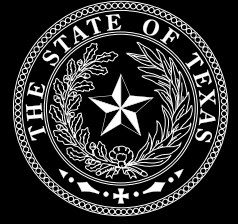




STATE REPRESENTATIVE



JOHN FRULLO



DISTRICT 84 ★ SEPTEMBER 2011

82<sup>ND</sup> LEGISLATIVE SESSION & CONSTITUTIONAL AMENDMENT INFORMATION



JOHN M. FRULLO  
STATE REPRESENTATIVE  
DISTRICT 84

Dear Friends,

Thank you for allowing me to serve as your Representative for Texas House District 84. It is an honor to be your voice in the Texas Legislature. After 170 consecutive days of regular and special sessions, consideration of more than 6,000 pieces of legislation, and enacting 1,485 bills and 10 joint resolutions, we concluded the 82nd Session of the Texas Legislature on June 29th, 2011.

During this session, we faced an unprecedented budget shortfall. The budget for the 2012-2013 biennium totals \$172.3 billion, including a decrease in overall state spending by \$15.2 billion from the last biennium. Though difficult decisions had to be made, we were able to balance the state budget without raising taxes. Just as families are forced to tighten their belts and cut household spending, legislators were tasked with drafting a budget that is fiscally responsible and works within our means.

Education funding was another topic of much discussion and debate during the 82nd Legislative Session. The budget for the 2012-2013 biennium increased general revenue funding to public schools by adding \$1.6 billion more to public education for the next two years. Legislators also decreased state mandates on local school districts to allow for more flexibility and less bureaucracy at the local level.

Aiding in Texas Tech University's pursuit of becoming a tier-one research institution, the Legislature outlined the method for distributing funds from the National Research University Fund to qualifying schools. The plan divides the money equally among the qualifying institutions. This will facilitate greater research opportunities for students and recognition of the universities in Texas that are making great strides in various research arenas.

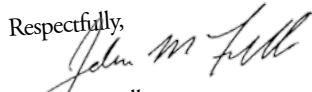
Lawsuit reform was another critical issue tackled by this legislature. We continued our state's great tradition of enacting policies that keep Texas on the forefront of job growth by passing laws to expedite legitimate lawsuits, while minimizing frivolous claims that hurt Texas businesses and cost Texans jobs. The reforms incorporated in the "loser pays" legislation cuts the cost of litigation, facilitates easier access to courts, and ensures that Texas remains business friendly.

The Constitution requires the Texas Legislature to redistrict every 10 years. The Texas Legislature was tasked with drawing four new political maps to account for the population shifts dictated by the recent Census. These new maps designate the boundaries for Congressional and State Board of Education districts, as well as those for the Texas House and Senate seats. West Texas faced the possibility of losing considerable representation to the more populous metropolitan areas of the state. Through our work as a West Texas delegation, we were able to maximize our representation.

In addition to the items mentioned above, we also passed legislation that protects private property (eminent domain), protects the sanctity of life (sonogram legislation), and ensures the integrity of our elections (voter ID). The following legislative update provides you with an overview of the constitutional amendments that will appear on the November ballot for your consideration, as well as a brief synopsis of legislation I authored during my first legislative session.

I want to thank all of you who visited Austin during the 82nd Legislative Session, wrote with your concerns or ideas, or called the office to make your voice heard. We appreciate hearing from you as your input is essential to the legislative process. Please know that our office is always open to you, and if we can ever be of service, do not hesitate to contact us with your questions or concerns. It is an honor to serve you.

Respectfully,

  
John M. Frullo  
State Representative, District 84

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*Chairman Pete Gallego, actor David Keith, Speaker Straus, and Rep. Frullo celebrate the passage of Alicia's law.*

## **ALICIA'S LAW**

A major accomplishment of the 82nd legislative session was the unanimous passage of HB 3746, otherwise known as Alicia's Law. The bill, my biggest initiative of the session, gives the Internet Crimes Against Children (ICAC) task forces administrative subpoena power to combat child pornography and sexual abuse. Alicia's Law was named after Alicia Kozakeiwicz, who at age 13, was contacted by a predator through the internet, abducted and held for four days in a basement where she was tortured. These kinds of crimes are the fastest growing class of crimes in our country. More than 30,000 individual computers in Texas were identified by the Department of Justice as trafficking in sadistic images of children being raped and tortured. This must stop; we must give our law enforcement the tools they need to go after these predators!

## **KEY CONSERVATIVE INITIATIVES**

The Legislature passed several key conservative initiatives during the 82nd Legislative Session. One of those was SB 14, otherwise known as the Voter ID bill. This bill was very important to protect the integrity of the election process by addressing requirements to vote, including presenting a form of photo identification to vote. HB 15 was another key issue, requiring a sonogram prior to obtaining an abortion as part of the informed consent process, except in the case of a medical emergency. Life is precious and HB 15 will ensure women receive complete information before making a life changing decision. We addressed lawsuit abuse by passing HB 274 to help reduce frivolous lawsuits and expedite legitimate ones. Frivolous lawsuits threaten the health of our businesses across the state. We want laws that promote a friendly business environment in Texas.

## **SUPPORT FOR VETERANS**

We are all deeply grateful for our veterans and the price they pay to protect our freedom and security. I authored HB 3580 to create a specialty license plate for surviving spouses of disabled veterans. We also passed SB 516, extending the ad valorem tax exemption for disabled veterans to their surviving spouses. Let's all continue to find ways to support our veterans.

## **2ND AMENDMENT RIGHT (RIGHT TO BEAR ARMS)**

Several bills were introduced this session related to our 2nd Amendment rights. We passed SB 321 allowing those with concealed handgun licenses to store handguns in vehicles in workplace parking lots. Our constitutional rights have been under attack and we must do all we can to protect them. We will continue to ensure Texans maintain the freedom we've been given since the birth of this great nation.

## **TIER-ONE STATUS FOR TEXAS TECH UNIVERSITY**

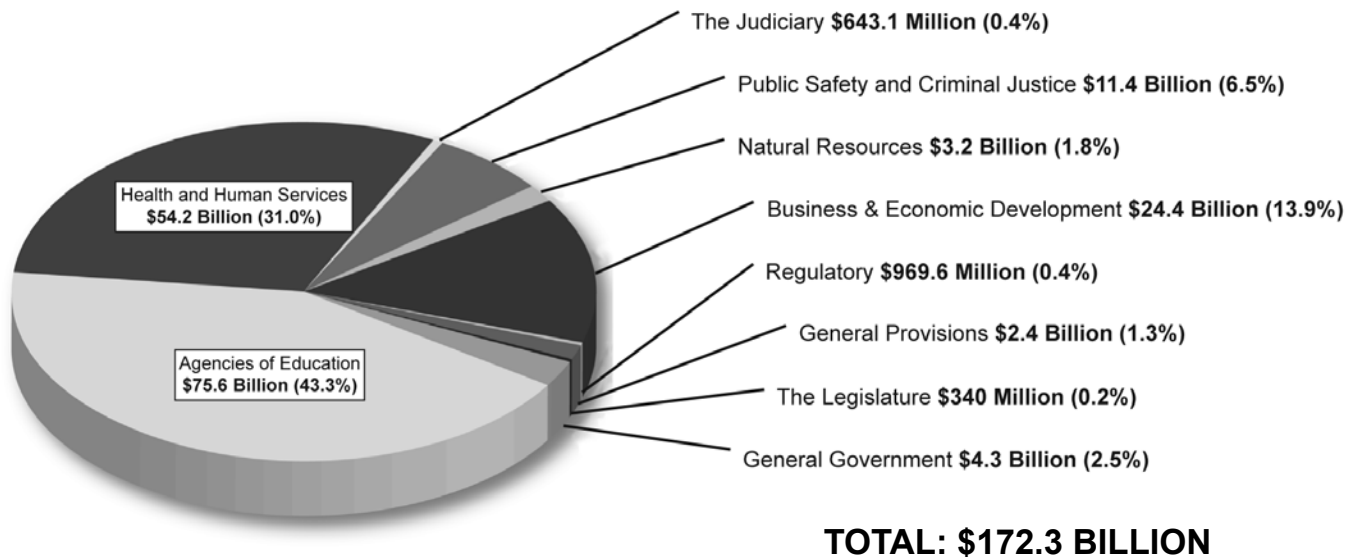
I joint-authored HB 1000, which creates a distribution system for the National Research University fund, a very important bill for Texas Tech University. This will facilitate greater research opportunities for students and recognition of the universities in Texas that are making great strides in various research arenas.

## **GOVERNMENT EFFICIENCY**

When I was elected, it was a priority to look for ways we could save taxpayer dollars. I sponsored several bills that will help the City of Lubbock save money and increase efficiency, SB 577 and SB 422. I joint-authored several pieces of legislation that help state agencies save money by allowing everything from the leasing of state parking spaces which ended up SB 1068, allowing private contributions and partnerships for projects in our state parks, HB 1300, and giving the Facilities Commission the ability to accept grants and gifts, HB 2769. In addition, HB 1781 will do away with redundant and obsolete reporting requirements for state agencies. It is a privilege sitting on the Committee on Government Reform and Efficiency where we look at an array of ideas to ensure your taxpayer dollars are being spent wisely and efficiently.



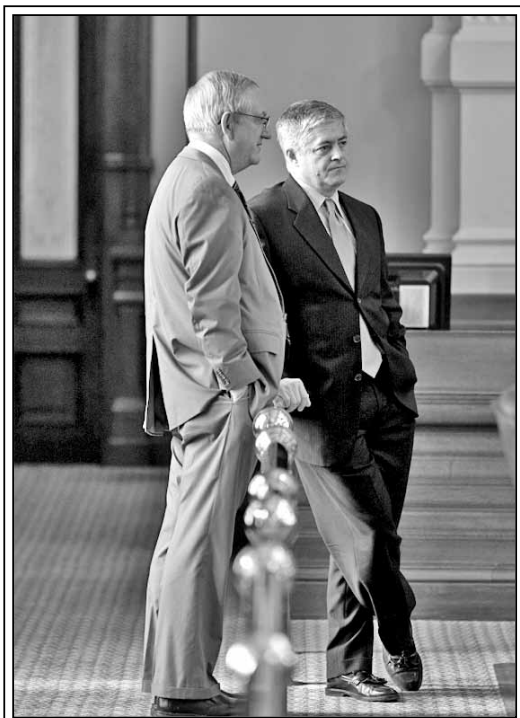
*Rep. Frullo working on legislation with Dean Craddick, Rep. King, Rep. Price and Rep. Darby.*



## BALANCED BUDGET

The single issue that overshadowed all others this session was balancing the budget. Although Texas is faring far better than other states, our recovery from the recession has still been far too slow in coming. Before coming to Austin this session, I made a commitment to balance the budget without raising taxes, and that is exactly what the Legislature accomplished in the final plan for state spending. Accomplishing that was no easy task, considering the fact that under performing sales tax revenues and rising education and healthcare costs contributed to a significant shortfall.

Rather than enacting across the board cuts, we took the time to carefully consider and prioritize each budget item, so that we could ensure this budget would offer the most help for Texans and our economy to continue to improve. The overall budget (all funds) is \$172.3 billion, which is \$15.2 billion less than that spent for the 2010-11 biennium.



*Rep. Frullo discussing legislation with Chairman Smithee on the House floor.*



*Rep. Frullo serves on the House Committee on State Affairs.*



# Representative John Frullo's Constitutional Amendment Voters Guide

**Constitutional Amendment Election on November 8th Early Voting Begins October 24, 2011**

<b>PROPOSITION:</b>	<b>SUPPORTERS SAY:</b>	<b>OPPOSITION SAY:</b>
<b>AMENDMENT NO. 1 (S.J.R. 14)</b> Authorizing legislature to provide an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a 100 percent or totally disabled veteran.	By allowing a surviving spouse to transfer the surviving spouse's exemption to a subsequent homestead, the proposed amendment would permit the surviving spouse to move to a different home, including a home closer to family, without losing the exemption.	The state should not provide for new property tax exemptions at a time when essential services such as public education and health care are underfunded.
<b>AMENDMENT NO. 2 (S.J.R. 4)</b> Providing for the issuance of additional general obligation bonds by the Texas Water Development Board in an amount not to exceed \$6 billion at any time outstanding.	The increase in Texas' population and the persistent threat of severe drought highlight the need to update infrastructure to meet current water needs and to anticipate and plan for future water needs. Without the additional bonding authority, critical water planning and infrastructure upgrades will be greatly impeded or halted altogether.	No comments opposing the amendment were made during the house and senate committee hearings or during discussion of the amendment in the house and senate chambers.
<b>AMENDMENT NO. 3 (S.J.R. 50)</b> Providing for the issuance of general obligation bonds of the state to finance educational loans to students.	Recent cuts in federal financial aid and the elimination of certain federal financial aid programs, together with expected reductions in available state grant programs, will likely increase the demand for student loans, and low-interest, fixed-rate loans.	No comments opposing the amendment were made during the house and senate committee hearings or during discussion of the amendment in the house and senate chambers.
<b>AMENDMENT NO. 4 (H.J.R. 63)</b> Authorizing the legislature to permit a county to issue bonds or notes to finance the development or redevelopment of an unproductive, underdeveloped, or blighted area and to pledge for repayment of the bonds or notes increases in ad valorem taxes imposed by the county on property in the area.	Counties should have the same ability as cities and towns to finance needed public improvements in areas that are deteriorating and designated as reinvestment zones. The proposed amendment would provide a mechanism for financing structural improvements in a defined area without a tax increase.	Authorizing counties to implement tax increment financing to fund transportation or other projects in a reinvestment zone could create an incentive to appraise property in the zone at a higher value.
<b>AMENDMENT NO. 5 (S.J.R. 26)</b> Authorizing the legislature to allow cities or counties to enter into interlocal contracts with other cities or counties without the imposition of a tax or the provision of a sinking fund.	By allowing a local government to enter into a contract with a term of more than one year without having to impose a tax or create a sinking fund, the proposed amendment would increase government efficiency by allowing for the consolidation of more programs, services, and projects.	No comments opposing the amendment were made during the house and senate committee hearings on the amendment or during discussion of the amendment in the house and senate chambers.
<b>AMENDMENT NO. 6 (H.J.R. 109)</b> Clarifying references to the permanent school fund, allowing the General Land Office to distribute revenue from permanent school fund land or other properties to the available school fund to provide additional funding for public education, and providing for an increase in the market value of the permanent school fund for the purpose of allowing increased distributions from the available school fund.	The proposed amendment is necessary to clarify the constitutionality of the General Land Office's authority to distribute revenue derived from permanent school fund land and property directly to the available school fund for distribution in the next biennium to the state's public schools. Those revenues can be distinguished from the distributions from the permanent school fund that are attributable to revenue from the State Board of Education's management of investments of other permanent school fund assets.	The permanent school fund is meant to provide interest revenue from investment of the fund's permanent assets for distribution through the available school fund to the public schools in this state, and it would be unwise to spend funds that otherwise would be invested.
<b>AMENDMENT NO. 7 (S.J.R. 28)</b> Authorizing the legislature to permit conservation and reclamation districts in El Paso County to issue bonds supported by ad valorem taxes to fund the development and maintenance of parks and recreational facilities.	Currently, the City of El Paso's park system, used by both city and El Paso County residents, is underfunded. The proposed amendment would facilitate the creation and maintenance of a regional parks district in the county through certain bonding and taxing authority currently available in 10 other counties.	The proposed amendment would provide an opportunity for further taxing authority in El Paso County, a property-poor county. In this current economic climate, government leaders should be focused on sustaining the local economy and generating revenue rather than on creating additional debt.
<b>AMENDMENT NO. 8 (S.J.R. 16)</b> Providing for the appraisal for ad valorem tax purposes of open-space land devoted to water-stewardship purposes on the basis of its productive capacity.	Active conservation will account for 23 percent of the state's future water supply, and the state water plan endorses voluntary water stewardship as a water conservation strategy. Promoting water stewardship is sound and sustainable water conservation policy. Farmers and ranchers would have a financial incentive to run fewer cattle on their land, helping to preserve the land's habitat and native plant and animal species.	The proposed amendment and its enabling legislation could provide a way to undermine the agricultural-use property valuation, or have other unintended consequences.
<b>AMENDMENT NO. 9 (S.J.R. 9)</b> Authorizing the governor to grant a pardon to a person who successfully completes a term of deferred adjudication community supervision.	The Texas Constitution currently authorizes the governor to pardon a person who has been convicted of a crime but not a person who has completed deferred adjudication community supervision. This allows a situation in which a person who is convicted of a violent crime may receive a pardon while a person who is charged with a nonviolent crime and is placed on and completes deferred adjudication community supervision is not allowed to seek a pardon.	Providing the means by which a person who completes a term of deferred adjudication community supervision may be pardoned would not efficiently achieve the goal of expunction of criminal history record information because the person still must proceed through the pardon process involving the Board of Pardons and Paroles and the governor, a process that historically has resulted in few pardons.
<b>AMENDMENT NO. 10 (S.J.R. 37)</b> Changes the length of the unexpired term that causes the automatic resignation of certain elected county or district officeholders if they become candidates for another office.	Under the current resign-to-run provision in the Texas Constitution, an officeholder could file an application for a place on the general primary election ballot as late as January 2 of the primary election year, the current filing deadline, at which time the officeholder would have less than one year remaining in that office and would not be affected by the resign-to-run provision. Because Senate Bill 100 changes that filing deadline from January 2 to the second Monday in December of the preceding year, a conforming change to the constitutional resign-to-run provision is necessary to preserve the original intent of that provision.	No comments opposing the amendment were made during the house and senate committee hearings or during discussion of the amendment in the house and senate chambers.

## LEGISLATION AUTHORED OR JOINT AUTHORED BY REPRESENTATIVE FRULLO

<b>HB 1000</b>	Creates a distribution system for the national research university fund. Important for Texas Tech University.
<b>HB 1300</b>	Authorizes private contributions & partnerships for projects in our parks. Saves money.
<b>HB 1781</b>	Reduces obsolete or redundant reporting requirements.
<b>HB 2295</b>	Clarifies the law related to the Universal Service Fee.
<b>HB 2769</b>	Authorizes the Facilities Commission to receive grants and gifts.
<b>HB 3580</b>	Creates a specialty license plate for surviving spouses of disabled veterans.
<b>HB 3746 (Alicia's Law)</b>	Gives law enforcement necessary tools to combat the trafficking of child pornography.

## LEGISLATION SPONSORED OR CO-SPONSORED BY REPRESENTATIVE FRULLO IN THE HOUSE

<b>SB 14 (Voter ID)</b>	Requires photo identification for voting.
<b>SB 24</b>	Increases penalties for human trafficking.
<b>SB 398</b>	Clean up legislation related to the Lubbock County Hospital District.
<b>SB 422</b>	Saves taxpayers money by consolidating collection of assessments.
<b>SB 577</b>	Saves time and money to allow facsimile signature for various municipal liens and contracts.
<b>SB 1150</b>	Requires certain non-ERCOT utilities to comply with energy efficiency goals.

## LEGISLATION CO-AUTHORED BY REPRESENTATIVE FRULLO

<b>HB 8</b>	Creates property owner's protection from private transfer fees.
<b>HB 11</b>	Increases reporting requirements for the distribution of alcoholic beverages.
<b>HB 15 (Sonogram Bill)</b>	Requires a sonogram prior to obtaining an abortion as part of the informed consent process.
<b>HB 274 (Loser Pay)</b>	Minimizes the potential for frivolous lawsuits.
<b>HB 335</b>	Requires agencies to submit reports to the legislature outlining effects of reforms required by the Federal Patient Protection and Affordability Care Act prior to any implementation.
<b>HB 1353</b>	Authorizes 75 -mph speed limit in certain areas.
<b>HB 1607</b>	Which ended up in SB 1068 authorizes the state to lease state parking spaces.
<b>HB 2903</b>	Promotes PACE (program for all-inclusive care for the elderly) as an important long term care option in Medicaid.
<b>HJR 109</b>	Constitutional amendment to direct the General Land Office to transfer funds to the Available School Fund.



*Rep. Frullo visiting the Ilse Elementary School to promote education in the arts.*



*Rep. Frullo with Scoutmaster Herb Kopper and Boy Scout Troop 406.*



STATE REPRESENTATIVE

**John Frullo**

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STATE AFFAIRS • GOVERNMENT EFFICIENCY & REFORM



*Rep. Frullo on the House floor with  
Cornelius Dupress, Jr. who was exonerated.*



*Rep. Frullo conducting the day's business  
from the House floor dais.*

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