



STATE REPRESENTATIVE



JOHN FRULLO



DISTRICT 84 ★ FALL 2017

85<sup>TH</sup> LEGISLATIVE SESSION & CONSTITUTIONAL AMENDMENT INFORMATION



JOHN M. FRULLO  
STATE REPRESENTATIVE  
DISTRICT 84

Dear Friends,

The 85th Legislative Sessions were successful in keeping with the core fundamentals that make our state great. We passed a fiscally conservative budget for 2018-1019 while maintaining over \$9 billion in the Rainy Day Fund. We made significant investments in mental health, the teacher retirement health care system, and infrastructure across the state, like deferred maintenance and critical cybersecurity across state agencies. Child Protective Services (CPS) was a major focus for the Legislature as we put more funding into the CPS system to hire and train critical staff and made changes to the program to attract Texans who will provide foster care and adopt children who need a home. In the midst of passing a fiscal budget, we funded enrollment growth for our schools and tweaked the accountability system measures so that the system more fairly reflects the true progress of our students. We have over 80,000 new students a year and it takes resources to educate all these young Texans. We also maintained our commitment to border security and increased financial aid for college students.

High on the list of priorities was helping Texas Tech University and Texas Tech University Health Sciences Center secure funding to start a veterinary program in our area of the state and I'm happy to say we secured \$4.1 million for that program! Also high on the list was authoring and passing legislation to pave the way for a new veterans medical center on the Texas Tech campus that will specialize in mental health. We are indebted to our veterans and the price they paid for our freedom!

Another important bill from this session was SB 507, which I passed in the House to expand the mediation process for consumers to fight back against balance bills. Too many Texans have suffered the negative effects of "surprise" medical bills and this legislation will strengthen a process that has already proven to reduce the cost of medical bills for patients. I also fought hard this session to pass legislation to protect children by giving law enforcement clear guidance when they encounter a child that might be in a harmful situation. We provided that guidance in SB 1571.

This newsletter will further outline the bills I passed during the legislative session along with an overview of the constitutional amendments you will see on the ballot in November.

Thank you for all of your support and for those of you who contacted me during the session to share your feedback on issues important to you. It is an honor serving you in the Texas House of Representatives.

Sincerely,

John M. Frullo

**Capitol Address**  
P.O. Box 2910 • Room 4N.6  
Austin, Texas 78768-2910  
512-463-0676 • 512-463-0072 Fax



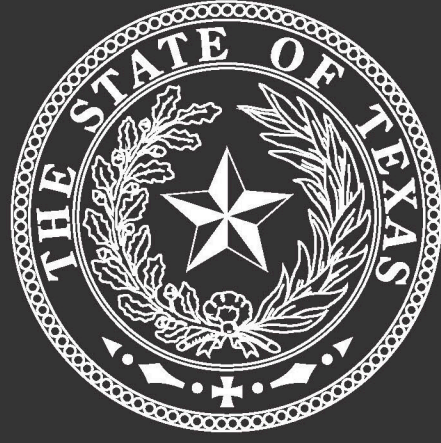
[john.frullo@house.texas.gov](mailto:john.frullo@house.texas.gov)

**District Address**  
4601 50<sup>th</sup> Street • Suite 216  
Lubbock, Texas 79414  
806-763-2366

# JOHN FRULLO

STATE REPRESENTATIVE ★ DISTRICT 84

**CAPITOL OFFICE: 4N.6**  
 P.O. Box 2910  
 Austin, Texas 78768-2910  
 (512) 463-0676 · (512) 463-0072 fax  
 District84.Frullo@house.texas.gov



**DISTRICT OFFICE:**  
 4601 50th Street, Suite 216  
 Lubbock, Texas 79414  
 (806) 763-2366  
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 Committee on Culture, Recreation & Tourism, Chair

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STATE REPRESENTATIVE  
**JOHN FRULLO**  
 P.O. Box 2910  
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Rep. Frullo, Rep. Burrows, and Lubbock native and alum Rep. Meyer with students from All Saints Episcopal School



Rep. Frullo honoring former Rep. Carl Isett on his recent retirement from the U.S. Navy. Thank you Carl for your service to the State and Country!

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# BILLS PASSED INTO LAW DURING THE 85<sup>TH</sup> SESSION



## ★ LEGISLATION AUTHORED OR JOINT AUTHORED BY REPRESENTATIVE FRULLO ★

<b>HB 29</b>	Enhances the authority and methods used to combat human trafficking
<b>HB 1296</b>	Allows Texans to align the refill dates for multiple prescription medications
<b>HB 1503</b>	Combats human trafficking by requiring attempted abductions to be reported
<b>HB 1542</b>	Helps children caught in the foster care system with no place to go
<b>HB 1559</b>	Provides more options to businesses for commercial insurance
<b>HB 1691</b>	Designates the "Nelda Laney Rest Area" on Interstate Highway 27
<b>HB 1774</b>	Protecting the Texas insurance market from frivolous lawsuits
<b>HB 1930</b>	Increases financial transparency in our state and local governments
<b>HB 1935</b>	Simplifies the carrying of large knives and protects your 2nd Amendment rights
<b>HB 2082</b>	Helps our first responders navigate workers' compensation claims
<b>HB 2101</b>	Streamlines regulatory process for food and beverage certificates
<b>HB 2492</b>	Encourages insurance companies to relocate to Texas
<b>HB 2663</b>	Ensures Texan's are not paying twice for vehicle registrations
<b>HB 3029</b>	Allows students to start working towards their HVAC licensure while in high school
<b>HB 3907</b>	Reduces the regulatory burden on fireworks operators

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

<b>SB 4</b>	Requires law enforcement officers to enforce federal immigration laws
<b>SB 5</b>	Protects against voter fraud to ensure fair elections
<b>SB 7</b>	Increases penalties for teachers who engage in improper relationships with students
<b>SB 8</b>	Requires humane disposal of fetal remains as a result of an abortion
<b>SB 15</b>	Provides property tax relief for the surviving spouse of a first responder
<b>SB 16</b>	Reduces the fee for individuals with a license to carry a handgun
<b>SB 21</b>	Enables Texas to join the convention of states in order to reign in federal power
<b>SB 24</b>	Prohibits a government from issuing a subpoena for a sermon
<b>SB 507</b>	Helps Texans fight back against "surprise" medical bills
<b>SB 573</b>	Allows for more funding to go to freshwater fishing projects
<b>SB 720</b>	Provides hunters with more flexibility in harvesting and quartering deer
<b>SB 763</b>	Expands the board of the Texas Historical Commission to better represent Texas
<b>SB 1033</b>	Allows Texas Tech to transfer land to Texas Tech Health Sciences Center
<b>SB 1070</b>	Provides Texas insurance companies more options in how to manage their risk
<b>SB 1076</b>	Ensures Texan's are not over charged for prescription drugs
<b>SB 1214</b>	Codifies sections of the rural public defender program
<b>SB 1571</b>	Helps law enforcement ensure children are not released into harmful situations
<b>SB 1873</b>	Combats childhood obesity by increasing the transparency of physical education participation

## ★ LEGISLATION CO-AUTHORED BY REPRESENTATIVE FRULLO ★

<b>HB 7</b>	Bolsters the Department of Family and Protective Services
<b>HB 100</b>	Eliminates a patchwork of local ridesharing laws
<b>HB 150</b>	Provides property tax relief to a partially disabled veteran
<b>HB 355</b>	Increases campus safety by prohibiting registered sex offenders from living in an on campus dormitory
<b>HB 2445</b>	Helps the City of Lubbock fund civic center renovations and related projects, without raising taxes
<b>HB 1819</b>	Protects your 2nd Amendment rights by cleaning up firearm silencer laws
<b>HB 3859</b>	Ensures religious freedom for our foster care providers



# HIGHLIGHTS OF REPRESENTATIVE



The Texas Tech delegation celebrating Texas Tech Day at the Capitol

## TEXAS TECH UNIVERSITY

★ A successful session ★

In their first session since being designated as a Carnegie Tier One University, Texas Tech University showed no signs of slowing down. At the beginning of session, the Tech System requested funding for a dental school in El Paso and a veterinary school in Amarillo. The West Texas delegation worked hard for these priorities and the final budget included funding for both of these projects! Moving the ball forward on these items will help Texas Tech continue to build on their reputation as one of the top schools in Texas. Additionally, I worked with Senator Charles Perry to pass SB 1033 which will allow the Texas Tech System to transfer land to Texas Tech University Health Sciences Center in order to build a new Veterans Administration (VA) clinic on the Lubbock campus. This is a big win for our veterans, Lubbock, and Texas Tech!

## HEALTH INSURANCE

★ Lowering your healthcare costs ★

Over the past two years, the Legislature has researched the devastating impact that “surprise” medical bills can have on Texans. This session, I passed Senate Bill 507 which will greatly expand access to a mediation process that has proven to reduce the cost of medical bills. In 2016, the amount of the medical bill prior to mediation was \$3,154, but after mediation the bill was reduced on average to \$344, saving Texans over \$4.3 million in medical bills. SB 507 expands the access to mediation in two key areas. First, all retired and current teachers will now be eligible to participate in the mediation process. Second, any healthcare provider or facility fee in an emergency situation will be subject to the mediation process. If you have questions about a “surprise” medical bill, please contact our office or the Texas Department of Insurance’s Consumer Helpline at: 1-800-252-3439.

★ Simplify your pharmacy trips ★

Nobody knows the barriers and complexity of our healthcare system better than those who suffer from a chronic illness. That is why I authored and passed House Bill 1296, which will allow certain Texan’s

to align the renewal dates for multiple prescription medications. Under current law, someone might refill one medication at the beginning of the month, only to have to return to the pharmacy a few weeks later to refill another medication. With the passage of House Bill 1296, you might be eligible to align the renewal dates of your prescription so that you will only have to make one trip a month to the pharmacy.

## SECOND AMENDMENT RIGHTS

★ Protecting your right to bear all arms ★

The legislature continued our efforts from the 84th Session to protect your Second Amendment rights by decreasing the License to Carry (LTC) fee. Under current law, the fee is set at \$140, which is significantly greater than the actual cost to administer the LTC program. I was proud to cosponsor SB 16, and take the necessary step to reduce the burden for eligible citizens who wish to become licensed to carry a handgun. Going forward, Texans will only have to pay an amount of \$8 a year for a LTC.

Another important defense of the second amendment is through the protection of knife rights. In 2013, the legislature started to focus on knife rights by repealing the statewide ban on switchblades. In 2015, I passed HB 905 to preempt a patchwork of local knife laws, some of which prohibited the carrying of a knife with a blade longer than 3 inches. This session, I passed HB 1935 which will allow for the carrying of knives greater than 5 and half inches, except for certain areas like schools and bars. This is a great step forward in protecting your constitutional right to bear arms!

## BORDER SECURITY

★ Keeping Texas Safe ★

Nothing is more important than the security of our nation and that starts with protecting our border. That is why I supported maintaining historic levels of border security funding. Hopefully the new administration will step up their efforts and fulfill the federal government’s responsibility to defend our borders. Until we start seeing more support in Texas, we will need to continue to provide the current level of border security funding.



Speaker Straus, Rep. Frullo, and Whitney Lawson, our Lubbock district office intern



## CRT COMMITTEE

★ *Where hunting and fishing combine nicely with theatre and ballerinas* ★

I was honored to chair the Committee on Culture, Recreation, and Tourism, which is a standing committee whose jurisdiction covers a broad range of issues that have significant cultural and historical value to the state. This includes the state's parks, wild game animals, coastal fish, and state monuments to name a few. The committee passed legislation aimed at protecting the state's fisheries and oyster reef. The committee also heard legislation addressing chronic wasting disease that threatens the state's deer population. On the culture front, the committee considered legislation that would bolster the state's music tourism and legislation that would protect historical buildings from the time of the Texas Republic. The committee will continue to monitor these issues during the interim and meet with department officials to stay up to date.



*Chairman Frullo with the members of the Culture, Recreation, and Tourism Committee*

## COMBATING HUMAN TRAFFICKING

★ *Continuing to move the ball forward in the fight against human trafficking* ★

Continuing in the work to fight against human trafficking and crimes against children, I joint authored House Bill 29 which makes extensive reforms to the law to combat human trafficking in Texas. The bill gives the attorney general's office the authority to investigate human trafficking and sex trafficking as racketeering and requires trade schools and junior colleges to offer instruction to truck drivers on how to look for the signs of human trafficking on Texas' highways. The bill also contains provisions to make sure those convicted of continuous trafficking are required to be listed on the sex offender registry. I was the House sponsor of Senate Bill 1571, which gives law enforcement guidance when and where to release a child when they rescue the child from a harmful situation. Over the last several years, DPS officers have rescued 297 children from harmful situations because they were given training to recognize the signs of children being trafficked. Lastly, I passed HB 1503 to ensure that law enforcement across the state report attempted abductions. The legislature has worked hard over the past several years to combat human trafficking and to support legislation on this important issue!

## SPECIAL SESSION UPDATE

The legislature convened for the first called special legislative session on July 18th, 2017 to ensure that our Texas Medical Board and a cluster of mental health boards remain open over the next two years. Once these agencies were extended, the special session call was expanded to 20 items. I was proud to support all of the bills that made it to the governor's desk, as well as many other bills that did not make it all the way through the process. One important bill from the special session was HB 21, which provided our retired teachers with \$212 million in additional funding.

Unfortunately, the legislature was unable to find agreement to address one of the most pressing issues effecting Texans, increasing property taxes. There were two proposals to address different factors that increase our property taxes. I co-authored both because we need to provide relief to property owners. Property tax rate reform would lower the rollback rate and make the rollback election automatic. Changes in our school finance system would reduce property taxes by decreasing the amount of local taxes and increasing the state's share.

The special session produced pro-life legislation. Many Texans do not want to pay for abortion coverage as part of their basic health insurance plan for moral or other reasons. HB 214 helps ensure that Texans are not paying for health insurance that covers elected abortions. Lastly, we passed SB 11 which gave patients more input into the process of issuing a do-not-resuscitate (DNR) order. The bill establishes patient protections to prevent a DNR order from being issued without the knowledge or input from the patient or their family.



*Chairman Frullo listening to testimony from a witness in front of the Committee on Culture, Recreation, and Tourism*

# CONSTITUTIONAL AMENDMENT VOTERS GUIDE

PROPOSITION	SUPPORTERS SAY:	OPPONENTS SAY:
<p><b>Amendment No. 1 (H.J.R. 21)</b> The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related provisions of the Texas Constitution.</p>	<p>Currently, a partially disabled veteran who pays part of the cost of a donated home receives no property tax exemption on the home's taxable value, unlike a partially disabled veteran whose home has been donated to the veteran in full. H.J.R. 21 would address this inconsistency in the law and avoid the risk that such a veteran might lose a home designed specifically for the individual's disabilities because of property tax bills that the veteran may not have the income to pay.</p>	<p>While no witnesses opposing H.J.R. 21 appeared before the legislature, the HRO analysis reports that opponents say that the legislature should focus its efforts on reducing the property tax burden for everyone rather than granting exemptions for a specific category of people, regardless of how deserving, which results in higher taxes for others.</p>
<p><b>Amendment No. 2 (S.J.R. 60)</b> The constitutional amendment to establish a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads.</p>	<p>The amendment represents a consensus of the concerns of Realtor and lender associations, which include addressing limited access to home equity loans in rural areas, significantly increased costs at the time of origination, and high population growth from outside Texas that has created increased real estate activity.</p>	<p>S.J.R. 60 would erase constitutional protections for homeowners that were very carefully negotiated when home equity loans were first authorized. There are no significant issues with obtaining home equity loans in Texas under current law. The amendment would only make costs more onerous to borrowers.</p>
<p><b>Amendment No. 3 (S.J.R. 34)</b> The constitutional amendment limiting the service of certain officeholders appointed by the governor and confirmed by the senate after the expiration of the person's term of office.</p>	<p>S.J.R. 34 would address concerns that unpaid gubernatorial appointees on state boards and commissions hold over in office long after expiration of the appointees' terms and would ensure that unpaid volunteer positions are sufficiently rotated among qualified Texans.</p>	<p>S.J.R. 34 could result in unfilled vacancies in important state offices if successors are not duly qualified by the deadline proposed by the amendment. The existing constitutional provision providing for the continued service of officers until their successors are duly qualified affords the Office of the Governor flexibility in finding qualified replacements for appointive offices.</p>
<p><b>Amendment No. 4 (S.J.R. 6)</b> The constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional.</p>	<p>The proposed amendment would ensure that Texas laws could not be struck down through a constitutional challenge without the attorney general having a fair opportunity to defend the laws. The Texas Court of Criminal Appeals determined in 2013 that it was an unconstitutional violation of the separation of powers for a court to have to notify the attorney general that the constitutionality of a state statute is being challenged.</p>	<p>The constitutional amendment proposed by S.J.R. 6 may create confusion regarding the attorney general's role in criminal cases by requiring notice to be provided to the attorney general in such cases. Under current law, the attorney general is not authorized to represent the state in criminal cases, subject to certain exceptions. Requiring notice to be provided serves little purpose unless the prosecutor requests the attorney general's assistance in a pending case.</p>
<p><b>Amendment No. 5 (H.J.R. 100)</b> The constitutional amendment on professional sports team charitable foundations conducting charitable raffles.</p>	<p>By expanding the number of professional sports team charitable foundations eligible to hold charitable raffles at home games, H.J.R. 100 would provide opportunities for charitable revenue to be brought to more areas of the state, such as rural and suburban communities. Charitable raffles help disadvantaged youth across Texas and also have the potential to help nonprofit and other charitable organizations that have programming geared toward helping cancer research and victims of domestic abuse.</p>	<p>The existing constitutional limitation that allows only foundations in operation on January 1, 2016, to operate charitable raffles was established to protect against the creation of new entities solely to take advantage of charitable raffles. H.J.R. 100 would expand gambling in Texas by encouraging less well-established professional sports teams to set up charitable foundations to conduct raffles and may prompt other groups to seek similar authorization to conduct charitable gaming.</p>
<p><b>Amendment No. 6 (S.J.R. 1)</b> The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty.</p>	<p>S.J.R. 1 would help ensure that families of fallen first responders, who have already suffered devastating loss in service to their communities, do not face the loss of their home because of the property tax burden, particularly following the death of a first responder who is likely to have been a breadwinner for the family.</p>	<p>While no witnesses opposing S.J.R. 1 appeared before the legislature, the HRO analysis reports that opponents say that the legislature should focus its efforts on reducing the property tax burden for everyone rather than granting exemptions for a specific category of people, regardless of how deserving, which results in higher taxes for others.</p>
<p><b>Amendment No. 7 (H.J.R. 37)</b> The constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings.</p>	<p>Savings incentives such as savings promotion raffles offering cash prizes to savers are needed in Texas because more than one-third of Texas households lack a savings account, and about half do not have a three-month emergency fund. H.J.R. 37 would provide an incentive for individuals, including low-income individuals, to open savings accounts with banks and credit unions instead of relying on more expensive alternative financial services such as consumer loans or on payday lenders and title lenders for which fewer regulations exist.</p>	<p>H.J.R. 37 would provide unfair favoritism to traditional financial institutions by authorizing the only noncharitable raffle allowed in Texas for the benefit of only one industry. The amendment is not necessary under the Texas Constitution, which only prohibits lotteries that require a form of payment or consideration.</p>