



Capitol Update 2-26-21

Greetings from your Texas Capitol. I want to start this capitol update by addressing the extreme winter weather Texans experienced last week, which caused many Texans to go without power and subsequently water for several days. What happened last week is unacceptable. The Senate and the House are getting to work immediately investigating why this happened and how we can prevent these conditions from happening again. Lt. Gov. Patrick, along with the Senate members, has vowed to get to the bottom of the energy failure that caused Texans to lose power for days. The Senate Business and Commerce Committee began this fact-finding mission yesterday. The Senate Jurisprudence Committee is meeting next week to examine the legal responsibilities that the Electric Reliability Council of Texas (ERCOT) and the Public Utility Commission (PUC) owe to the people of Texas. While I do not serve as a member of these committees, my staff and I will closely monitor them. I encourage each of you to share your story and suggestions in this portal (<https://senate.texas.gov/business-and-commerce-comments/>), which allows you to submit a public comment to the Business and Commerce Committee. These materials will be distributed to each member of the committee.

I was recently interviewed by KCEN Channel 6 News to discuss how legislators are looking for ways to tackle the enormous electric bills from last week. Check out that interview here: <https://bit.ly/3uuBfzh>.

ERCOT, PUC, and the overall grid operation, integration, and security are all large, complex systems that must work together to provide the vast amount of energy used by Texans on a daily basis. Each portion of this system needs examination, and we will give methodical analysis to propose solutions across the entire spectrum. Overall, Texans demand affordable energy prices. The legislature must work on drafting and passing legislation that ensures a failure of this magnitude doesn't happen again and safeguards market competition to allow for energy costs to remain affordable for all Texans.

Newly Authored Legislation

My team and I had planned to file our first pieces of legislation of the session last week but were delayed due to the extreme winter weather and the inability to come to the Capitol building. Now that we are back this week, I filed my first pieces of legislation of the session. I am continuing to work on my priority legislation and expect to file that next week. I will have a detailed explanation of that bill in my next capitol update. For now, here are highlights of the bills I filed this week:

SB 737: Firefighters (volunteer and full time) and EMS paramedics arrive on the scene to assist fellow Texans and, on occasion, enter some of the most dangerous and potentially violent situations in the public service sector. Currently, many of them are prohibited from carrying a firearm for their personal protection. SB 737 acknowledges these potential threats by giving firefighters and EMS paramedics the ability to defend themselves while in the line of duty. This bill allows those firefighters or EMS paramedics who already hold a license to carry a handgun from this state, to do so while on duty after completing an additional training course administered by The Texas Department of Public Safety (DPS). In addition, this legislation protects a governmental entity from liability for any conduct related to the first responder's decision to carry while on duty.

SB 738: Since the U.S. Supreme Court decided to classify same-sex marriage as a constitutional right, many judges or magistrates across the state have been forced to decide between running the risk of following their sincerely held religious conscience or officiating marriages they find morally objectionable. As a consequence, many of our state's judicial officers have altogether ceased conducting marriage ceremonies. SB 738 allows a judicial marriage officiant to recuse themselves from conducting certain marriages that violate their 1st amendment right of religious conscience. This bill would be a statutory enhancement to our state constitution, Article I, Section 4, which says "no public office holder shall be disqualified on account of religious sentiment."

SB 739: The governor appoints most presiding officers (chairmen/chairwomen) who oversee our numerous boards and commissions in this state. The 15 River Authorities' presiding officers are not named by the governor, and currently, the presiding officers of most authorities are designated by the board members themselves. Such a structure has decreased accountability in our state's river authorities because the presiding officer is accountable to the board members for his/her chairmanship, rather than being accountable to the governor, and by extension, the citizens who elect the governor. This bill authorizes the governor to select the presiding officers to ensure direct communication and increase accountability between the boards and the presiding officers he appoints.

SB 740: Our state is suffering from a steep nursing shortage, and the recent pandemic has only exacerbated this issue. SB 740 would allow Navarro Community College to offer Bachelor of Science in Nursing (BSN) degrees. Navarro Community College has demonstrated that they can introduce well-educated and much-needed nurses into the profession, and SB 740 will allow this program to meet our state's dire need.

S.B.: 741: Current law allows school districts to designate certain personnel as a "school marshall." School marshalls are responsible for the safety of our children at school, and accordingly, are charged with responding to threats by maintaining a firearm on campus. Unfortunately, current law prohibits certain school marshalls from concealed-carrying a firearm on campus and mandates the gun is stored separately from the marshall. This prevents quick access to a firearm when it may be needed most. SB 741 affords discretion to each local school board to best employ and execute the school marshall program by allowing districts to grant a school marshall the ability to carry a firearm on their person. This legislation is a refile from the 2019 Legislative Session, where it passed 28-3 out of the Senate but didn't get through the House.

S.B.: 742: The Tax Code allows for installment payments of property taxes when a business owner suffers physical damage to their commercial property as a result of a disaster. While the COVID-19 pandemic is a declared disaster and certainly affected businesses across the state, it did not physically damage any properties. Thus, business owners have not been able to take advantage of the installment payment provision. SB 742 gives taxing units the authority to grant installment payments in a disaster zone even when the damage is not strictly physical but resulted in a decrease in property value.

Special Election Set for Congressional District 6 (Navarro, Ellis, Tarrant)

With the recent passing of Congressman Ron Wright, there is now a vacancy in Congressional District 6, which incorporates all of Navarro and Ellis counties and a portion of Tarrant County. Governor Abbott announced the special election to fill that seat on Saturday, May 1, 2021. Early voting will begin on Monday, April 19, 2021. Candidates who wish to have their names placed on the special election ballot must file their applications with the Secretary of State no later than Wednesday, March 3, 2021. To read the governor's full special election proclamation, you can click here: <https://bit.ly/3buTmgo>.

Tarrant County Virtual Legislative Days

On Tuesday and Wednesday of this week, we had Tarrant County Virtual Legislative Days. I was honored to join my fellow Tarrant County colleagues Senator Jane Nelson (R- Flower Mound), Senator Beverly Powell (D-Fort Worth), and Senator Kelly Hancock (R- Richardson), to recognize this great county on the Senate floor. I also joined the group virtually, made up of leaders from Tarrant County, including city staff and elected officials; chamber members and leadership class members from Arlington, Colleyville, Fort Worth, Grapevine, Hurst-Euless-Bedford, Keller, NE Tarrant, Mansfield, NW Metroport, and Southlake Chambers of Commerce; Higher Education including Tarrant Community College, Tarleton State, Texas A&M School of Law, Texas Christian University, Texas Wesleyan, and the University of Texas Arlington to discuss my priorities for the legislative session and economic development issues that will come before my committee as Chairman of the Natural Resources and Economic Development Committee.



Virtually joining Tarrant County Legislative Days to discuss my legislative priorities this session.

I wanted to make you aware that the Parler Social Media site is back up and working. As I mentioned in a previous update, due to Facebook and Twitter censoring conservative voices, I am now solely posting on Parler. I encourage you to follow me on Parler @SenatorBirdwell for social media updates from my team and me. In closing, I want to thank you again for reading this update from 'Team Birdwell.' I hope you found it informative and that you'll share it with your friends, family, and colleagues in Senate District 22, who may subscribe to the Capitol Update [by clicking here](#).

God bless,

Brian Birdwell
State Senator, District 22

Austin: (512) 463-0122 // Waco: (254) 776-6225 // Granbury: (817) 573-9622
Brian.Birdwell@senate.texas.gov // www.senate.texas.gov