effective date of a franchise is the date the grantee files written acceptance with the commission.

SB 1131 - Relating to the powers and duties of a designated officer of a navigation district. (Roxanne)

Senate Bill 1131 clarifies the duties of a navigation district treasurer and a district's designated officer in making payments from district funds.

Currently the district treasurer of a navigation district is the County Treasurer. The district treasurer is required to open a bank account for all funds received by the district and is authorized to make payments out of this account on vouchers signed by authorized signatories.

Certain navigation districts are also authorized under 62.155, Water Code, to deposit all revenues of the navigation district, except revenues derived from taxation, in a banking corporation selected by the commission. The designated officer of a navigation district may draw checks on this account by following the payment procedures adopted by the commission.

When a district operates under 62.155, Water Code, the role of the district treasurer is not clear.

SB 1131 clarifies that a navigation district's designated officer has the authority to draw checks on a bank account established under Section 62.155, Water Code.

SB 1133 - Relating to the exemption from taxes and special assessments of property of a navigation district. (Roxanne)

Texas port authorities are political subdivisions of the state operating as navigation districts under Article III, Section 52, or Article XVI, Section 59, of the Texas Constitution and the laws of the State of Texas, particularly Chapters 60-62, Texas Water Code.

Both the Texas Constitution and Texas Water Code give districts the responsibility to operate and develop the state's inland and coastal waters. In carrying out this mission, districts routinely acquire land to aid in the development of navigation and navigation-related commerce. Such acquisition of land "and the operation and industrial and business development of ports and waterways are a public purpose and a matter of public necessity" under Texas Water Code §62.107.

As governmental entities, real property and facilities owned by Texas ports have not been subject to ad valorem taxation, while property taxes have been levied on private improvements within the district.

Texas ports are attracting national and international investment, prompting districts to acquire additional land and facilities to accommodate their mission. This growth has resulted in some confusion about the taxability of port-owned property, despite districts' public purpose and status as political subdivisions.

SB 1133 explicitly states that district property is public property used for a public purpose and is exempt from all taxes and special assessments imposed by the state or a political subdivision of the state.

SB 2227 - Relating to an increase in and the use of the fee for permits issued for the movement of oversize or overweight vehicles carrying cargo in Hidalgo County. (Roxanne)

Oversize-overweight vehicle corridors allow for more efficient and time saving transport for commercial trucks. In return for this convenience, commercial truck companies pay a fee for an overweight truck permit, which is collected by the county regional mobility authority (RMA). A small percentage of the fee is retained by the RMA while the rest is used for highway maintenance. Unfortunately, due to the increase in brokers using the current system to register for permits, the Hidalgo RMA is forced to use extensive staff time to assist with, troubleshoot, and correct input errors.

SB 2227 increases the fee for permits that the Hidalgo County RMA may assess for an individual seeking an oversize-overweight permit in Hidalgo County. The permit fee goes from \$80 to up to \$200. The administrative percentage is not adjusted by the bill, but an increase will allow for more funds to be used on maintenance.

HB 1140 - Relating to the allocation categories for state funding of public transportation. (Roxanne)

HB 1140 adds a new funding category for Transit Districts

Current law provides that State Transit Funding is available to: Rural Areas - with a populations less than 50,000, and Small Urban Areas - with populations of 50,000 - 199,999

The problem that we have run into is that several areas that are currently classified as Small Urban areas have exceeded the population threshold, yet still continue to draw state funding

HB 1140 seeks to relieve this problem by moving those areas into a new funding category designated as "Large Urbanized Area". These areas would be those who have a population of 200,000 or more.

The additional category would alleviate the reduction of available funding for everyone who relies on this state funding. HB 1140 recognizes the population growth of all Rural and Urban Transit Districts.

TxDOT included an additional \$7 million in their budget for the 2018-2019 biennium to fund the new category. (Funding for the other categories will remain the same)

HB 1249 - Relating to a prohibition of certain motor vehicles resembling emergency medical services vehicles; creating a criminal offense. (Roxanne)

HB 1249 amends the Health and Safety Code to prohibit a person from operating a motor vehicle in Texas that resembles an emergency medical services vehicle unless the person uses the motor vehicle as an emergency medical services vehicle under the Emergency Health Care Act or for other legitimate governmental functions, including police or firefighting services.

The bill establishes that a motor vehicle resembles an emergency services vehicle if the vehicles exterior has any of the following markings or features: The word "ambulance" or a deviation of that word, A star of life as trademarked by the National Highway Traffic Safety Administration, A Maltese cross, commonly used by fire departments, Forward-facing flashing red, white or blue lights, A siren, The words "critical care transport," "emergency," "emergency medical services," or "mobile intensive care unit", or The acronym "EMS" or "MICU".

The owner of the vehicle is subject to a Class C misdemeanor offense if the above items are not removed.

HB 2646 - Relating to the real property acquired by advance acquisition for a transportation facility. (Roxanne)

In 2014, Congress passed highway authorization legislation known as Moving Ahead for Progress in the 21st Century (MAP-21). MAP-21 was amended to broaden the ability for states to receive federal funding for the acquisition of right of way, acquired through negotiation without the threat of condemnation, prior to a final environmental clearance for transportation projects.

While state law authorizes the Texas Transportation Commission (Commission) to acquire property it determines to be necessary or convenient for a state highway in certain circumstances, it is unclear when it comes to the authority of the Commission to acquire such property for a project prior to environmental clearance.

HB 2646 authorizes the Commission to acquire an interest in real property, through negotiation and without the threat of condemnation, before either a final decision has been made regarding alignment or environmental clearance has been issued on the project.

HB 2646 also includes a right of first refusal for the original property owner if the land acquired under the bill is not used in the final project. The land must first be offered to the original owner at property value that is equal to or lesser than: The amount paid to acquire the property in the first place or the "fair market value" at the time it is offered for sale, taking into account any damage to property.

HB 2663 - Relating to exempting certain persons from a fee for replacement registration insignia and license plates. (Roxanne)

The ability of local Tax Assessor Collectors to issue no-fee replacements for registration insignias and license plates was recently questioned by the TXDMV legal staff.

While the DMV's operation manual for Tax Assessor Collectors allowed them to issue replacement stickers if the stickers were lost through no fault of the consumer, statute contradicted this and assessed a small fee.

H.B. 2663 addresses this issue by creating such an exemption.

HB 2700- Relating to the issuance of childhood cancer awareness license plates. (Kassandra)

HB 2700 amends Chapter 504 of the Transportation Code by adding section 504.655, Childhood Cancer Awareness Plates. The Department "shall issue specialty license plates to raise awareness of childhood cancer.

SCR 37- Urging Congress to increase appropriations from the Harbor Maintenance Trust Fund to properly maintain ship channels.

(Kassandra)

The Harbor Maintenance Tax is a federal user fee imposed on shippers, based on the value of goods shipped through United State ports. The revenue collected is deposited in the Harbor Maintenance Trust Fund (HMTF) to provide funding for maintaining ship channels. Revenues are about \$1.6 billion each year. Historically, much of the revenue collected is not appropriated for harbor maintenance; instead, Texas ports have received less than 25 percent of the revenue collected in the state. Spending from the HMTF account must be considered through the Congressional budget cycle which includes funding levels proposed through the President's Budget and ultimately Congressional appropriations. This concurrent resolution will urge members of the Texas Congressional delegation to increase the appropriations to the HMTF.

This concurrent resolution urges Congress and members of the Texas Congressional delegation to increase the appropriations to the Harbor Maintenance Tax.

Veteran Affairs and Border Security

HB 1646 - Relating to the waiver of certain fees for an assumed name certificate or a statement of abandonment of use of an assumed name filed by a military veteran. (Rudy)

Residents in Nueces County are subject to a filing fee when registering their business. The Small Business Administration's last survey conducted in 2012 shows Nueces County with an estimated 2,763 Veteran Owned Businesses. Seeking to honor our veterans, Nueces County Clerk introduced the Thank-A-Vet Program in 2015, which is made up of local participating businesses who offer discounts on goods and services to veterans. Currently, we have more than 100 businesses that have joined Thank-A-Vet and 30 of them are veteran owned. House Bill 1646 allows the County Clerk to waive all fees for a registrant who is a military veteran not only as a way to say thank you, but to encourage veterans to start a business in Nueces County. Waiving the fee relating to the certain fees for an assumed name certificate, or a statement of abandonment of use of an assumed name filed by a military veteran, is simply another way for our county to honor and show appreciation for their service.

85th Legislature

Budget Highlights

Budget Summary

	Base <u>2016-17</u>	SB 1 <u>2018-19</u>
General Revenue	\$ 108.0 billion	\$ 106.7 billion
General Revenue – Dedicated	\$ 8.0 billion	\$ 6.4 billion
Other Funds	\$ 28.2 billion	\$ 31.8 billion
Federal Funds	\$ 72.2 billion	\$ 71.9 billion
All Funds	\$ 216.4 billion	\$ 216.8 billion

*All Funds include \$990 million in ESF funds for one-time expenditures.

Limits on Appropriations

- The 2017-18 GR appropriations total **\$106.7 billion**; All Funds total **\$216.8 million**.
- This GR amount is exactly within the pay-as-you-go limit or \$104.9 billion BRE.
- General Revenue Funds are within the Constitutional spending limit.
- Amount remaining in ESF estimated to be \$10.9 billion at end of fiscal year 2019.

Public Education

- Covers enrollment growth.
 - \$2.65 billion to account for 80,000 additional students per year.
- Maintains the basic allotment.
 - \$1.2 billion to maintain the basic allotment of \$5,140 per student for FY 18-19.
- \$48 million to fund the New Instructional Materials Allotment.
- Increases public education grants:
 - \$26 million for E-Rate Classroom Connectivity for broadband access at local public schools.
 - \$12 million for Student Success Initiative.
 - \$38.8 million for Communities in Schools.
 - \$4.5 million for Texas AIM .
- Provides \$75 million in funding for Property Value Decline School Districts through the Foundation School Program.

Higher Education

- \$786 million in financial aid for the TEXAS Grant program to serve 92% of all eligible residents (\$71 million increase from last biennium).

- \$44 million for Graduate Medical Education (GME) to continue medical residency expansion efforts.
- \$19 million increase to fund community colleges.
- Non-Formula Support
 - Sunsets all "special items" (non-formula support) by August 31, 2019.
 - Reduces university "start-up" special items by 50% that have been in existence for longer than 8 years.
 - Creates a Joint Interim Committee to study the special items issue during the interim and make recommendations to incorporate into the next budget.

Transportation

- \$39 million for 313 new FTEs for TxDOT to help support the construction of new transportation projects statewide.
- \$23 billion in All Funds for highway planning and design, construction, and maintenance
 - \$9.7 billion for maintenance of existing transportation system.
 - \$4.5 billion for construction and highway improvements.
 - \$2.3 billion from Prop 7 (2015 proceeds and \$2.5 billion from Prop 1 (2014) proceeds for construction, maintenance, and acquiring rights-of-way for non-tolled public roadways.
 - \$2.3 billion for transportation system planning and design.
 - \$1.7 billion for right-of-way acquisitions.
- Includes Rider 45 Port Access Improvements (TxDOT bill pattern)
 - \$40 million from the Texas Mobility Fund shall be allocated for projects to improve connectivity to Texas ports selected by the Port Authority Advisory committee and approved by the Texas Transportation Commission (Projects must be "outside the gates").

Health and Human Services

- Increases investment in Child Protective Services by over \$500 million.
 - Includes almost 600 new caseworkers (this is above the emergency appropriation)
 - Includes increase of \$28 million GR to support foster care payments and expand the Foster Care Redesign to three additional regions.
 - \$32.5 million increase in All Funds to expand Relative Caregiver payments.
- Medicaid funding - funds caseload growth but not growth due to medical inflation or higher usage of services.
 - \$62.4 billion in All Funds and \$25.6 billion in GR for Medicaid services. This is a reduction of \$400 million in GR from last biennium.
 - Includes an additional 734 waiver slots for people with IDD (this is an increase from last session but the waiting list is still about 130,000 people).
- \$33 million to increase funding for prevention services.
- Funding increases to prioritize mental health services including:
 - \$63 million to eliminate waitlists for community mental health services/

- \$67.5 million for community collaborative grants for jail diversion and local mental health projects.
- \$30 million to maintain and add community psychiatric hospital beds.
- \$25 million to maintain state hospital service levels.
- \$25.3 million for 25% therapy reimbursement rate restoration from Rider 50 cuts last session and includes phased-in rate reductions for therapy assistants.

Other Agency Highlights

- \$20 million for grants to military defense impacted communities (DEAAG).
- \$47.3 million to the Railroad Commission for operational stability and pipeline safety.
- \$35 million for the Safe Drinking Water Program at TCEQ for clean water in our communities.
- \$29 million for local park grants statewide.
- \$8 million for replacement of Game Warden Boats (HB 3781, Hinojosa).
- \$7.4 million for mitigation of cattle fever ticks.
- \$7.8 million in flood funding for flood preparedness and safety activities.
- \$9.4 million for Texans Feeding Texans (Surplus Agricultural Product Grant Program).
- \$9.8 million for Boll Weevil Eradication.

Border Security - \$800 million for Border Security

- Maintains last biennium's funding levels at \$800 million.
- **Additional DPS Troopers.** Adds 250 new DPS troopers both on the border and across the state. Maintains \$145.6 million for a 50-hour work week for all DPS officers.
- **Law Enforcement Operations Center in Penitas.** \$3.2 million to assist in the establishment of the new DPS law enforcement center in Penitas to assist with border security.
- **Border Prosecution Grants.** \$12 million for the Border Prosecution Grant program. Grants allow District Attorneys to hire assistant prosecutors and investigators whose primary responsibility is to better handle and coordinate prosecution of border crimes.
- **Local Law Enforcement Funding.** \$10.2 million in additional funding for our local law enforcement agencies. Local law enforcement agencies in the border region play a major role in responding to border crime and corruption, but local funds are not sufficient.
- \$33 million for game warden activity at Parks & Wildlife Department.
- \$3 million for Carrizo Cane eradication along the border region.

Teacher Retirement and Health Benefits

Without legislative changes AND additional funding to the TRS-Care program, the estimated \$1.06 billion shortfall would be fully borne by the retirees. The program would quickly become unsustainable and forced to close. HB 3976 made significant changes to TRS and TRS-Care.

- \$4.0 billion in All Funds for the state contribution to retirement benefits of TRS, including \$3.9 billion in GR funds.
- \$977.6 million in GR funds for TRS-Care (this is an increase of \$416.7 million or 72% from the FY 16-17 levels).
- Significant differences for those below age 65 and those age 65 and over.
 - Those below age 65 will now be in a high-deductible healthcare plan - Deductible will be \$3,000 with \$7,150 maximum out-of-pocket starting January 1, 2018.
 - Those age 65 and over will be combined into the Medicare Advantage program.
- Active employee contribution of 0.65% of payroll remains unchanged
- School District contribution of active payroll increases from 0.55% to 0.75% (This brings in \$133.9M additional funding from the district).

*Please see separate TRS one pager of all reforms and impact to retirees.

Employees Retirement System

- Maintains the state's contribution rate at 9.5%, the maximum percent allowed by the constitution.
- \$1.3 billion in All Funds (includes \$982 million GR) for the state contribution to TRS retirement plan (This is an increase of \$40.4 million from FY 16-17).
- Includes targeted cost savings measures:
 - Discourages the use of free standing ERs by requiring a \$1,000 copayment for an ERS employee to be treated at the facility (Rider 15, ERS).
 - Directs ERS to reduce its contracted provider rates with Health Related Institutes (Rider 18, ERS).

ESF Funding for Infrastructure and One-Time Funding Needs (\$990 million)

- Projects to address the repair, renovation, and new construction of state facilities and historic sites in order to address public health and safety concerns and maintenance.
 - \$300 million at HHSC for state hospitals and other inpatient mental health facilities.
 - \$160 million at HHSC for SSLCs for critical health and safety needs.
 - \$118 million at the Facilities Commission for emergency repairs at state facilities.
 - \$75 million for the preservation of the Alamo and surrounding complex.
 - \$49.2 million at Parks & Wildlife for weather related construction projects at state parks and \$17 million for maintenance needs at state parks.
 - \$40 million at Department of Criminal Justice and \$12 million at Juvenile Justice Department for health and safety needs.
 - \$20.2 million at the Historical Commission for courthouse preservation grants and \$6.4 million for historic sites.

85R SENATE DISTRICT 20 FUNDING HIGHLIGHTS

*All numbers for 2018-19 biennium

Description	SB 1 Funding	Base Budget
Funding for Property Value Decline School Districts (Foundation School Program)	\$75 M	Not funded
Communities in Schools (TEA)	\$38.8 M	\$38.8 M
AMACHI TEXAS program for mentoring children of incarcerated parents	\$1.3 M	\$625,000
Texas Academic Innovation and Mentoring (AIM)	\$4.5 M	Not funded
Texas A&M Corpus Christi Engineering Program	\$4.6 M	Not funded
Lone Star Unmanned Aircraft Systems Program at Texas A&M Corpus Christi (first time ever funding)	\$7 M	Not funded
The University of Texas Rio Grande Valley School of Medicine	\$56.6 M	\$5.5 M
Texas A&M University Health Science Center - Healthy South Texas Initiative 2025	\$9.1 M	Not funded
Texas A&M Kingsville Citrus Center	\$791,000	Not funded
Del Mar College	\$31.7 M	\$29 M
South Texas College	\$78.3 M	\$75.5 M
Texas Innovative Adult Career Education Grant Program at Austin Community College (Valley Interfaith)	\$4.6 M	Not funded
E-Rate Classroom Connectivity for broadband access at local public schools	\$26 M	Not funded

Description	SB 1 Funding	Base Budget
E-Rate for broadband access to public libraries, Libraries and Archives Commission	\$1 M	Not funded
National Museum of the Pacific War	\$2 M	Not funded
Grants for Local Border Security to fund local law enforcement agencies	\$10.2 M	\$10.2 M
Texas Military Preparedness Grant Program for grants to military defense impacted communities (DEAAG)	\$20 M	Not funded
Enhanced Border Security Operations including installation of border cameras and helicopter operations	\$9 M	\$9 M
Border Prosecutions Grants	\$12 M	\$8 M
Therapy Reimbursement Rates Restoration (25% restoration from Rider 50 last session)	\$25.3 M	Not funded
Funding for local crisis intervention and behavioral support programs for individuals with intellectual disabilities	\$12.3 M	\$6.3 M
Forensic Science Commission - moved to Office of Court Administration plus 3 FTEs	\$1.2 M	Not funded
DPS Law Enforcement Operations Center in Penitas	\$3.2 M	Not funded
Center for Urban Ecology at Quinta Mazatlan	\$5 M	Not funded
Safe Drinking Water Program for water needs in our communities, TCEQ	\$35 M	\$28.5 M
Local Park Grants, Texas Parks & Wildlife Dept.	\$29 M	\$20 M

Description	SB 1 Funding	Base Budget
Migrant Labor Housing Funding, Dept. of Housing & Community Affairs to improve conditions for migrant workers (first time ever funding)	\$20,500	Not funded
Replacement for Game Warden boats through Texas Parks & Wildlife Dept. (Contingency Rider for HB 3781, Hinojosa)	\$8 M	Not funded
Carrizo Cane Eradication along Texas-Mexico border	\$3 M	Not funded
Women's Institute for Technology Employment Training	\$500,000	\$500,000
Texas Water Development Board Regional Drainage and Water Assistance - Grant funding to the Hidalgo County Drainage District No. 1 to implement the Raymondville Drain Project (deleted Delta Region language)	Up to \$10 M	Up to \$10 M
313 new FTEs for TxDOT to help support the construction of new transportation projects across the state.	\$39 M	Not funded
TxDOT Port Capital Improvements - From the Texas Mobility Fund, up to \$40 million shall be allocated to provide funding for projects to improve connectivity to Texas Ports selected by the Port Authority Advisory Committee and approved by the Texas Transportation Commission.	\$40 M	Not funded

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